

Topic: Rosenthal Community Association License of Occupation - County Lands

Introduction:

The Rosenthal Community Association has requested a License of Occupation (LOC) to enable the relocation of access to its facility using Municipal Reserve (MR) lands. The LOC will authorize the Association to construct, maintain, and operate an internal access road on a defined portion of County-owned Municipal Reserve land.

Background Information:

The Rosenthal Community Association is proposing to relocate the existing driveway access from Township Road 524 to a new alignment that would access the community hall site through the adjacent subdivision's Municipal Reserve lands. The request is intended to address traffic safety and accessibility concerns associated with the current access from Township Road 524 by utilizing a defined portion (approximately 20m by 38 m) of Municipal Reserve land within the adjacent Meadows of Rosenthal residential subdivision.

County Land:

- Plan 1422298 as Lot 101MR within Block 2

Rosenthal Community Association Land:

- Municipal Address: 1231 TWP RD 524

The request is to address traffic safety and accessibility concerns associated with the current location including:

- **Improve traffic safety by reducing turning movements on to and off of Township Road 524:** Increased traffic on Township Road 524 has created sightlines concerns for vehicles entering or exiting the hall, especially during peak times and winter.
- **Traffic Speed and Volume:** Increased vehicle speed and traffic on Township Road 524 heighten safety risks for residents attending hall events.
- **Improve accessibility for residents attending community events.**
- **Event Safety:** Event-related congestion and an open gate create near-miss risks, particularly for children and pets near the roadway.

Rosenthal Community Association has approached residents in the neighboring subdivision and received support from all property owners.

As the request involves the management of Municipal Reserve lands, it is subject to Council Policy C-AD53, which prioritizes leases and licenses for agricultural, community, and recreational purposes.

Proposed License Terms (Key Highlights):

- **Term:** 25-year term (2026–2051) with an option to renew
- **Permitted Use:** The lands may only be used to construct and maintain an access road; all other uses are prohibited
- **Condition of Premises:** The lands are accepted “as-is” with no warranties from the County
- **Costs:** The Association is responsible for all costs related to construction, maintenance, permits, fencing, and vegetation management

- **Fencing and Delineation:** The Association must install fencing or vegetation to distinguish the licensed area from the remaining County lands
- **Access Change Requirement:** Upon completion of the new access, the existing Township Road access must be removed within one year
- **Restrictions:** Use is limited strictly to the defined area; the surrounding MR cannot be used as an extension of the property
- **Insurance and Liability:** The Association must maintain appropriate liability insurance (\$5M) and indemnify the County (Rosenthal Community Association is currently and ANI under Parkland County's insurance and Parkland County covers their insurance costs).
- **Termination and Surrender:** The County may terminate in the event of breach; the Association may surrender the lands with notice and removal of improvements

Analysis:

Administration supports this request as it improves safe and accessible access to the community hall and aligns with the County's support of community organizations and recreational use of Municipal Reserve lands.

The proposed LOC clearly defines the permitted use, limits impacts to a small portion of land, and assigns all costs, risks, and operational responsibilities to the Association, ensuring no financial or operational burden to the County. There is currently no opposition from surrounding residents.

This request is consistent with Council Policy C-AS53, which supports the use of Municipal Reserve lands for community and recreational purposes.

Alternatives:

Deny the request for a License of Occupation, thereby maintaining the existing access configuration and associated safety concerns.

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