

Application Summary

eDAS File Number: 2020-02805

Approval Application:

Approval Type: Road Closure
Selected Office: Rocky Mountain District
Applicant File Number:
Project Description: Stoddart Boulevard Lot 6, district Lot 20, Kootenay District Plan 2125
Other Information:

Location:

Order Location

Legal Description: Lot 6 District Lot 20, Kootenay District Plan 2125
Map: 1707039,658925
Property Address: Stoddart Boulevard

Approval Application Details:

Local Government: RDEK

Attachments:

Filename	File Description	Classification
Application Stoddart Boulevard, Lot 6 s.22	pdf 0%361 KB	Document
State of Title Cert - Hubbard & Blakley - STC00082103.pdf	0%796 KB	Document
Location Maps - Lot 6 Stoddart boulevard.pdf	0%864 KB	Map
Fee 1500.00 cheque from M Fee 1500.00 cheque from s.22	chq #006.pdf	Document

Approval Application Parties:

Type	Name/Company	Address	Role
Applicant	s.22		



**APPLICATION FOR PERMISSION TO
DISCONTINUE, CLOSE AND ACQUIRE
THE LAND IN A PUBLIC ROAD**

District File Number

The personal information on this form is collected under the authority of the Freedom of Information and Protection of Privacy Act (FOIPPA). The information collected is necessary for the administration and processing of the application. If you have any questions about the collection, use and disclosure of this information, contact the Manager, Land Survey and Tenure, Ministry of Transportation and Infrastructure, PO Box 9850 Stn Prov Govt Victoria BC V8W 9T5, (250) 356-8178.

I [We], being the registered owner[s] of the property herein described, make application to discontinue, close and acquire the land in a public road as follows:

Name of Public Road

STODDART BOULEVARD

Legal Description of Property

LOT 6, DISTRICT LOT 20, KOOTENAY DISTRICT PLAN 2125

Location

WINDERMERE, BC

Current certificate titles and a sketch of all parcels adjoining the road or that portion of the road applied to be closed are attached. Subject to the Ministry of Transportation and Infrastructure (MTI) declaring the land surplus to its needs, we accept and agree to the following conditions and statements.

- a) There is a minimum \$1,500 non-refundable application fee. This fee is payable to the BC Transportation Financing Authority by the Applicant[s].
- b) Payment for the area road to be closed is based on fair market value of the land, having regard to the contribution in value to the adjoining lands and its highest and best use.
- c) The costs of legal survey, Property Transfer Tax, Land Titles and documentation fees, legal and conveyancing fees and related expenses are payable by the Applicant[s].
- d) Utilities existing within the road must receive freely granted statutory right-of-way and all Land Title Act requirements must be met.
- e) Where the road or part intended to be discontinued and closed is in actual use by a person as a highway, public notice of the minister's intention to discontinue and close the highway will be published once each week for four consecutive weeks in a newspaper published in the Province and circulated in the locality in which the highway or part of it is situated. Objections received must be satisfactorily resolved prior to the road being closed by formal publication of notice in the British Columbia Gazette.
- f) The closed road area must initially be joined to and become part of the adjoining parcels.



APPLICATION FOR PERMISSION TO DISCONTINUE, CLOSE AND ACQUIRE THE LAND IN A PUBLIC ROAD

Prior to recommending approval of the proposed road closure, an Aboriginal Site Characteristic Report and a Contamination Report may be required and the Ministry may require additional conditions to be met during the review and processing of the application. The procedure for road closure, purchase and sale is time consuming and may involve the general public, affected property owners, First Nations Indian Bands, utility companies, local government and other provincial agencies. Final approval can only be granted when the public interest in the road has been thoroughly considered.

Upon determination that the road may be closed as surplus to Ministry needs, Regional Properties will be responsible for negotiating the sale price of the land on behalf of the BC Transportation Financing Authority for consolidation with the adjoining land parcel. If the road is capable of being marketed as an independent parcel with safe and secure access, the matter will be deferred to BCTFA.

I [We] am [are] in agreement with the foregoing statements and financial obligations and I [We] agree to comply with the stated requirements and acknowledge agreement with my [our] signature[s] as follows:

Name (please print)

s.22

s.22

Date

May 28, 2020

Mailing Address

Name (please print)

