



The Corporation of the District of North Cowichan

**Road Closure and Removal of Highway Dedication Bylaw
(Esplanade Lane in Chemainus), 2026**

BYLAW NO. 4069

*A bylaw to close and remove the dedication of a portion of highway
at the end of Esplanade Lane in Chemainus*

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 portion 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 by way of fee simple sale.

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 (Esplanade Lane in Chemainus) No. 4069, 2026".

Closure, removal and transfer of highway dedication

- 2 The portion of highway dedicated by Plan 28738 and identified as "ROAD TO BE CLOSED" on Reference Plan EPP150625, attached as Schedule A, are closed to all types of traffic.

- 3 The highway dedication of this portion of highway to be closed by section 2 of this Bylaw is removed.
- 4 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

- 5 The following schedules are included in and form part of this Bylaw:
- (a) Schedule A – Road Closure Plan, Reference Plan EPP150625

Severability

- 6 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.

READ a first time on July 15, 2026.

READ a second time on July 15, 2026.

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

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

READ a third time on_____

RECEIVED the approval of the Minister responsible for the *Transportation Act* on_____

ADOPTED on _____

CORPORATE OFFICER

PRESIDING MEMBER

SCHEDULE A – ROAD CLOSURE PLAN

REFERENCE PLAN OF TO ACCOMPANY BY-LAW No. 4069
(THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN),
TO CLOSE PART OF ROAD DEDICATED ON PLAN 28738,
SECTION 18, RANGE 6, CHEMAINUS DISTRICT

PLAN EPP150625

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND
SECTION 40 OF THE COMMUNITY CHARTER

BOGO 928.092

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
THE INTENDED PLOT SIZE OF THIS PLAN IS 960 mm IN WIDTH BY 432 mm IN HEIGHT
(5:22) WHEN PLOTTED AT A SCALE OF 1:400

THIS PLAN LIES WITHIN INTEGRATED SURVEY AREA NO. 10, (THE
CORPORATION OF THE DISTRICT OF NORTH COWICHAN), NAD83
(CSRS) 3.0 D.B.C. 1.N.V.

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC
CONTROL MONUMENTS 4421 AND 5610278 AND ARE REFERRED TO THE CENTRAL
MERIDIAN OF UTM ZONE 10.

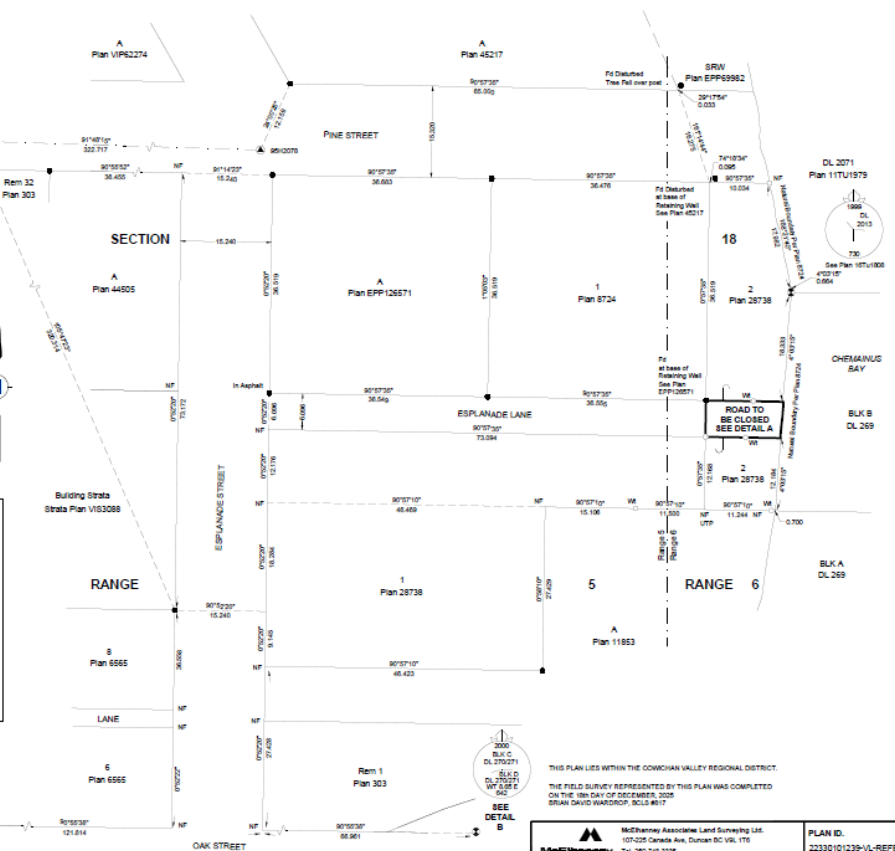
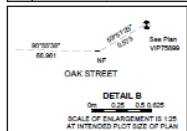
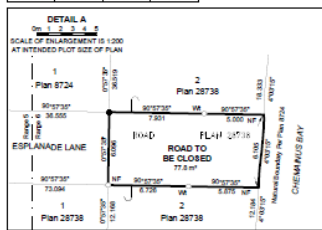
THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE
DERIVED FROM THE GEODETIC PUBLISHED COORDINATES AND STANDARD
DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 4421 AND 5610278.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS
OTHERWISE SPECIFIED, TO COMPLETE GRID DISTANCES. MULTIPLE
GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.999934.
THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON GEODETIC
CONTROL MONUMENTS 4421 AND 5610278.

THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE NOT SET
ON THE TRUE CORNERS.
SOME POSTS (AND LINES) ARE EXAGGERATED FOR CLARITY.

LEGEND
FOUND PLACED
A CONTROL MONUMENT
B STANDARD CORNER POST
C DISTRICT LOT
DL DISTRICT LOT
F FOUND
M SQUARE METRES
NF NOT FOUND
NP UNDEVELOPED TO POST
UTP UNDEVELOPED TO POST

INTEGRATED CONTROL MONUMENTS NAD83 (CSRS) 3.0 D.B.C. 1.N.V. UTM ZONE 10			
CONTROL MONUMENT	UTM NORTHING	UTM EASTING	ESTIMATED ABSOLUTE ACCURACY
4421	5410541.57	447235.20	0.04
5610278	5410541.41	447261.54	0.03



THIS PLAN LIES WITHIN THE COWICHAN VALLEY REGIONAL DISTRICT.
THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED
ON THE 18th DAY OF DECEMBER, 2008
BRIAN DAVID WARDROP, S.L.S. #817

McKenney Associates Land Surveying Ltd.
107-225 Canada Ave., Duncan BC V9L 1T6
Tel. 250-740-3335

PLAN ID:
22330101230-VL-REFE-001

