

CITY OF PRINCE RUPERT

KAIEN ROAD CLOSURE BYLAW NO. 3363, 2015

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;

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;

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;

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

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

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,

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 **“Kaien Road Closure Bylaw No. 3363, 2015.”**
2. That approximately 170.5 m² portion of Kaien Road originally dedicated as road by Plan 8614, District Lot 251 Range 5 Coast District in the Land Title Office and shown outlined in bold and referred to as “Road To Be Closed” on Reference Plan EPP47181, prepared by Todd E. Basky, B.C.L.S., survey control number 142-439-4848, and certified correct on the 19th day of February, 2015, a reduced copy of which is attached hereto as Schedule "A" (the “**Closed Road**”) is hereby stopped up and closed to traffic of all types.
3. The dedication as highway of the Closed Road is 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 Road to the owner of lands adjacent to the Closed Road for the purposes of consolidating the Closed Road with the said adjacent lands.

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

Read the First time this 13th day of April, 2015.

Read the Second time this 13th day of April, 2015.

Read the Third time this 13th day of April, 2015.

Notice given in accordance with sections 40 and 94 of the *Community Charter* by way of posting in the required locations on the 17th day of March, 2015 and by publication in the Prince Rupert Northern Connector and Prince Rupert Northern View on the 13th day of March, 2015 and on the 18th day of March, 2015.

Approved by the Minister responsible for the transportation act on the 13th day of April, 2015.

Adopted this 16th day of April, 2015.

Mayor

Corporate Administrator

