

**DISTRICT OF PORT HARDY COUNCIL
AGENDA *ADDENDUM*
FOR THE REGULAR COUNCIL MEETING
Thursday July 19, 2012
10:00 AM - Council Chambers**

ADDENDUM

- 5. Current Bylaws and Resolutions
 - 1. Report from G. Le Gal, Director of Corporate Services
 - 2. Bylaw 16-2012
The Gibraltar Road Closing Bylaw 16-2012 for First, Second and Third Reading
 - Motion/direction
 - 1.
 - 2.



DISTRICT OF PORT HARDY INTEROFFICE MEMORANDUM

TO: Rick Davidge, CAO
FROM: Gloria Le Gal, DCS
SUBJECT: Gibraltar Street Road Closure
DATE: 18 July, 2012

We have discovered a minor discrepancy in the mapping for the road closure that was completed with Bylaw 03-2012. The width of the road was originally shown as 23.31m and should have been 23.330m. The north boundary was shown as 29.863m and should have been 30.00m. Although minor, it does mean the Land Title Office will not accept our documents and our lawyer has advised that we must complete a new bylaw with the new plan and repealing Bylaw 03-2012.

Recommendation

That Bylaw 16-2012, a bylaw to close a portion of Gibraltar Street, be presented to Council for first, second and third readings.

Respectfully submitted,

I agree with the recommendation.

Gloria Le Gal, DCS

Rick Davidge, CAO



**DISTRICT OF PORT HARDY
BYLAW NO. 16-2012**

**A Bylaw to close a portion of Gibraltar Street in the
District of Port Hardy and remove its
dedication as highway**

WHEREAS Gibraltar Street is a highway, as defined in the *Community Charter*, that is vested in the District of Port Hardy;

AND WHEREAS section 40 of the *Community Charter* authorizes the Council of the District of Port Hardy to close all or part of a highway that is vested in the municipality to traffic and to remove its dedication as highway;

AND WHEREAS the District of Port Hardy wishes to close part of Gibraltar Street to traffic and remove its dedication as highway.

NOW THEREFORE THE CITY COUNCIL of the District of Port Hardy in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Gibraltar Road Closing Bylaw No. 16-2012".
2. The parcel of land comprising a portion of highway known as Gibraltar Street, that comprises 769.6 square metres and is outlined in heavy black and shown and described on the Reference Plan EPP19009, completed on the 7th day of March, 2012 by Harry O. Pfrimmer, B.C. Land Surveyor, a reduced copy of which is attached to this Bylaw as Schedule "A" (the "Parcel"), is hereby stopped up and closed to all types of traffic; and
3. The dedication as highway is removed from the Parcel.
4. The Gibraltar Road Closing Bylaw 03-2012 is hereby repealed.

Read a first time the _ day of _, 2012.

Read a second time the _ day of _, 2012.

Read a third time the _ day of _, 2012.

Notice of proposed road closing posted and published in a newspaper in accordance with Section 94 of the *Community Charter*.

Opportunity for hearing the _ day of _, 2012

Adopted this _ day of _, 2012.

Director of Corporate Services

Mayor

Certified to be a true copy of District of Port Hardy
Gibraltar Road Closing Bylaw 16 - 2012

Director of Corporate Services

Schedule "A"

REFERENCE PLAN TO ACCOMPANY DISTRICT OF PORT HARDY ROAD CLOSURE BYLAW NUMBER 16-2012 OF PART OF GIBRALTAR STREET, DEDICATED BY PLANS 15229 AND VIP66118, BEING PART OF SECTION 36, TOWNSHIP 9, RUPERT DISTRICT.

Pursuant to Section 40, Community Charter and Section 120, Land Title Act.

BC08 85L075



The horizontal part of this plan is 200 mm in width by 432 mm in height (10 inch) when printed at a scale of 1:500.

