

NO: R059

COUNCIL DATE: April 9, 2018

REGULAR COUNCIL

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

FROM: **General Manager, Engineering** FILE: **7916-0165/00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 10863 and 10873 - 160 Street (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 427.7 m² (4,603.72 ft.²) area, based on final survey information, of closed road allowance adjacent to 10863 and 10873 - 160 Street under previously approved terms for this closure and sale, as outlined in Corporate Report No. 002; 2018, a copy of which is attached to this report as Appendix "I".

DISCUSSION

On January 8, 2018, Council authorized the Engineering Department (Resolution No. R18-55 related to Corporate Report No. R002; 2018) to proceed with the closure and sale of a portion of unconstructed road allowance having an area of 427.35 m² (4,600 ft.²) for the purpose of allowing consolidation with and to allow subdivision of, the properties known as 10863 and 10873 - 160 Street. 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 the closed portion of road allowance adjacent to 10863 and 10873 - 160 Street under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R002; 2018.

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

FS/KT/jma/amg/ggg
Appendix "I": Corporate Report No. R002; 2018



CITY MANAGER'S
DEPARTMENT
CORPORATE REPORT

NO: R002

COUNCIL DATE: January 8, 2018

REGULAR COUNCIL

TO: Mayor & Council

DATE: January 3, 2018

FROM: General Manager, Engineering

FILE: 7916-0165-00

SUBJECT: Closure of Road Allowance Adjacent to 10863 and 10873 - 160 Street

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 427.35 m² (4,600 ft.²) area of road located adjacent to the properties 10863 and 10873 - 160 Street, as generally illustrated in Appendix "I" attached to this report, subject to compliance with the notice provisions of the *Community Charter, SBC 2003, C. 26*.

BACKGROUND**Property Description**

The area of road allowance proposed for closure is a 427.35 m² (4,600 ft.²) portion of unconstructed road (the "Road Closure Area") adjacent to 15972 and 15982 - 109 Avenue and 10879 - 160 Street to the north (the "North Adjacent Properties"), 10863 - 160 Street which fronts onto 108A Avenue, and 10873 - 160 Street to the south (the "South Adjacent Property").

Zoning, Plan Designations and Land Uses

The North Adjacent Properties are currently zoned Single Family Residential (RF) and are designated "Urban" in the Official Community Plan. The Road Closure Area and the South Adjacent Property are currently zoned Residential One Acre (RA) and are designated "Urban" in the Official Community Plan.

DISCUSSION**Purpose of Road Closure**

The Road Closure Area is intended to be consolidated with the South Adjacent Property and rezoned under Development Application No. 7916-0165-00. This Development Application is seeking approval to permit the development of a Comprehensive Development (CD) zoned parking lot and two Single Family Residential (RF) zoned lots, as illustrated in Appendix "II" attached to this report. The proposed additional parking will allow the two adjacent commercial properties to the south and southeast that are owned by the applicant to have a broader range of allowable uses that have a higher parking requirement, and will also address already existing observed parking supply shortages during peak demand periods. The proposed road closure was referenced in the July 10, 2017 Planning Report to Council related to Application No. 7916-0165-00, and the related Rezoning Bylaw was granted Third Reading by Council on July 24, 2017.

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 have expressed any objections.

Land Value

The applicant has agreed to provide compensation to the City equivalent to the market value of the Road Closure Area, 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 City's Sustainability Charter. In particular, the closure and sale of the portion of road allowance relates to the Sustainability Charter theme of Built Environment and Neighbourhoods. Specifically, this road closure supports the following Desired Outcomes:

- Neighbourhoods and Urban Design DO6: Land is used efficiently and sensitively, and development minimizes the impacts on the natural environment, views, agricultural land and urban wildlife; and
- Neighbourhoods and Urban Design DO8: The built environment enhances quality of life, happiness and well-being.

CONCLUSION

The 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 Road Closure Area in preparation for its sale and consolidation, as generally described in this report.



