

NO: R237

COUNCIL DATE: December 4, 2017

REGULAR COUNCIL

TO: Mayor & Council **DATE: November 30, 2017**

FROM: General Manager, Engineering **FILE: 0870-20/550A**
General Manager, Parks, Recreation & Culture **XC: 0910-20/549A**

**SUBJECT: Acquisition of Portion of FortisBC Energy Inc. Property at 9101 – 132 Street and
Disposition of Portion of City Park Property at 9077 – 132 Street**

RECOMMENDATION

The Engineering Department and the Parks, Recreation & Culture Department recommend that Council:

1. Approve the acquisition of a 120.9 m² (1,301 ft.²) portion of FortisBC Energy Inc. property located at 9101 – 132 Street (PID: 011-294-965) for consolidation with the Park property at 9077 – 132 Street; and
2. Approve the disposition of a 974.1 m² (10,485 ft.²) portion of the Park property located at 9077 – 132 Street (PID: 000-819-093) for consolidation with FortisBC Energy Inc. property at 9101 – 132 Street,

both as generally described in this report, and as illustrated in attached Appendix “1”.

BACKGROUND

Property Description

The property located at 9101 – 132 Street (the “FortisBC Property”) is a 0.929 hectare (2.29 acres) rectangular shaped parcel which FortisBC Energy Inc. (“FortisBC”) currently uses as an operations yard. The 120.9 m² (1,301 ft.²) area proposed for acquisition by the City (the “Acquisition Area”) is a tapered strip along the southeast boundary that has an existing bicycle and pedestrian path constructed on it. The City has a statutory right-of-way for public right of passage over the Acquisition Area.

The property located at 9077 – 132 Street (the “Park Property”) is a 3.07 hectare (7.58 acres) irregular shaped parcel which is developed with a bicycle and pedestrian path. The City purchased the Park Property in 2006 for the Green Timbers Greenway, which is part of a major utility and parkland corridor. The 974.1 m² (10,485 ft.²) area proposed to be sold to FortisBC (the “Disposition Area”) is currently used by FortisBC and is enclosed within their fenced operations yard. This use and encroachment by FortisBC was legitimized by a registered easement agreement in 1988.

The FortisBC Property and the Park Property are heavily encumbered by various utilities and statutory right-of-way interests owned by FortisBC, the City, BC Hydro and the Greater Vancouver Water District. The lands are further affected by a Class “A” watercourse, known as Healy Creek, which traverses the properties in a north-south direction.

Zoning, Plan Designations and Land Uses

The FortisBC Property and the Park Property are both zoned RF (Single Family Residential) and designated Urban in Surrey’s Official Community Plan.

DISCUSSION

Purpose of the Acquisition and Disposition

The fencing, concrete pad and other improvements constructed by FortisBC on the Disposition Area are permanent features, and FortisBC’s use and occupation of this area could continue in perpetuity under the existing easement. Similarly, the City has constructed a public pathway over the Acquisition Area and has perpetual right of passage over the Acquisition Area under the registered right-of-way. FortisBC and the City have therefore agreed to transfer the fee simple interest in the Acquisition Area from FortisBC to the City and in the Disposition Area from the City to FortisBC in order to correlate the fee simple ownership in the Acquisition Area and the Disposition Area to their actual users and the improvements made to them. The future layout resulting from the land transfers and consolidation is illustrated on the preliminary subdivision plan attached as Appendix “II”.

As part of the disposition process, staff will ensure that notice of the City land sale is issued in accordance with the provisions of Sections 26 and 94 of the *Community Charter, SBC, 2003*, chap. 26.

Land Value

The transfer between FortisBC and the City of the Acquisition Area and the Disposition Area will be transacted at market value as determined by a qualified staff appraiser.

The City will receive payment of the net difference between the acquisition value and disposition value of the lands, which will be placed in the Parklands Acquisition Reserve Fund for use in funding other purchases of parklands within the City.

