

NO: R087

COUNCIL DATE: May 10, 2021

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 6, 2021**

FROM: **General Manager, Engineering**

FILE: **0910-40/226**

XC: **7920-0135-00**

SUBJECT: **Approval of the Sale of Closed Portions of Road Allowance adjacent to 11242 and 11250 – 128 Street, 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of the 4,230 m² (1.04 acres), based on final survey information, closed portions of road allowance adjacent to 11242 and 11250 – 128 Street, 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. R036; 2021, 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 11242 and 11250 – 128 Street, 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue.

DISCUSSION

On February 22, 2021, Council authorized the Engineering Department (Resolution No. R21-292 related to Corporate Report No. R036) to proceed with the closure and sale of portions of redundant road allowance having an area of 4,208 m² (1.038 acres) for the purpose of allowing consolidation with and to allow subdivision of the properties known as 11242 and 11250 – 128 Street, 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue. The area related to the closure and sale has been adjusted to reflect final survey information. Council’s approval of the sale of these portions 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 portions 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 portions 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 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 11242 and 11250 – 128 Street, 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R036; 2021.

Scott Neuman, P.Eng.
General Manager, Engineering

KT/rr/cc

Appendix “I” – Corporate Report No. R036; 2021

[https://surreybc.sharepoint.com/sites/eng.administration/wp_docs/2021/admin/cr/draft approval of the sale of closed portions of road allowance adjacent to 11242 and 11250 – 128 street, 12827 to 12885 king george boulevard.docx](https://surreybc.sharepoint.com/sites/eng.administration/wp_docs/2021/admin/cr/draft%20approval%20of%20the%20sale%20of%20closed%20portions%20of%20road%20allowance%20adjacent%20to%2011242%20and%2011250%20-%20128%20street,%2012827%20to%2012885%20king%20george%20boulevard.docx) CC 5/6/21 11:55 AM

CORPORATE REPORT

NO: R036

COUNCIL DATE: Feb 22, 2021

REGULAR COUNCIL

TO: Mayor & Council DATE: February 17, 2021

FROM: General Manager, Engineering FILE: 0910-40/226
XC: 7920-0135-00

SUBJECT: Closure of Road Adjacent to 11242 and 11250 – 128 Street, 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue; and Sale of City Lands located at 11242 and 11250 – 128 Street

RECOMMENDATION

The Engineering Department recommends that Council:

1. Authorize the City Clerk to bring forward a Bylaw to close and remove the dedication as highway of 4,208 m² (1.038 acres) surplus portions of the constructed roads of 128 Street, King George Boulevard and 112B Avenue, adjacent to two City-owned lots located at 11242 and 11250 – 128 Street and 16 privately-owned lots located at 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue; and
2. Approve the sale of the two City-owned lots located at 11242 and 11250 – 128 Street (PID Nos. 004-401-620 and 003-102-823).

All are as generally illustrated in Appendix "I" attached to this report and subject to compliance with the notice provisions of Sections 26 and 94 of the *Community Charter*, S.B.C. 2003, c. 26.

INTENT

The intent of this report is to seek Council's approval firstly to close and remove as dedicated road 4,208 m² (1.038 acres) portions of 128 Street, King George Boulevard frontage road, and 112B Avenue (the "Road Closure Areas"), and secondly to dispose of two City parcels located at 11242 and 11250 – 128 Street (the "City Lands"), all for consolidation and development with 16 privately-owned adjacent parcels located at 12827 to 12885 King George Boulevard and 12818 to 12884 – 112B Avenue (the "Adjacent Lands") under Development Application No. 7920-0135-00.

BACKGROUND

Property Description

The 4,208 m² (1.038 acres) Road Closure Areas border an assembled site comprised of the City Lands and the Adjacent Lands. The Road Closure Areas are identified on the survey plan attached as Appendix "II" to this report. The City Lands have a total area of 656.45 m² (0.162 acres). The Road Closure Areas, the City Lands and the Adjacent Lands together constitute a development site of 18,001 m² (4.448 acres) in size.

Zoning, Plan Designations and Land Uses

The Road Closure Areas, City Lands and Adjacent Lands are currently zoned in parts Highway Commercial Zone (CHI), Special Industry Zone (I-4), and Light Impact Industrial Zone (IL). They are designated "Industrial" in the Official Community Plan.

DISCUSSION

Purpose of Road Closure and Disposition of City Lands

The Road Closure Areas and the City Lands are intended to be consolidated with the Adjacent Lands and rezoned under Development Application No. 7920-0135-00. This Application is seeking approval to rezone the assembled site to IL Zone to permit the development of a 10,200 m², one-storey (with mezzanine) industrial building, as illustrated in Appendix "III" attached to this report. The proposed road closure was referenced in the July 27, 2020 Planning Report to Council related to Application No. 7920-0135-00, and the related Rezoning Bylaw was granted Third Reading by Council on September 14, 2020. The Preliminary Layout Approval was issued October 6, 2020.

The proposed road closure and disposition of the City Lands have 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 Areas and the City Lands 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 closure and sale of City lands supports the City's Sustainability Charter 2.0. In particular, the proposal relates to the Sustainability Charter 2.0 theme of Economic Prosperity and Livelihoods. Specifically, the road closure and land sale support the following Desired Outcomes ("DO"):

- Economy DO4: Surrey's economy is diversified with a mix of service, industrial, agricultural, and innovation-based businesses;
- Economy DO6: Efficient land use and well-managed transportation infrastructure are in place to attract businesses and support a thriving economy; and
- Economy DO7: The City's strong revenue base includes a balance of commercial and residential property taxes.

CONCLUSION

The Road Closure Areas and the City Lands are surplus to the City's needs. The terms of the agreement related to the disposition of the Road Closure Areas and the City Lands are considered reasonable. It is therefore recommended that Council authorize and approve the steps as generally described in this report.



Scott Neuman, P.Eng.
General Manager, Engineering

AW/ap/cc

Appendix "I" - Aerial Photograph of Site

Appendix "II" - Survey Plan of Road Closure Areas

Appendix "III" - Development Application 7920-0135 Site Plan

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Note: Appendices available upon request