

NO: R051

COUNCIL DATE: APRIL 13, 2015

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **March 23, 2015**

FROM: **General Manager, Engineering**

FILE: **7912-0091-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 10154, 10164 – 139 Street and 13904, 13916 – 102 Avenue (Step 2)**

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## RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 375.4 m<sup>2</sup> (4,041 ft.<sup>2</sup>) area of closed road allowance adjacent to 10154, 10164 – 139 Street and 13904, 13916 – 102 Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. 173; 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. R14-1875 related to Corporate Report No. R173) to proceed with the closure and sale of a portion of unconstructed road allowance having an area of 375.4 m<sup>2</sup> (4,041 ft.<sup>2</sup>) for the purpose of allowing consolidation with the properties known as 10154, 10164 – 139 Street and 13904, 13916 – 102 Avenue. Council's approval of the sale of this portion 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 this unconstructed portion of road allowance has 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 road allowance adjacent to 10154, 10164 – 139 Street and 13904, 13916 – 102 Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R173; 2014.

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

ML/amg/am/clr

Appendix I - Corporate Report No. R173; 2014

# APPENDIX I

CITY MANAGER'S  
DEPARTMENT



## CORPORATE REPORT

NO. 173 COUNCIL DATE: October 20, 2014

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### REGULAR COUNCIL

TO: Mayor & Council DATE: October 10, 2014  
FROM: General Manager, Engineering FILE: 7912-0091-00  
SUBJECT: Closure of Road Adjacent to 10154, 10164 – 139 Street & 13904, 13916 – 102 Avenue

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### RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a bylaw to close and remove the dedication as highway of a 375.4 m<sup>2</sup> (4,041 ft.<sup>2</sup>) area of unconstructed road allowance located north and east of the properties at 10154, 10164 – 139 Street and south of the properties at 13904, 13916 – 102 Avenue as generally illustrated in Appendix I attached to this report, subject to compliance with the notice provisions of the *Community Charter*, S.B.C., 2003, c.26.

### BACKGROUND

#### Property Description

The 375.4 m<sup>2</sup> (4,041 ft.<sup>2</sup>) portion of unconstructed road allowance is located directly north and east of the properties at 10154, 10164 – 139 Street and directly south of the properties located at 13904, 13916 – 102 Avenue. The owner of the lots at 10154, 10154 - 139 Street and 13904, 13916 – 102 Avenue has applied to acquire the closure area and consolidate it with the four lots under Project No. 7912-0091-00. The City has no transportation need for the unconstructed road allowance.

#### Zoning, Plan Designations and Land Uses

The area of unconstructed road allowance proposed for closure and the properties at 10154, 10154 - 139 Street and 13904, 13916 – 102 Avenue are zoned Single Family Residential (RF) Zone and designated as "Multiple Residential" in the Official Community Plan.

### DISCUSSION

#### Purpose of Road Closure

The unconstructed road allowance proposed for closure is to be consolidated with the properties at 10154, 10164 – 139 Street and 13904, 13916 – 102 Avenue. These four properties are proposed to be rezoned to "Comprehensive Development" (CD) Zone and for a comprehensive residential development of a 4-storey apartment and townhouse building under Project No. 7912-0091-00. Appendix II attached to this report illustrates the proposed consolidated Development Site Layout. The related rezoning bylaw was granted third reading by Council on October 1, 2012.

The area of unconstructed road allowance proposed for 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 closure of the portion of unconstructed road allowance have been consulted and none has expressed any objections.

### Land Value

The applicant has agreed to provide compensation to the City equivalent to the market value of the portion of unconstructed road allowance proposed for closure as determined by a qualified appraiser. As part of the land development project, the applicant will dedicate land for future road needs on 102 Avenue.

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

### SUSTAINABILITY CONSIDERATIONS

The proposed road closure and disposition supports the Surrey Sustainability Charter goal of using the City's land base efficiently, as the portion of unconstructed road allowance is not required for road purposes and is to be consolidated with the adjacent private properties located at 10154, 10164 - 139 Street and 13904, 13916 - 102 Avenue in support of planned and orderly development in Whalley. In particular, this supports the following City Sustainability Charter scope actions:

- EC1: Corporate Economic Sustainability; and
- EN9: Sustainable Land Use Planning and Development Practices.

### CONCLUSION

The portion of unconstructed road allowance proposed for closure is not required for road purposes and is surplus to the City's needs. The terms of the agreement related to the disposition of the road closure area are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate bylaw to close the subject road allowance area in preparation for its sale and consolidation as generally described in this report.



