





Subject: **Bylaw 1916 Road Closure – Undeveloped Road Allowance East of Ptn. NE 8-33-23 W4 Plan 4910S Block W - First Reading & Set Public Hearing Date**

Meeting Date: Tuesday, April 8, 2025

Prepared By: Deanna Keiver, Planning and Development Officer

Presented By: Deanna Keiver, Planning and Development Officer

STRATEGIC PLAN ALIGNMENT: (Check all that apply)

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|---|--------------------------|---|--------------------------|---|--------------------------|---|-------------------------------------|---|-------------------------------------|
|  | <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 216 Public Hearings, Section 606

Council Bylaw/Policy (cite)- Bylaw 1772 Advertising Bylaw

BACKGROUND/PROPOSAL:

James Frison has approached the County in his desire to purchase the portion of an undeveloped road allowance which lies on the east side of his property. By closing the undeveloped road allowance, and ultimately purchasing the land, it would allow him to increase the size of his lot and allow him to develop without having the constraint of having a 100-foot (30.5 m) setback from the undeveloped road allowance.

Should Council and subsequently the Minister of Transportation approve the closure, it would be required of the applicant to survey, purchase and consolidate the undeveloped road allowance into his one Country Residential lot.

Closure of the undeveloped road allowance will not interfere with legal access to any other parcels. The applicant owns 5.4 acres zoned Country Residential on the east side of the Town of Trochu. The closure of the avenue would add an additional 1.3 +/- acres.

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 are a requirement of Section 606 of the Municipal Government Act and must be done by an advertised method and in accordance with Bylaw 1772: Advertising Bylaw, which notes the Three Hills Capital and Kneehill County website as our official means for notification. We have continued to notify adjacent landowners and referral agencies who could be deemed to be considered potentially affected parties by mail. In this instance, notices are being forwarded to residents within the Town of Trochu which reside east of the railway. Rural residents within Kneehill County that fall within one mile will also be notified by mail. 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 undeveloped road allowance.

Costs to the County will include referrals, advertisements, and hosting the public hearing. Once the undeveloped road allowance 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)

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| Tools: | Public Hearing | Other: | |
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ATTACHMENTS:

Bylaw 1916

Site Plan

COUNCIL OPTIONS:

1. Council move First Reading of Bylaw 1916 to pursue the road closure of the undeveloped road allowance east of Plan 4910S Block W.
2. Council move that a Public Hearing be scheduled for May 13, 2025 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 1916 to pursue the road closure of the undeveloped road allowance east of Plan 4910S Block W.
2. That Council move that a Public Hearing be scheduled for May 13, 2025, 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-

