

NO: R002

COUNCIL DATE: **JANUARY 12, 2015**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **December 16, 2014**

FROM: **General Manager, Engineering**

FILE: **0910-30/182**

SUBJECT: **Approval of the Sale of Closed Portions of Road Allowance Adjacent to
11531 - 134 Street and 11542 - 134 Street (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of 144.9 m² (1,560 ft.²) and 181.9 m² (1,958 ft.²) areas (based on final survey information) of closed road allowance adjacent to 11531 and 11542 - 134 Street under previously approved terms for this closure and sale as outlined in Corporate Report No. 042; 2012, a copy of which is attached to this report as Appendix I.

DISCUSSION

On March 12, 2012, Council authorized the Engineering Department (Resolution No. R12-587 related to Corporate Report No. R042) to proceed with the closure and sale of portions of redundant road allowance having the areas of 145.2 m² (1,563 ft.²) and 182.1 m² (1,960 ft.²) for the purpose of allowing consolidation with the respective adjacent properties known as 11531 and 11542 - 134 Street. The areas related to the closure and sale have been adjusted to reflect final survey information. Council's approval of the sale of these portions of closed road allowance is now required to complete the final step in the road closure process as stipulated by the Community Charter.

The Community Charter requires that Council's approval to close and sell roads be obtained on two separate occasions. The first such approval is at the beginning of the closure process when Council is requested to authorize the "cancellation of highway" for the portion of road to be closed and consolidated. The second such approval is at the end of the process when Council's authorization is required to formally dispose of the closed portion of road after all the statutory requirements have been met. In accordance with Section 40 of the Community Charter, all the necessary requirements to dispose of these redundant portions of road/lane allowance have been met and it is now in order for Council to authorize this last step in the road closure and sale process.

CONCLUSION

It is recommended that Council approve the sale of closed portions of road allowance adjacent to 11531 and 11542 - 134 Street under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R042; 2012.

Fraser Smith, P.Eng., MBA
General Manager, Engineering

NRR/ML/amg/clr

Appendix I - Corporate Report No. R042

CORPORATE REPORT

NO: **R042**

COUNCIL DATE: **March 12, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **March 8, 2012**

FROM: **General Manager, Engineering**

FILE: **0910-30/182**

SUBJECT: **Closure of Road Allowance Adjacent to the Lots at 11531 - 134 Street and 11542 - 134 Street**

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a by-law to close and remove the dedication as highway of each of a 145.2 m² (1,563 ft.²) portion and a 182.1 m² (1,960 ft.²) portion of opened road located adjacent to the properties at 11531 & 11542 - 134 Street, all as generally illustrated in Appendix 1 attached to this report.

BACKGROUND

1. Property Description

The 145.2 m² area and the 182.1 m² area of dedicated road proposed for closure comprise the southeast portion of the former 134 Street cul-de-sac, which adjoins two light impact industrial zoned properties at 11531 - 134 Street and 11542 - 134 Street, respectively. The original access from 116 Avenue to the 134 Street cul-de-sac road has been closed and a new road from 115 Avenue has been constructed to accommodate the South Fraser Perimeter Road, which is under construction.

2. Zoning, Plan Designations, and Land Uses

The areas of road proposed for closure and the adjacent lots at 11531 & 11542 - 134 Street are zoned Light Impact Industrial (IL) Zone and are designated as "Industrial" in the Official Community Plan.

DISCUSSION

1. Purpose of Road Closure

The Provincial Ministry of Transportation and Infrastructure is constructing the South Fraser Perimeter Road (SFPR) under its Gateway Program and in doing so has closed the original access from 116 Avenue (new SFPR) to the subject 134 Street cul-de-sac road. The Gateway Program has purchased land and constructed a new cul-de-sac bulb at the north end of this section of 134 Street and a new municipal road linkage from 115 Avenue. As a result of the new road pattern, a 145.2 m² area and a 182.1 m² area of the original cul-de-sac bulb has become redundant as road allowance as illustrated in Appendix 1.

Gateway remains in discussion with the owner of the lots at 11531 & 11542 - 134 Street on acquisition of part of the lot at 11531 - 134 Street for establishing the new road connection from 115 Avenue. To assist in the discussion, Gateway has requested that the City close each of the 145.2 m² area and the 182.1 m² area of the old cul-de-sac road for the purpose of having these surplus portions of road consolidated with the adjacent lots at 11531 & 11542 - 134 Street.

The proposed road closure has been circulated to all concerned City departments for review and no objections to the closure or disposition have been raised.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closure of this road have been consulted. Statutory rights-of-way are required to accommodate existing services located within the area of road proposed for closure.

2. Land Value

It has been agreed that no compensation for the lands will be paid to the City on the basis Gateway has, at its cost, purchased and dedicated alternative lands for and constructed a new cul-de-sac road at the north end of the subject section of 134 Street and constructed a new road linkage to this section of 134 Street from 115 Avenue.

It is noted that all area calculations contained in this report are approximate and subject to final survey.

