

DISTRICT OF SECHELT

**Bylaw No. 602, 2022**

A Bylaw to close certain portions of a public highway and cancel the dedication of such highway.

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**WHEREAS** pursuant to Section 40 of the Community Charter SBC 2003, c. 26 as amended, a Municipal Council may, by Bylaw, close all or part of a highway that is vested in the municipality to all or some types of traffic and may remove the dedication of a highway that has been or is being closed by the same bylaw;

**AND WHEREAS** a municipality may cancel the Province's right of resumption under Section 35(8) of the Community Charter by filing a statement under the Resumption of Highways Regulation, B.C. Reg. 245/2004;

**AND WHEREAS** the road to be closed by this bylaw provides access to Sargeant Bay and the Council proposes to dispose of the road in exchange for another road that provides public access to Sargeant Bay that Council considers to be of at least equal benefit to the public;

**AND WHEREAS**, as required by the Community Charter, Council has posted and published notice of its intention to close and remove the dedication as a highway from, and dispose of the highway referred to in this Bylaw, and Council has provided an opportunity for persons who consider they are affected by such closure and removal to make representations to Council;

**AND WHEREAS** Council has obtained approval from the Minister of Transportation and Infrastructure regarding its plan to close and remove the dedication as a highway from, and dispose of the highway referred to in this Bylaw;

**AND WHEREAS** the Council does not consider that the closure will affect the transmission or distribution facilities or works of utility operators.

**NOW THEREFORE** the municipal council of District of Sechelt, in open meeting assembled, enacts as follows:

**TITLE**

1. This Bylaw may be cited for all purposes as "District of Sechelt Sargeant Road - Road Closure and Disposition Bylaw No. 602 – 2022".

**PROVISIONS**

2. That 1.02 hectare portion of public highway identified as "Road to be Closed" on Reference Plan EPP112000 prepared by Seamus Pope, B.C. Land Surveyor, a reduced copy of which is attached hereto as Schedule "A", (the "Closed Road") is hereby stopped up and closed to all traffic.
3. The dedication of the Closed Road is hereby cancelled and removed.


4. The Closed Road shall cease forever to be a public highway and title thereto shall be vested in District of Sechelt, subject to its further disposition or exchange.
5. Schedule "A" attached hereto shall form part of this bylaw.
6. The Mayor and the Municipal Clerk of District of Sechelt are hereby authorized to execute such conveyances, deeds, maps, plans, receipts and documents on behalf of District of Sechelt as may be required in connection with the aforesaid purposes.

READ A FIRST TIME ON THE	17 <sup>th</sup> DAY OF	MAY, 2023
READ A SECOND TIME ON THE	17 <sup>th</sup> DAY OF	MAY, 2023
READ A THIRD TIME ON THE	17 <sup>th</sup> DAY OF	MAY, 2023
PUBLIC NOTICE OF INTENTION TO PROCEED POSTED IN THE PUBLIC NOTICE POSTING PLACE	18 <sup>th</sup> DAY OF	MAY, 2023
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE ON THE	7 <sup>TH</sup> DAY OF	NOVEMBER, 2023
PUBLIC NOTICE OF INTENTION TO PROCEED WAS ADVERTISED IN THE COAST REPORTER ON THE	1 <sup>st</sup> DAY OF	DECEMBER, 2023
AND ON THE	8 <sup>th</sup> DAY OF	DECEMBER, 2023
ADOPTED ON THE	7 <sup>th</sup> DAY OF	FEBRUARY , 2024




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Mayor




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Corporate Officer