



## PLANNING

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**TO:** Council

**DATE:** February 22, 2022 **DIVISION:** 3

**FILE:** 06935001, 06936001/002, 07901003/004 **APPLICATION:** PL20200159

**SUBJECT:** Road Closure Application

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**APPLICATION:** To close portions of two road allowances totalling  $\pm$  4.84 hectares (11.95 acres) known as Township Road 270 and Range Road 51, located 260 metres east of the intersection of Wildcat Hills Road and Grand Valley Road. These road allowances are located along the southern boundaries of SW-01-27-05-W05M, and SE-01-27-05-W05M and on the west side of NW-36-26-05-W05M. If successful, these portions of road allowances would be consolidated with the adjacent parcels on each side.

**GENERAL LOCATION:** Located approximately 7 kilometres (4.35 miles) northwest of the town of Cochrane; located east of the intersection of Wildcat Hills Road and Grand Valley Road.

**EXECUTIVE SUMMARY:** The public hearing for Bylaw C-8115-2020 was held on June 22, 2021. Upon closure of the hearing, Council made motions to give first reading to Bylaw C-8115-2020 and to forward the application to the Minister of Transportation for approval. Administration received the signed Bylaw C-8115-2020 from the Minister of Transportation dated October 8, 2021, and the Bylaw is now returning to Council for second and third reading to close the road allowance.

The subject lands are all under common ownership by Simpson Ranches, in addition to extensive land holdings in the area. The landowners currently lease the road allowances for cattle grazing and have done so since approximately 1976, when the original lease bylaw was approved. The landowners seek to consolidate the lands for this purpose. As such, there is a limited impact on adjacent or nearby landowners.

Sufficient road allowances exist for current landowners to access their parcels, and the landowner has no plans to sell the lands in the near future. The County's Parks & Open Space Master Plan show a future regional pathway within this area. The applicant has agreed to work with the County to coordinate the necessary alignment onto nearby lands (owned by the applicants). This has also been made a requirement as part of the sales agreement.

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

### OPTIONS

- Option # 1:
- Motion #1 THAT Bylaw C-8115-2020 be given second reading.
  - Motion #2 THAT Bylaw C-8115-2020 be given third and final reading.
  - Motion #3 THAT the  $\pm$  11.95 acres of land be transferred to Simpson Ranching Limited subject to:
    - a) Sales agreement being signed at the appraised value of \$45,000.00;
    - b) Provision in the sales agreement for the landowners agreeing to work with the County for alignment of any future public trails; and,

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### Administration Resources

Oksana Newmen, Planning and Development



c) The terms of the sales agreement shall be completed within one year after Bylaw C-8115-2020 receives third and final reading.

Option # 2: That application PL20200159 be refused.

**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.

<p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Municipal Development Plan (County Plan);</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• No technical reports were submitted</li> </ul>
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**POLICY ANALYSIS:**

Land Use Bylaw

Any development on the proposed road allowance closure would be required to adhere to the Land Use Bylaw.

**BACKGROUND:**

The subject lands are three segments of undeveloped road allowance providing access to five parcels, none of which are included in a current Area Structure Plan (ASP) or conceptual scheme. The subject road allowances are the only access to four of the landowner’s parcels and are not currently maintained by the County. A fifth parcel currently has frontage to Grand Valley Road. The landowners have extensive landholdings in the area, which are used for cattle grazing. Closing the



road allowance would allow the landowner to purchase the road allowance to retain uninterrupted grazing on a large land area.

An appraisal was completed on September 28, 2021, and provided the subject lands with a value of \$45,000 for the ±4.84 hectares (11.95 acres). The Applicant is in support of the appraised value and wishes to proceed with the second and third readings of Bylaw C-8115-2020 and the subsequent purchase of the lands.

Separately, a review of the Open Space Master Plan, adopted in May 2011, indicates a proposed regional pathway along the east-west closure area. Administration had initial concerns regarding the possibility of impacting future pathways, however, the applicant has indicated willingness to engage with the County in determining an alternate pathway alignment within the vicinity of the proposed pathway. A condition will be included in the sale agreement, requiring the landowner to work with the County to secure an easement for the future pathway.

Alberta Transportation

Alberta Transportation has no issues or concerns regarding the proposed road closure; they will be notified again once Second and Third Readings are given by Council and when the bylaw is registered at Land Titles.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Byron Riemann”

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

ON/lh

**ATTACHMENTS**

- ATTACHMENT ‘A’: Bylaw C-8115-2020 and Schedule A
- ATTACHMENT ‘B’: Map Set