
MEETING TYPE: Regular Council Meeting
MEETING DATE: November 7, 2023
AUTHOR: James Robertson, Land Agent
DEPARTMENT: Corporate Services
ITEM TITLE: Road Closure Bylaw (14876 Oyama Road) 1216, 2023 | RC2023-031 |
DESCRIPTION: A Bylaw to close a portion of road and remove its highway dedication

PURPOSE

Does Council support the closing of the portion of road adjacent to the property located at 14876 Oyama Road, as shown on the attached mapping, and removing its highway dedication for the purpose of selling the land to be consolidated with the adjacent property owner’s parcel?

RECOMMENDATION

THAT Road Closure Bylaw (14876 Oyama Road) 1216, 2023 be adopted.

EXECUTIVE SUMMARY

Council gave three readings to Bylaw 1216, 2023 on October 17, 2023. Notice was published in the Lake Country Calendar on October 26 and November 2, 2023. The bylaw is now presented for public comment and adoption.

After the successful road closure and sale to the owners of 14850 Oyama Road, the District contacted the owner of 14876 Oyama Road to inquire if the owner would be interested in purchasing the portion of unbuilt road and portions of Lots 23 and 24 DL 7 TP 14 ODYD KAP915 that lie between their property and the Railtrail. The owners have confirmed their interest in proceeding.

MAPPING



File #	RC2023 – 031 (Gentner)
Civic Address:	14876 Oyama Road
Folio:	9228400
Legal Description:	Lot 42 District Lot 7 Township 14 ODYD KAP915
PID:	011-969-113
Charges on Title	None (excepting mortgages)
Parcel Size:	0.33 ac / 0.134 ha
ALR:	No
Zoning:	RR3
DP Areas:	Agri Tourism, GHG Reduction, Industrial, Commercial, Multiple Unit, Agriculture
Water:	Municipal
Sewer:	None

DISCUSSION/ANALYSIS

The unbuilt road lying to the west of the owner's parcel will never be constructed and is not required for any future servicing. The portions of District's Railtrail parcels to be sold are steep and unsuitable for any District use. The 20 metre width required for the Railtrail right of way is not affected by this sale.

The District delivered letters to the owners of 14876, 14880, 14892, 14910, 14920, 15026 and 15102 Oyama Road, after the successful road closure and sale to the owners of 14850 Oyama Road, with similar proposals. The area of land proposed for sale is approximately 675 square metres of land with a value of \$75,600 based on the rate of \$112 per square metre, the same rate as used for the 14850 Oyama Road sale. The funds from the sale will go to the District's Land Reserve.

APPLICABLE LEGISLATION, BYLAWS AND POLICY

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. Section 94 of the *Community Charter* requires the notice described above to be published twice in a local newspaper with information providing the place and time that the public may make their thoughts known regarding the proposed road closure.

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

There is no impact on existing infrastructure or municipal services and the lands are not required for any future District infrastructure or services.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

Costs	Legal	\$1,200
Revenue	Land sale	\$75,600

CONSULTATION

BC Hydro must be consulted to determine if additional Statutory Rights of Way are required if the sale is approved.

COMMUNICATIONS

The District published notice on October 26 and November 2, 2023 regarding the proposed road closure in the Lake Country Calendar with information providing the place and time that the public may make their thoughts known regarding the proposed road closure.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage With Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness With Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|--|--|
| <input type="checkbox"/> Agricultural Plan | <input type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

Should Council not wish to proceed with the Road Closure and sale of land, Council may rescind the three readings and close the bylaw.

Respectfully Submitted,
James Robertson, Land Agent

Report Approval Details

Document Title:	Bylaw 1216, Road Closure and Removal of Highway dedication (14876 Oyama Rd).docx
Attachments:	- For adoption - Road Closure Bylaw (14876 Oyama Road) 1216, 2023.pdf
Final Approval Date:	Oct 31, 2023

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

No Signature found

Reyna Seabrook, Director of Corporate Services - Oct 31, 2023 - 3:28 PM

Leslie Groulx, Interim Chief Administrative Officer - Oct 31, 2023 - 4:19 PM