

STAFF REPORT TO COUNCIL

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DATE: March 9, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: 214 Kelly Street Road Closure Bylaw No. 9272, 2021

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

RECOMMENDATION(S):

That Council GIVES FIRST AND SECOND READING to "City of Prince George 214 Kelly Street Road Closure Bylaw No. 9272, 2021".

PURPOSE:

The purpose of this report is to request City Council's approval to close the road area as shown on Appendix "A" with the intent to sell the closed road area to the adjacent property owner, Ferenc Nagy (location shown on Exhibit "A"). The proposed closure and sale provides the owner the ability to consolidate the unconstructed road area with their adjacent property to rectify an encroachment.

Surrounding Land Use Table

North	Nechako River
South	Residential and Hammond Avenue
East	Highway 97
West	Residential and Kelly Street

POLICY/REGULATORY ANALYSIS:

Sections 40, 41 and 94 of the *Community Charter* provide for the municipal authority and notification process for road closures.

Under the "City of Prince George Officer Positions and Delegation of Authority Bylaw No. 8340, 2011" Administration has approved the sale of the dedicated road area of 178.1m² shown on Appendix "A" for purchase by the adjacent landowner, Ferenc Nagy.

The purchase price for the subject road area is \$10,000.00 plus GST. Administration considers this price to be fair market value for this area.

Proposed Bylaw No. 9272, 2021 authorizes the City to close that road area as shown on Appendix “A” and remove its road dedication thereby allowing for consolidation of the 178.1m² road area with the adjacent lands being Lot A District Lot 938 Cariboo District Plan 16313 as shown by the heavy outlined area on the Proposed Consolidation attached hereto as Exhibit “B”.

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

OTHER CONSIDERATIONS:

Statutory Notification

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 provide an opportunity for persons who consider they are affected by the bylaw to make representations to Council via 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 has been published will be provided to Council as a handout on the day of the council meeting for their consideration during deliberations on the application.

Referrals

This application was referred to internal City divisions and external agencies for comments. The following comments were received through the referral process:

Ministry of Transportation and Infrastructure

As per Section 41(3) of the *Community Charter*, Bylaw No. 9272, 2021 requires approval from the Ministry of Transportation and Infrastructure prior to Final Reading.

Private Utilities

BC Hydro, Telus Communications and Fortis BC do not have any concerns with this closure. Shaw, to date, has not provided comment in regards to this road closure, however, the notification required under s.40(4) of the *Community Charter* will be provided prior to adoption of the bylaw.

ALTERNATIVES:

1. Approve the bylaw
2. Direct Administration to provide further information
3. Reject the Bylaw and not proceed with the application

Administration recommends that Bylaw No. 9272, 2021 be approved.

SUMMARY AND CONCLUSION:

Administration recommends that Council approve the sale, and closure, of the 178.1m² area of road shown on Appendix “A”. Should this road closure be approved, the portion of closed road will be consolidated with the property located south of the road closure area, and Bylaw No. 9272, 2021 and the consolidation plan will be deposited at the Land Title Office.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Jackie Bassett, Property Agent

APPROVED:

Walter Babicz, City Manager

Meeting Date: 3/28/2022