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**MEETING TYPE:** Regular Council Meeting  
**MEETING DATE:** July 2, 2024  
**AUTHOR:** James Robertson, Land Agent  
**DEPARTMENT:** Corporate Services  
**ITEM TITLE:** Road Closure Application | RC2023-026 | 11441 Okanagan Centre Road W  
**DESCRIPTION:** A Bylaw to close a portion of road, and remove its highway dedication, adjacent to 11441 Okanagan Centre Road W

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#### **PURPOSE**

Does Council support the closing of the portion of road adjacent to the property located at 11441 Okanagan Centre Road W, as shown on Plan EPP138618 (Attachment A), and removing its highway dedication for the purpose of selling the land to be consolidated, as shown on Plan EPP138619 (Attachment B), with the adjacent property owners' parcel?

#### **RECOMMENDATION**

THAT Road Closure Bylaw (11441 Okanagan Centre Road W) 1234, 2024 be read a first, second, and third time.

#### **EXECUTIVE SUMMARY**

The owners of 11441 Okanagan Centre Road West have applied to close a section of Third Street adjacent to their property and purchase that portion of closed road. The area of road proposed to be closed is 159.9 m<sup>2</sup> (Map #1 - Proposed Road Closure). The owners will be required to consolidate the closed road with their existing parcels to form a single new parcel should Council approve the road closure and sale. District staff and the applicants have negotiated a purchase price of \$38,120.16 which is based on their current assessment land value (BC Assessment).

#### **DISCUSSION/ANALYSIS**

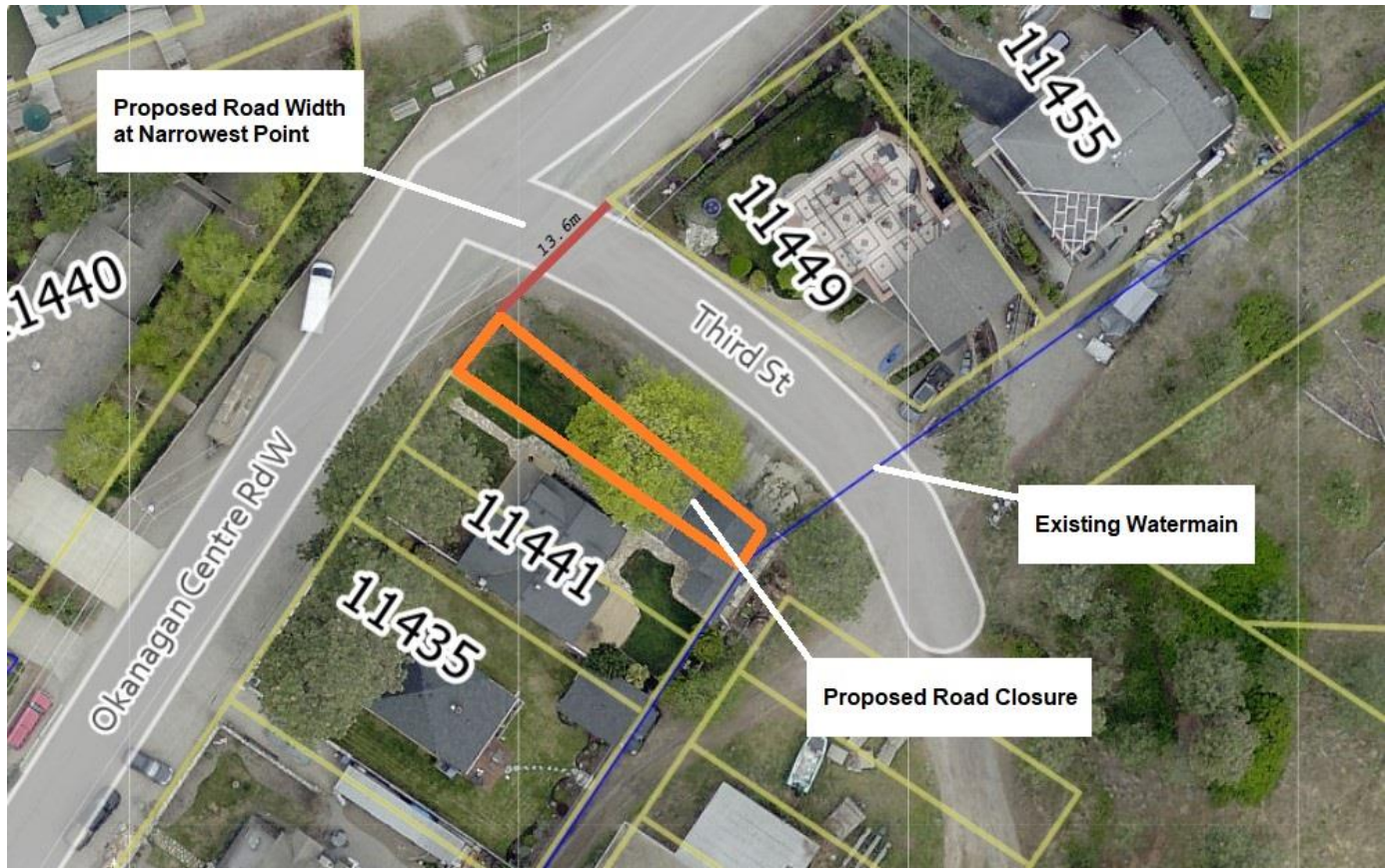
The property owners' garage, constructed in the early 1940s, encroach on the District's road (Third Street). The owners have indicated they would like to renovate the building and garage should the proposal be successful. The owners wish to retain as many original features of both the garage and the residence in their future plans which would require a variance regarding setbacks. (Image #1 - Third Street Facing West).

