



**PUBLIC HEARING
REPORT TO COUNCIL
PURCHASE OF ROAD ALLOWANCE**
May 15, 2024 at 11:00 am

Application information	File: PL2202-19E
LEGAL DESCRIPTION: Undeveloped Road Allowance and undeveloped Roadway adjacent to the east boundary of Plan 7710975, Lot 1 NE 19-22-02 W5M and undeveloped Road Allowance adjacent to a portion of the east boundary of Plan 1111889, Blk 1 Lot 1 SE 19-22-02 W5M	
LANDOWNER: Foothills County	
LICENCE APPLICANT: Township Planning & Design Inc. (for Nancy Southern)	
PROPOSAL: Closure of the statutory undeveloped road allowance and undeveloped roadway for the purpose of purchase and consolidation, containing approximately 1.66 acres. Access will be denied.	
DIVISION NO: 4	COUNCILLOR: Suzanne Oel
FILE MANAGER: Donna Fowler, Municipal Lands Administrator	

LOCATION

The Undeveloped Road Allowance and Roadway are located approximately 0.8 km north of the Cross Conservancy Area, 3.3km east of Hwy 22 and 0.5km south of Hwy 22X, adjacent to a portion of the east boundary of E 19-22-02 W5M and directly south of 176 Street west.

BACKGROUND

November 15, 2023:

Staff provided a brief presentation to Council for the consideration of the request Township Planning & Design on behalf of Nancy Southern for the closure and purchase of the undeveloped road allowance and roadway adjacent to their property.

Council directed administration to proceed with a public hearing to consider the road closure of a portion of the undeveloped road allowance adjacent to the east boundary of Plan 7710975, Lot 1; NE 19-22-02 W5M and of the adjacent unused Roadway for the purpose of purchase and closure.

CIRCULATION:

The Application File was circulated internally and externally with responses as indicated:

Foothills County Website – Application file posted on May 1st, 2024

Western Wheel Advertisement – May 1st and 8th, 2024

Adjacent Landowner Circulation – No concerns to May 7, 2024

External Agencies Circulated – One concern from ATCO Gas (see Appendix B) to May 7, 2024)

Internal Circulation – No Concerns or No Response to May 7, 2024

REQUEST OF COUNCIL

1. After reviewing the information provided during the public hearing that Council consider granting first reading to bylaw **##/2024** to authorize the closure of the **undeveloped statutory road allowance** located adjacent to the east boundary of Plan, Lot 1; NE 19-22-02 W5M and the east boundary of a portion of Plan 1111889 Blk 1, Lot 1; SE 19-22-02 W5M containing approximately 1.35 acres for closure, purchase and consolidation.

and

2. After reviewing the information provided during the public hearing that Council consider granting first reading to bylaw **##/2024** to authorize the closure of a portion of the **undeveloped roadway** located adjacent to the east boundary of Plan 77120975, Lot 1; NE 19-22-02 W5M containing approximately 0.31 acres for closure, purchase and consolidation.

Subject to the applicant entering into a Utility Right of Way Agreement with Atco Gas, subject to the satisfaction of Atco Gas, prior to second and third reading of the Bylaws.

