

To: Mayor and Council
From: Paul Gipps, CAO

Meeting Date: November 18, 2025
Meeting Type: Regular Council Meeting

Prepared by: James Robertson, Land Agent
Department: Corporate Services

Title: Road Closure | RC2025-003 | 15042 Oyama Road
Description: To consider closing a portion of road for exchange of land of equivalent value with the property owner.

RECOMMENDATION

THAT Road Closure Bylaw (RC2025-003) 1283, 2025 be read a first, second, and third time.

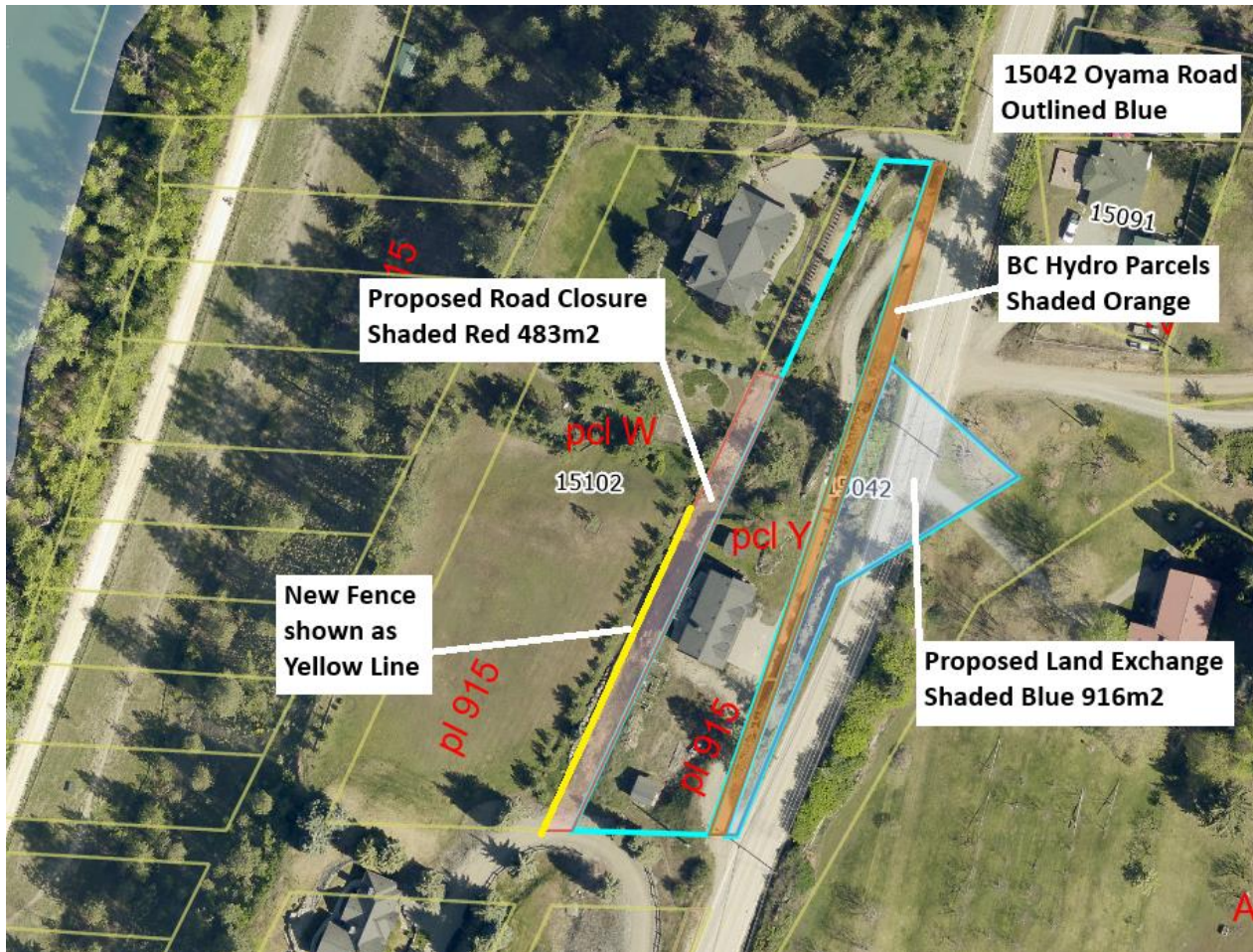
EXECUTIVE SUMMARY

The owner of 15042 Oyama Road (the “Applicant”) approached the District proposing a land swap that:

- transfers 916m² of land (area shown in shaded blue on Map 1), to the District;
- closes a portion of unbuilt road and transfers ownership of approximately 483m² of land to the Applicant (area shown in shaded red on Map1).

The Applicant would like to construct a fence along the new property line if the proposal is accepted. (MAP 1)

MAP 1 – 15042 OYAMA ROAD



DISCUSSION/ANALYSIS

The proposal would trade approximately 483m² of District land for 916m² of the property owner's land.

The original subdivision plan of the subject property is from 1908 when the location of Oyama Road was constructed around a large gully. Over the years, the gully was filled and Oyama Road was straightened through the property. The subject property is also bisected by a BC Hydro owned titled Statutory Right of Way.

The unbuilt District road is excess to the District's current and future needs. The Statutory Right of Way that bisects the property was established in 1931 and in 2008, title and ownership of the SRW was transferred to BC Hydro resulting in a hooked parcel.

Section 42 of the *Transportation Act* deems a travelled road to be a public highway if public money is spent on it, effectively transferring ownership without the property owner's knowledge or consent. The proposal to trade the unbuilt road in exchange for the land located Oyama Road corrects an existing Section 42 road without the need to pay compensation or expropriate the land.

The owners of 15102 Oyama Road (west of the unbuilt road) indicated they have no interest in acquiring any portion of the unbuilt road and expect the District to retain the land for their continued use. The owners use a portion of the unbuilt road to access the lower parts of their property for maintenance and landscaping purposes. The area of the lane that they use is not part of the land subject to this road closure.

If approved, the property owner would be required to consolidate the closed road with their existing holdings and dedicate the area of property (area shown in shaded blue on Map 1) to the District as road. The District will be responsible for the survey costs and the District's legal costs. The property owner will be responsible for their own legal costs. The proposal is a land exchange with both areas of land considered equal value. The slight reduction in size of the applicant's parcel after the land exchange does not affect their future development potential as the property is currently too small to subdivide under current zoning.

APPLICABLE LEGISLATION AND POLICIES

Section 40 of the *Community Charter* allows Council, by bylaw, to close all or part of a highway that is vested in the municipality. Section 26 of the *Community Charter* requires notice of disposition to include a description of the land or improvements, the nature and, if applicable, the term of the proposed disposition; the person acquiring the property and the consideration to be received for the disposition.

PROPERTY INFORMATION	
File #	RC2025-003
Civic Address:	15042 Oyama Road
Legal Description:	Parcel Y District Lot 7 Osoyoos Division Yale District Plan 915 except Plan A740
PID:	005-924-936
Parcel Size:	0.9 acres
ALR:	No
Zoning:	RR3
DP Areas:	Industrial; Commercial; Multiple Unit; Agricultural
Water:	Municipal
Sewer:	Onsite Septic

IMPACTS ON INFRASTRUCTURE, SERVICES OR STAFF CAPACITY

There are no impacts on infrastructure, services, or staff capacity resulting from this proposal.

FINANCIAL IMPLICATIONS

The District will be responsible for the survey costs and legal costs. The property owner will be responsible for their legal costs. There is no revenue to be received by the District regarding this land exchange.

Survey: \$2,500.00 (Estimated)

Legal: \$1,500.00 (Estimated)

CONSULTATION

This application was referred to internal departments.

ALTERNATE RECOMMENDATION(S)

1. THAT Road Closure Bylaw (15042 Oyama Road) 1283, 2025 be read a first and second time with the following amendments.
2. THAT Road Closure Bylaw (15042 Oyama Road) 1283, 2025 not be read and the file closed.

Respectfully Submitted.

James Robertson, Land Agent

Report Approval Details

Document Title:	RC2025-003 – 1542 Oyama Road.docx
Attachments:	-Road Closure (15042 Oyama Rd) Bylaw 1283 2025.docx
Final Approval Date:	Nov 12, 2025

This report and all of its attachments were approved and signed as outlined below:

Reyna Seabrook, Director of Corporate Services - Nov 12, 2025 – 2:03 PM

Paul Gipps, Chief Administrative Officer - Nov 12, 2025 – 2:04 PM

Makayla Ablitt, Manager of Corporate Administration - Nov 12, 2025 – 2:18 PM