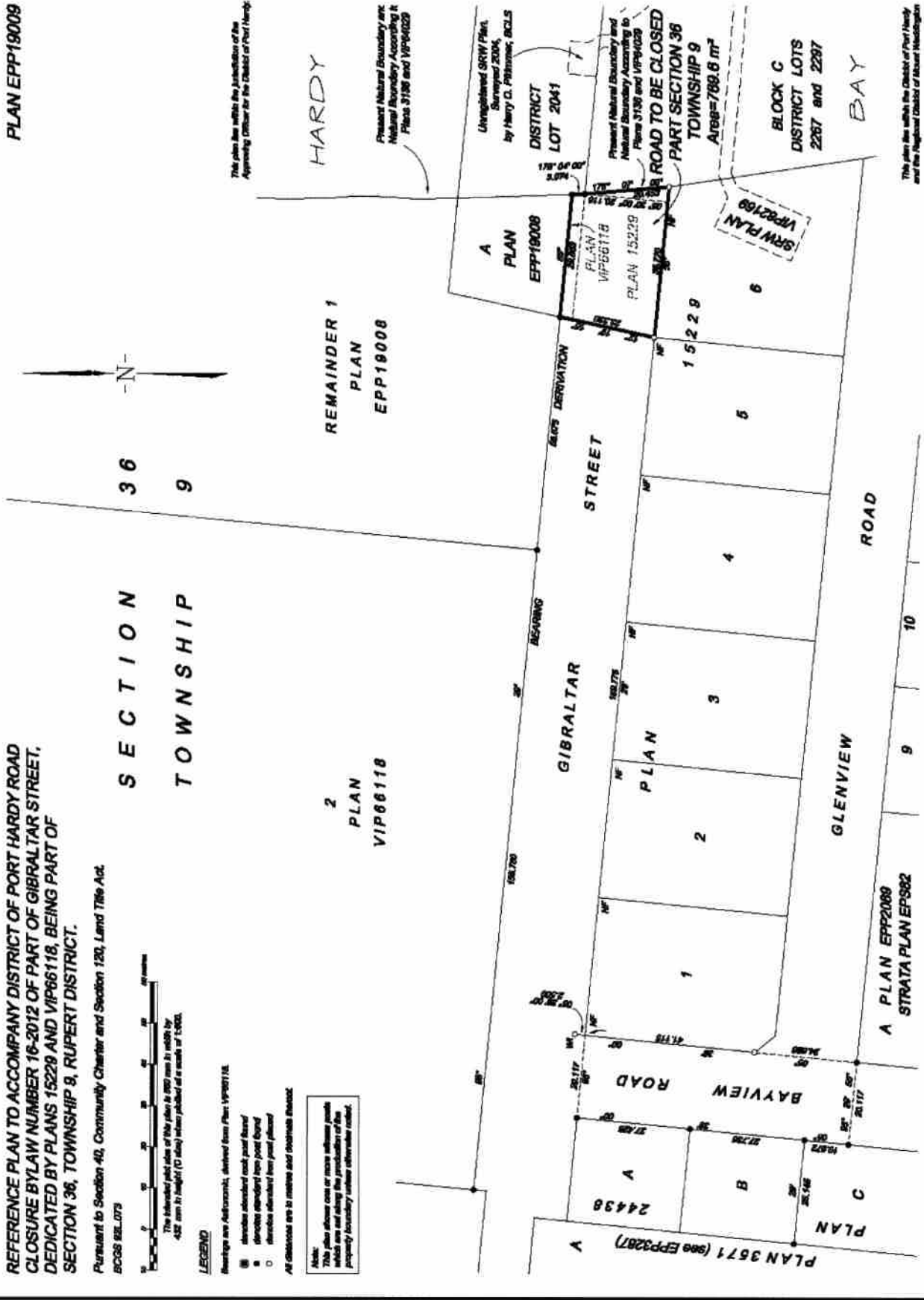
LEGEND

Boundary are Referenced, derived from Plan: VIP66118.

- ⊕ describes standard curb and foot board
- ⊖ describes standard low foot board
- describes standard low foot planter

All dimensions are in metres and decimals thereof.

Note: This plan shows one or more reference points which are used along the production of the property boundary unless otherwise noted.



This plan is within the jurisdiction of the Appraising Officer for the District of Port Hardy.

Present Natural Boundary and Natural Boundary According to Plans 3136 and VIP6029

Unregistered SRW Plan, Surveyed 2004, by Harry C. Pittman, BCLS DISTRICT LOT 2041

Present Natural Boundary and Natural Boundary According to Plans 3136 and VIP6029

ROAD TO BE CLOSED PART SECTION 36 TOWNSHIP 9 Area=788.6 m²

This plan is within the District of Port Hardy and the Regional District of Mount Waddington

The field survey represented by this plan was completed by Harry C. Pittman, BCLS on the 7th day of March, 2012.