



File #: PH-23-02, Version: 1

TAMRMS#: H09

7.1

Bylaw 5/2023 Rankin Drive Road Closure (Public Hearing, 1st, 2nd & 3rd Readings)

Presented by: Eric Schultz, Planner, Planning & Development

RECOMMENDED MOTION(S)

1. That the Public Hearing on Bylaw 5/2023 be closed.
2. That Bylaw 5/2023 be read a first time.
3. That Bylaw 5/2023 be read a second time.
4. That unanimous consent be given for consideration of third reading of Bylaw 5/2023.
5. That Bylaw 5/2023 be read a third and final time.
6. That Council authorize the Chief Administrative Officer to dispose of the roadway closed pursuant to Bylaw 5/2023 in accordance with City Council Policy C-ED-03.

PURPOSE OF REPORT

The purpose of the report is to outline the proposed road closure for a portion of Road Plan 1162CL. The closed portion of Rankin Drive will be consolidated into lands used for future land development, and the remaining road alignment will be altered in keeping with the Riverside Area Structure Plan.

ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN

N/A

ALIGNMENT TO LEVELS OF SERVICE DELIVERY

Current Planning Application Processing: Processing and coordination of the approval of statutory plans and amendments, subdivision and condominium applications.

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

The Municipal Government Act requires the subject matter of this report to go to Council and for a public hearing to be held.

The Municipal Government Act (“MGA”), Road Closure, section 22 states, in part, as follows:

- (1) No road in a municipality that is subject to the direction, control and management of the municipality may be closed except by bylaw.*
- (2) Before giving section reading to a bylaw that would close a road, a council must hold a public hearing with respect to the proposed bylaw in accordance with section 216.4 after giving notice of it in accordance with section 606.*

...

BACKGROUND AND DISCUSSION

Select Engineering Consultants Ltd., on behalf of Genstar Development Company, submitted an application to close a portion of Road Plan 1162CL, which is a portion of Rankin Drive that is located between Ray Gibbon Drive and (old) Hogan Road. The area of the road closure is 0.34 hectares± (0.84 acres±). The legal description is Part of Road Plan 1162 CL, within River Lot 16, St. Albert Settlement (theoretically NE ¼, Sec 31, TWP 53, Rge 25, W 4th Mer) and River Lot 17, St. Albert Settlement (theoretically SE ¼, Sec 6, TWP 54, Rge 25, W 4th Mer). Subject to this road closure, Rankin Drive will be realigned, as per the Area Structure Plan. Please refer to attachment Location Map Figure 1.

The proposed road closure is in compliance with the Riverside Area Structure Plan (ASP), which designates the subject area as Medium Density Residential. When development occurs in this portion of the Riverside neighbourhood, the roadway would not be a roadway, but part of a developed site. Please refer to attachment Riverside Area Structure Plan Figure 2.

The area adjacent to the proposed road closure is districted Urban Reserve (UR) District, which is a holding district until urban development occurs on the land. At a future date, the land will require redistricting to district the land.

The proposed road closure is through lands that are owned by one landholder (Genstar). Prior to, or at time of subdivision, the landholder will purchase the road right-of-way and consolidate the land with an adjacent parcel of land. A market value appraisal was completed to determine a sale price. City Council Policy C-ED-03 for land transactions is being followed.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

In accordance with section 22(2) of the MGA, proposed road closures require public hearings to be held and must be advertised. The proposed road closure was circulated on October 4, 2022, 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 6, 2023. Information about the public hearing will be posted on the City website and it will be advertised in CityLights on May 18, 2023 and May 25, 2023.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

Pursuant to section 70(1) of the MGA, 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. If the proposed bylaw 5/2023 is passed by Council and the proposed road closure takes place, Administration will proceed in accordance with the MGA and Policy C-ED-03 when disposing of the subject lands.

Program or Service:

None at this time.

Organizational:

None at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

Do not pass Bylaw 5/2023. The implication is development as per the Riverside ASP cannot occur.

