

Date: July 16, 2024

To: **Mayor and Council.**

Name and Title: Deanna Wasnik, Director of Planning & Development

Subject: Road Closure Application No. RCL00033 (Bylaw No. 9470)

Applicant: Duane Dagg

Location: Road Dedication adjacent to 3098 Hawke Road, Lots 23 and 24, Block 13, District Lot 629, Cariboo District, Plan 902

Dedicated on Road Plan: 902, District Lot 629, Cariboo District

Attachment(s): Location Map  
Appendix "A" to Bylaw No. 9470  
Exhibit "A" to RCL00033 – Proposed Road Dedication Plan

## Recommendation(s):

That Council GIVES FIRST THREE READINGS to "City of Prince George Road Closure Bylaw No. 9470, 2024".

## Purpose:

The applicant has applied to obtain a 120.4 m<sup>2</sup> portion of Sabre Road's dedication to consolidate with 3098 Hawke Road (subject property), as shown on Appendix "A" to Bylaw No. 9470. Obtaining this portion of Sabre Road dedication will ensure the existing house and yard is located on the subject property as it currently encroaches onto Sabre Road.

## Discussion:

### Proposed Road Closure

Currently, the road dedication is undeveloped, with a portion of house that encroaches over the property line of 3098 Hawke Road. Proposed Bylaw No. 9470, 2024 would close a portion of the road dedication thereby allowing consolidation with the subject property, as shown Appendix "A".

### Road Dedication

In exchange for the closure of road dedication (120.4 m<sup>2</sup>), the applicant will dedicate a 120.4 m<sup>2</sup> portion of the subject property as road to facilitate access to 3074 and 3038 Hawke Road. This area is shown on Exhibit "A" to RCL00033. The dedication of this land as road would ensure that these properties are no longer trespassing over private land.

## Financial Considerations:

The proposed areas identified on Appendix "A" and Exhibit "A" are of the same size (120.4 m<sup>2</sup>), and as such, no monetary compensation will be required for this application.

## 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 has given notice of 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 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Reading of the bylaw is 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 meeting for their consideration during deliberations on the application.

### **Notice of Property Disposition**

As per the requirements set out in Section 94 of the *Community Charter*, and as set out in our “Public Notice Bylaw No. 9329, 2022”, the City of Prince George has given notice of Administration’s intention to close this road dedication in exchange for new road dedication.

### **Referrals**

This application was referred to internal City divisions and external agencies for comments.

### Ministry of Transportation and Infrastructure

As per Section 41(3) of the *Community Charter*, Bylaw No. 9245, 2021 requires approval from the Ministry of Transportation and Infrastructure prior to Final Reading.

### Internal Divisions

No outstanding concerns with the proposed application to close a portion of Sabre Road’s dedication and obtain road dedication for existing residential development.

### Private Utilities

No concerns or comments were received from Fortis BC, BC Hydro, and Telus as of the date of this report.

### Property Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this application.

### Alternatives:

1. Approve the bylaw
2. Approve the bylaw as amended
3. Refuse the bylaw
4. Defer or otherwise deal with the bylaw

Administration recommends that Bylaw No. 9470, 2024 be approved.

### Summary and Conclusion:

Administration recommends that Council approve the closure of the 120.4 m<sup>2</sup> ha portion of road, as shown on Appendix “A” to Bylaw No. 9470. This application will correct an existing encroachment occurring at 3098 Hawke Road. Should this road closure be approved, the closed road shall be consolidated with the subject property, as shown on Exhibit “A” to RCL00033.

### Respectfully Submitted:

Deanna Wasnik, Director of Planning & Development

**Prepared by:** Léah Labarrère, Planner 2

### Approved:

Walter Babicz, City Manager

**Meeting date:** 2024/08/19