

NO: R058

COUNCIL DATE: April 9, 2018

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **April 3, 2018**

FROM: **General Manager, Engineering** FILE: **0910-30/211**

SUBJECT: **Approval of the Sale of a Closed Portion of Lane Allowance Adjacent to 15405 – 88 Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 612.3 m² (6,590 ft.²) area of closed lane allowance adjacent to 15405 - 88 Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. 232; 2017, a copy of which is attached to this report as Appendix “I”.

DISCUSSION

On November 20, 2017, Council authorized the Engineering Department (Resolution No. R17-3102 related to Corporate Report No. R232; 2017) to proceed with the closure and sale of a portion of unopened lane allowance having an area of 612.3 m² (6,590 ft.²) for the purpose of allowing consolidation with the property known as 15405 - 88 Avenue and the simultaneous dedication of a new lane alignment from 15405 – 88 Avenue. Council’s approval of the sale of this 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 this unopened 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 a closed portion of lane allowance adjacent to 15405 – 88 Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R232; 2017.

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

FS/KT/amg/jma/ggg
Appendix “I”: Corporate Report No. R232; 2017



CITY MANAGER'S
DEPARTMENT
CORPORATE REPORT

NO: R232

COUNCIL DATE: November 20, 2017

REGULAR COUNCIL

TO: Mayor & Council DATE: November 10, 2017

FROM: General Manager, Engineering FILE: 0910-30/211

SUBJECT: Acquisition of a Portion of Privately-Owned Property at 15405 – 88 Avenue and Closure and Disposition of a Portion of Lane Adjacent to 15405 - 88 Avenue

RECOMMENDATION

The Engineering Department recommends that Council:

1. Approve the acquisition of a 578.4 m² (6,225 ft.²) portion of the privately-owned property located at 15405 – 88 Avenue (PID: 001-382-608) for municipal road purposes; and
2. Authorize the City Clerk to bring forward a Bylaw to close and remove the dedication as highway of a 612.3 m² (6,590 ft.²) portion of lane for consolidation with the eastern adjacent property at 15405 – 88 Avenue, subject to compliance with the notice provisions under Sections 26 and 94 of the *Community Charter, SBC, 2003, chap 26*,

both as generally described in this report, and as illustrated in Appendix "I" attached to this report.

BACKGROUND**Property Description**

The 612.3 m² (6,590 ft.²) area of road (the "Road Closure Area") proposed for closure and disposition is a portion of an unopened lane located west of the property at 15405 – 88 Avenue. The Road Closure Area is partly grassed and partly paved. The paved area is currently being used for parking by the owner of 15405 – 88 Avenue, with City approval.

The 578.4 m² (6,225 ft.²) area of land proposed to be acquired (the "Acquisition Area") is located to the west of the Road Closure Area. It is currently part of the privately-owned property at 15377 – 88 Avenue that the owner of 15405 – 88 Avenue is acquiring for consolidation with 15405 – 88 Avenue under Application No. 7917-0182-00. Completion of the subject land acquisition and road closure is conditional on the finalization of Application No. 7917-0182-00. The proposed future land layout result of 15405 – 88 Avenue under Application No. 7917-0182-00 is illustrated on the subdivision plan attached as Appendix "II".

The westerly lands of the former Fleetwood Elementary School were approved in 2017 for a mixed used development under Project No. 7914-121-00. At the Public Hearing for Project No. 7914-121-00, Council directed staff to work with concerned parties to resolve issues related to access and egress at the eastern edge of that project site adjacent to the road closure area. This agreement covering the City acquisition of 578.4 m² (6,225 ft.²) portion of land and the closure of 612.3 m² (6,590 ft.²) portion of lane is, in pursuance of Council directive, the result of negotiations between the City, the developer of Project No. 7914-0121-00 and the owner of 15405 – 88 Avenue.

Zoning, Plan Designations and Land Uses

The Road Closure Area is zoned Comprehensive Development (CD) Zone, having multiple residential and commercial uses as the underlying permitted uses. The Adjacent Property is zoned Community Commercial (C-8) Zone. Both of the lands are designated Commercial in Surrey's Official Community Plan.

DISCUSSION

Reason for the Acquisition and Disposition

The City is closing and selling the Road Closure Area for consolidation with 15405 – 88 Avenue and is simultaneously obtaining the Acquisition Area for the purpose of relocating the lane. The intent of the lane relocation is to better align it with 154 Street on the south side of 88 Avenue. Aligning the lane with 154 Street south of 88 Avenue will allow for left turning movements from 88 Avenue onto the lane and 154 Street. These additional movements will allow for overall efficiency in the City's broader road network in the area, and will increase overall safety for vehicles and drivers utilizing the existing roadways. It will further enhance the accessibility of commercial land uses north of 88 Avenue.

The Acquisition Area and the Road Closure Area will each be transferred from its respective owner to the other party for nominal consideration.

The proposed road 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 have expressed any objections.

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

SUSTAINABILITY CONSIDERATIONS

The proposed land acquisition for road purpose and the closure and sale of road that is to become redundant support the City's Sustainability Charter. In particular, the proposal relates to the Sustainability Charter themes of Built Environment and Neighbourhoods, and Economic Prosperity and Livelihoods. Specifically, the road closure supports the following Desired Outcomes:

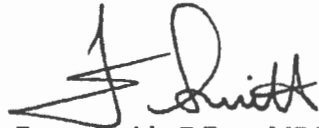
- Neighbourhoods and Urban Design DO4: Surrey's neighbourhoods are safe, accessible, well-connected, walkable and bike friendly; and
- Neighbourhoods and Urban Design DO6: Land is used efficiently and sensitively and development minimizes the impacts on the natural environment, viewscales, agricultural land and urban wildlife; and
- Economy DO6: Efficient land use and well-managed transportation infrastructure are in place to attract businesses and support a thriving economy.