Report Date: June 6, 2023

Author: Eric Schultz

Department: Planning & Development

Department Director: Adryan Slaght

Managing Director: Diane Enger

Deputy Chief Administrative Officer: Kerry Hilts

Chief Administrative Officer: William Fletcher

CITY OF ST. ALBERT
BYLAW 5/2023

A Bylaw to close a portion of Road Plan 1162CL

WHEREAS pursuant to section 22 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a council of a municipality may by bylaw close a road within a municipality;

AND WHEREAS pursuant to sections 22 and 606 of the *Municipal Government Act*, a bylaw closing a road must be advertised;

AND WHEREAS pursuant to section 22 of the *Municipal Government Act*, before giving second reading to a bylaw closing a road, a public hearing must be held;

NOW THEREFORE the Council of the City of St. Albert ENACTS AS FOLLOWS:

1. All that portion of Rankin Drive within Road Plan 1162C shown as the shaded area on Schedule "A" attached to this Bylaw, containing approximately 0.342 hectares, which is anticipated to be legally described as:

Area 'A' Plan 222 ____ (complete plan number to be assigned at Land Titles upon registration)
Excepting thereout all mines and minerals

is closed.

READ a First time this ____ day of _____ 20__.

READ a Second time this ____ day of _____ 20__.

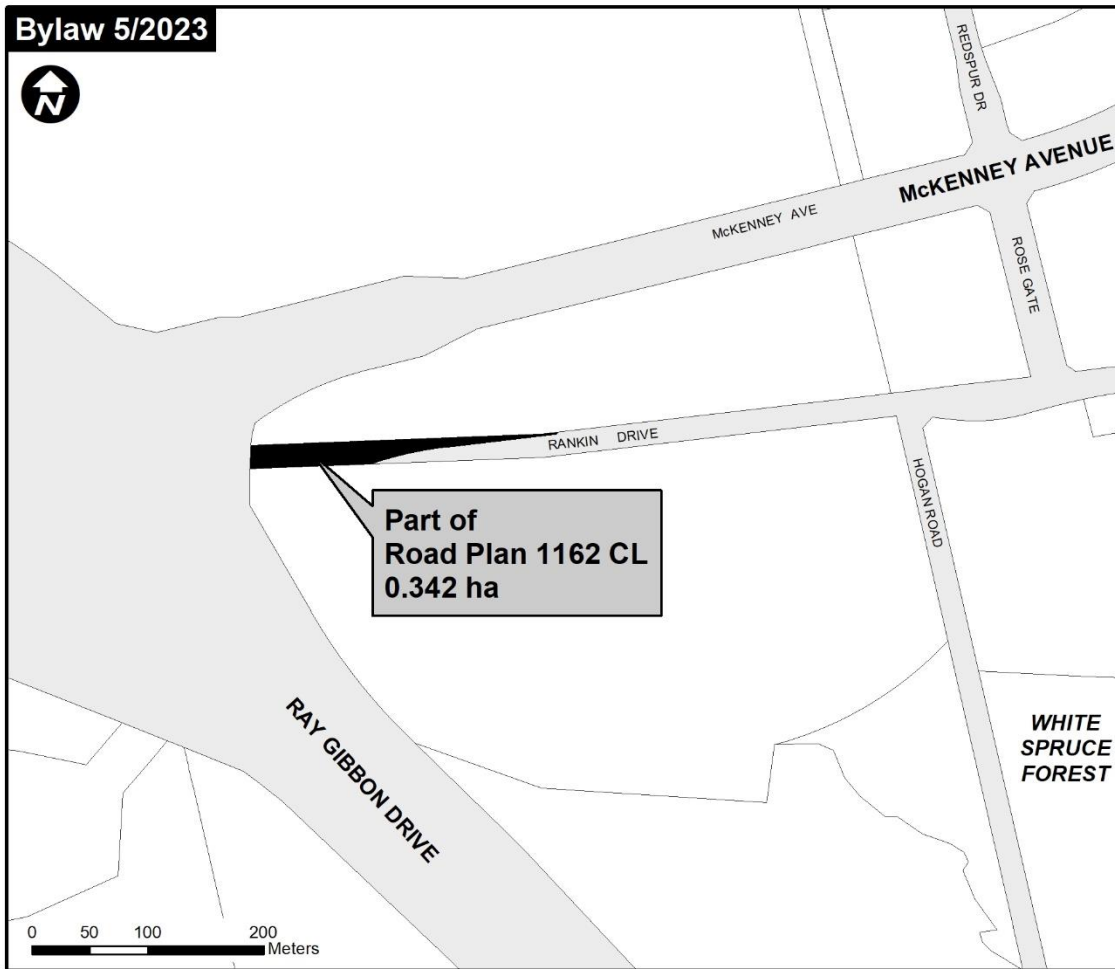
READ a Third time this ____ day of _____ 20__.