SUSTAINABILITY CONSIDERATIONS

The proposed acquisition of land, which is part of an existing greenway corridor, and the simultaneous disposition of a surplus area of City land support the City’s Sustainability Charter. In particular, the proposal relates to the Sustainability Charter theme of Built Environment and Neighbourhoods. Specifically, the land transactions support the following Desired Outcome:

- Neighbourhoods and Urban Design DO4: Surrey’s neighbourhoods are safe, accessible, well-connected, walkable and bike friendly.

CONCLUSION

The terms and conditions that have been negotiated for the proposed purchase of the Acquisition Area and simultaneous sale of the Disposition Area are considered reasonable. It is recommended that Council:

- Approve the acquisition of a 120.9 m² (1,301 ft.²) portion of FortisBC Energy Inc. property located at 9101 – 132 Street (PID: 011-294-965) for consolidation with the Park property at 9077 – 132 Street; and
- Approve the disposition of a 974.1 m² (10,485 ft.²) portion of the Park property located at 9077 – 132 Street (PID: 000-819-093) for consolidation with FortisBC Energy Inc. property at 9101 – 132 Street,

both as generally described in Appendix “I” attached to this report.

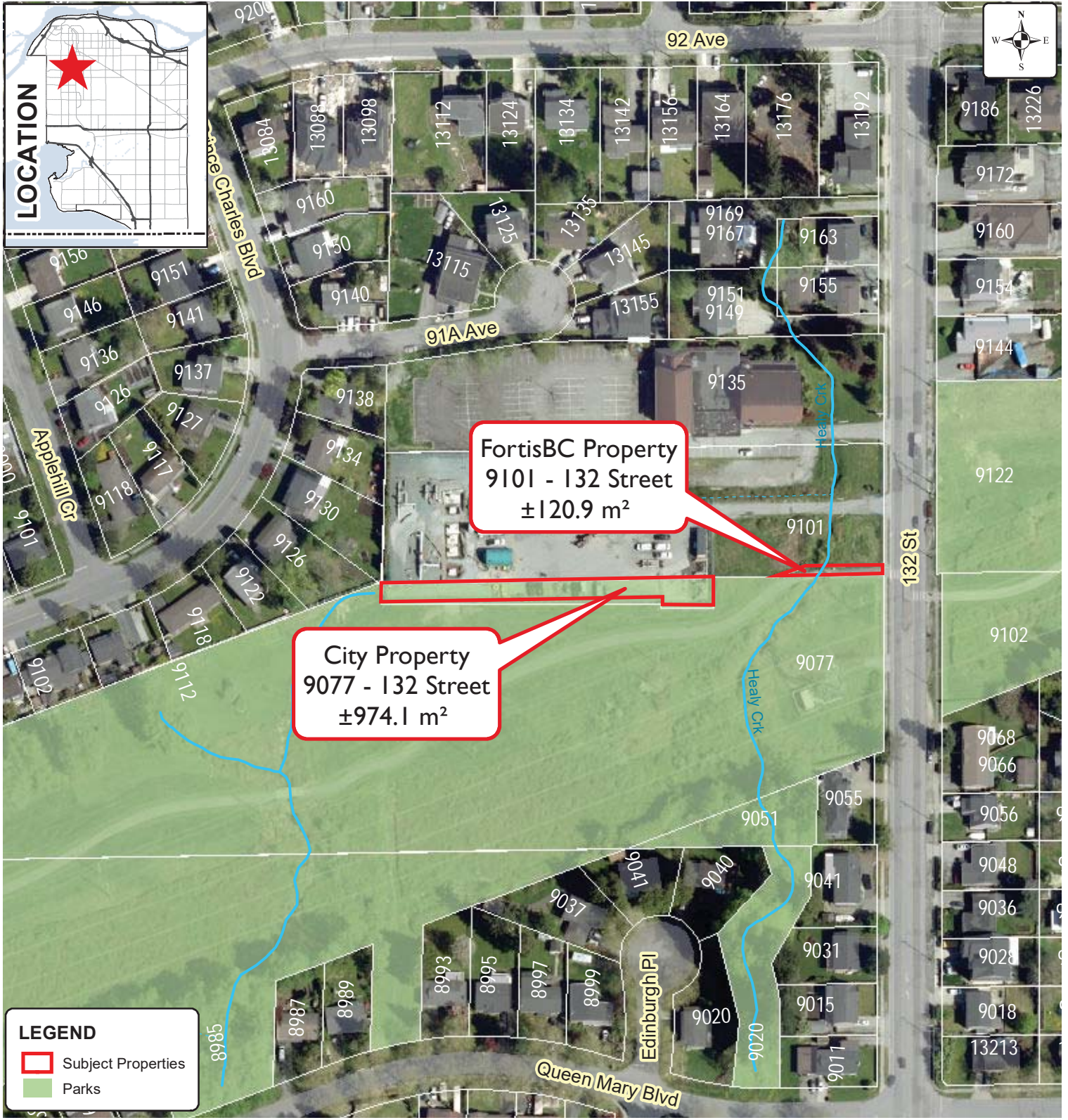
Fraser Smith, P.Eng, MBA
General Manager,
Engineering

