



Legislation Details (With Text)

File #: BL 19-008 **Version:** 1 **Name:** Public Hearing - Proposed Road Closure Bylaw 2019-02

Type: Bylaw **Status:** Second Reading

File created: 2/13/2019 **In control:** Legislative Matters

On agenda: 3/26/2019 **Final action:** 3/26/2019

Title: PUBLIC HEARING - 9:30 a.m.
Proposed Road Closure Bylaw 2019-02
(Undeveloped Road Allowance located along the West boundary of the SE-08-54-27-W4)

Proposed Motion
That Bylaw 2019-02 receive first reading.

Indexes:

Code sections:

Attachments: 1. 1. Bylaw 2019-02 Road Closure W of SE-08-54-27-W4, 2. 2. Chair's Procedural Notes Bylaw 2019-02, 3. 3. IOP Bylaw 2019-02 Area in Acres/Hectares, 4. 4. Policy EN 009 Road Allowances - Sale, Lease, 5. 5. IMG Subdivision Plan 17-S-040, 6. 6. Conditional Subdivision Approval 17-S-040

Date	Ver.	Action By	Action	Result
3/26/2019	1	Council	received on first reading	Pass

PUBLIC HEARING - 9:30 a.m.
Proposed Road Closure Bylaw 2019-02
(Undeveloped Road Allowance located along the West boundary of the SE-08-54-27-W4)

Proposed Motion

That Bylaw 2019-02 receive first reading.

Administration Recommendation

Administration supports the proposed motion.

Purpose

To close a portion of undeveloped road allowance for the purpose of sale and consolidation into adjacent lands.

Summary

An application has been received from the owner of the SE-08-54-27-W4 for the closure and sale of the undeveloped road allowance located along the western border of their property. This application comes as a condition of Development Permit 17-S-040. The road allowance, if closed, would be sold at fair market value and consolidated into the applicant's lands through registration of surveyed Plan of Subdivision.

On August 1, 2018, Parkland County gave conditional approval to Development Permit 17-S-040 for the creation of a 47 parcel subdivision within the SE-08-54-27-W4. Condition number three (3) of the approvals states that *"The applicant is to submit a separate Road Closure application to the County to close the road allowance along the west boundary of the subject quarter"*. This application was received from the developer for the closure, sale and consolidation of the road allowance.

The road allowance in question was removed from the SE-08-54-27-W4 by way of survey in 1903. The purpose of this survey was to form the boundaries of the original settlement of the Michel Indian Reserve No.

132. In 1958, the Reservation was disenfranchised and the lands sold; the surveyed sections of undeveloped roads remained.

The applicants wish to consolidate the undeveloped road allowance into their proposed Country Residential subdivision; this would increase the size of the parcels along the west boundary of the subdivision as well as return the surveyed section of road allowance back to the parent parcel.

Strategic Plan/Policy/Legal/Staff Implications

Section 22 (4) and Section 606 of the *Municipal Government Act*.

County's Road Allowance and Diversions - Sales, Lease or Permitting Policy EN 009.

Financial Impact:

Revenue: Market value for the sale of the road allowance, as determined by appraisal, plus additional property tax revenue.