SIGNED AND PASSED this ____ day of _____ 20__.

MAYOR

CHIEF LEGISLATIVE OFFICER

Schedule A

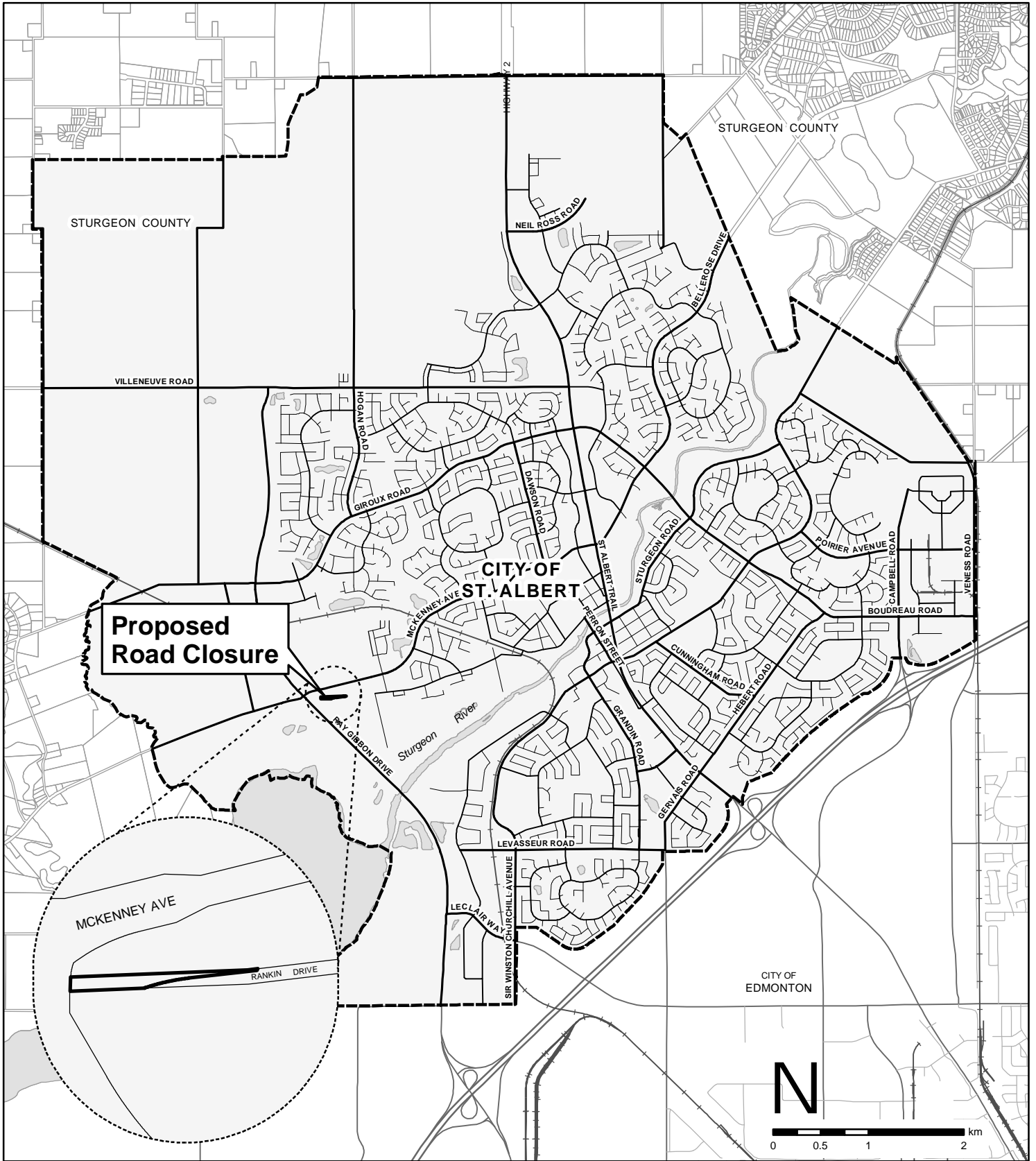


PROPOSED ROAD CLOSURE

- Part of Plan 1162 CL
- All that portion of road lying within Area 'A', Plan 222 _____

