



Legislation Text

File #: PH-18-008, **Version:** 1

TAMRMS#: B06

Bylaw 11/2018 - Road Closure North of Jensen Lakes Boulevard (2nd & 3rd Reading)

Presented by: Tracy Tsui, Planner

RECOMMENDATIONS

1. That the non-statutory Public Hearing on Bylaw 11/2018 be closed.
2. That Bylaw 11/2018 be read a second time.
3. That Bylaw 11/2018 be read a third and final time.
4. That Council authorize the City Manager to dispose of the closed roadway as per the City Council Policy C-ED-03.

If Council does not wish to close the public hearing, or if a motion to close the public hearing does not pass, consideration of the following Alternative Recommendations would be appropriate:

1. That the non-statutory public hearing be adjourned to the July 3, 2018 meeting.

PURPOSE OF REPORT

The purpose of the report is to outline the proposed road closure north of Jensen Lakes Boulevard.

COUNCIL DIRECTION

On May 22, 2018, Council passed the following motions:

1. That Bylaw 11/2018, being a Bylaw to close a portion of road north of Jensen Lakes Boulevard, be read a first time.
2. That a non-statutory Public Hearing be scheduled for June 11, 2018.

BACKGROUND AND DISCUSSION

Select Engineering Consultants Ltd. on behalf of Melcor Developments Ltd. submitted an application to close a portion of road with an area of 0.46 hectares \pm (1.14 acres \pm) located north of Jensen Lakes Boulevard. The road has been identified as an undeveloped Government Road Allowance and the size and shape of the road is considered undevelopable unless it is part of adjoining parcels. The sale of the road would be to Melcor Developments Ltd., who is also the developer of the surrounding area and has plans to assemble the subject area to form a larger parcel for other

development plans in the future. The value of the land is to be determined through an appraisal at the time of sale. Please find attached a copy of Bylaw 11/2018, location map, proposed road closure map, and aerial map.

The legal description of the subject area is Meridian 4, Range 25, Township 54, Section 16, Quarter Northwest, contained within Area 'A' Plan 182 _____. The area is currently districted as Urban Reserve (UR), which is a holding district until urban development occurs on the land.

Plan Conformance

The proposed road closure is in conformance with the Municipal Development Plan.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

In accordance with the provisions of the Municipal Government Act (MGA) Section 22(2), proposed road closures must be advertised. The proposed road closure was circulated on February 15, 2018, to internal departments, external referral agencies, and property owners within a 100-metre radius. There were no objections.

The public hearing is scheduled for June 11, 2018, and notice of the public hearing was provided through the City website, CityLights advertisements on May 26 and June 2, 2018, and a notification letter about the public hearing was mailed to property owners within a 100-metre radius.

Section 22(4) of the MGA states that "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 the council." To provide the opportunity for a person to be heard, a non-statutory public hearing is recommended. This is consistent with how other road closure applications have been processed by the City.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

According to the Municipal Government Act (MGA) Section 70(1), a municipality must either dispose of land at market value or advertise its intent to dispose of the land at less than market value. Further, the City's Land Transactions Policy (C-ED-03) requires most land dispositions to proceed at market value or higher.

Program or Service:

None at this time.

Organizational:

To enable development, Planning and Engineering requires review of subdivision plans and engineering drawings, as well as negotiate development agreements. Various departments may need to conduct inspections and be involved in meetings with the developer/consultants.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendation, the following alternatives could be considered:

- Do not pass Bylaw 11/2018. The implication would be that the applicant would need to re-apply again after six months.

STRATEGIC CONNECTIONS

1. City of St. Albert Strategic Plan (Policy C-CG-02) - Pillars of Sustainability
 - ECONOMIC - We prosper and excel through a strong and diverse economy that is supported by forward-thinking commerce, outstanding local businesses and a dynamic downtown core.
 - BUILT ENVIRONMENT - We build our community towards the future to sustain balanced development, with a reverent eye to the past, honouring our unique settlement history and distinct identity.
2. Governance Strategy
 - Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.
3. Service Delivery Strategy
 - Council is committed to ensuring that the City of St. Albert is engaging residents to identify opportunities to improve delivery of services to the community.
4. Long Term Plans
 - Municipal Development Plan
5. Corporate Objectives
 - Exercise strong fiscal management
 - Ensure our customers are very satisfied
6. Council Policies, Bylaws, or Federal/Provincial Statutes
 - City Council Policy - Land Transactions (C-ED-03)
7. Other Plans or Initiatives
 - N/A

Report Date: June 11, 2018

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Committee/Department: Infrastructure & Development Services

General Manager: Ian McKay

City Manager: Kevin Scoble

