



PLANNING

TO: Council

DATE: April 11, 2023 **DIVISION:** 3

FILE: 06708005 **APPLICATION:** PL20220104

SUBJECT: Road Closure Application

APPLICATION: To close a ± 0.23 hectare (± 0.58 acre) portion of undeveloped road allowance (Road Plan 2479 Q), to facilitate a future consolidation into the lands at NE-08-26-03-W05M.

GENERAL LOCATION: Located on the south side of Township Road 262 within NE-08-26-03-W05M, approximately 0.81 kilometres (0.5 miles) east of Range Road 35, and 3.20 kilometres (1.99 miles) northeast of the town of Cochrane.

EXECUTIVE SUMMARY: The Applicant proposes to close a portion of road located within the lands at NE-08-26-03-W05M, as shown on Road Plan 2479 Q, for consolidation with the adjacent surrounding lands. Administration finds that closure of the undeveloped road allowance would not inhibit access to adjacent lands nor adversely impact adjacent landowners. Additionally, this is an isolated portion of the road plan that is not included in the Long Range Transportation Network and does not provide connection to any other roads. The application meets the requirements of section 22(4) of the *Municipal Government Act*; as such, this road closure may be completed by resolution instead of by bylaw. A public hearing is not required when a road is closed by resolution.

The application is consistent with the requirements of Road Allowance Closure and Disposal Policy C-443 and the *Municipal Government Act*.

ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1:
- Motion #1 THAT the resolution included as Attachment 'C' be approved.
 - Motion #2 THAT Administration be directed to forward the resolution included as Attachment 'C' to the Minister of Transportation and Economic Corridors for approval.
 - Motion #3 THAT the ± 0.23 hectare (± 0.58 acre) of land be transferred to Joshua Dyck subject to:
 - a) The sales agreement being signed at the appraised value of \$12,183.45
 - b) The terms of the land sales agreement be completed within one year following the approval from the Minister of Transportation and Economic Corridors.
- Option #2: THAT application PL20220104 be refused.

Administration Resources

Jasmine Kaur, Planning and Development

AIR PHOTO & DEVELOPMENT CONTEXT:


APPLICATION EVALUATION: The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Road Allowance Closure and Disposal Policy C-443; and • County Servicing Standards. 	<ul style="list-style-type: none"> • A Valuation Appraisal Report prepared by Able Evaluations Ltd. dated November 18, 2022 • Plan of Survey Showing Area Required for Road Closure prepared by Horizon Land Surveys Inc dated November 21, 2022

POLICY ANALYSIS:
Municipal Government Act

The requested closure of the undeveloped road allowance would not inhibit access to adjacent lands nor adversely impact adjacent landowners, as it is not used by travelling public.

As per section 22(4) of the *Municipal Government Act*, Council, with the approval of the Minister of Transportation, may by resolution, close the whole or any part of a road described in a surveyed road plan that Council determines is no longer required for use by the travelling public owing to the existence of an alternate route. A public hearing is not required when a road is closed by resolution.

Road Allowance Closure and Disposal Policy C-443

Policy C-443 was created with the purpose of administering a fair and consistent formal process to dispose of undeveloped road allowance rights-of-way located within the County. The application was made by the adjacent landowner and aligns with the purpose of Policy C-443 as it proposes to close an undeveloped portion of the road allowance. The allowance area lies within the subject parcel. This allowance is not used by the travelling public; as an alternate route, Township Road 262 is available.



Township Road 262 is part of the County's Long Range Regional Transportation Infrastructure Network Plan, but sufficient right-of-way is available to support the development of the proposed Network A road standard. This portion of the road allowance is not needed for the future road network.

ADDITIONAL CONSIDERATIONS:

Plan of survey and land appraisal

A plan of survey and land appraisal has been provided as per the requirements for consideration of closure of the undeveloped road allowance by resolution.

The submitted appraisal values the subject ± 0.23 hectare (± 0.58 acre) portion of undeveloped road allowance at \$12,183.45. The Applicant is supportive of the appraisal and is wishing to proceed with the closure. If Council approves this application, then as a condition of the purchase agreement, the road allowance will be consolidated with the adjacent lands.

Respectfully submitted,

Concurrence,

"Matt Boscarol"

"Dorian Wandzura"

Executive Director
Community Services

Chief Administrative Officer

JK/bs

ATTACHMENTS:

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Proposed Resolution

ATTACHMENT 'D': Map Set