

NO: R099

COUNCIL DATE: **JUNE 15, 2015**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 19, 2015**

FROM: **General Manager, Engineering**

FILE: **7913-0292-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 15815 and 15825 – 105A Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 252.1 m² (2,714 ft.²) area, based on final survey information, of closed road allowance adjacent to 15815 and 15825 – 105A Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. R034; 2015, a copy of which is attached to this report as Appendix I.

DISCUSSION

On February 23, 2015, Council authorized the Engineering Department (Resolution No. R15-789 related to Corporate Report No. R034; 2015) to proceed with the closure and sale of a portion of redundant road allowance having an area of 252 m² (2,713 ft.²) for the purpose of allowing consolidation with and to allow subdivision of the properties known as 15815 and 15825 – 105A Avenue. The area related to the closure and sale has been adjusted to reflect final survey information. 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 redundant portion of road 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 a closed portion of road allowance adjacent to 15815 and 15825 – 105A Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R034; 2015.

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

mcs/amg/clr

Appendix I - Corporate Report No. R034; 2015



CORPORATE REPORT

NO: *R034* COUNCIL DATE: *February 23, 2015*

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **January 26, 2015**
FROM: **General Manager, Engineering** FILE: **7913-0292-00**
SUBJECT: **Closure of Road Adjacent to 15815 and 15825 – 105A 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 252 m² (2,713 ft. ²) portion of unconstructed road adjacent to the properties located at 15815 and 15825 – 105A 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 252 m² (2,713 ft. ²) portion of unconstructed road allowance is adjacent to the north property line of the properties located at 15815 and 15825 – 105A Avenue. The owners of the lots at 15815 and 15825 – 105A Avenue have applied to acquire the road closure area for consolidation with the two subject properties and then subdivision into two RF lots.

Zoning, Plan Designations and Land Uses

The area of road allowance proposed for closure and the subject adjacent properties at 15815 and 15825 - 105A Avenue are zoned One-Acre Residential (RA) Zone and designated as "Urban" in the Official Community Plan.

DISCUSSION

Purpose of Road Closure

The area of unconstructed road allowance is proposed to be closed in conjunction with Development Application 7913-0292-00, which is proposing to rezone, consolidate and then subdivide the two subject properties located at 15815 and 15825 – 105A Avenue into two larger lots. A statutory right-of-way registered to Trans Mountain Pipeline Inc. runs diagonally across the middle and south sections of the two existing lots. A consolidation of the properties located at 15815 and 15825 - 105A Avenue with the unconstructed road allowance will allow the subdivision and creation of two lots with viable building envelopes, as illustrated in Appendix II to this report.

An unopened road allowance abuts the subject site to the west. During pre-application meetings, there were discussions about including the unopened road allowance with the proposal, which could have accommodated a rezoning and subdivision into three (3) single family lots. Due to site constraints however, specifically the pipeline right-of-way and a lack of road frontage, an acceptable subdivision layout could not be achieved. As a result, the current development application only includes assembly of the rear unopened lane with the two (2) existing single family lots, and does not include the unopened road allowance to the west. This road allowance will be retained by the City and incorporated into the adjoining park/walkway area in the future.

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 road closure 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 closed road 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 road closure and sale supports the Sustainability Charter's goal of using the City's land base efficiently as the road allowance area proposed for closure is not required for road purposes and is to be consolidated with the adjacent properties in support of planned and orderly development in Guildford. 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 road closure area 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

BLO/amg/clr

Appendix I - Aerial Photograph of Road Closure Area

Appendix II - Development Application 7913-0292-00 Proposed Subdivision Layout

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: 12-Dec-2014, EM9



Closure of Road Allowance
Adjacent to
15815 and 15825 – 105A Avenue

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.

Source:
G:\MAPPING\GIS\Maps\CorporateReps\Realty\EM-15815&15825_105Ave-RC-AP.mxd

APPENDIX II



PROPOSED SUBDIVISION LAYOUT

Planning & Development Department
 13450 - 104th Avenue, Surrey
 British Columbia, Canada V3T 1V8
 Tel. (604) 591-4441 Fax. (604) 591-2507

File No: 79 - 0 - 00
 MAP #: 014
 EXIST. ZONE: RA
 PROP. ZONE: RF



CIVIC ADDRESS: 15815/25 - 105A AVE., SURREY, BC
LEGAL: LOTS 17&18, BLOCK 19, SECTION 22, RANGE 1, N.W.D, PLAN 1832



NOTE: POND, FENCE AND ROAD EDGE ARE APPROXIMATE, LOCATIONS MUST BE VERIFIED BY SURVEY



GROSS SITE AREA: 1,542sqm (0.38ac)
 ROAD CLOSURE: 251sqm (0.06ac)
 NET SITE AREA: 1,793sqm (0.44ac)

ROAD CLOSURE: 251sqm

• 200-9128-152nd. ST Surrey, BC V3R 4E7 • TEL 604-583-1618 NOTE: ALL EXISTING ONSITE STRUCTURES ARE TO BE REMOVED UNLESS NOTED OTHERWISE
 • Website: www.hyengineering.com • FAX 604-583-1737

H.Y.#:133812	ALTERNATIVE#01C	DATE: 07 MAR/14	SCALE: 1:1000
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Please dimension lot frontages & areas, name existing roads and indicate north
 Preferred scales: 1:500, 1:1000, 1:2500, 1:10,000 Metric
 Larger format drawings may be attached as required

H.Y. DWG. No. E:\PROJECTS\133812\PLANNING\133812-ALTD1C.DWG