Signature

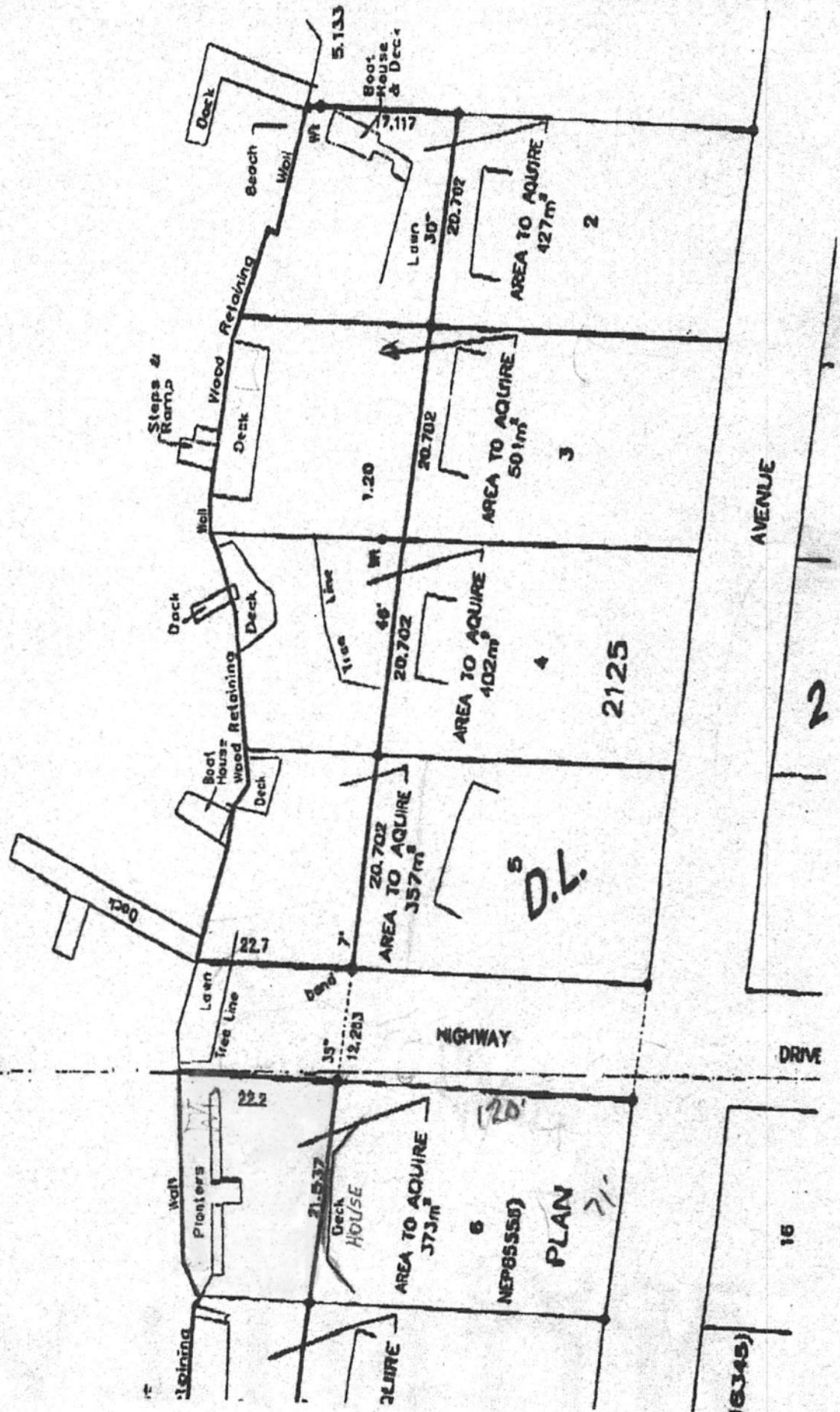
Date

Mailing Address

s.22

Upon completion of all the required information, please submit this application in its entirety, along with payment of the application fee, to the District Development Technician at the Ministry of Transportation and Infrastructure District Office.

T-191 P12/12 U-430



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Withheld pursuant to/removed as

s.3

Application Summary

eDAS File Number: 2020-02897

Approval Application:

Approval Type: Road Closure
Selected Office: Rocky Mountain District
Applicant File Number:
Project Description: Lot 5 Stoddart Boulevard Road Closure Application
Other Information:

Location:

Order Location

Legal Description: Lot 5 District Lot 20 Kootenay District Plan 2125
Map: 1707616,656726
Property Address: 1421 Stoddart Avenue, Windermere BC

Approval Application Details:

