



The Corporation of the District of North Cowichan

**Road Closure and Removal of Highway Dedication Bylaw, 2025**

BYLAW NO. 3991

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*A bylaw to close and remove the dedication of portions of highway on North Paddle Road.*

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WHEREAS:

- A) Under section 40 [permanent closure and removal of highway dedication] of the *Community Charter*, Council may, by bylaw, close a highway to traffic and remove the dedication of a highway;
- B) Notice of intention to close the portions of highway referred to in this Bylaw and remove its dedication as highway has been posted and published in accordance with section 94 [public notice] of the *Community Charter*, and an opportunity has been provided for persons who consider they are affected to make representations to Council;
- C) Council does not consider that the road closure will affect the transmission or distribution facilities or works of utility operators; and
- D) Council deems it expedient to provide for the closure to traffic and removal of the dedication of that portion of highway referred to in this Bylaw for the purposes of disposing of said lands.

NOW THEREFORE, the Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

**Citation**

- 1 This Bylaw may be cited as "Road Closure and Removal of Highway Dedication Bylaw No. 3991, 2025".

**Closure, removal and transfer of highway dedication**

- 2 The portions of highway dedicated by Plan 10591 and identified as "Closed Road" on Reference Plan EPP142938, attached as Schedule A, are closed to all types of traffic.
- 3 The highway dedication of all those portions of highway to be closed by section 2 of this Bylaw is removed.

- 4 The Corporation of the District of North Cowichan is hereby authorized to dispose of and convey the portions depicted as "Road to be Closed" on Reference Plan EPP142938, attached as Schedule A, in fee simple to the Kerkhoff (Cowichan) Limited Partnership, as the beneficial owner, and Cowichan Project 168 Ltd., as the registered owner, of the adjacent parcels located at 6478, 6494, 6493, 6495 and 6489 North Paddle Road for the purpose of consolidation of the closed road with these adjacent parcels.
- 5 The Mayor and Corporate Officer are authorized to execute and deliver such transfers, deeds of land, plans and other documents as are necessary or desirable to affect the aforesaid closure and removal of highway dedication.

### **Schedules**

- 6 The following schedules are included in and form part of this Bylaw:

(a) Schedule A – Road Closure Plan, Reference Plan EPP142938

### **Severability**

- 7 If any portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

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READ a first time on January 15, 2025

READ a second time on January 15, 2025

This bylaw was advertised on the municipality's social media sites on January 17, 2025, in the Cowichan Valley Citizen on January 22, 2025, and was posted to the municipality's public notice places on January 17, 2025

Notice was provided on January 23, 2025 to operators of utilities whose transmission or distribution facilities or works Council considers will be affected by the closure.

READ a third time on February 5, 2025

RECEIVED the approval of the Minister responsible for the *Transportation Act* on February 12, 2025

ADOPTED on \_\_\_\_\_.

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CORPORATE OFFICER

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PRESIDING MEMBER

## SCHEDULE A – ROAD CLOSURE PLAN

