

# CITY OF PRINCE RUPERT

## ROAD CLOSURE AND REMOVAL OF HIGHWAY DEDICATION BYLAW NO 3388, 2016

### A BYLAW TO CLOSE AND REMOVE THE DEDICATION OF A CERTAIN HIGHWAY/ROAD (PORTION OF CHAMBERLIN AVENUE)

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**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** 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 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. 3388, 2016**".
2. That approximately 0.400 ha portion of Chamberlin Avenue originally dedicated as road in the Land Title Office by Plan 923A, District Lot 251, Range 5, Coast District, and shown outlined in bold on the certified Explanatory Plan No. EPP60399, Control No. 145-998-3284, prepared by David Dediluke, B.C.L.S., 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.
5. Schedule "A" attached hereto forms part of this Bylaw.

Read a First time this 11<sup>th</sup> day of April, 2016.

Read a Second time this 11<sup>th</sup> day of April, 2016.

Read a Third time this 11<sup>th</sup> day of April, 2016.

Notice given in accordance with sections 40 and 94 of the *Community Charter* by way of posting in the required locations on the 17<sup>th</sup> day of March, 2016 and by publication in the Prince Rupert Northern View on the 23<sup>rd</sup> day of March, 2016 and on the 30<sup>th</sup> day of March, 2016.

Approved by the Minister responsible for the *Transportation Act* on the 6<sup>th</sup> day of May, 2016.

Final Consideration and Adopted this 9<sup>th</sup> day of May, 2016.

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Mayor

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Corporate Administrator

# Schedule "A"

PLAN EPP60399

EXPLANATORY PLAN TO ACCOMPANY  
CITY OF PRINCE RUPERT BYLAW  
No. 3388, 2016, TO CLOSE PART OF  
CHAMBERLIN AVENUE DEDICATED BY  
PLAN 923A, DISTRICT LOT 251, RANGE 5,  
COAST DISTRICT.

PURSUANT TO SECTION 120 LAND TITLE ACT,  
AND SECTION 40 OF THE COMMUNITY CHARTER,  
B.C.S.S. 103J.039

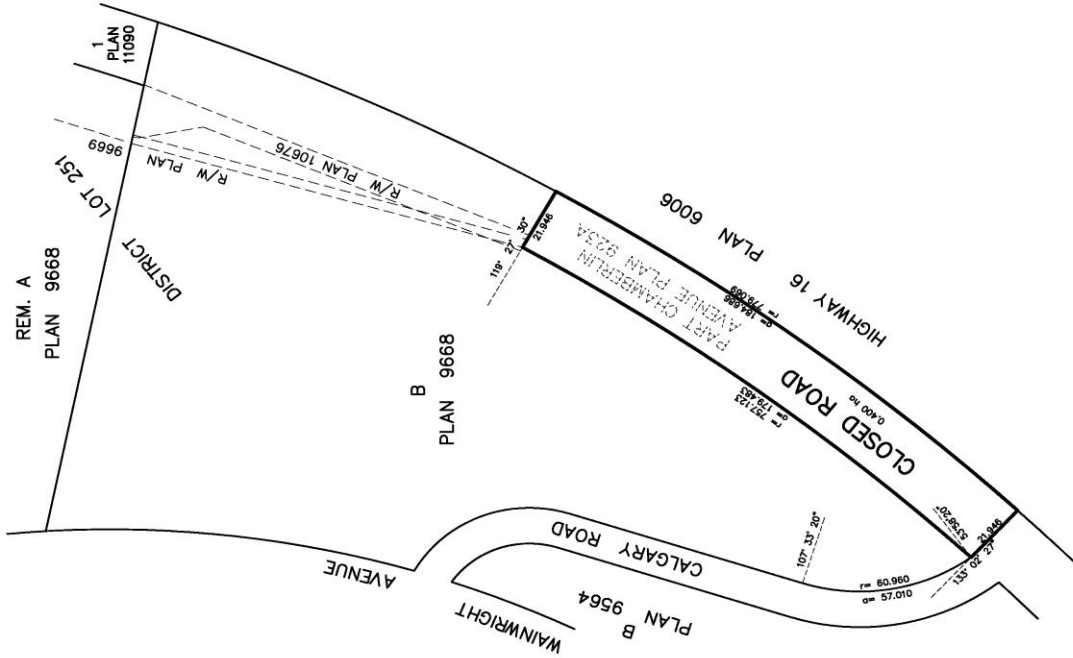
SCALE 1:1000



THE INTENDED PLOT SIZE OF THIS PLAN IS 559mm IN WIDTH BY  
BY 432mm IN HEIGHT (ANSI C), WHEN PLOTTED AT A SCALE OF 1:1000.

**LEGEND**

BEARINGS ARE ASTROMERIC, DERIVED FROM PLAN 9668  
THIS PLAN IS BASED ON THE FOLLOWING LAND TITLE AND SURVEY  
AUTHORITY OF BC RECORDS: PLANS 923A AND 9665.  
DAVID J. DEBLIKE, B.C.L.S. 608  
8TH DAY OF APRIL, 2016.



DEBLIKE LAND SURVEYING INC.  
TERACE AND NANAIMO, B.C.  
F 2772716

THIS PLAN LIES WITHIN THE SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT