



REQUEST FOR DECISION

SUBJECT:	Road Closure Resolution - Road Plan 3366 EU and 4205 EU		
SUBMISSION TO:	REGULAR COUNCIL MEETING	REVIEWED AND APPROVED FOR SUBMISSION	
MEETING DATE:	May 27, 2025	CAO:	MANAGER: RD
DEPARTMENT:	PLANNING & EC. DEVELOPMENT	DIR: MAV	PRESENTER: HA
STRATEGIC PLAN:	Governance	LEG: SS	

RELEVANT LEGISLATION:

Provincial (cite) - Municipal Government Act, RSA 2000, Section 22

Council Bylaw/Policy (cite) – N/A

RECOMMENDED ACTION:

MOTION: That Council hereby closes to public travel the portions of road, subject to rights of access granted by other legislation, the portions of Road Plan 3366 EU and Roads Plan 4205 EU within the SE ¼ SEC. 9 TWP. 71 RGE. 25 W5M, totaling 2.60 hectares.

BACKGROUND/PROPOSAL:

Currently, the subject lands are bisected by a historical road plan which is not longer developed with the twinning and alignment of Highway 43 in the south portion of the quarter section. This fragmentation of the lands has complicated future subdivision intentions of the landowner for the property. Discussions about subdividing the land for the existing yard on the subject property began in April 2024 with the landowner. In May 2024, a road closure application was submitted to address several issues related to land fragmentation. However, the descriptive plan of survey was not received until October 11, 2024, and the required fees were not paid until February 27, 2025. These two items were required to consider the application complete and begin the review and processing.

An overall proposal for the future subdivision will be developed once portions of Road Plans 3366 EU and 4205 EU can be consolidated with the quarter section. This quarter section is currently held under a single title that is divided into three parts. After the road closure is completed, the applicant will be able to consolidate the road area with the parcel.

In consultation with Alberta Transportation and Economic Corridors (ATEC), this portion of the highway has been closed and consolidated along various lengths and is no longer necessary. After the road is closed, a boundary adjustment application can be facilitated to realign property boundaries and consolidate the closed road portion with the property. The applicant has submitted a subdivision application to complete this process once the road closure resolution is approved. Negotiations to determine a fair market price for the sale or transfer of the road segment intended for closure will take place between Greenview and the landowner. ATEC has been consulted to confirm whether this section of road is part of the provincial transportation network and that the closure will be supported. Once the resolution is approved, the application and all required documentation will be sent to ATEC for ministerial approval as part of the application process.

The adjacent landowners and applicable utility companies were notified in writing of the proposed road closure. Any rights-of way required due to the closure of the road will be addressed at the subdivision stage as registration of the road closure will occur concurrently with that subdivision process. The road closure survey plan and the proposed road closure resolution developed with ATEC is attached to this package as Attachment 2 and 3 respectively.

The authority to undertake this closure without a road closure bylaw is provided under the Municipal Government Act, Section 22(4) which allows the council of a municipal district, by resolution and with the approval of the Minister of Transportation and Economic Corridors, close all or part of a road described in a surveyed road plan. This can be done if the council determines that the road is no longer necessary for public use due to the existence of an alternate route. This provision allows for a different method of road closure than the traditional process, which typically involves three readings of a road closure bylaw, and a public hearing. Importantly, the resolution process can only be applied to unnecessary, undeveloped rural roads that are registered as road plans at Land Titles. These registered roads must be marked as 'excepted from' the land on the corresponding certificate of title(s).

BENEFITS OF THE RECOMMENDED ACTION:

1. The benefit of Council accepting the recommended motion is that the applicant can consolidate the road area with the parcel rather than having a severed parcel by the roadway.

DISADVANTAGES OF THE RECOMMENDED ACTION:

There are no perceived disadvantages to the recommended motion.

ALTERNATIVES CONSIDERED:

Alternative #1: That Council defer the motion pending further information. Administration does not recommend this option, as the proposal meets the requirements outlined by ATEC for this type of road closure.

Alternative #2: That Council refuse the motion. Administration does not support this option because the road in question is not currently used for public travel.

FINANCIAL IMPLICATION:

There are no financial implications to the recommended motion.

STAFFING IMPLICATION:

There are no staffing implications to the recommended motion.

PUBLIC ENGAGEMENT LEVEL:

Greenview has adopted the IAP2 Framework for public consultation.

INCREASING LEVEL OF PUBLIC IMPACT

Inform

PUBLIC PARTICIPATION GOAL

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

PROMISE TO THE PUBLIC

Inform - We will keep you informed.

FOLLOW UP ACTIONS:

Follow up actions will be undertaken via future subdivision approval processes as the closure will not take effect until registered with the subdivision approval.

ATTACHMENT(S):

- Road Closure Application
- Survey Plan
- Road Closure Resolution