

NO: R013

COUNCIL DATE: January 25, 2021

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **January 11, 2021**

FROM: **General Manager, Engineering**

FILE: **7914-0324-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 12855 and 12869 - 111 Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 662 m² (7,126 ft.²) area of closed road allowance adjacent to 12855 and 12869 - 111 Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. R090; 2020, 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 portion of road allowance for consolidation with the adjacent development lands at 12855 and 12869 - 111 Avenue.

DISCUSSION

On June 15, 2020, Council authorized the Engineering Department (Resolution No. R20-910 related to Corporate Report No. R090) to proceed with the closure and sale of a portion of redundant road allowance having an area of 662 m² (7,126 ft.²) for the purpose of allowing consolidation with and to allow subdivision of the properties known as 12855 and 12869 - 111 Avenue. 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 closed portions of road allowance adjacent to 12855 and 12869 - 111 Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R090; 2020.

Scott Neuman, P. Eng.
General Manager, Engineering

ML/ap/cc

Appendix "I" - Corporate Report No. R090; 2020

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CORPORATE REPORT

NO: R090

COUNCIL DATE: June 15, 2020

REGULAR COUNCIL

TO: Mayor & Council

DATE: June 9, 2020

FROM: General Manager, Engineering

FILE: 7914-0324-00

SUBJECT: Closure of Road Allowance Adjacent to 12855 and 12869 - 111 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 a 662 m² (7,126 ft.²) area of road located adjacent to the properties 12855 and 12869 - 111 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 a portion of 128A Street as road allowance for disposition and consolidation with the adjacent lands under Development Application No. 7914-0324-00.

BACKGROUND

Property Description

The area of road allowance proposed for closure is a 662 m² (7,126 ft.²) portion of unconstructed road (the "Road Closure Area") adjacent to 12855 and 12869 - 111 Avenue (the "Adjacent Properties").

Zoning, Plan Designations and Land Uses

The Road Closure Area and the Adjacent Properties are currently zoned Single Family Residential (RF) Zone, Multiple Residential under the South Westminster Neighbourhood Concept Plan 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 Adjacent Properties and rezoned under Development Application No. 7914-0324-00. This Development Application is seeking approval to permit the development of a Comprehensive Development (CD) zoned (based on RM-30) 19-unit townhouse development and two park lots, as illustrated in Appendix "II"

attached to this report. The proposed road closure was referenced in the October 1, 2018 Planning Report to Council related to Development Application No. 7914-0324-00, and the related Rezoning Bylaw was granted Third Reading by Council on November 22, 2018.

The proposed closure has been circulated to various 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 2.0. In particular, the closure and sale of the portion of road allowance relates to the Sustainability Charter 2.0 theme of Built Environment and Neighbourhoods. Specifically, this road closure supports the following Desired Outcomes ("DO"):

- Neighbourhoods and Urban Design DO6: Land is used efficiently and sensitively, and development minimizes the impacts on the natural environment, viewscape, 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.



Scott Neuman, P.Eng.
General Manager, Engineering

KAM/amg/cc

Appendix "I" - Aerial Photograph of Road Closure Area and Adjacent Properties

Appendix "II" - Development Application 7914-0324-00 Site Plan

Appendix "III" - Development Layout

Note: Appendices available upon request