APPENDICES

APPENDIX A - MAP SET:
LOCATION MAP
ORTHOPHOTO

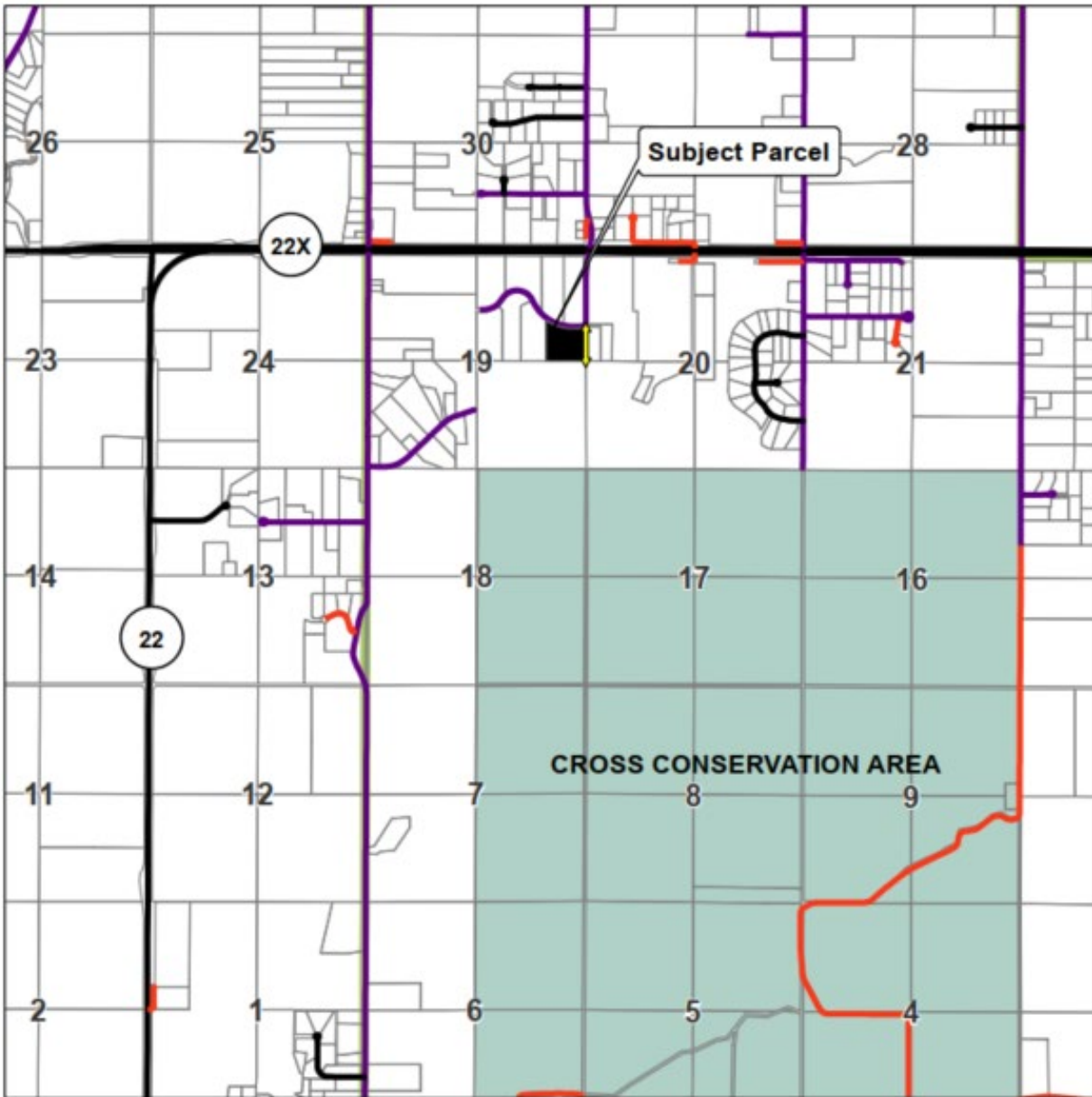
APPENDIX B - ATCO GAS RESPONSE TO CIRCULATION

APPENDIX C – 1. BYLAW ##/2024
2. BYLAW ##/2024

**APPENDIX A:
LOCATION MAP**



Closure of Road Area within Plan 771 0975 Lot 1
on Ptn NE 19-22-02 W5M
Council Division 4



