

STAFF REPORT TO COUNCIL

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DATE: November 10, 2020

TO: MAYOR AND COUNCIL

NAME AND TITLE: IAN WELLS, GENERAL MANAGER, PLANNING AND DEVELOPMENT

SUBJECT: 2851 Gogolin Road Closure Phase II Bylaw No. 9152, 2020

ATTACHMENT(S): Appendix "A" - Proposed Road Closure
Exhibit "A" - Previously Closed Road
Exhibit "B" - Proposed Consolidation
Exhibit "C" - Location Map

RECOMMENDATION(S):

That Council GIVES FIRST and SECOND READINGS to "City of Prince George 2851 Gogolin Road Closure Phase II Bylaw No. 9152, 2020".

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 owners, Gerhard Josef Oberauer and Maria Lerch (location shown on Exhibit "C"). The proposed closure and sale provides the owner the ability to consolidate same with their adjacent property and to remedy an encroachment.

BACKGROUND:

On October 7, 2019, Bylaw No. 9046, 2019 was adopted approving the closure, sale and consolidation of the road area as shown on Exhibit "A". Since the adoption of Bylaw No. 9046, 2019, it was brought to the City's attention by the owner that the surveyor had not included all of the encroached upon area. Real Estate is seeking Council approval to correct the error to include the entire encroached upon area. The purchase price of \$10,000 indicated as fair market value in the report to council for Bylaw No.9046, was the negotiated market value and should have included the area on this plan as well. Should Council not approve this closure, Real Estate will refund the difference in the purchase price to the owner.

POLICY/REGULATORY ANALYSIS:

Under the "City of Prince George Positions and Delegation of Authority Bylaw No. 8340, 2011, Amendment Bylaw No. 8663, 2015" Real Estate Services has approved the sale of the additional dedicated road area of 83.8 square metres shown on Appendix "A" for purchase by the adjacent landowners, Gerhard Josef Oberauer and Maria Lerch.

Proposed Bylaw 9152, 2020 authorizes the City to close that road area as shown on Appendix "A" and remove its road dedication thereby allowing for consolidation of the 83.8 square metre road area with the adjacent lands being the previously closed road area as shown on Exhibit A, Lot 16

District Lot 1433 Cariboo District Plan 30304, and Lot 5 District Lot 1433 Cariboo District Plan 10848 as shown by the heavy outlined area on the Plan attached hereto as Exhibit “B”.

STRATEGIC PRIORITIES:

Closing the road area and consolidating it 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 road area, the previously closed road under Bylaw 9046, 2019, and Lot 16 District Lot 1433 Cariboo District Plan 30304 is \$10,000.00 plus GST, which is considered to be market value.

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 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 consideration during deliberations on the application.

Real Estate Division has conducted a circulation of the road closure proposal to the various external utilities. Telus Communications, BC Hydro, Fortis BC and Shaw Cable do not have any concerns with this closure.

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

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

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

PREPARED BY: Sheila Cupp, Property Administrator

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: 2020/12/07