Local Government: RDEK

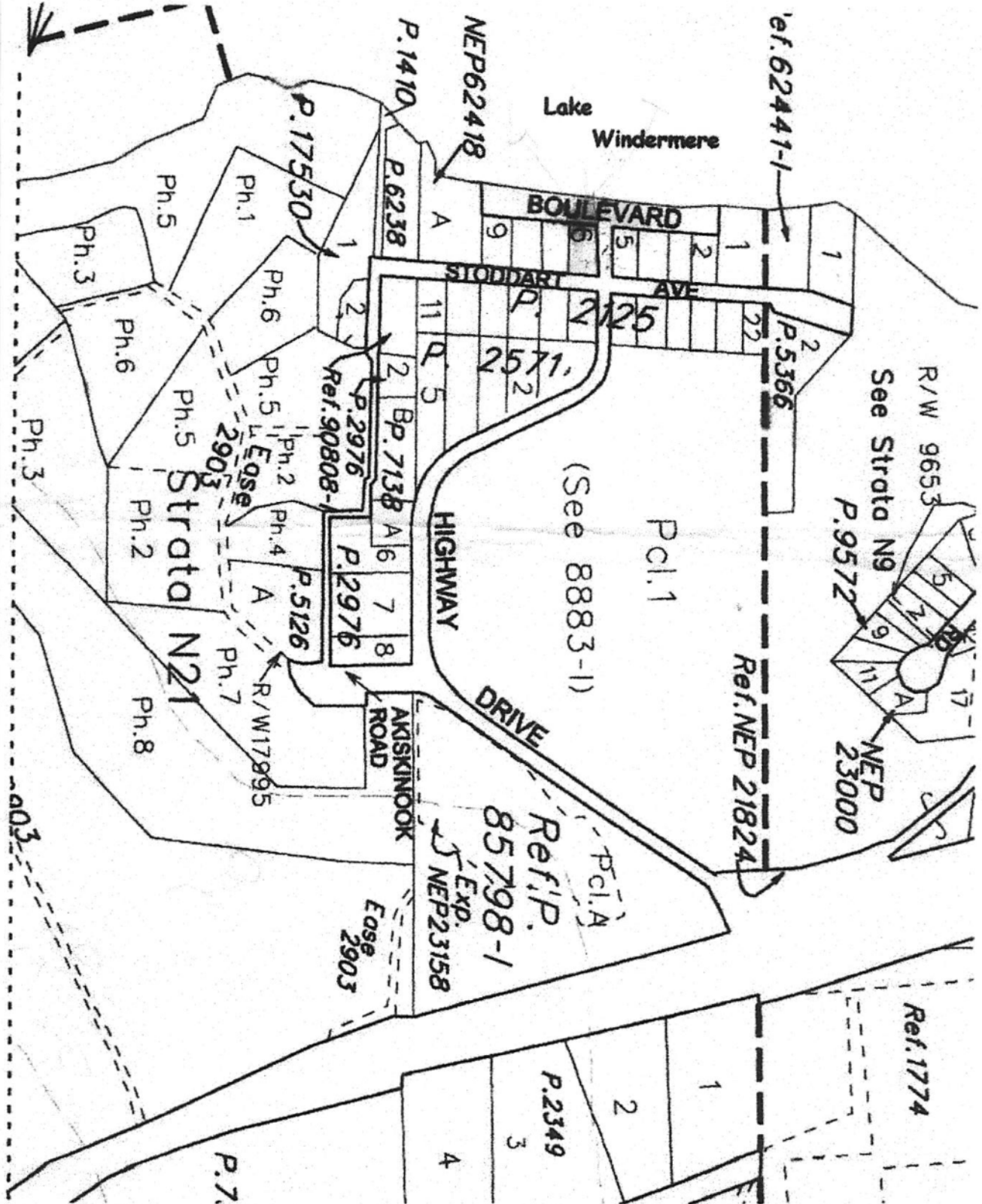
Attachments:

Filename	File Description	Classification
Maps Lot 5 Stoddart Ave.pdf	Maps Lot 5 Stoddart Ave.pdf	Map
Title Certificate CA3431682. Title Certificate CA3431682.pdf		Document
Stoddart Boulevard App Von Stoddart Boulevard App s.22	pdf	Document

Approval Application Parties:

Type	Name/Company	Address	Role
Applicant	s.22		

Location Map





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THE LAND IN A PUBLIC ROAD**

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I [We], being the registered owner[s] of the property herein described, make application to discontinue, close and acquire the land in a public road as follows:

Name of Public Road

Stoddart Boulevard

Legal Description of Property

PID 015-600-793

Lot 5 District Lot 20 Kootenay District Plan 2125

Location

Windermere, BC

Current certificate titles and a sketch of all parcels adjoining the road or that portion of the road applied to be closed are attached. Subject to the Ministry of Transportation and Infrastructure (MTI) declaring the land surplus to its needs, we accept and agree to the following conditions and statements.

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I [We] am [are] in agreement with the foregoing statements and financial obligations and I [We] agree to comply with the stated requirements and acknowledge agreement with my [our] signature[s] as follows:
s.22

May 26/20
Date

Mailing Address
s.22

May 26/20
Date

Mailing Address

Upon completion of all the required information, please submit this application in its entirety, along with payment of the application fee, to the District Development Technician at the Ministry of Transportation and Infrastructure District Office.

Phone: 250-342-6921
Fax: 250-342-3237

MacDONALD THOMAS

Barristers, Solicitors, Notaries Public

An Association for the Practice of Law

W.J. MacDonald, B.A., LL.B.**
wjmacdonald@macdonaldthomas.com

P.O. Box 2400
1018B - 7th Avenue
Invermere, BC V0A 1K0

Kerri-Anne Thomas, LL.B.* **
kthomas@macdonaldthomas.com

November 20, 2013

Our File: 9961WJM(sb)

s.22

Dear s.22

Buyer: s.22
Seller:

Property: PID 015-600-793, LOT 5 DISTRICT LOT 20 KOOTENAY DISTRICT PLAN 2125
Civic: 1421 Stoddart Ave., Windermere, BC V0B 2L1

Further to our previous correspondence, enclosed please find a State of Title Certificate confirming registration in connection with the above noted matter.

Yours truly,

MacDonald Thomas

Sherry Burford
Legal Assistant
\sb

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Withheld pursuant to/removed as

s.3