

NO: R065

COUNCIL DATE: April 15, 2019

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **April 10, 2019**

FROM: **General Manager, Engineering** FILE: **7917-0067-00**

SUBJECT: **Approval of the Sale of Closed Portions of Road Allowance Adjacent to 10035 - 176 Street and 17539 and 17570 - 100 Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of both 1,180.0 m² (12,701 ft.²) and 3,180.0 m² (34,229 ft.²) areas, based on final survey information, of closed road allowances adjacent to 10035 - 176 Street and 17539 and 17570 - 100 Avenue under previously approved terms for these closures and sales as outlined in Corporate Report No. R004; 2019, 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 allowances for consolidation with the adjacent development lands at 10035 - 176 Street and 17539 and 17570 - 100 Avenue.

DISCUSSION

On January 30, 2019, Council authorized the Engineering Department (Resolution No. R19-130 related to Corporate Report No. R004; 2019) to proceed with the closure and sale of these two portions of redundant road allowances having areas of 1,180.0 m² (12,701 ft.²) and 3,180.0 m² (34,229 ft.²) for the purpose of allowing consolidation with and to allow subdivision of the properties known as 10035 - 176 Street and 17539 and 17570 - 100 Avenue. The areas related to the closure and sale have been adjusted to reflect final survey information and are illustrated on the attached Appendix "II". Council's approval of the sale of these two portions of closed road allowances 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 these redundant portions of road allowances 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 these two closed portions of road allowances adjacent to 10035 - 176 Street and 17539 and 17570 - 100 Avenue under the previously approved terms for these closures and sales as outlined in the attached Corporate Report No. R004; 2019.

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

KT/amg/cc

Appendix "I" - Corporate Report No. R004; 2019
Appendix "II" - Aerial Photo of Road Closure Area

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NO: **R004**

COUNCIL DATE: **January 30, 2019**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **January 25, 2019**

FROM: **General Manager, Engineering**

FILE: **7917-0067-00**

SUBJECT: **Road Closures Adjacent to 10035 – 176 Street, 17539 and 17570 – 100 Avenue**

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 areas of road of 3,179 m² (34,218 ft.²) and 1,178.4 m² (12,684 ft.²), having a total area of 4,357.4 m² (1.077 acres), adjacent to the properties located at 10035 – 176 Street, 17539 and 17570 – 100 Avenue 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.

INTENT

The intent of this report is to seek Council's approval to close and remove portions of 176 Street, 100 Avenue and Barnston Drive East road allowances for disposition and consolidation with the adjacent development lands under Development Application No. 7917-0067-00.

BACKGROUND

Property Description

The two areas of dedicated road proposed for closure are 3,179 m² (34,218 ft.²) and 1,178.4 m² (12,684 ft.²), totalling 4,357.4 m² (1.077 acres) in size. The two areas are portions of 176 Street, 100 Avenue and Barnston Drive East road allowances (the "Road Closure Areas"), adjacent to an assembled site comprised of 10035 – 176 Street, 17539 and 17570 – 100 Avenue (the "Adjacent Properties"). The Road Closure Areas are not under Provincial - Ministry of Transportation & Infrastructure ("MOTI") jurisdiction.

Zoning, Plan Designations and Land Uses

The Road Closure Areas and the Adjacent Properties are zoned One Acre Residential ("RA") Zone and are designated as Suburban in the Official Community Plan and Low Density Townhouse 12-15 UPA Gross, Landscape Buffer and Tree Retention Area on the Abbey Ridge Local Area Plan. In accordance with the Abbey Ridge Local Area, Development Application No. 7917-0067-00 incorporates a landscape buffer along 176 Street and tree retention area within a western section of the overall development concept.

DISCUSSION

Purpose of Road Closure

The Road Closure Areas are intended to be consolidated and rezoned with the Adjacent Properties under Development Application No. 7917-0067-00. This Development Application is seeking approval to permit the development of 77 townhouse units on a 1.86 hectare (4.596 acre) consolidated site, as illustrated in Appendix "II" attached to this report.

The road closure proposal was referenced in the March 12, 2018 Planning & Development Report to Council related to Development Application No. 7917-0067-00, and the related Rezoning Bylaw was granted Third Reading by Council on April 9, 2018.

The road closure proposal 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 road closure proposal have been consulted and none have expressed any objections. A statutory right-of-way will be registered over portions of the Road Closure Areas to protect an existing oil pipeline that traverses the site. The MOTI have been consulted regarding the disposition of the Road Closure Area and MOTI have no concerns.

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 accredited independent appraiser.

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

SUSTAINABILITY CONSIDERATIONS

The proposed road closures and sale support the City's Sustainability Charter 2.0. In particular, the proposal relates to the Sustainability Charter 2.0 theme of Built Environment and Neighbourhoods. Specifically, the road closures support the following Desired Outcomes ("DO"):

- Neighbourhoods and Urban Design DO 6: 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 DO 8: The built environment enhances quality of life, happiness and well-being.

