



AGENDA ITEM

Request for Closure of Statutory Road Allowance

April 22, 2021

BACKGROUND

Road Plan 2266EO is a road diversion within the SW 25-41-02 W5M. Daryl Chambers is requesting the closure and sale of Road Plan 2266EO so it can be consolidated with his property, the SW 25-41-02 W5M.

ANAYLSIS

The proposed closure will see 0.94 acres closed and consolidated with the SW 25-41-02-W5M. The Operations Department has advised that after a sight inspection the old road allowance serves no purpose for Lacombe County and sees no problems with the closure and sale.

BUDGET IMPLICATIONS

\$ 6240 x 30% x 0.94 Acres - \$ 1,760.

LEGISLATIVE RESPONSIBILITIES:

Pursuant to Section 18(1) of the Municipal Government Act subject to this or any other Act, a municipality has the direction, control, and management of all roads within the municipality. Pursuant to Section 22(1) of the Act no road in a municipality that is subject to the direction, control and management of the municipality may be closed except by bylaw; 22(2) a bylaw closing a road must be advertised; 22(3) a bylaw closing a road made by the Council of a municipality that is not a city has no effect unless it is approved by the Minister of Infrastructure before the bylaw receives second reading; 22(4) before passing a bylaw closing a road, a person who claims to be affected prejudicially by the bylaw or that person's agent must be given an opportunity to be heard by Council.

Despite Section 22, the Council of a municipal district may by resolution, with the approval of the Minister of Transportation, close the whole or any part of a road described in a survey road plan that the Council determines is no longer required for use by the travelling public owing to the existence of an alternate route.

Pursuant to Section 5(b) of the Municipal Government Act a municipality has the duties that are imposed on it by this and other enactments and those that the municipality imposes on itself as a matter of policy. Lacombe County Policy OP(14) Sale of Road Right of Way - Non-statutory road allowances that are not required for public travel or any other purpose may be sold or exchanged for new road right of way.

STRATEGIC PLAN

Strategy #5, Resource and Asset Management - Assessing the value and need for all of our land holdings and including plans for disposal has been identified under this strategy.

PUBLIC CONSULTATION:

Lacombe County sees the value in engaging and informing the public/stakeholders through a variety of mediums as outlined in the *Policy AD(40): Public Participation Policy*. The appropriate level of engagement for each public participation opportunity is selected on a project-to-project basis. For this item, the following engagement will take place:

- *Inform:* To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions

Highlights of all County Council meetings are published on the County Website and in the County News.

RECOMMENDATION

That Council approve the following resolution:

That by resolution Council instruct the County Manager to proceed with the process to close the above noted road allowance and that this proposal be circulated to interested parties for comment, and further, that a report on the comments and cancellation request be presented at the May 13, 2021 Council meeting.

PREPARED BY: Laverne Turnbull, Administrative Executive Coordinator



REVIEWED BY: Tim Timmons, County Manager