1:40,000

Legend

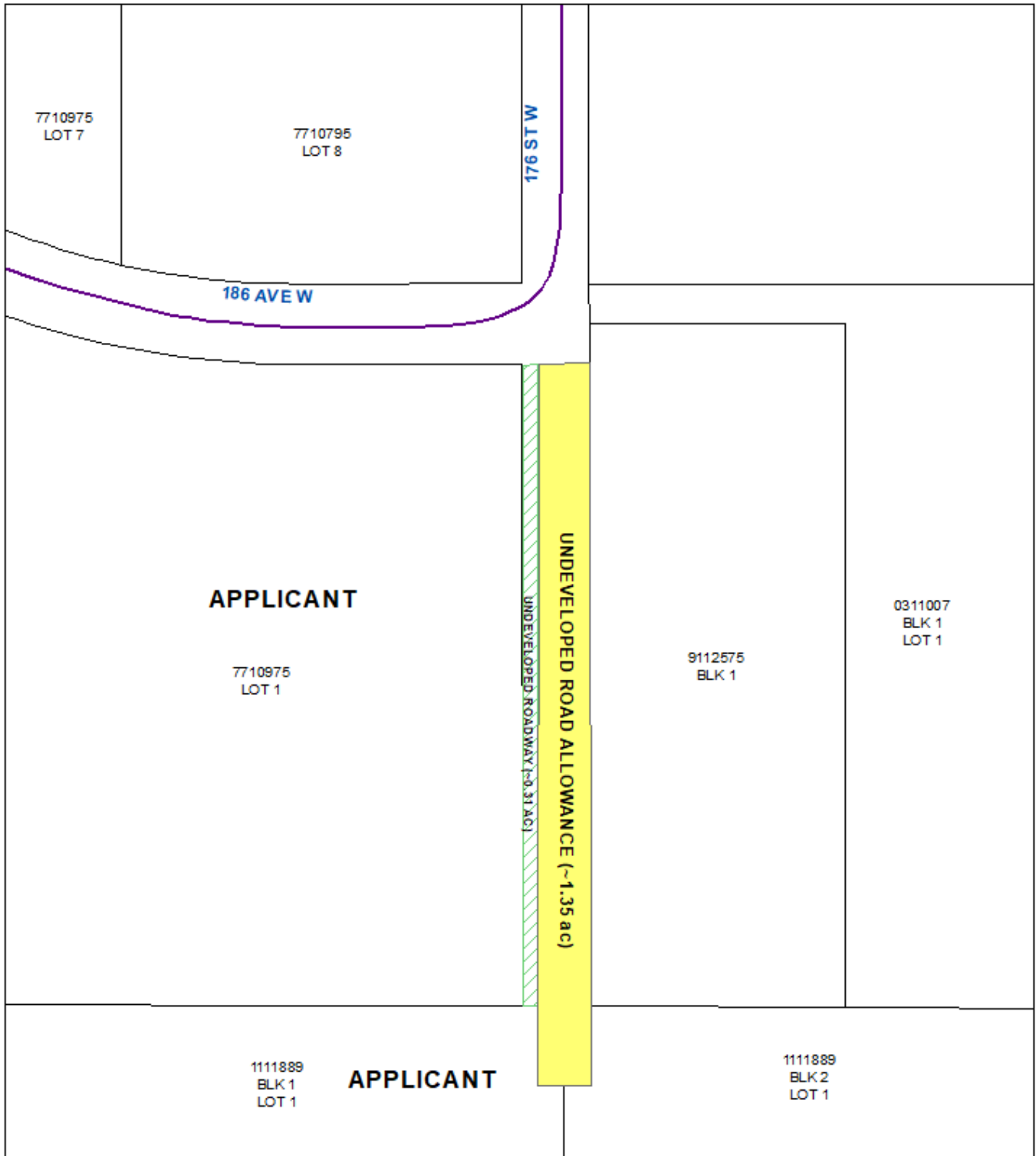
- Roads
- Highway
- ↔ Subject undeveloped Road Allowance
- Parcels
- Applicant

