

CITY OF PRINCE RUPERT

ROAD CLOSURE AND REMOVAL OF HIGHWAY DEDICATION BYLAW NO. 3380, 2015 (A PORTION OF PRINCE RUPERT BLVD, ALBERT AVE & PARKING LOT)

A BYLAW TO CLOSE AND REMOVE THE DEDICATION OF A CERTAIN HIGHWAY/ROAD

WHEREAS the Council of the City of Prince Rupert (“**Council**”) has the authority under the *Community Charter* to close a highway, or a portion of it, to traffic and to remove the dedication of it as highway;

AND WHEREAS Council considers it desirable to close up a portion of highway to enable its consolidation with the adjacent property for the purpose of creating a new parcel;

AND WHEREAS the portion of highway to be closed and to have the dedication removed is not a highway, or part of a highway, that provides access to the ocean or a lake, river or other stream or watercourse;

AND WHEREAS no owner will be deprived of access to their property as a result of the closure of the subject portion of highway;

AND WHEREAS no transmission or distribution facilities or works of any utility operator will be affected by the closure of the subject portion of highway;

AND WHEREAS as required by Section 40 of the *Community Charter*, notice of Council's intention to undertake this highway closure was published in a newspaper, once each week for two consecutive weeks and persons who considered themselves affected by this Bylaw have been provided an opportunity to make representations to Council; and,

AND WHEREAS as required by Section 41(3) of the *Community Charter*, this Bylaw has been approved by the Minister responsible for the *Transportation Act*;

NOW THEREFORE THE COUNCIL of the City of Prince Rupert enacts as follows:

1. This Bylaw may be cited for all purposes as “**ROAD CLOSURE AND REMOVAL OF HIGHWAY DEDICATION BYLAW NO. 3380, 2015.**”
2. Those portions of unused Road and Laneway comprising of (1) an approximately 441.6sqm portion of Prince Rupert Boulevard, (2) an approximately 296.4sqm portion of Lane and (3) an approximately 278.8sqm portion of Albert Avenue, all dedicated by Plan 923A, Section 9, District Lot 251, Range 5, Coast District and identified as “Parcel 1,” “Parcel 2” and “Parcel 3,” respectively, on Reference Plan of Road and Lane Closure EPP57353, prepared by UGS Land Surveying Corp. and certified correct on December 21, 2015, Survey Plan Certification Control Number 145-073-8370, a reduced copy of which is attached hereto as Schedule “A” (collectively the “**Closed Roads**”) are hereby stopped up and closed to traffic of all types.
3. The dedication as highway of the Closed Roads are hereby removed.

4. The Mayor and the Corporate Administrator for the City of Prince Rupert are hereby authorized to execute such transfers, deeds of land, survey plans, land title applications and other documents, and to affix the Corporate Seal of the City of Prince Rupert thereto, as may be necessary to effect this road closure and removal of highway dedication and to transfer title to the Closed Roads to the owner of lands adjacent to the Closed Roads for the purposes of consolidating the Closed Roads with the said adjacent lands.

Schedule "A" attached hereto forms part of this Bylaw.

Read the First time this 7th day of December, 2015.

Read the Second time this 7th day of December, 2015.

Read the Third time this 7th day of December, 2015.

Notice given in accordance with sections 40 and 94 of the *Community Charter* by way of posting in the required locations on the 25th day of November, 2015 and by publication in the Prince Rupert Northern View on the 25th day of November, 2015 and on the 2nd day of December, 2015.

Approved by the Minister responsible for the transportation act on the 5th day of January, 2016.

Final Consideration and Adopted this 11th day of January, 2016.

Mayor

Corporate Administrator