

NO: R009

COUNCIL DATE: FEBRUARY 2, 2015

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **January 13, 2015**

FROM: **General Manager, Engineering** FILE: **0910-30/201**

SUBJECT: **Approval of the Sale of a Closed Portion of Lane Allowance Adjacent to 19049 – 95A Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 235 m² (2,530 ft.²) area of closed lane allowance adjacent to 19049 – 95A Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. R176; 2014, a copy of which is attached to this report as Appendix I.

DISCUSSION

On October 20, 2014, Council authorized the Engineering Department (Resolution No. R14-1878 related to Corporate Report No. R176) to proceed with the closure and sale of a portion of redundant lane allowance having an area of 235 m² (2,530 ft.²) for the purpose of allowing consolidation with the property known as 19049 – 95A Avenue. Council's approval of the sale of the portion of closed lane 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 the redundant portion of 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 portion of lane allowance adjacent to 19049 – 95A Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R176; 2014.

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

NR/mcs/amg/clr

Appendix I - Corporate Report No. R176



APPENDIX I

CORPORATE REPORT

NO: **R176**

COUNCIL DATE: **OCTOBER 20, 2014**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **October 16, 2014**

FROM: **General Manager, Engineering**

FILE: **0910-30/201**

SUBJECT: **Closure of Lane Allowance Adjacent to 19049 – 95A Avenue**

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 a 235 m² (2,530 ft.²) area of lane allowance located adjacent to the property at 19049 – 95A Avenue, as generally illustrated in Appendix I attached to this report, and subject to compliance with the notice provisions of the *Community Charter, SBC 2003, C. 26*.

BACKGROUND

1. Property Description

The lane allowance area proposed for closure has an area of 235 m² (2,530 ft.²) and is a portion of unconstructed lane located along the west side of the adjacent lot at 19049 – 95A Avenue. The lot at 19049 – 95A Avenue is a 2,023.4 m² (21,780 ft.²) vacant, industrial parcel. The owner of the lot at 19049 – 95A Avenue has applied to acquire the closure area for consolidation with that lot.

2. Zoning, Plan Designations, and Land Uses

The area of lane allowance proposed for closure and the property at 19049 – 95A Avenue are zoned Light Impact Industrial (IL) and designated “Industrial” in the Official Community Plan.

DISCUSSION

1. Purpose of Road Closure

The area of lane proposed for closure is considered to be surplus to the City needs and is proposed to be consolidated with the adjacent vacant lot at 19049 – 95A Avenue to increase the size of that adjacent lot and therefore maximise the buildable area. The adjacent owner intends to apply for a building permit to construct an industrial building on the consolidated lands.

The proposed closure has been circulated to all potentially concerned City Departments for review and all are supportive of the proposal.

As required under Section 40 (4) of the *Community Charter*, all utility companies potentially affected by the proposed lane closure have been consulted and none has expressed any objections.

2. Land Value

The applicant has agreed to provide compensation to the City equivalent to the market value of the closed lane allowance as determined by a qualified staff appraiser.

All area calculations contained in this report are approximate and subject to final survey.


SUSTAINABILITY CONSIDERATIONS

The proposed lane closure and sale supports the Sustainability Charter's goal of using the City's land base efficiently as the lane allowance area proposed for closure is not required for road purposes and is to be consolidated with the adjacent private property in support of planned and orderly development in Port Kells. These outcomes support the following Sustainability Charter action items:

EC1: Corporate Economic Sustainability; and
EN9: Sustainable Land use Planning and Development Practices