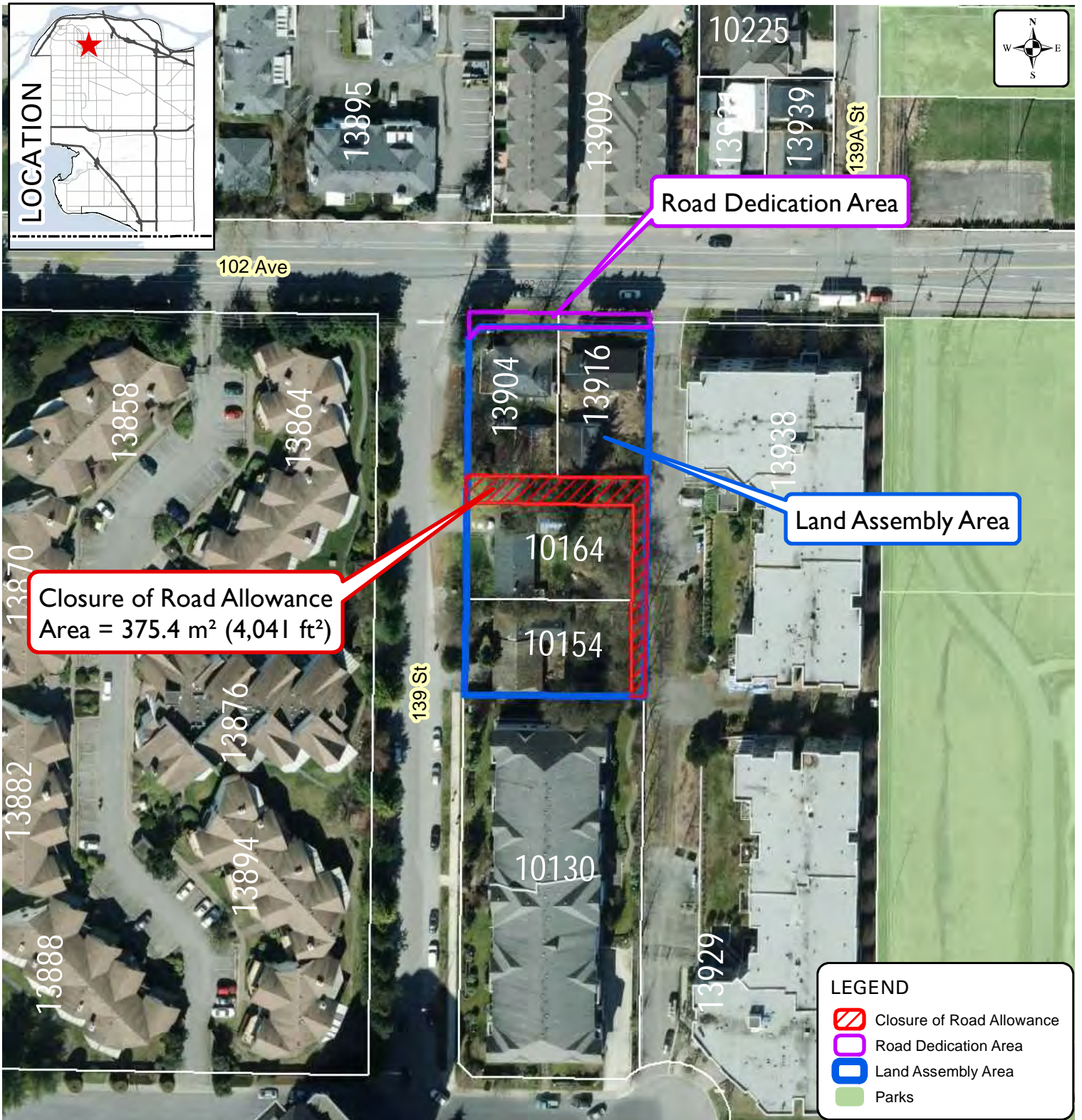
Fraser Smith, P. Eng., MBA  
General Manager, Engineering

