

# STAFF REPORT TO COUNCIL

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**DATE:** September 21, 2021

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Deanna Wasnik, Acting Director of Planning and Development Services

**SUBJECT:** Tamarack/Spruce Street Road Closure Bylaw No. 9241, 2021

**ATTACHMENT(S):** Appendix "A" – Proposed Road Closure  
Exhibit "A" – Location Map  
Exhibit "B" – Proposed Consolidation  
Exhibit "C" – Site Map

## RECOMMENDATION(S):

That Council GIVES FIRST AND SECOND READING to "City of Prince George Tamarack/Spruce Street Road Closure Bylaw No. 9241, 2021".

## PURPOSE:

The purpose of this report is to request City Council's approval to close the road area (laneway) as shown on Appendix "A" with the intent to sell the closed road area to the adjacent property owners of Lot A, District Lot 777, Cariboo District Plan, 25301 ("Lot A") and Lot B, District Lot 777, Cariboo District, Plan 8433 ("Lot B").

The location of the proposed road closure is shown on Exhibit "A". The proposed closure and sale provides the owners the ability to consolidate the road area with their adjacent properties.

## POLICY/REGULATORY ANALYSIS:

Under the "City of Prince George Officer Positions and Delegation of Authority Bylaw No. 8340, 2011, Amendment Bylaw No. 8663, 2015", Administration has approved the sale of the dedicated road area of 226.96m<sup>2</sup> and 227.50m<sup>2</sup> (total 454.46 m<sup>2</sup>) shown on Appendix "A" for purchase by the adjacent landowners.

Proposed Bylaw No. 9241, 2021 authorizes the City to close that road area as shown on Appendix "A" and remove its road dedication thereby allowing the 226.96m<sup>2</sup> portion of road area to be consolidated with the adjacent land being Lot A and 227.50m<sup>2</sup> portion of road area to be consolidated with the adjacent land being Lot B, as shown by the heavy outlined area on the Proposed Consolidation drawing attached hereto as Exhibit "B".

#### STRATEGIC PRIORITIES:

Closing the road areas and consolidating them with the adjacent lands will enable the approved sale to occur; as well, closure will address the following areas:

- Sustainable Fiscal Management
- Sustainable Infrastructure
- Diversifying our Economy

#### FINANCIAL CONSIDERATIONS:

The purchase price for the 454.46m<sup>2</sup> road area is \$12,700.00 plus GST. This value is considered to be current market value for this area.

#### SUMMARY AND CONCLUSION:

As per the requirements set out in Section 40(3) and 94 of the *Community Charter*, the City of Prince George will give notice of Council's intention to adopt the proposed bylaw and the opportunity for the public to provide written comments. Written submissions received in response to the public notice for this application will be provided to Council for their consideration at the time third reading of the bylaw is proposed to be considered. Submissions received after the council meeting agenda will be provided to Council as a handout on the day of the council meeting for their consideration during deliberations on the application.

Administration endeavours to obtain written consent from all adjacent homeowners prior to bringing a road closure to Council to ensure transparency and fairness. Written consent has been obtained from the owner of the property located directly south of Lot B (i.e. 2140 Tamarack Street); however, consent has not been obtained from the owner of the property located directly south of Lot A (i.e. 2135 Spruce Street).

Administration had verbal discussions with the owner of 2135 Spruce Street, who does not reside in Prince George. The owner is concerned the neighbourhood issues currently experienced, would be exacerbated by the closure of the lane. Administration requested the owner provide their concerns and objections in writing, however to date, no written response has been received.

The RCMP supports this road closure. They advise that there has been a high number of criminal and nuisance activities in the immediate area and closing the road would likely mitigate some of that undesirable activity. Closure of the road does not appear to significantly restrict pedestrian access to the area and would result in the elimination of a somewhat secluded public area that undoubtedly provides an opportunity for the previously mentioned "undesirable activities" to occur.

Administration has conducted a referral of the road closure proposal to the various external utilities. Telus Communications, BC Hydro, and Shaw Cable require a statutory right of way. Fortis BC does not have any concerns with this closure.

As the road area to be closed is located within 800 meters of an arterial highway, the Ministry of Transportation's approval is required.

If approved, the bylaw and consolidation plan will be deposited at the Land Title Office to consolidate the road area with the adjacent Lots as shown on Exhibit “B” Proposed Consolidation.

**RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Acting Director of Planning and Development Services

**PREPARED BY:** Jackie Bassett, Property Agent

**APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2021/10/04