

Subject: **Road Closure Bylaw 1870 – Undeveloped Road Allowance Adjacent West of Section 25-33-25 W4**

Meeting Date: Tuesday, May 14, 2024


Prepared By: Deanna Keiver, Planning & Development Officer

Presented By: Deanna Keiver, Planning & Development Officer

RECOMMENDED MOTION:

1. That Council approve and accept a value of \$15,500 for approximately 5.651 +/- acres of the undeveloped road allowance on the west side of the West Half of Section 25-33-25 W4.
2. That Council give Second Reading of Bylaw 1870 to pursue the road closure and consolidation of the undeveloped road allowance adjacent the west side of the West Half of Section 25-33-25 W4.
3. That Council give Third Reading of Bylaw 1870 to pursue the road closure and consolidation of the undeveloped road allowance adjacent the west side of the West Half of Section 25-33-25 W4.

STRATEGIC PLAN ALIGNMENT: (Check all that apply)

	<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>
High Quality Infrastructure		Economic Resilience		Quality of Life		Effective Leadership		Level of Service	

RELEVANT LEGISLATION:

Provincial (cite)- Municipal Government Act Section 22 Road Closure

Council Bylaw/Policy (cite)- N/A

BACKGROUND/PROPOSAL:

Lazy H Hastie Ranch Ltd, has approached the County in their desire to purchase the undeveloped road allowance on the west side of the West Half of Section 25-33-25 W4. By closing the undeveloped road allowance and ultimately purchasing the land, it would allow the landowner access to his land.

The undeveloped road allowance will never be developed into a road as Range Road 25-1 was diverted around Three Hills Creek. This portion of road is known as the Hastie North Project and was recently resurfaced in 2021. This road has a 100-foot right of way. Closure of the proposed undeveloped road allowance will not interfere with legal access to any other parcels.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES/OTHER CONSIDERATIONS:

On October 25, 2022, Council gave first reading to Bylaw 1870 and the Public Hearing was held on November 15, 2022. No letters were received in favour or opposition to the road closure. Comments were received from Telus Communications advising a Right of Way Agreement was required. This Agreement will be registered simultaneously with the survey plan.



The Minister of Transportation approved the closure on March 18, 2024. The applicant will be responsible for all costs associated with hiring a surveyor, purchasing the land, and transfer to consolidate the portion of the undeveloped road allowance into the NW 25-33-25 W4 and the SW 25-33-25 W4. The consolidation will increase the acreage of the NW 25-33-25 W4 to 161.4 +/- acres and the SW 25-33-25 W4 to 162.85 +/- acres.

As per the County's Road Closure Process, if the road is being closed for consolidation purposes, an appraisal of the land must occur prior to second reading to determine the fair market value of the road allowance to be consolidated. The applicant can hire an appraiser or use the value the County's Assessor advises. The Assessor provided values of \$5,000 for the portion to be consolidated in the Northwest quarter and a value of \$10,500 for the Southwest quarter. The applicants have indicated they accept the Assessor's value.

FINANCIAL & STAFFING IMPLICATIONS:

Costs to the applicant will be as follows:

1. Application fee as set out by Council (\$1,000.00) - PAID
2. Purchase cost of road allowance.
3. All costs associated with Transfer of Land (Survey, Transfer Documents, Registration etc.)

Once the undeveloped road allowance has been consolidated and registered with Land Titles, there will be no ongoing annual operating costs.

RECOMMENDED ENGAGEMENT:

Directive Decision (Information Sharing, One-Way Communication)			
Tools:	Individual Notification	Other:	

ATTACHMENTS:

- Bylaw 1870 signed by Minister
- Site Plan
- Email from Troy Birtles Regarding Value of Undeveloped Road Allowance

COUNCIL OPTIONS:

1. Council move to approve and accept a value of \$15,500 for approximately 5.651 +/- acres of the undeveloped road allowance on the west side of the West Half of Section 25-33-25 W4.
2. Council move Second Reading of Bylaw 1870 to pursue the road closure and consolidation of the undeveloped road allowance adjacent the west side of the West Half of Section 25-33-25 W4.
3. Council move Third Reading of Bylaw 1870 to pursue the road closure and consolidation of the undeveloped road allowance adjacent the west side of the West Half of Section 25-33-25 W4.
4. Council defer third reading to the next Council meeting.
5. Council request additional information prior to third reading.

FOLLOW-UP ACTIONS:

1. Administration will contact landowners and advise of decision and next steps.
2. Alberta Transportation Road Closure Coordinator will be advised should 3rd Reading be granted.



APPROVAL(S):

Mike Haugen, Chief Administrative Officer

Approved-

