

CITY OF WEST KELOWNA

BYLAW NO. 0189

A BYLAW TO AUTHORIZE THE CLOSURE OF A PORTION OF A ROAD AND DISPOSAL OF THAT PORTION OF OLYMPUS WAY

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WHEREAS pursuant to Section 40 and 94 of the *Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council; and

WHEREAS the Council of the City of West Kelowna deems it expedient to close to traffic, remove the dedication of highway and dispose of that portion of highway comprising 253.8m<sup>2</sup> of road area adjacent to 1837 Olympus Way; and

WHEREAS notices of Council's intentions to close that portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure and disposition to make representation to Council;

THEREFORE BE IT RESOLVED THAT the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. This Bylaw may be cited for all purposes as "City of West Kelowna Road Closure and Disposition Bylaw No. 0189, 2015".
2. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of the reference plan of highway closure (the "Road Closure Plan") prepared by Fergusson Land Surveying and Geomatics B.C.L.S. on the 18<sup>th</sup> day of August, 2015.
3. The City hereby authorizes the closure to traffic and removal of highway dedication of the 253.8m<sup>2</sup> portion of highway, labelled "Closed Road" on the Road Closure Plan (the "Closed Road"), which is shown outlined in bold black on the attached reference plan EPP54570.
4. On the deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the Kamloops Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
5. The City of West Kelowna is hereby authorized to dispose of and convey the Closed Road in fee simple to the registered owners of the Adjacent Parcel at 1837 Olympus Way, on the condition that the Closed Road is consolidated with the Adjacent Parcel at 1837 Olympus Way.
6. The Mayor and the City Clerk of the City are authorized to execute all deeds of land, plans and other documentation necessary to effect this road closure and disposition.

READ A FIRST, SECOND AND THIRD TIME ON THIS 13<sup>TH</sup> DAY OF OCTOBER, 2015

Notice of intention to proceed with this Bylaw was duly advertised in the Westside Weekly on October 28<sup>th</sup>, 2015 and on November 4<sup>th</sup>, 2015 as per *Section 94* of The *Community Charter*.

ADOPTED ON THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2015

'Doug Findlater'

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MAYOR

'Tracey Batten'

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CITY CLERK

Schedule "A"

REFERENCE PLAN TO ACCOMPANY BYLAW NO. 0189  
(CITY OF WEST KELOWNA) TO CLOSE PART OF ROAD  
DEDICATED ON PLAN 35083 DISTRICT LOT 4662  
OSOYOOS DIVISION YALE DISTRICT

PLAN EPP54570

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER

BCGS 82E.083



THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:200