CONCLUSION

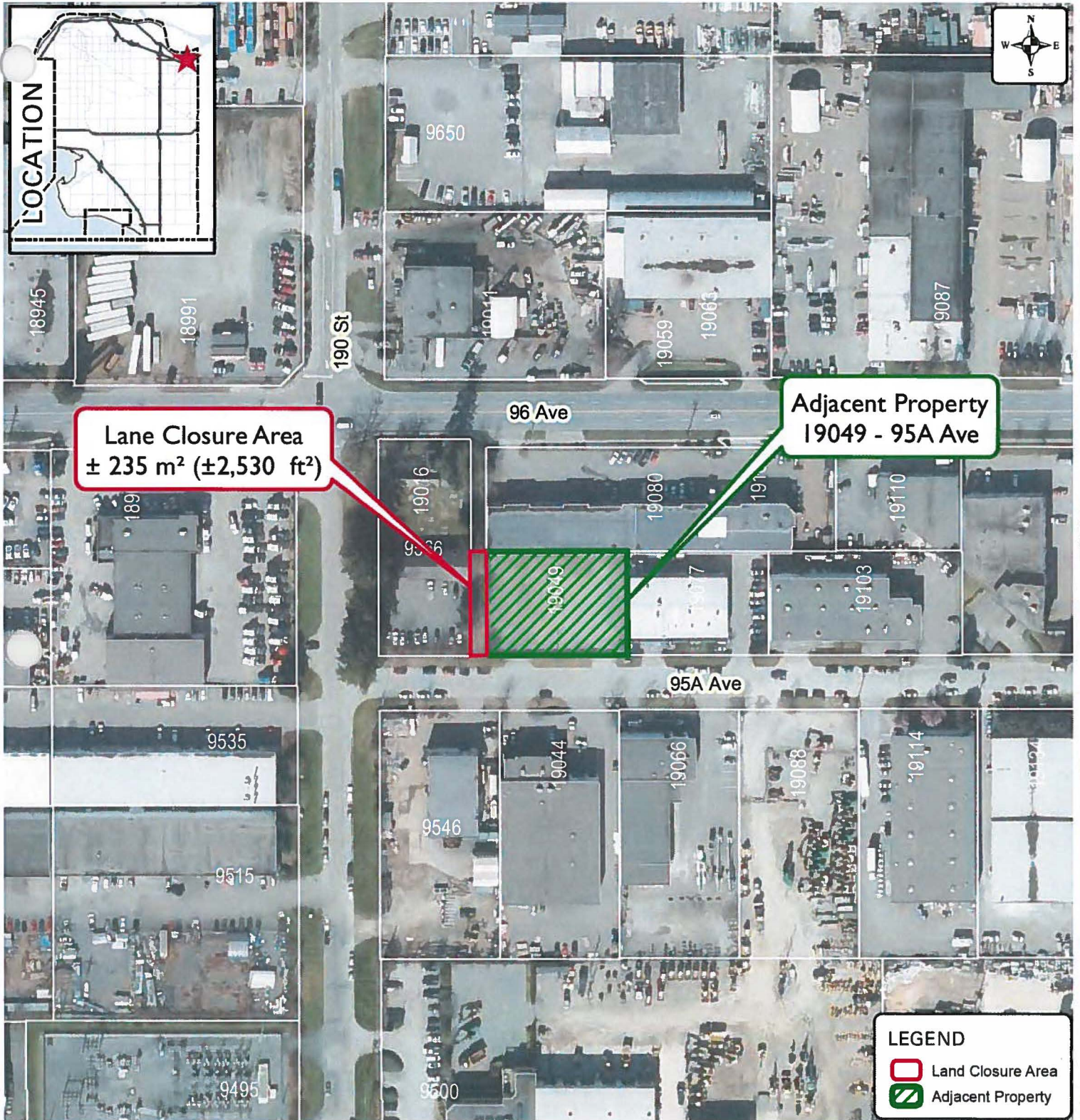
The proposed lane closure area is surplus to the City's needs. The terms of the agreement related to the disposition of the lane closure area are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate by-law to close the subject lane allowance area in preparation for its sale and consolidation as generally described in this report.


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

AW/amg/ras

Appendix I - Aerial Photograph of Lane Closure Area and Adjacent Property

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Closure of Lane Allowance
Adjacent to 19049 - 95A Ave

ENGINEERING
DEPARTMENT