

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8401, 2023

Road Closure, Dedication Removal, and Disposition (909-915 Twelfth Street) Bylaw

WHEREAS, pursuant to Section 40 of the *Community Charter*, Council may, by bylaw, close all or part of a highway to traffic and remove the dedication of the highway;

AND WHEREAS, prior to adopting such a bylaw, Council must publish notice of its intention in a newspaper and the public notice posting places and provide an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

AND WHEREAS the Council of the Corporation of the City of New Westminster wishes to close to traffic and remove the dedication as highway of that portion of lane situated south east of London Street and Twelfth Street comprising 96.9 square metres, created by the deposit of Plan NWP9798, which area is shown outlined in bold black and labelled "PARCEL A" on the Road Closure Plan;

AND WHEREAS notice of Council's intention to close such highway to traffic and to remove its dedication as highway was published in the newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure to make representations to Council;

AND WHEREAS Council does not consider that the closure of the aforementioned highway will affect the transmission or distribution facilities or works of utility operators;

NOW THEREFORE the Council of the Corporation of the City of New Westminster, in open meeting assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited for all purposes as "Road Closure, Dedication Removal, and Disposition (909-915 Twelfth Street) Bylaw No. 8401, 2023".
2. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of Reference Plan EPP129338, prepared by Steven E. Wong, B.C.L.S. 942 and completed on May 17, 2023 (the "the Road Closure Plan").
3. The City hereby authorizes the closure to traffic and removal of highway dedication of the 96.9 square metres of highway created by the deposit of Plan NWP9798, which area is shown outlined in bold and labeled "PARCEL A" on the Road Closure Plan (the "Closed Road").
4. On deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the New Westminster Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.

5. The Corporation of the City of New Westminster is hereby authorized to sell the Closed Road to Di Nicolo Enterprises Ltd. (Inc. No. BC0367376), for a purchase price of \$269,000.00 for consolidation with adjacent lands owned by the purchaser.
6. The Mayor and Corporate Officer are authorized to execute all agreements and other documents necessary to effect this bylaw and the sale contemplated by this bylaw.

READ A FIRST TIME this 11th day of September, 2023.

READ A SECOND TIME this 11th day of September, 2023.

PUBLIC HEARING held this 25th day of September, 2023.

READ A THIRD TIME this 25th day of September, 2023.

ADOPTED this _____ day of _____, 2023.

Mayor Patrick Johnstone

Peter DeJong, Corporate Officer

SCHEDULE "A"

REFERENCE PLAN OF CLOSED ROAD

