
MEETING TYPE: Regular Council Meeting
MEETING DATE: Tuesday, January 17, 2023
AUTHOR: James Robertson, Land Agent
DEPARTMENT: Corporate Services
ITEM TITLE: Road Closure Bylaw 1194, 2023
DESCRIPTION: A Bylaw to close an unbuilt portion of Whiskey Cove Road

QUESTION

Does Council support the closing of the unbuilt portion of Whiskey Cove Road adjacent to the property located at 15892 Carr's Landing Road, as shown on Plan EPP124539 and removing its highway dedication for the purpose of selling the land to be consolidated with the adjacent property owners' parcel?

OPTIONS

- A. THAT Road Closure Bylaw (15892 Carr's Landing Road) 1194, 2023 be read a first, second, and third time;
- B. THAT Road Closure Bylaw (15892 Carr's Landing Road) 1194, 2023 be amended as directed by Council;
AND THAT Road Closure Bylaw (15892 Carr's Landing Road) 1194, 2023 be read a first and second time as amended.
- C. THAT Road Closure Bylaw (15892 Carr's Landing Road) 1194, 2023 not be read and the file closed.

EXECUTIVE SUMMARY

Staff have negotiated an agreement of purchase and sale with the owners of 15892 Carr's Landing Road for a portion of unbuilt road located adjacent to their property. The *Community Charter* authorizes municipalities to close a road and remove its highway dedication (the right of the province to redeem the road) by way of bylaw and dispose of such land. After third reading, staff are required to advertise the terms of the proposed sale in the Lake Country Calendar and provide an opportunity for those affected persons to make their views known to Council prior to adoption. If Council adopts the Bylaw the sale will proceed.

BACKGROUND/HISTORY

The owners of 15892 Carr's Landing Road approached the District to inquire if the District would consider selling a portion of unbuilt road located next to their property so that it could be combined into a single parcel. Staff support the disposal of the area of unbuilt road to the adjacent property owners. Staff met with the landowners in August 2022 to negotiate the terms.



DISCUSSION/ANALYSIS

The District has ownership of unbuilt roads and portions of parcels that are not required to support District uses. These lands have value that can be realized when combined with existing parcels. The proposal from the owners of 15892 Carr's Landing Road illustrates the potential for the District to capitalize its excess land.

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.

Respectfully Submitted,
James Robertson, Land Agent

Report Approval Details

Document Title:	Road Closure Bylaw 1194, 2023 .docx
Attachments:	- Bylaw 1194, 2023.docx
Final Approval Date:	Jan 11, 2023

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

Reyna Seabrook, Director of Corporate Services - Jan 11, 2023 - 2:51 PM

Tanya Garost, Chief Administrative Officer - Jan 11, 2023 - 3:13 PM