CONCLUSION

The terms and conditions for the proposed purchase of the Acquisition Area and simultaneous closure and disposition of the Road Closure Area are considered reasonable. It is recommended that Council:

- Approve the acquisition of a 578.4 m² (6,225 ft.²) portion of the privately-owned property located at 15405 – 88 Avenue (PID: 001-382-608) for municipal road purposes; and
- Authorize the City Clerk to bring forward a Bylaw to close and remove the dedication as highway of a 612.3 m² (6,590 ft.²) portion of lane for consolidation with the eastern adjacent property at 15405 – 88 Avenue, subject to compliance with the notice provisions under Sections 26 and 94 of the *Community Charter*, SBC, 2003, chap 26,

all as generally described in Appendix "I" attached to this report.



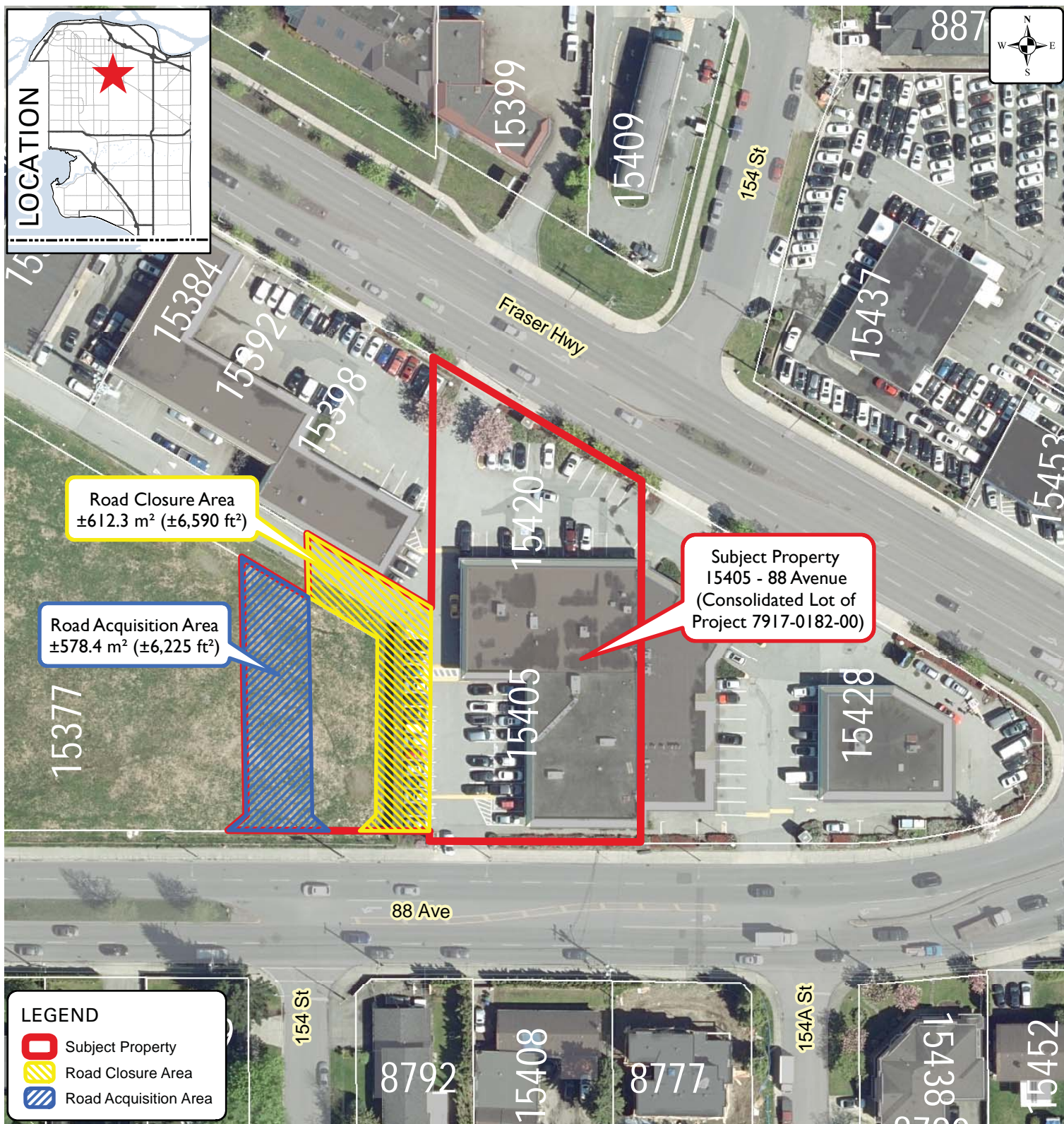
Fraser Smith, P.Eng., MBA
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AW/amg/cc

Appendix "I" - Aerial Photograph of Subject Site
Appendix "II" - Proposed Subdivision Plan EPP67003

AERIAL PHOTOGRAPH OF SITE

APPENDIX "I"



SUBJECT PROPERTY 15405 - 88 Avenue

ENGINEERING DEPARTMENT