Laurie Cavan
General Manager,
Parks, Recreation & Culture

AW/amg/cc

Appendix “I” - Aerial Photograph of Subject Site
Appendix “II” - Preliminary Subdivision Plan

AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: 30-Nov-2017, C9W

Date of Aerial Photograph: April 2017

Scale: 1:2,000 0 20 M



SUBJECT PROPERTIES
City Property 9077 - 132 Street and
FortisBC Property 9101 - 132 Street

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.

PLAN EPPXXXX

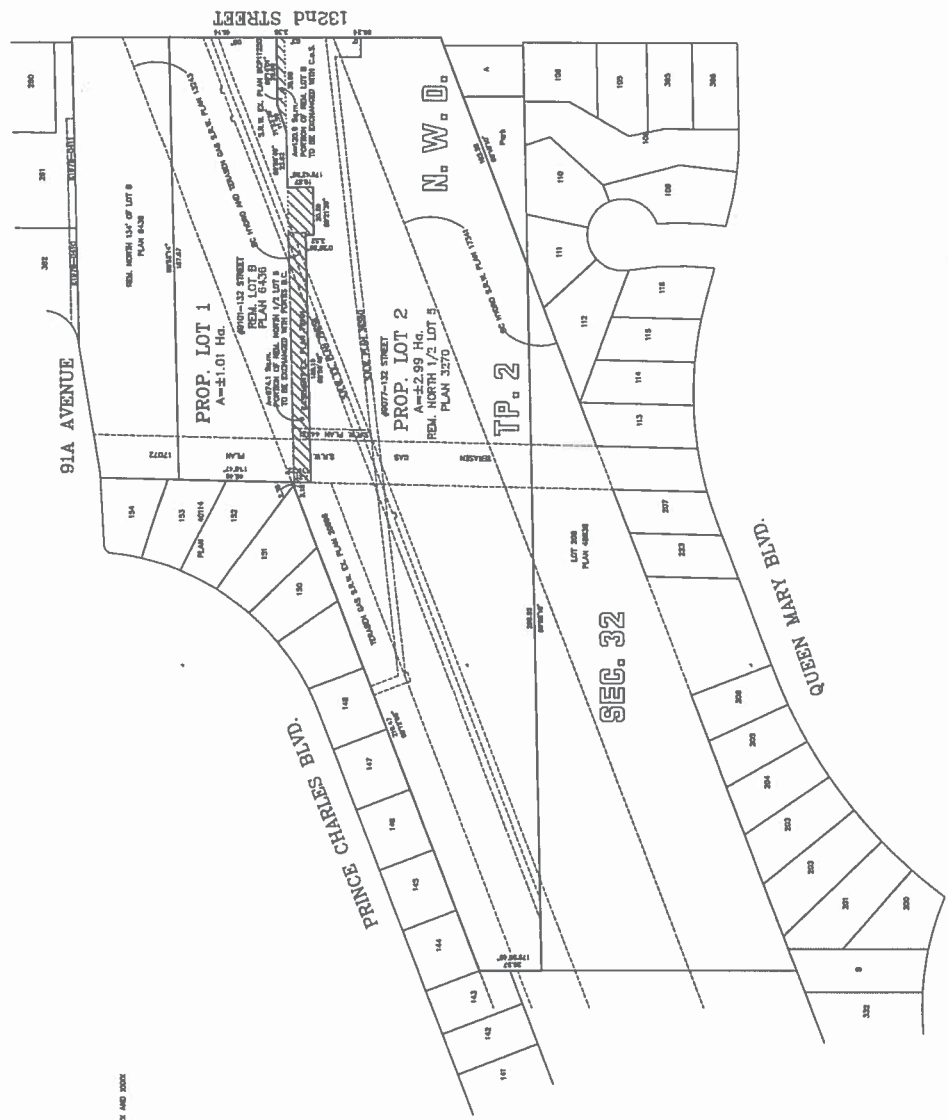
PROPOSED SUBDIVISION PLAN OF LOT "B" PLAN 6436 EXCEPT:
 FIRSTLY: THE NORTH 134 FEET,
 SECONDLY: PART SUBDIVIDED BY PLAN 40114; AND
 THE NORTH HALF OF LOT 5 PLAN 3270,
 EXCEPT: FIRSTLY: PART IN PLAN 40114
 SECONDLY: PART IN PLAN BCP45117
 ALL OF SECTION 32, TOWNSHIP 2, NEW WESTMINSTER DISTRICT
 BEGS. BEG. 018

