

NO: R160

COUNCIL DATE: October 16, 2023

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **October 11, 2023**

FROM: **General Manager, Engineering**

FILE: **7921-0090-00**

SUBJECT: **Approval of the Sale of Closed Portions of Road Allowance adjacent to 10055 & 10077 – 133 Street and 13277 – 100A Avenue (Step 2)**

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## RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of two portions of road allowance totalling 168.1 m<sup>2</sup> adjacent to 10055 & 10077 – 133 Street and 13277 – 100A Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. R122; 2023, a copy of which is attached to this report as Appendix “I”.

## INTENT

The intent of this report is to seek Council’s approval to sell the closed portions of road for consolidation with the adjacent development lands at 10055 & 10077 – 133 Street and 13277 – 100A Avenue.

## DISCUSSION

On July 24, 2023, Council authorized the Engineering Department (Resolution No. R23-1528 related to Corporate Report No. R122; 2023) to proceed with the closure and sale of portions of redundant road allowance having an area of 168.1 m<sup>2</sup> for the purpose of allowing consolidation with and to allow subdivision of the properties known as 10055 & 10077 – 133 Street and 13277 – 100A Avenue. Council’s approval of the sale of these portions of closed road allowance is now required to complete this next 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 near the end of the process when Council’s authorization is required to formally dispose of the closed portion of road as part of the required statutory obligations. In accordance with Section 40 of the *Community Charter*, it is now in order for Council to authorize this next step in the road closure and sale process. Subsequent to Council’s authorization, staff will provide public notification of the disposition by way of advertising in local newspapers pursuant to the requirements of the *Community Charter*.

## CONCLUSION

It is recommended that Council approve the sale of these closed portions of road allowance adjacent to 10055 & 10077 – 133 Street and 13277 – 100A Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R122; 2023.

Scott Neuman, P. Eng.  
General Manager, Engineering

ML/kd/bn

Appendix “I”: Corporate Report No. R122; 2023

[https://surreybc.sharepoint.com/sites/eng.administration/gm administration/corporate reports/2023/oct 16/approval of sale of closed portions of road 133 st \(step 2\)/approval of sale closed road 133 st \(step 2\) \(10112023\) final.docx](https://surreybc.sharepoint.com/sites/eng.administration/gm%20administration/corporate%20reports/2023/oct%2016/approval%20of%20sale%20of%20closed%20portions%20of%20road%20133%20st%20(step%202)/approval%20of%20sale%20closed%20road%20133%20st%20(step%202)%20(10112023)%20final.docx)

NO: R122

COUNCIL DATE: July 24, 2023

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## REGULAR COUNCIL

TO: Mayor & Council

DATE: July 20, 2023

FROM: General Manager, Engineering

FILE: 7921-0090-00

SUBJECT: Closure of Road Adjacent to 10055 & 10077 - 133 Street and 13277 - 100A Avenue

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## 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 two portions of road allowance totaling 168.1 m<sup>2</sup> located adjacent to 10055 & 10077 - 133 Street and 13277 - 100A Avenue, as generally illustrated in Appendix "I", subject to compliance with the notice provisions under Sections 26 and 94 of the *Community Charter, SBC 2003, C. 26*.

## INTENT

The purpose of this report is to seek Council's approval to close and remove portions of constructed road allowance for disposition and consolidation with the adjacent properties to allow for the development of a six-storey residential apartment building consisting of 100 units under development application No. 7921-0090-00.

## BACKGROUND

### Property Description

The areas of road allowance proposed for closure are a 162.8 m<sup>2</sup> portion of constructed lane and a 5.3 m<sup>2</sup> portion of a cul-de sac (collectively the "Road Closure Areas") that will be consolidated with the adjacent properties located 10055 & 10077 - 133 Street and 13277 - 100A Avenue (the "Adjacent Properties") to develop a six-storey residential apartment building consisting of one hundred (100) units with underground parking, as generally illustrated in the attached Appendix "I".

### Zoning, Plan Designations and Land Uses

The Road Closure Areas and the Adjacent Properties are zoned Single Family Residential (RF) Zone, are designated "Multiple Residential" in the Official Community Plan and identified as Low to Mid Rise Residential within the City Centre Land Use Plan.

## DISCUSSION

### Purpose of Road Closure

The Road Closure Areas are intended to be consolidated with the Adjacent Properties and rezoned under Development Application No. 7921-0090-00. This Development Application is

seeking approval to rezone from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone with provisions based on the Multiple Residential 70 (RM-70) Zone to permit the development of a six-storey residential apartment building consisting of 100 units. The subject application is adjacent to Development Application No. 7919-0096-00, as illustrated on the attached Appendix "I".

The proposed road closures were referenced in the November 14, 2022 Planning Report to Council related to application no. 7921-0090-00, and the related Rezoning Bylaw was granted Third Reading by Council on December 12, 2022. The most preliminary layout approval was issued on December 20, 2022.

The proposed closures have been circulated to all potentially concerned City Departments for review and none have expressed objections.

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.

The remainder of the laneway south of the Road Closure Area will be available for consolidation purposes with adjacent parcels as part of any future development application.

### **Land Value**

The applicant has agreed to provide compensation to the City equivalent to the market value of the Road Closure Areas as determined by an independent accredited appraiser.

### **Legal Services Review**

This report has been reviewed by the Legal Services.

### **CONCLUSION**

The Road Closure Areas are deemed surplus to the City's needs. The terms of the agreement related to the disposition of the Road Closure Areas are considered reasonable. The Road Closure Areas will facilitate consolidation of the adjacent properties resulting in a six-storey apartment building with underground parking pursuant to Application No. 7921-0090-00.



Scott Neuman, P.Eng.,  
General Manager, Engineering

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**Appendices available upon request.**

Appendix "I" - Aerial Photograph of Site

Appendix "II" - Site Plan