FS/BLO/amg/ras

Appendix I - Aerial Photograph of Road Closure Area

Appendix II - Development Site Layout

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: 09-Oct-2014, EM9

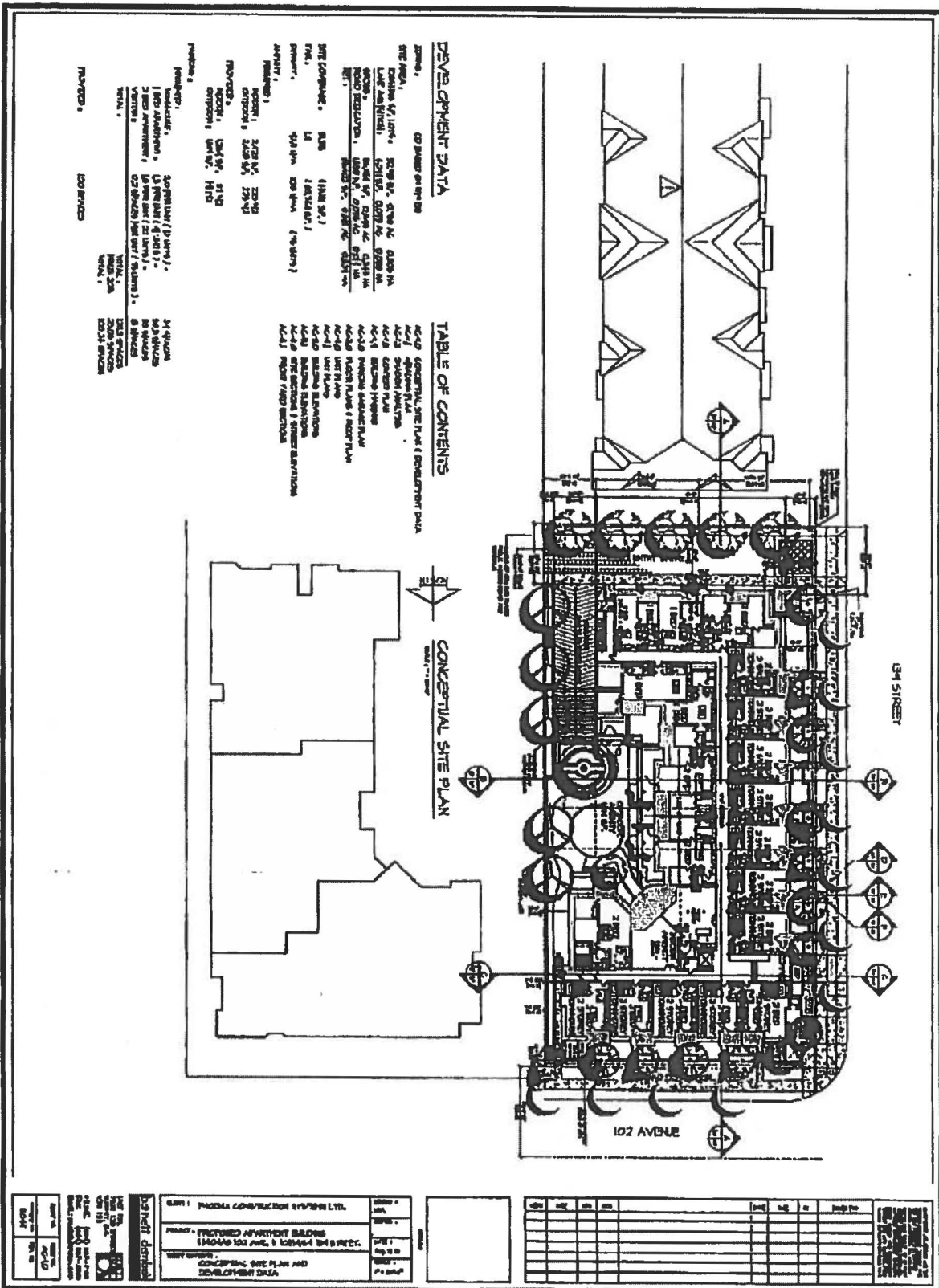


**Closure of Road Allowance  
Adjacent to 10154, 10164 – 139 St  
and 13904, 13916 – 102 Ave**

**ENGINEERING  
DEPARTMENT**

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

DEVELOPMENT SITE LAYOUT



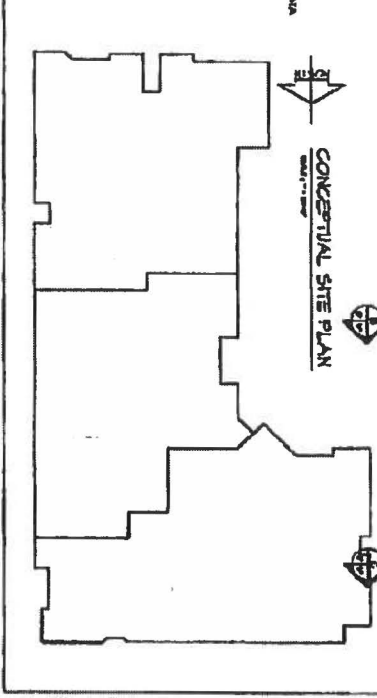
DEVELOPMENT DATA

Zone: CD 2000 or 20-00  
 SITE AREA: 10,100 SQ. FT. (230 AC. 0.000 HA)  
 LOT AREA: 10,100 SQ. FT. (230 AC. 0.000 HA)  
 LOT DIMENSIONS: 100 FT. x 101 FT. (30.48 M. x 30.78 M.)  
 FRONT SETBACK: 10 FT. (3.05 M.)  
 SIDE SETBACK: 5 FT. (1.52 M.)  
 REAR SETBACK: 10 FT. (3.05 M.)  
 MAXIMUM BUILDING HEIGHT: 35 FT. (10.67 M.)  
 MAXIMUM GROUND COVER: 20%  
 MAXIMUM LOT COVERAGE: 20%  
 MAXIMUM LOT AREA: 10,100 SQ. FT. (230 AC. 0.000 HA)  
 MAXIMUM LOT DIMENSIONS: 100 FT. x 101 FT. (30.48 M. x 30.78 M.)  
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CONCEPTUAL SITE PLAN



<p>DATE: 10/10/2011                  TIME: 10:00 AM                  DRAWN BY: [Name]                  CHECKED BY: [Name]                  PROJECT: [Name]</p>	<p>CLIENT: [Name]                  PROJECT: [Name]                  DRAWING: [Name]</p>	<p>SCALE: [Scale]                  SHEET: [Number]                  TOTAL SHEETS: [Total]</p>	<p>DATE: [Date]                  TIME: [Time]                  DRAWN BY: [Name]                  CHECKED BY: [Name]</p>
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