Schedule A

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Location Map

Proposed Rankin Drive Road Closure

Figure 1 6

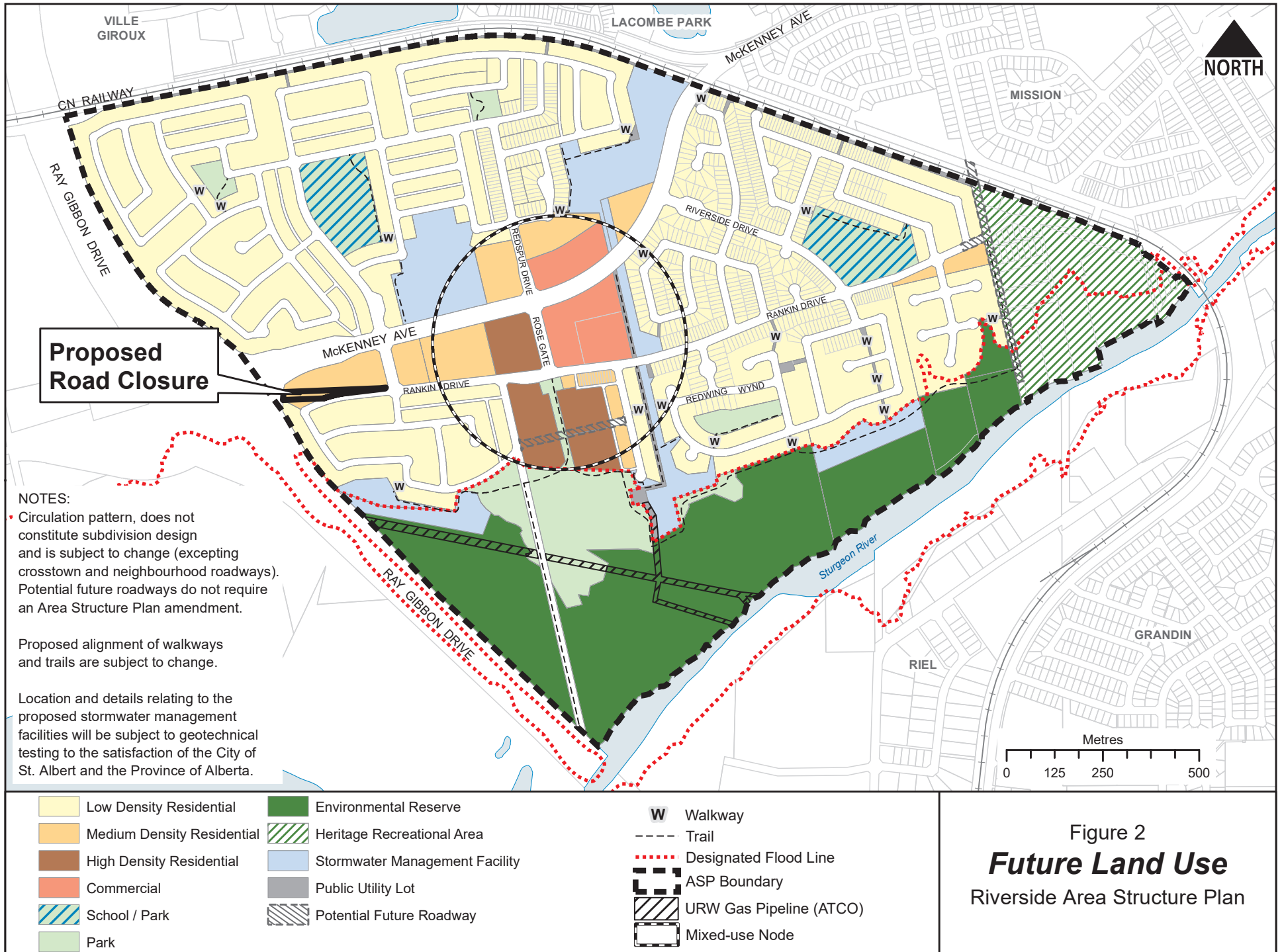


Figure 2
Future Land Use
 Riverside Area Structure Plan