SUSTAINABILITY CONSIDERATIONS

The proposed road closure and disposition supports the objectives of the City's Sustainability Charter by using the City's land base efficiently. The road closure and consolidation with the adjacent properties will increase the area of land designated for industrial development in the City, which is consistent with the Charter's objective of ensuring that the City's operation is financially sustainable.

CONCLUSION

The portions of road allowance proposed for closure and disposition are surplus to the City's needs. The terms of the agreement covering the disposition of the surplus road allowance and its consolidation with the properties at 11531 & 11542 - 134 Street are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate by-law to close the subject portions of road allowance in preparation for their transfer and consolidation as described in this report.



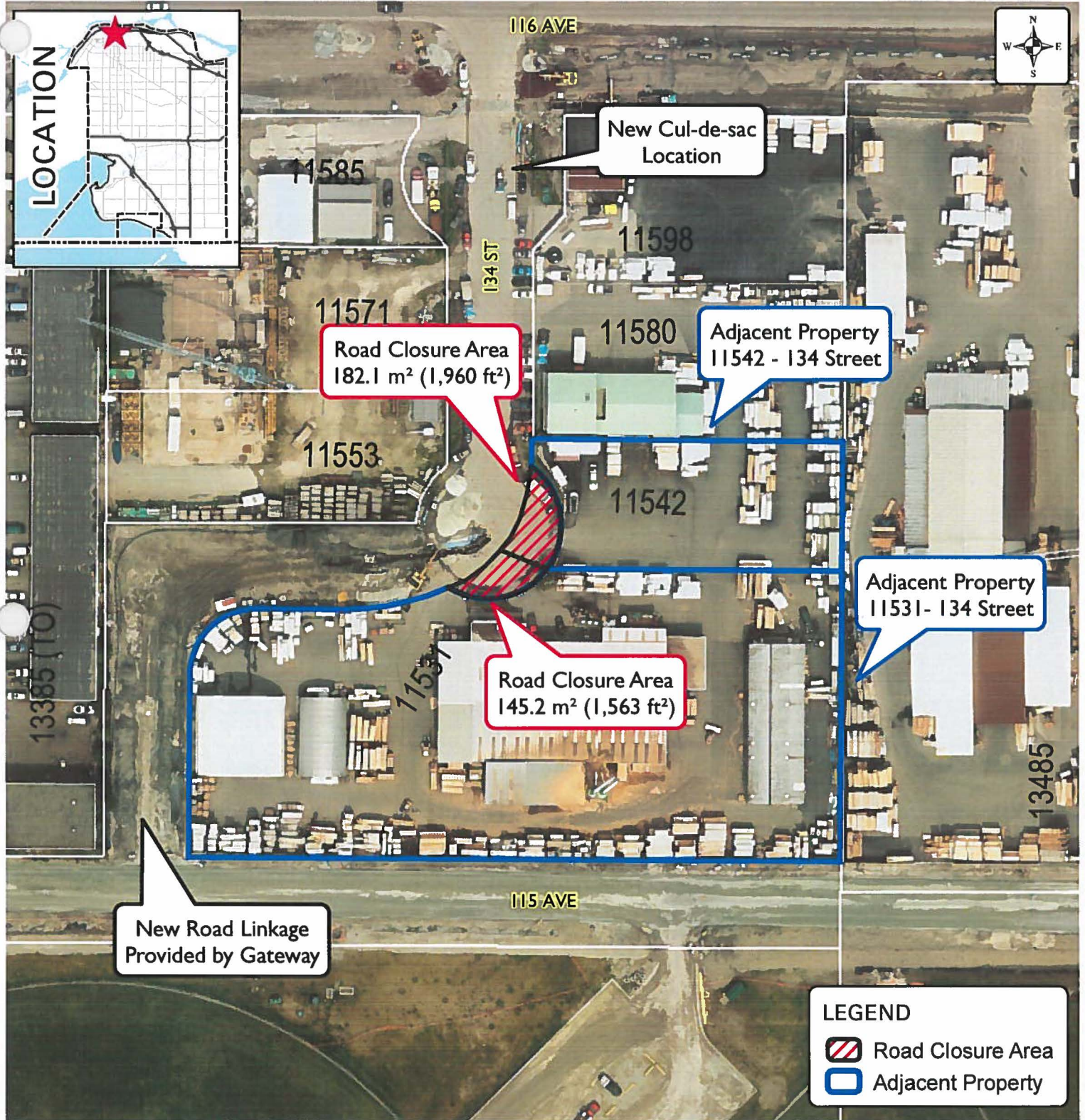
Vincent Lalonde, P.Eng.
General Manager, Engineering

VL/AW/mpr/brb

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Appendix I - Aerial Photograph of Site

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: February 20, 2012, AW8

Date of Aerial Photography: April 2011



**ROAD CLOSURE ADJACENT TO
11531 & 11542 – 134 STREET**

**ENGINEERING
DEPARTMENT**