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**MEETING TYPE:** Regular Council Meeting  
**MEETING DATE:** June 18, 2024  
**AUTHOR:** James Robertson, Land Agent  
**DEPARTMENT:** Corporate Services  
**ITEM TITLE:** Road Closure Application | RC2023-034 | 14850 Oyama Road  
**DESCRIPTION:** A Bylaw to close a portion of road, and remove its highway dedication, adjacent to 14850 Oyama Road

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#### **PURPOSE**

Does Council support the closing of the portion of road adjacent to the property located at 14850 Oyama Road, as shown on Plan EPP130083 (Attachment A), and removing its highway dedication for the purpose of selling the land to be consolidated, as shown on Plan EPP130084 (Attachment B), with the adjacent property owners' parcel?

#### **RECOMMENDATION**

THAT Road Closure Bylaw (14850 Oyama Road) 1236, 2024 be read a first, second, and third time.

#### **EXECUTIVE SUMMARY**

The owners of 14850 Oyama Road applied for a road closure of the lane which fronts their property which is approximately 206.1 m<sup>2</sup> in area (Map #1). In conjunction with the road closure, the owners will provide the District with a Statutory Right of Way (Attachment C) over the closed road and a portion of their existing property to allow the District to extend utility services to the properties beyond if required in future (Map #3). The SRW would ensure the District's right to access the land for future road maintenance services, restrict any permanent structures from being located within the SRW and require any structures or materials to be removed if District use was required. Should Council proceed with the road closure and sale, the property owner will be required to amalgamate the properties to form a single parcel.

