

NO: R127

COUNCIL DATE: June 11, 2018

---

## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 6, 2018**

FROM: **General Manager, Engineering**

FILE: **0910-30/217**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance adjacent to 15633 Mountain View Drive (Step 2)**

---

## RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 58.6 m<sup>2</sup> (631 ft.<sup>2</sup>) area of closed road allowance adjacent to 15633 Mountain View Drive under previously approved terms for this closure and sale as outlined in Corporate Report No. Roo8; 2018, a copy of which is attached to this report as Appendix "I".

## DISCUSSION

On January 22, 2018, Council authorized the Engineering Department (Resolution No. R18-157 related to Corporate Report No. Roo8; 2018) to proceed with the closure and sale of a portion of redundant road allowance having an area of 58.6 m<sup>2</sup> (631 ft.<sup>2</sup>) for the purpose of allowing consolidation with and to allow subdivision of the properties known as 15633 Mountain View Drive. 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 15633 Mountain View Drive under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. Roo8; 2018.

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

FS/KT/amg/jma/ggg

Appendix "I": Corporate Report No. Roo8; 2018

CITY MANAGER'S  
DEPARTMENT

## CORPORATE REPORT

NO: R008

COUNCIL DATE: January 22, 2018

**REGULAR COUNCIL**

TO: Mayor and Council

DATE: January 9, 2018

FROM: General Manager, Engineering

FILE: 0910-30/217

SUBJECT: Closure of Road Adjacent to 15633 Mountain View Drive

**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 58.6 m<sup>2</sup> (631 ft.<sup>2</sup>) portion of unconstructed road allowance adjacent to 15633 Mountain View Drive, as generally illustrated in Appendix "I" attached to this report, and 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 58.6 m<sup>2</sup> (631 ft.<sup>2</sup>) portion of unconstructed road (the "Road Closure Area") adjacent to 15633 Mountain View Drive. The 58.6 m<sup>2</sup> portion of road was originally dedicated in 2016 under Development Application No. 7914-0258-00 to accommodate a multi-use pathway as part of a town housing project.

**Zoning, Plan Designations and Land Uses**

The Road Closure Area and the adjacent property at 15633 Mountain View Drive are zoned Comprehensive Development Zone and are designated "Urban" in the Official Community Plan.

**DISCUSSION****Purpose of Road Closure**

Under Development Application No. 7914-0258-00, which was granted Third Reading by Council on November 2, 2015, an area of road for a multi-use pathway in excess of the 15 metre requirement was dedicated in error. The purpose of this road closure is to correct this error and consolidate the Road Closure Area with the adjacent property at 15633 Mountain View Drive.

The proposed Road Closure Area 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 Area have been consulted and none have expressed any objections.

### Land Value

The proposed road closure area for disposition is an administrative "housekeeping" process to amend an error in the amount of land that was dedicated for the multi-use pathway under Development Application No. 7914-0258-00. As such, the consideration to be paid by the developer will be the nominal sum of one dollar (\$1.00). The developer has agreed to pay all costs associated with the road closure area process.

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


### SUSTAINABILITY CONSIDERATIONS

The proposed road closure and sale support the City's Sustainability Charter. In particular, the proposal 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, viewscales, 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 the 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

KY/amg/ggg/cc

Appendix "I" - Aerial Photograph of Site