

NO: R086

COUNCIL DATE: June 5, 2023

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 1, 2023**

FROM: **General Manager, Engineering**

FILE: **7918-0398-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance adjacent to 15853 and 15861 – 16 Avenue (Step 2)**

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## RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 112.4 m<sup>2</sup> area of closed road allowance adjacent to 15853 and 15861 – 16 Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. R180; 2022, 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 for consolidation with the adjacent development lands at 15853 and 15861 – 16 Avenue.

## DISCUSSION

On October 3, 2022, Council authorized the Engineering Department (Resolution No. R22-1950 related to Corporate Report No. R180;2022) to proceed with the closure and sale of a portion of redundant road allowance having an area of 112 m<sup>2</sup> for the purpose of allowing consolidation with and to allow subdivision of the properties known as 15853 and 15861 – 16 Avenue. The area related to the closure and sale has been adjusted to reflect final survey information. 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 this closed portion of road allowance adjacent to 15853 and 15861 – 16 Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R180; 2022.

Scott Neuman, P. Eng.  
General Manager, Engineering

ML/kd/bn

[https://surreybc.sharepoint.com/sites/eng.administration/gm administration/corporate reports/2023/june 5/approval of sale - 15853, 15861 16 ave \(step 2\)/approval of sale 15853 and 15861 16 ave \(06012023\) final.docx](https://surreybc.sharepoint.com/sites/eng.administration/gm%20administration/corporate%20reports/2023/june%205/approval%20of%20sale%20-%2015853,%2015861%2016%20ave%20(step%202)/approval%20of%20sale%2015853%20and%2015861%2016%20ave%20(06012023)%20final.docx)

Appendix "I" - Corporate Report No. R180; 2022

NO: R180

COUNCIL DATE: Oct 3, 2022

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## REGULAR COUNCIL

TO: Mayor & Council

DATE: September 29, 2022

FROM: General Manager, Engineering

FILE: 7918-0398-00

SUBJECT: Closure of Road Adjacent to 15853 and 15861 – 16 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 a 112 m<sup>2</sup> portion of unconstructed road allowance located adjacent to 15853 and 15861 – 16 Avenue, as generally illustrated in Appendix "I" attached to this report and subject to compliance with the notice provisions under Sections 26 and 94 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 unconstructed road allowance for consolidation with the adjacent properties to allow for the development of two multiple unit residential buildings under Development Application No. 7918-0398-00.

## BACKGROUND

### Property Description

The area of road allowance proposed for closure is a 112 m<sup>2</sup> portion of unconstructed road (the "Road Closure Area") adjacent to 15853 and 15861 – 16 Avenue (the "Adjacent Properties") that will be consolidated as part of the development of two multiple unit residential buildings comprising a total of 24 units.

### Zoning, Plan Designations and Land Uses

The Road Closure Area and Adjacent Properties are currently zoned Single Family Residential (RF) Zone and are designated "Urban" in the Official Community Plan.

## DISCUSSION

### Purpose of Road Closure

The Road Closure Area is intended to be consolidated and rezoned with the Adjacent Properties under Development Application No. 7918-0398-00 to permit the development of two multiple unit residential buildings as illustrated in Appendix "II" attached to this report.

The proposed road closure was referenced in the July 13, 2020 Planning & Development Report to Council related to Development Application No. 7918-0398-00, and the related Rezoning Bylaw was granted Third Reading by Council on July 27, 2020.

The proposed road closure has 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.

### **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 an internal staff appraiser.

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

### **SUSTAINABILITY CONSIDERATIONS**

The proposed road closure supports the City's Sustainability Charter 2.0. In particular, the proposal relates to the Sustainability Charter 2.0 theme of Built Environment and Neighbourhoods, and Infrastructure. Specifically, the 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 therefore 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

PK/kd/cc

**Appendices available upon request**

Appendix "I" – Aerial Photograph of Site

Appendix "II" – Development Application No. 7918-0398-00 Site Layout