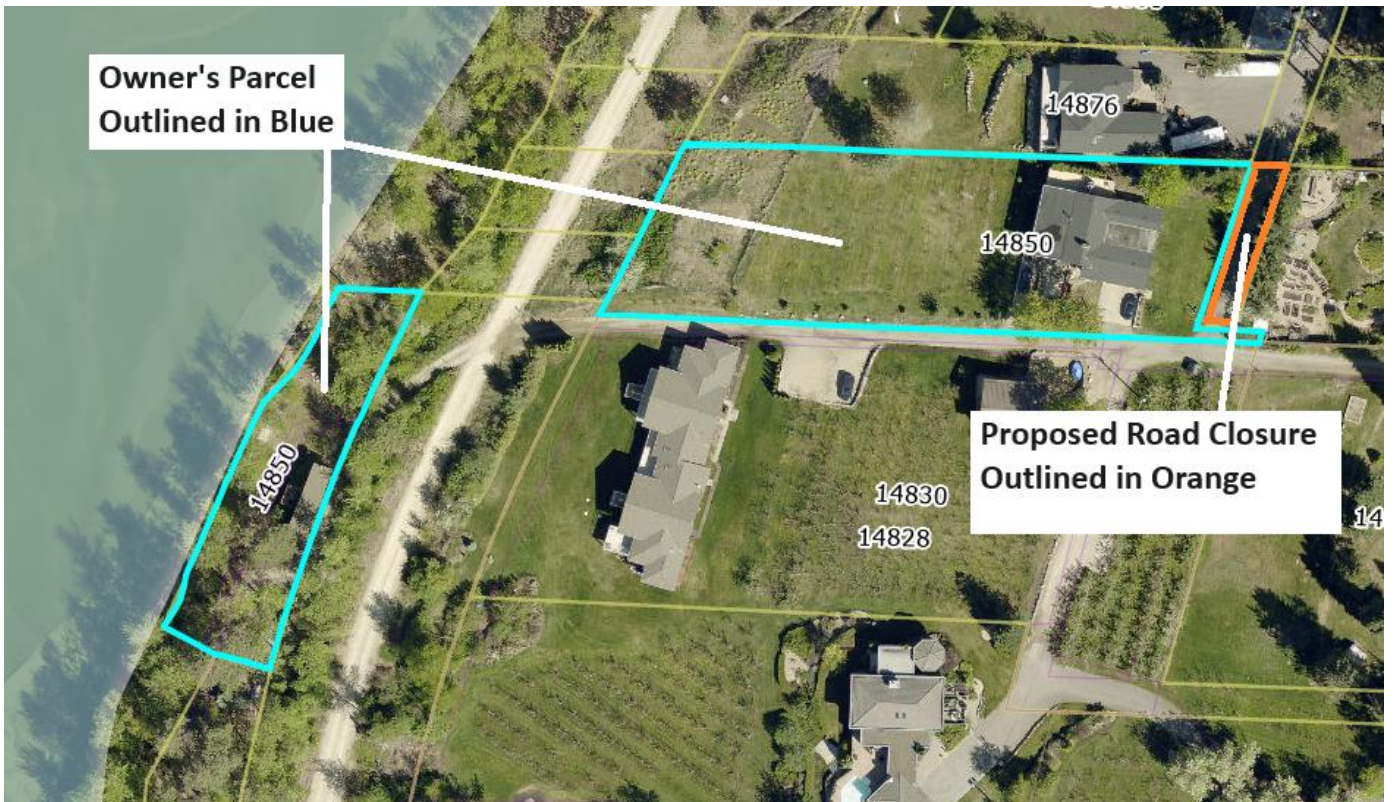
#### **DISCUSSION/ANALYSIS**

Council approved a road closure and sale to the same owner of lands located west of his property in 2023 (RC2023-003) by Bylaw 1195. Subsequently, the owners applied to the District to close the road (lane) fronting their property. The entirety of the lane provides access to 6 properties from Oyama Road (Map #2). The south portion of the lane provides access to 4 properties ending at the applicant's property line. The area proposed to be closed only services the applicant's property and does not service any parcels past the applicant's property. As part of the proposal, the applicants have agreed to provide the District with a Statutory Right of Way (SRW) over the area to be closed and their existing land at the end of the lane (outlined in dashed red on Map #3). The neighbour located at 14860 Oyama Road, whose property is adjacent to the proposed closed road, provided written confirmation that they do not object to the proposed road closure (Attachment D).

#### **DEVELOPMENT POTENTIAL**

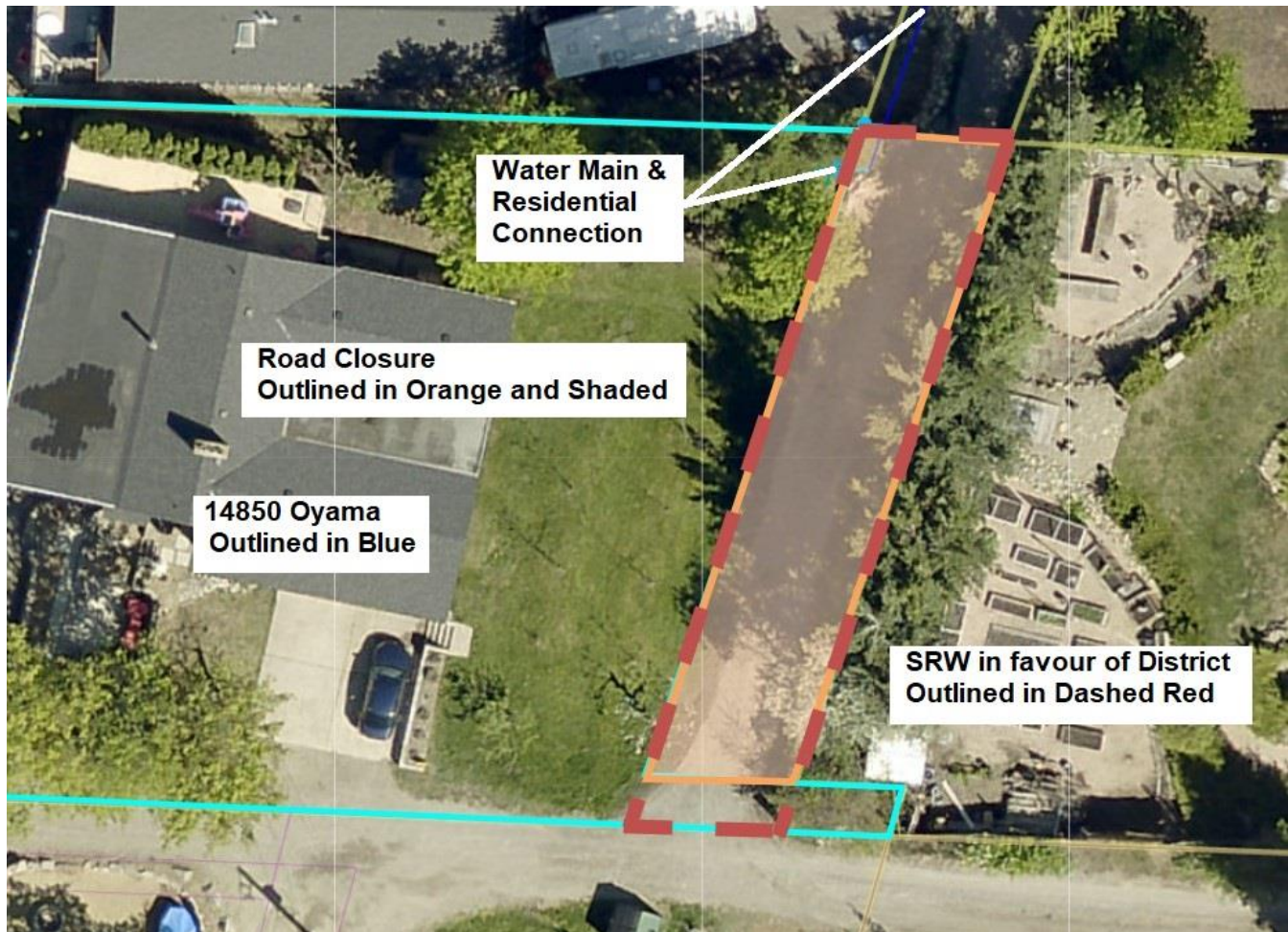
The development potential of owners' parcel is unchanged by the addition of the closed road. The consolidated parcel will be 4,775 m<sup>2</sup> in area which does not allow future subdivision as the minimum parcel size is 2,500 m<sup>2</sup>. The owner may have a secondary suite or an accessory suite, but not both, under the current zoning.

