



Road Closure Item: Bylaw Revision

Electoral Division: 3

File: PL20200113 / 06721004

Date:	September 10, 2024
Presenter:	Colt Maddock, Planner 1
Department:	Planning

REPORT SUMMARY

The purpose of this report is to consider a revision to Bylaw C-8097-2020 to update the legal description within Section 3 (Effect) of the Bylaw to an acceptable format for registration with the Alberta Land Titles Office. A registration request was submitted to Land Titles; however, Land Titles rejected the registration and requested the wording of the Bylaw be revised to describe the portion of road allowance to be closed.

The purchase price has already been paid by the Applicant and land transfer documents have been executed by Administration. The noted revision is the final iteration of the Bylaw required to complete the transfer of Ownership and consolidation of road allowance with neighbouring land.

The proposal is consistent with the applicable legislation and policies.

ADMINISTRATION'S RECOMMENDATION

THAT Bylaw C-8576-2024 be given first reading.

THAT Bylaw C-8576-2024 be given second reading.

THAT Bylaw C-8576-2024 be considered for third reading.

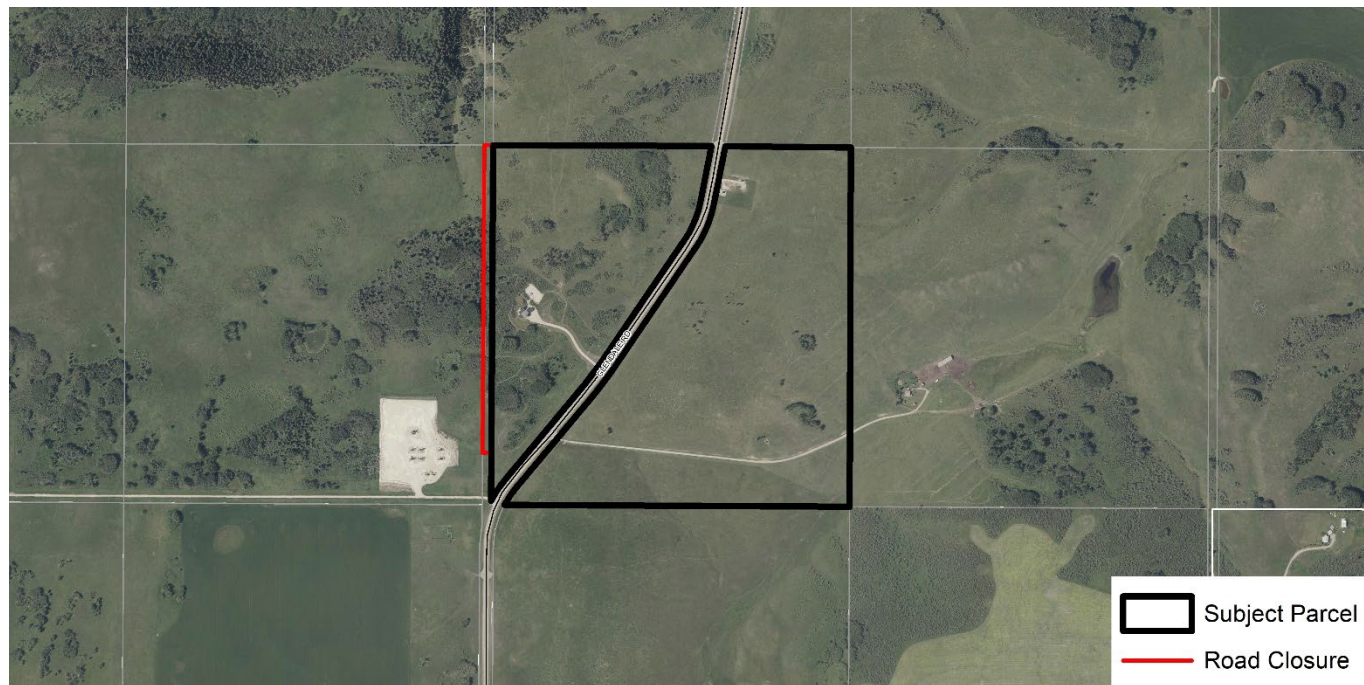
THAT Bylaw C-8576-2024 be given be given third and final reading.

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### BACKGROUND

#### Location (Attachment A)

Located approximately 2.4 kilometres (1.5 miles) north of Township Road 262, and west of Glendale Road.



#### Site Context (Attachment B)

On February 13, 2021, a public hearing to consider the road allowance closure was held and Council gave first reading to Bylaw C-8097-2020.

The Minister of Transportation (now Minister of Transportation and Economic Corridors) signed Bylaw C-8097-2020 on August 11, 2022.

On December 13, 2022, Council approved the following motions:

*THAT Bylaw C-8097-2020 be given second reading, as amended.*

*THAT Bylaw C-8097-2020 be given third and final reading, as amended.*

*THAT the ± 1.38 hectare (± 3.4 acre) portion of land be transferred to Cougar Springs Ltd., subject to:*

- a) Sales agreement being signed at the appraised value of \$28,000.00.*
- b) The terms of the sales agreement being completed within one year after Bylaw C-8097-2023 receives third and final reading.*

The registration request for the road closure was submitted to Land Titles by the Applicant's surveyor, but was rejected with a recommendation to revise the wording of the bylaw to precisely describe the area to be closed.

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### ANALYSIS

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#### Bylaw Revision

In their Notice of Deficiency, Alberta Land Titles stated that the wording within Bylaw C-8097-2020 was not acceptable for registration, and that the Bylaw must be revised to precisely describe the area of the road right-of-way to be closed. The revision Bylaw C-8576-2024 updates the wording of Bylaw C-8097-2020 to precisely describe the northernmost 680 metres of road allowance to be closed. This meets the requirements of Alberta Land Titles.

#### Policy Review

There are no new policy considerations with regards to the revision(s) as presented.

All applicable policy and legislation was reviewed through Council's original consideration of Bylaw C-8097-2020.

### COMMUNICATIONS / ENGAGEMENT

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Circulation and Notification of the application was previously conducted in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards) as part of the review and processing of this application. Further circulation is not required.

### IMPLICATIONS

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#### Financial

No financial implications identified at this time.

### ALTERNATE DIRECTION

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No alternative options have been identified for Council's consideration.

### ATTACHMENTS

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Attachment A: Map Set

Attachment B: Application Information

Attachment C: Bylaw C-8097-2020, signed by Alberta Transportation

Attachment D: Bylaw C-8576-2024

### APPROVALS

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Manager:	Dominic Kazmierczak
Executive Director/Director:	Brock Beach, Acting
Chief Administrative Officer:	Byron Riemann

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