CONCLUSION

The Road Closure Areas are surplus to the City's needs. The terms of the agreement related to the disposition of the Road Closure Areas are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate Bylaw to close the subject road allowances in preparation for their sale and consolidation as generally described in this report.



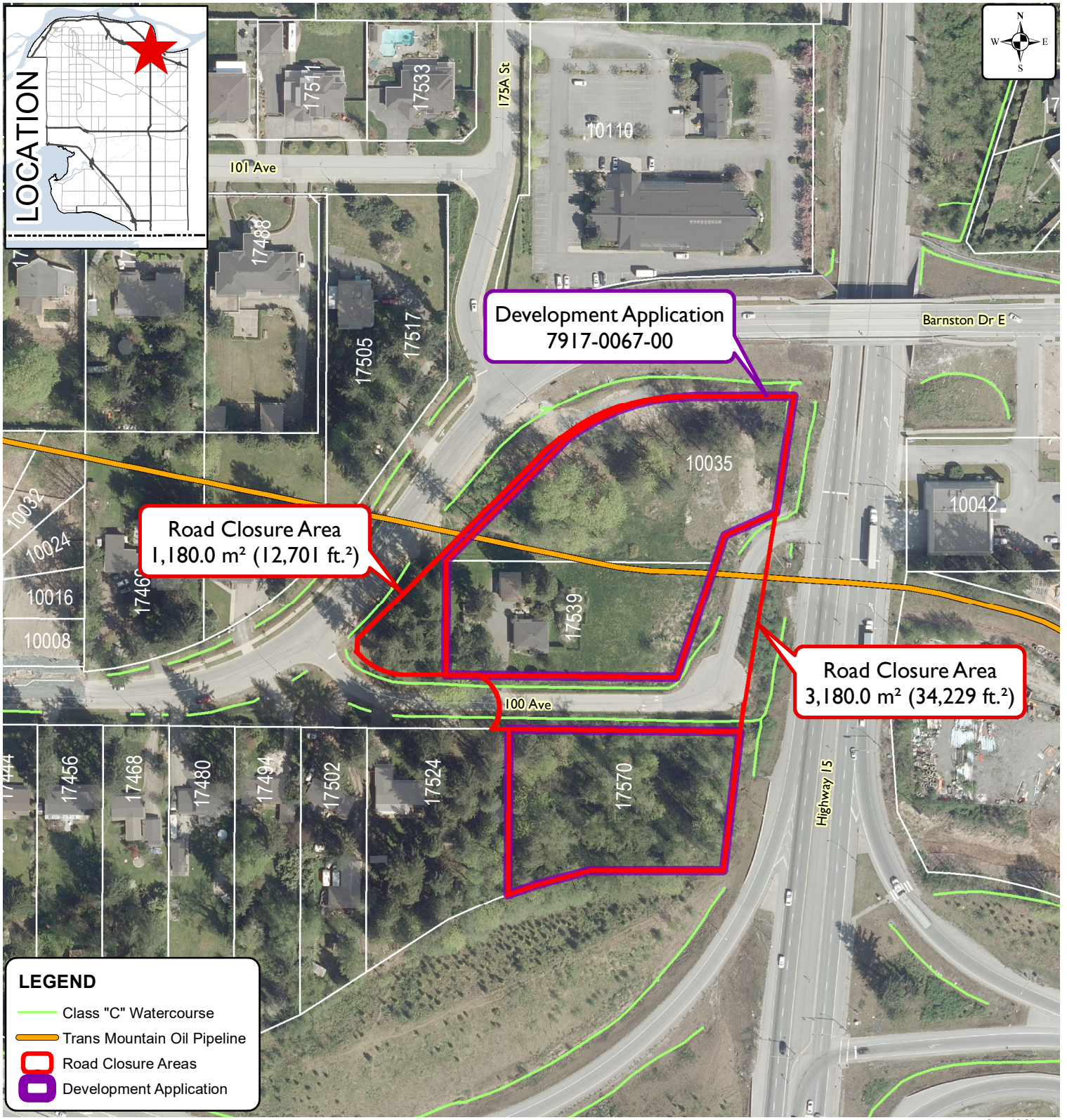
Fraser Smith, P.Eng., MBA
General Manager, Engineering

AW/amg/ggg/jma/cc

Appendix "I": Aerial Photograph of Road Closure Areas

Appendix "II": Development Application No. 7917-0067-00 Development Concept Plan

AERIAL PHOTOGRAPH OF SITE APPENDIX "II"



LEGEND

- Class "C" Watercourse
- Trans Mountain Oil Pipeline
- Road Closure Areas
- Development Application

Produced by GIS Section: 10-Apr-2019, P205934

Date of Aerial Photograph: April 27, 2018

Scale: 1:2,000 0 10 M



**Closure of Road Adjacent to
10035 - 176 Street, 17539 and
17570 - 100 Avenue**

**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.