MAP #1 PROPOSED ROAD CLOSURE



MAP #2 LANE SHOWING WATER DISTRIBUTION



**MAP #3 ROAD CLOSURE AND STATUTORY RIGHT OF WAY**

PROPERTY INFORMATION	
File #	RC2023 - 034
Civic Address:	14850 Oyama Road
Folio:	9275175
Legal Description:	Lot A District Lot 7 ODYD Plan EPP125683
PID:	032-087-829
Parcel Size:	1.129 ac / 0.457 ha / 4,569 m <sup>2</sup>
ALR:	No
Zoning:	RR3
DP Areas:	Agri Tourism, GHG Reduction, Industrial, Commercial, Multiple Unit, Agricultural
Water:	Municipal
Sewer:	On site septic

**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.

**IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY**

There is no impact on existing infrastructure or municipal services. The SRW in favour of the District is an extension of rights previously not held that will allow future water distribution connections, if required.

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**FINANCIAL IMPLICATIONS**

None                       Budget Previously Approved     Other (see below)

The purchase price offered is \$23,083.20 based on a value of \$112 per square metre of land and the surveyed area of 206.1 m<sup>2</sup>. The agreed value was based on the rate determined by appraisal for the recently completed sale of similar land to the same property owner. The funds from the sale will go to the District's Land Reserve.

**COMMUNICATIONS**

After third reading, staff will 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.

**ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES**

- Create Infrastructure That Meets Community Needs
- Ensure Sustainable Water Service Delivery for the Community
- Support Opportunities to Diversify Lake Country's Tax Base

**ALIGNMENT WITH MASTER PLANS**

- Water Master Plan

**OPTIONS**

- A. THAT Road Closure Bylaw (14850 Oyama Road) 1236, 2024 be read a first, second, and third time.
- B. THAT Road Closure Bylaw (14850 Oyama Road) 1236, 2024 be read a first and second time with the following amendments.
- C. THAT Road Closure Bylaw (14850 Oyama Road) 1236, 2024 not be read and the file closed.

Respectfully Submitted,  
James Robertson, Land Agent

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**Report Approval Details**

Document Title:	RC2023-034 Road Closure 14850 Oyama Road.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - PLAN EPP130083.pdf</li> <li>- Attachment B - PLAN EPP130084.pdf</li> <li>- Attachment C - PLAN EPP130085.pdf</li> <li>- Attachment D - Email from adjacent property owner.pdf</li> <li>- Attachment E- Bylaw 1236, 2024.pdf</li> </ul>
Final Approval Date:	Jun 10, 2024

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

**Reyna Seabrook, Director of Corporate Services - Jun 6, 2024 - 10:21 AM**

**Trevor James, CFO, Director of Finance & Administration - Jun 7, 2024 - 10:20 AM**

**Kiel Wilkie, Utilities Manager - Jun 9, 2024 - 8:41 AM**

**Matthew Salmon, Director of Engineering and Environmental Services - Jun 10, 2024 - 8:54 AM**

**Matt Vader, Director Parks, Recreation and Culture - Jun 10, 2024 - 9:49 AM**

**Paul Gipps, Chief Administrative Officer - Jun 10, 2024 - 9:57 AM**