
MEETING TYPE: Regular Council Meeting
MEETING DATE: January 16, 2024
AUTHOR: James Robertson, Land Agent
DEPARTMENT: Corporate Services
ITEM TITLE: Road Closure | RC2023-031 | 14876 Oyama Road Amendment
DESCRIPTION: A bylaw to close a portion of road, remove its highway dedication and to sell the closed road parcel along with portions of two District owned parcels to the owner of 14876 Oyama Road to be consolidated with their existing property

PURPOSE

To consider adoption of Road Closure Bylaw (14876 Oyama Road) 1221, 2023 which replaces a previously adopted bylaw, Road Closure Bylaw (14876 Oyama Road) 1216, 2023, as a result of changes to the legal description of properties initiated by the Land Title and Survey Authority (LTSA).

RECOMMENDATION

THAT Road Closure Bylaw (14876 Oyama Road) 1221, 2023 be read a first, second, and third time.

EXECUTIVE SUMMARY

During the registration of a separate road closure file the LTSA identified a defect in the titles of the District owned parcels Lots 1-26, Plan 915. The LTSA corrected the legal descriptions of Lots 23 and 24 which are considered as part of Bylaw 1216. Due to the timing of the correction, the plans attached to Bylaw 1216, adopted on November 7, 2023, include the old legal description. Bylaw 1216 is now ready to be registered with LTSA and may be rejected due to incorrect information. Since Bylaw 1216 has already been adopted, it can only be amended by way of an amending bylaw, or alternatively, be repealed and replaced by another bylaw. Both processes would require three (3) readings and adoption of a bylaw. The Contract of Purchase and Sale for the disposition of lands provides sufficient time to undertake the required bylaw amendment/replacement and associated notice requirements.

The newly presented Road Closure Bylaw (14876 Oyama Road) Bylaw 1221, 2023 references the corrected legal descriptions and repeals and replaces Road Closure Bylaw (14876 Oyama Road) 1216, 2023. The staff report where Council considered three readings of the original Road Closure Bylaw (14876 Oyama Road) 1216, 2023 is attached for information.

APPLICABLE LEGISLATION, BYLAWS AND POLICY

The *Community Charter* authorizes municipalities to close a road and remove its highway dedication by way of bylaw and dispose of such land. After third reading, staff are required to advertise the terms of the proposed sale 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.

OPTIONS

If a Road Closure Bylaw is not adopted and registered with LTSA, the District would not meet the terms and conditions of the contract and purchase and sale agreement.

Respectfully Submitted,
James Robertson, Land Agent

Report Approval Details

Document Title:	RC2023-031-Road Closure-14876 Oyama Rd-Amendment.docx
Attachments:	- Road Closure Bylaw (14876 Oyama Road) 1221, 2023.docx - Report to Council-2023-10-17.pdf - Road Closure Bylaw (14876 Oyama Road) 1216, 2023.pdf
Final Approval Date:	Jan 9, 2024

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

No Signature found

Reyna Seabrook, Director of Corporate Services - Jan 9, 2024 - 10:54 AM

Leslie Groulx, Interim Chief Administrative Officer - Jan 9, 2024 - 12:41 PM