Only two additional properties, 11449 Okanagan Centre Road W and 11385 Maddock Avenue, use Third Street as their primary access with the other upland properties using Fourth Street for access. The owners of 11385 Maddock Avenue and 11449 Okanagan Centre Road W provided the applicant with a letter of support regarding the proposed sale (Attachment C). The applicants have supplied a cover letter with their application that describes their situation and motivation. (Attachment D). Council approved a road closure of a portion of Fifth Street to resolve a similar encroachment by Bylaw 1202, 2023 and received a similar level of compensation.

#### **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.

## MAP #1 - PROPOSED ROAD CLOSURE



### IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

The Water Master Plan (2023) identifies Okanagan Centre Road West as the proposed route for extending water services in the area. The proposed road closure does not present any concerns to the existing watermain or future extensions. While there are no development or active transportation plans requiring expanded servicing at this location, future development in the area may require expanded servicing corridors for underground utilities, water, sewer and hydro.

There are no current plans that identify Third Street as an Active Transportation corridor. All future Active Transportation plans are identified for Okanagan Centre Road West. The proposed closure would result in the narrowest point of the road being 13.6 metres. The roadway would remain unchanged in appearance due to the existing encroachments. Third Street is classed as a Rural Road and does not appear in the list of projects in the Mobility Improvement Program. The standard rural road dedication required for District services is a 3.2 metre wide travel lane in each direction plus a 2m ditch and 0.5 metres each side for a shoulder resulting in 11.4 metres of total width. Additional road required to accommodate a complete active transportation corridor for Third Street would require 2 metres for a sidewalk or 3 metres for a multipurpose path

### FINANCIAL IMPLICATIONS

#### Revenue:

The District will receive \$38,120.16 for the land which is calculated:  $159.9 \text{ m}^2 \times \$238.40/\text{metre} = \$38,120.16$ . The District received a rate of \$231.70/m<sup>2</sup> for the Fifth Street land sale in 2023. The funds from the sale will go to the District's Land Reserve.

#### Expenses:

Legal \$1,500.00

**IMAGE #1 - THIRD STREET FACING WEST****CONSULTATION**

This proposal was internally reviewed by all departments.

**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**

- Support Opportunities to Diversify Lake Country's Tax Base

**ALIGNMENT WITH MASTER PLANS**

- Official Community Plan

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**OPTIONS**

- A. THAT Road Closure Bylaw (11441 Okanagan Centre Road W) 1234, 2024 be read a first, second, and third time.
- B. THAT Road Closure Bylaw (11441 Okanagan Centre Road W) 1234, 2024 be read a first and second time with the following amendments.
- C. THAT Road Closure Bylaw (11441 Okanagan Centre Road W) 1234, 2024 not be read and the file closed.

Respectfully Submitted,  
James Robertson, Land Agent

## Report Approval Details

Document Title:	Road Closure - RC2023-026 - 11441 Okanagan Centre Road W.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A-RC2023-026-EPP138618.pdf</li> <li>- Attachment B-RC2023-026-EPP138619.pdf</li> <li>- Attachment C-RC2023-026-Support Letters.pdf</li> <li>- Attachment D-RC2023-026-Application Cover Letter.pdf</li> <li>- Attachment E-RC2023-026-Bylaw 1234, 2024.pdf</li> </ul>
Final Approval Date:	Jun 26, 2024

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

**Reyna Seabrook, Director of Corporate Services - Jun 25, 2024 - 11:51 AM**

**No Signature found**

**Matthew Salmon, Director of Engineering and Environmental Services - Jun 25, 2024 - 5:15 PM**

**Paul Gipps, Chief Administrative Officer - Jun 26, 2024 - 8:17 AM**