

CITY OF WEST KELOWNA

BYLAW NO. 0257, 2019

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

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 60.8m² of road area shown on Reference Plan EPP82699 prepared by DA Goddard Surveys on November 8th, 2019, adjacent to 3859 Carrall Road; 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. 0257, 2019".
2. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of the Reference Plan EPP82699 of highway closure (the "Road Closure Plan") prepared by DA Goddard Surveys on the 8th day of November, 2019.
3. The City hereby authorizes the closure to traffic and removal of highway dedication of the 60.8m² 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 EPP82699.
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 3859 Carrall Road, on the condition that the Closed Road is consolidated with the Adjacent Parcel at 3859 Carrall Road.
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 26th, day of November, 2019;

Notice of intention to proceed with this Bylaw was duly advertised in the Westside Weekly on November 29th, 2019, and on December 6th, 2019 as per *Section 94* of *The Community Charter*.

ADOPTED ON THIS 10th, day of December, 2019.

Mayor

City Clerk

REFERENCE PLAN TO ACCOMPANY CITY OF WEST KELOWNA BYLAW No. 0257, 2019, ROAD CLOSURE AND REMOVAL OF HIGHWAY DEDICATION OF PART OF ROAD DEDICATED ON PLAN 10694, DISTRICT LOT 5060, ODYD.

PLAN EPP82699

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

BCGS 82E.082
SCALE 1:500 METRIC

The intended plot size of this plan is 432mm in width by 558mm in height (C-size) when plotted at a scale of 1:500 METRIC.

LEGEND

- Denotes Standard Iron Post Found
- Denotes Standard Iron Post Set
- ▲ Denotes GNSS Control Hub Set
- C1 Denotes Centre #1

Distances shown are horizontal, ground-level distances, in metres and decimal fraction.

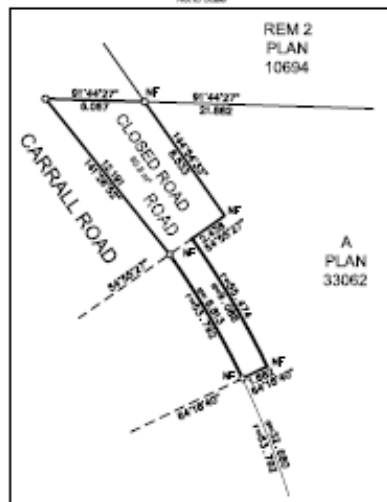
Grid bearings are derived from dual frequency GNSS observations and are referred to the central meridian of UTM Zone 11.

The UTM coordinates and estimated horizontal positional accuracy achieved are derived from using 1.5 hours of GNSS dual frequency observations and processed using the CORS-PPPP online processing provided by Natural Resources Canada.

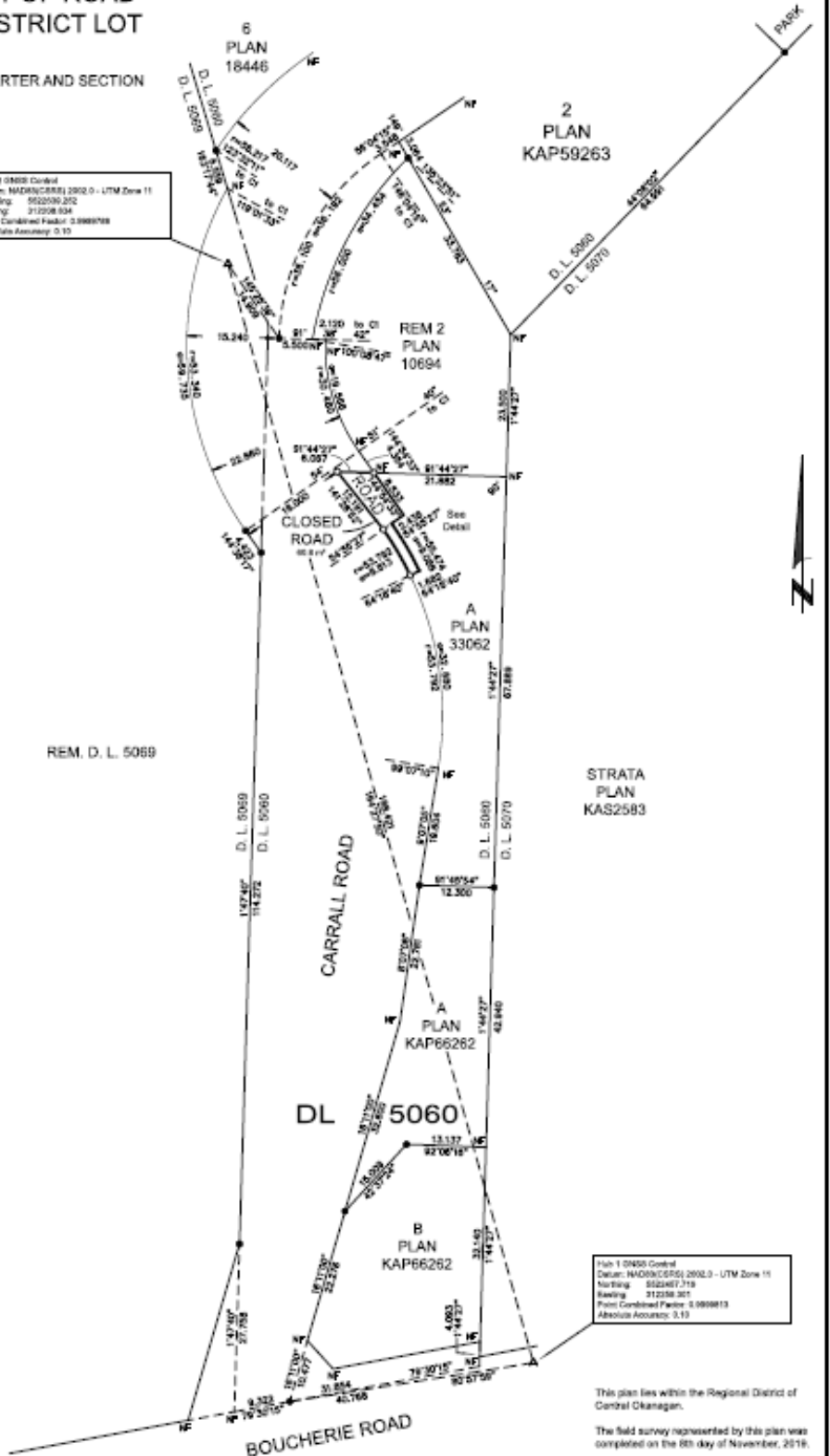
This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9999813. The average combined factor has been determined based on an ellipsoidal elevation of 329 metres at GNSS Control Hub 1.

Hub 2 GNSS Control
Datum: NAD83/CRS82 2011.0 - UTM Zone 11
Northing: 552596.202
Easting: 312258.834
Point Combined Factor: 0.9999813
Absolute Accuracy: 0.10

DETAIL
Not to Scale



DA Goddard Surveys
103-1358 St. Paul Street, Kelowna BC
File: 417252-RF



Hub 1 GNSS Control
Datum: NAD83/CRS82 2011.0 - UTM Zone 11
Northing: 552597.719
Easting: 312258.351
Point Combined Factor: 0.9999813
Absolute Accuracy: 0.10

This plan lies within the Regional District of Central Okanagan.

The field survey represented by this plan was completed on the 8th day of November, 2018.

Mark A. Cahill, SCLS #912