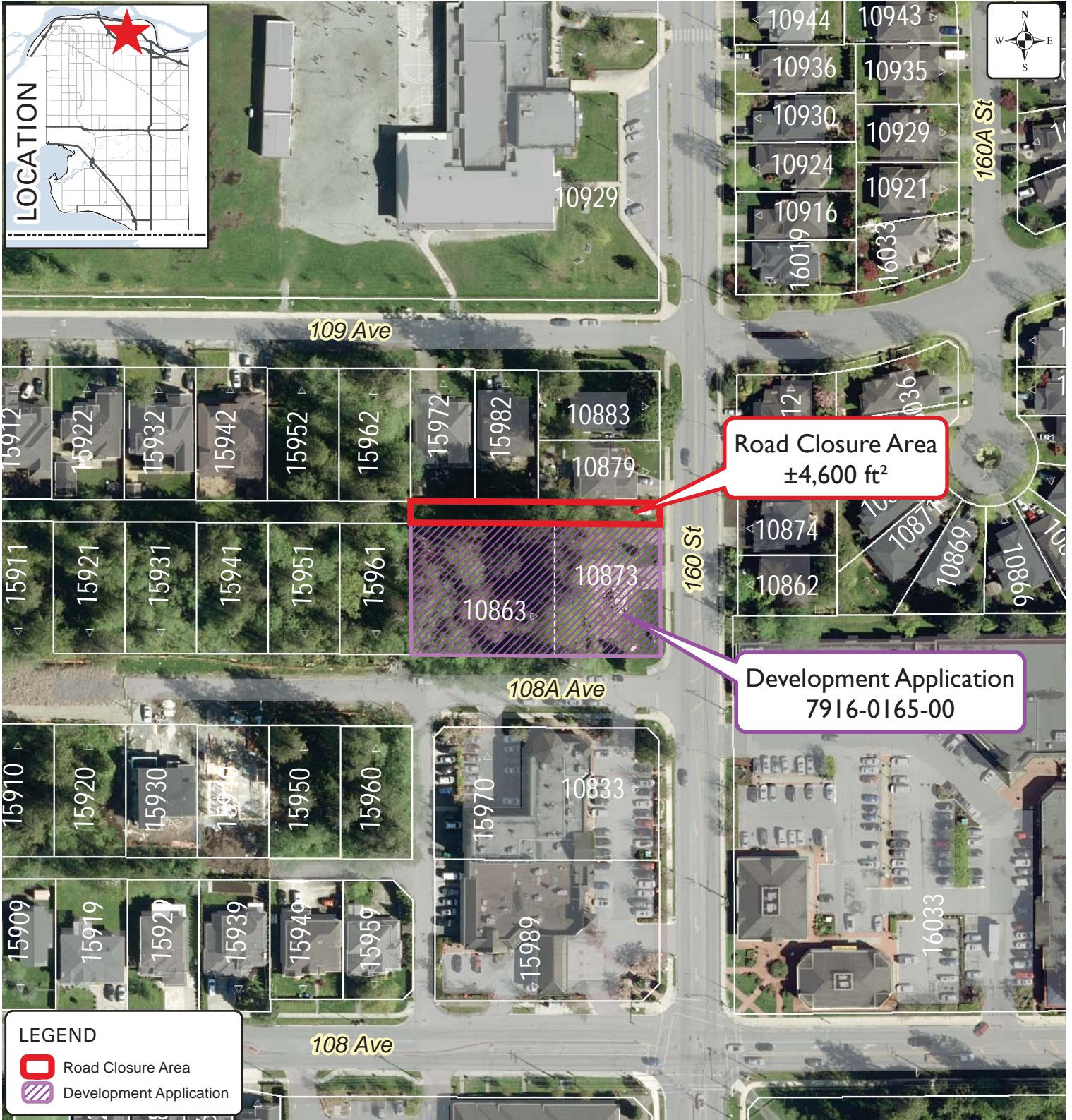
Fraser Smith, P.Eng., MBA
General Manager, Engineering

KAM/amg/cc

Appendix "I" - Aerial Photograph of Road Closure Area

Appendix "II" - Application No. 7916-0165-00 Development Site Layout

AERIAL PHOTOGRAPH OF SITE



Road Closure Adjacent to 10863 and 10873 - 160 Street

**ENGINEERING
DEPARTMENT**

