

CITY OF WEST KELOWNA

BYLAW NO. 270, 2019

A BYLAW TO AUTHORIZE THE CLOSURE OF A PORTION OF A ROAD AND DISPOSAL OF THAT PORTION OF LOWER GLENROSA 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 460.9 m² of road area on Lower Glenrosa Road adjacent to 2734 Lower Glenrosa 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. 270, 2019".
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") drawing number 3694-00-V-REFER.DWG prepared by McElhanney Associates Land Surveying Ltd. British Columbia Land Surveyors on the 19th day of October, 2019.
3. The City hereby authorizes the closure to traffic and removal of highway dedication of the 460.9 m² 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 EPP97328.
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 2734 Lower Glenrosa Road for the purpose of consolidation of the Closed Road with the Adjacent Parcel at 2734 Lower Glenrosa 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 22ND DAY OF OCTOBER, 2019

Notice of intention to proceed with this Bylaw was duly advertised in the Westside Weekly on November 6, 2019, and on November 13, 2019 as per Section 94 of the *Community Charter*.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE ON THE 4TH DAY OF DECEMBER, 2019.

ADOPTED ON THIS 10th Day of December, 2019

Mayor

City Clerk