SCALE 1:1000



THE SURVEY PART OF THIS PLAN IS
 HERE PLATTED AT A SCALE OF 1:1000 (AS IS SET)
 INTEGRATED SURVEY AREA NO. 1, SURREY, MANITOBA, (CORS), 440,000,000.
 ALL DISTANCES ARE IN METERS
 THE DISTANCES ARE DERIVED FROM OBSERVATIONS BETWEEN GEOMETRIC MONUMENTS BOOK AND BOOK
 THE CORNERS AND DISTANCES AND ESTIMATED INCORPORATED THEREIN, ACCORDING TO THE
 GEOMETRIC CONTROL MONUMENTS BOOK AND BOOK.
 THE PLAN SHOWS METRIC, CHAIN-LEVEL, DISTANCES UNLESS OTHERWISE SPECIFIED.
 THE PLAN SHOWS METRIC, CHAIN-LEVEL, DISTANCES UNLESS OTHERWISE SPECIFIED.
 CORNERS MONUMENTS SIZE AND BOOK.

- LEGEND:
- (●) GEOMETRIC CONTROL MONUMENT FOUND
 - (○) GEOMETRIC CONTROL MONUMENT NOT FOUND
 - (○) GEOMETRIC CONTROL MONUMENT NOT FOUND
 - (○) GEOMETRIC CONTROL MONUMENT NOT FOUND
 - (○) DISTANCES CALCULATED



SURREY
 CITY OF SURREY
 SURVEY SECTION
 13240 - 104 AVE.
 SURREY, B.C. V3T 1V8
 TEL. (604) 591-4253

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT
 CITY OF SURREY

THIS PLAN WAS PREPARED BY
 THE FIRM HAS COMPLETED BY
 THE FIRM HAS COMPLETED BY
 THE FIRM HAS COMPLETED BY

FILE: S1122P0142
 PLAN: 2017/1/07
 MAP: 001