



COUNCIL REPORT

To: Paul Gipps, CAO

Date: December 13, 2022

From: Bob Dargatz, Development Engineering Manager File No: Bylaw 0299 / SUB 22-08

Subject: **Road Closure Portion of Asquith Road**

RECOMMENDATION

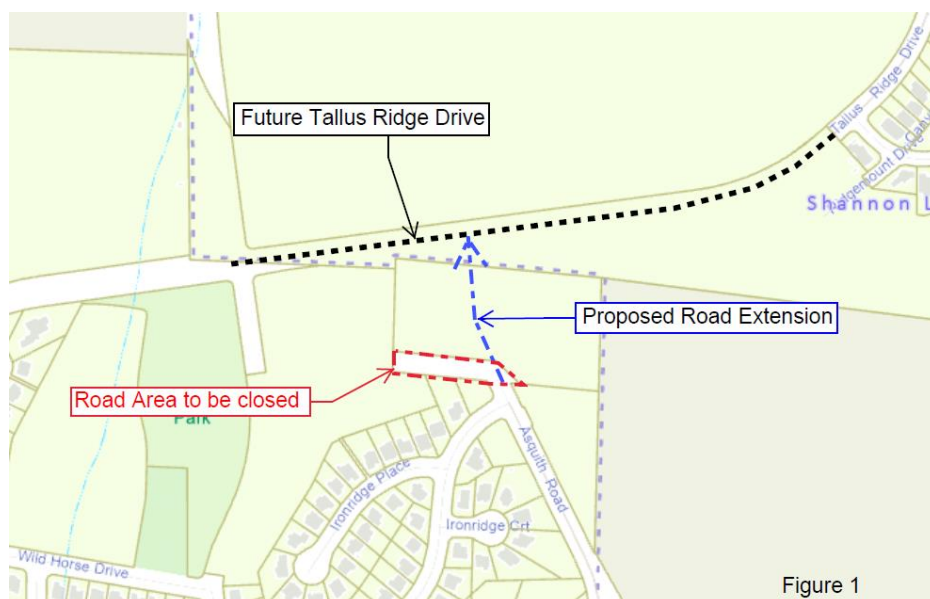
THAT Council consider and resolve to authorize the Mayor and Corporate Officer to execute all documents necessary to allow the road closure of the (+/-) 2280 m² portion adjacent to 3030 Asquith Road for the purpose of consolidation with 3030 Asquith Road; and

THAT Council consider and resolve to give first, second, and third reading to City of West Kelowna Road Closure and Disposition Bylaw No. 299, 2022; and

THAT Council consider and resolve to direct staff to advertise Council's intention to close the road closure area, as per Section 94 of the *Community Charter*.

RATIONALE

The proposed road closure is for an undeveloped section of Asquith Road. The road closure will be replaced with a more direct road connection of Asquith Road to the future extension of Tallus Ridge Drive (Figure 1 Below).



A current subdivision application (SUB 22-08) by the property owner of 3030 Asquith Road will ensure that an extension of Asquith Road will be built to an Urban Collector Road standard in accordance with the City's Works and Services Bylaw 0249. (Attachment 1)

LEGISLATIVE REQUIREMENTS

Pursuant to Section 40 of the *Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in accordance with Section 94 of the *Community Charter* in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council.

BACKGROUND

The area within the proposed road closure is undeveloped with no utilities included. The road Right-of-way was previously dedicated in 1968 to provide access to lands beyond.

A recent rezoning in 2021 (Z 20-07) of the property North of the road closure anticipated this road closure and future alignment of the Asquith Road extension. The current subdivision application has proposed a lot and road layout (Attachment 2) that would require the undeveloped section of Asquith Road to be closed and a new road constructed and dedicated.

Staff have confirmed that the proposed road closure area is surplus to the City's needs.

FINANCIAL IMPLICATIONS:

The property owner of 3030 Asquith Road to cover all legal and construction costs related to the road closure and extension of Asquith Road to future Tallus Ridge Drive as a condition of Subdivision.

ALTERNATE MOTIONS(S):

THAT Council consider and resolve to direct staff not to close the (+/-) 2280 m2 portion of road adjacent to 3030 Asquith Road.

REVIEWED BY

Bob Dargatz, Development Manager

Allen Fillion, Director of Engineering and Operations

Corinne Boback, Legislative Services Manager / Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

Attachment 1 - Bylaw 0249 Urban Collector Road standard drawing

Attachment 2 - Plan showing proposed subdivision

Attachment 3 - Survey Plan EPP97328 showing road closure area

Attachment 4 - Road Closure Bylaw B0299