






Subject: **Road Closure – Railway Ave (Ex-Hamlet of Allingham) First Reading & Set Public Hearing Date**
 Meeting Date: Tuesday, August 20, 2024
 Prepared By: Deanna Keiver, Planning and Development Officer
 Presented By: Deanna Keiver, Planning and Development Officer

STRATEGIC PLAN ALIGNMENT: (Check all that apply)									
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" 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
 Municipal Government Act Section 230 Public Hearings

Council Bylaw/Policy (cite)- N/A

BACKGROUND/PROPOSAL:

Ruben Scheele has approached the County in his desire to purchase Railway Avenue which lies on the east side of his property within the Ex-Hamlet of Allingham. By closing the undeveloped avenue, and ultimately purchasing the land, it would allow him to maintain the area and increase the size of his lots.

Ruben Scheele and Erin Scheele are the owners of all the lots on the east side of Allingham (East of Park Avenue which include Lots 1 to 5, Block 1, Plan 3251EI, Plan 3251 OT (Centre Street) and Plan 931 0366, Block 1, for a total of 6 titles. Should Council and subsequently the Minister of Transportation approve the closure, it would be required of the applicant to survey, purchase and consolidate Railway Avenue into the adjacent lots. A consolidation of all 6 Titles into one title would also be requested.

Closure of Railway Avenue will not interfere with legal access to any other parcels. The total approximate size of all the lots owned by the applicant is 6.6 acres. The closure of the avenue would add an additional 2.0 +/- acres. An Encroachment Agreement is currently registered on title for a garage, which could be removed should the road closure be approved.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES/OTHER CONSIDERATIONS:

Road Closures are governed by the Municipal Government Act Section 22, which states that a road must be closed by bylaw, must be advertised and must be approved by the Minister of Transportation prior to receiving 2nd Reading.

Notices will be sent to adjacent landowners within one mile and referral agencies. Referral agencies notified include internal Kneehill County Departments. This process is similar to a Public Hearing for a Land Use Bylaw Amendment. A person who claims to be deemed affected must be given an opportunity to be heard by Council. First Reading is also the mechanism for moving an application into the process.



FINANCIAL & STAFFING IMPLICATIONS:

Costs to the applicant will be as follows:

1. Application fee as set out by Council (1,0000.00)
2. All costs associated with Transfer of Land (Survey, Transfer Documents, Registration etc.)
3. Appraisal Fee (Kneehill County will request an appraisal from our Assessment Department. It will be up to the Applicant to use Kneehill County's value or hire an outside appraiser).
4. Purchase cost of avenue.

Costs to the County will include referrals, advertisements, and hosting the public hearing. Once Railway Avenue has been closed, consolidated and registered with Land Titles, there will be no ongoing annual operating costs.

RECOMMENDED ENGAGEMENT:

Consultative Decision (Consulting the Public- Two Way Communication)

Tools:	Public Hearing	Other:	
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ATTACHMENTS:

Bylaw 1906

Site Plan

COUNCIL OPTIONS:

1. Council move First Reading of Bylaw 1906 to pursue the road closure of Railway Avenue within the Ex-Hamlet of Allingham.
2. Council move a Public Hearing be scheduled for September 10, 2024 10:00 a.m. as per Section 22 and 230 of the *Municipal Government Act*.
3. Council provide an alternate date or time for the Public Hearing.
4. Council request more information prior to scheduling the Public Hearing.

RECOMMENDED MOTION:

1. That Council move First Reading of Bylaw 1906 to pursue the road closure of Railway Avenue within the Ex-Hamlet of Allingham.
2. That Council move a Public Hearing be scheduled for September 10, 2024 10:00 a.m. as per Section 22 and 230 of the *Municipal Government Act*.

FOLLOW-UP ACTIONS:

Administration will ensure the required notifications and advertisements are done in preparation for the Public Hearing as per Section 22 and 230 of the *Municipal Government Act*.

APPROVAL(S):

Mike Haugen, Chief Administrative Officer

Approved-