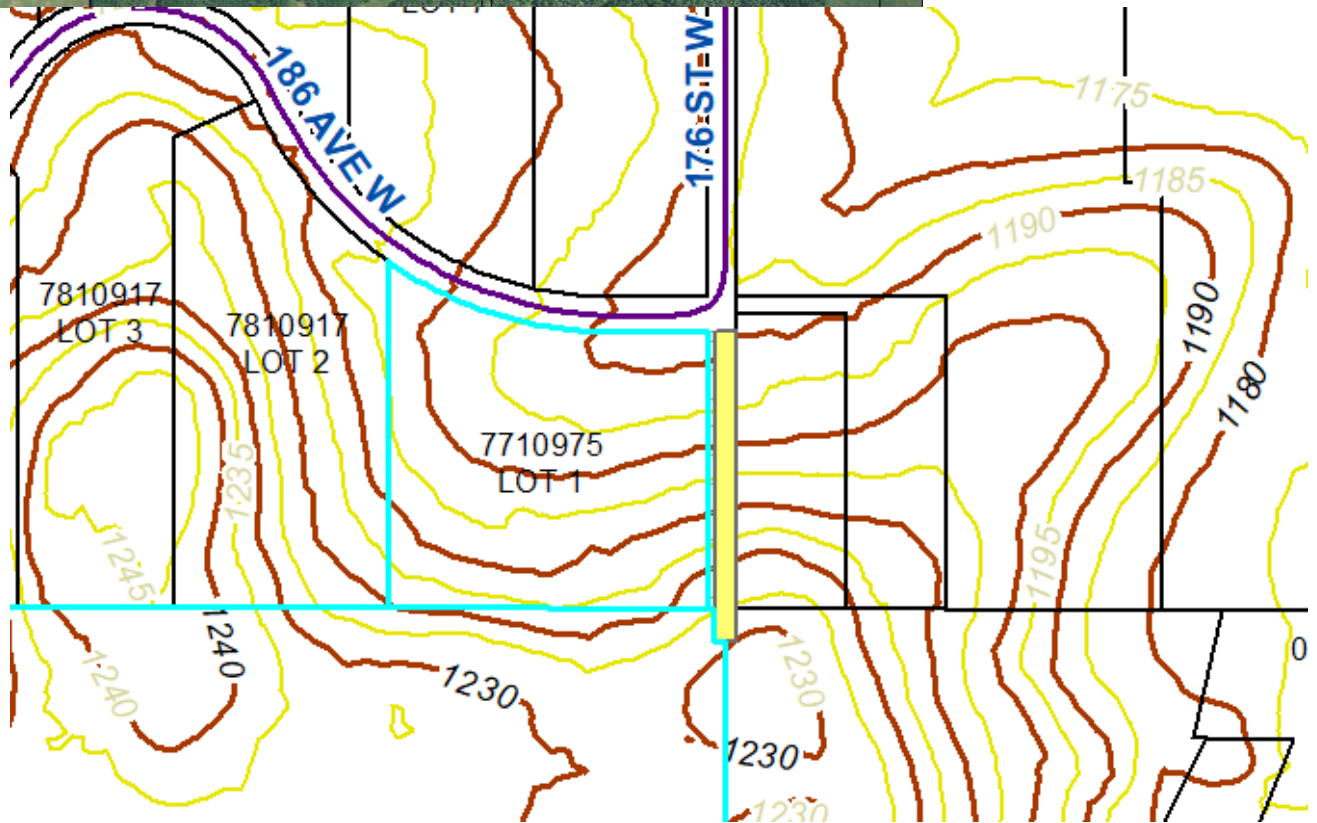
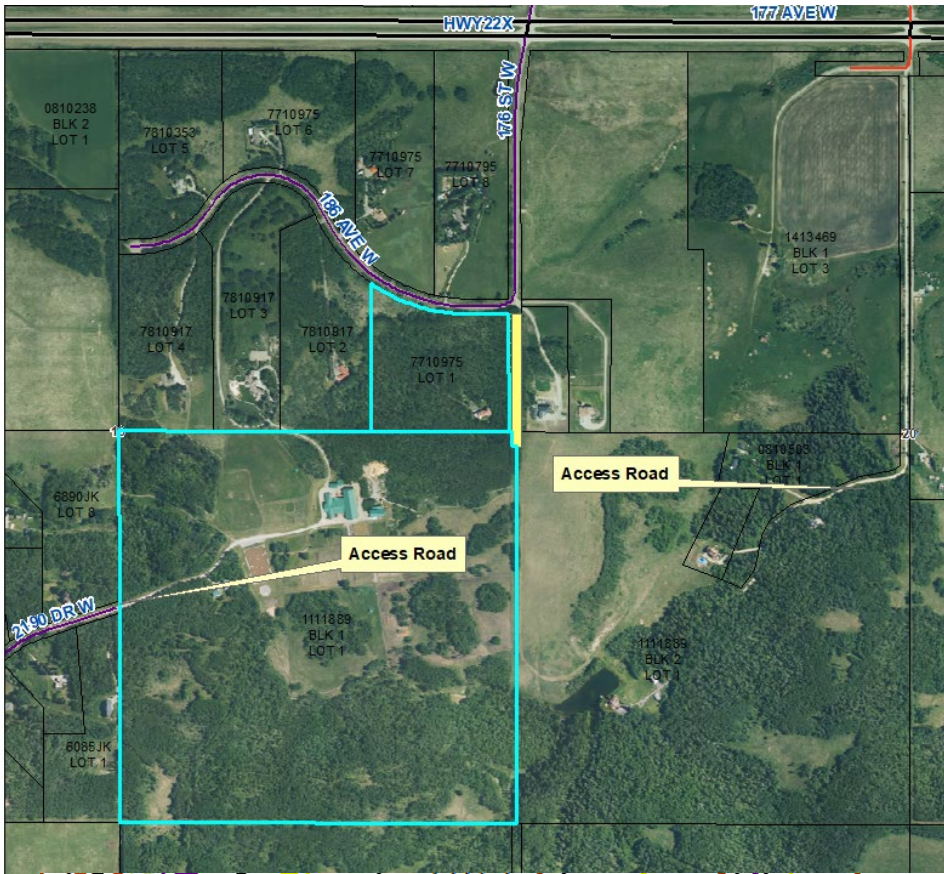
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Data Sources Include Municipal Records and Atlas. © Fox Hills County 2021

Date Printed: 2024-04-24

ORTHOPHOTO





APPENDIX B: ATCO Gas Letter



MD/County Circulation Response

Date: April 26, 2024

Completed By: Jessica Lahnert

File Number: PL2022-19NE

Legal: NE-19-22-02-W5

Landowner: Nancy Southern

MD/County Contact: Donna Fowler

In reference to the above request, please be advised of ATCO Gas' response and **notify the landowner** of the following:

- ATCO Gas has no objection**
- ATCO Gas has no need for a Utility Right of Way currently
 - ATCO Gas' existing and future lines are protected by an existing Utility Right of Way
 - The proposed does not fall within ATCO Gas' franchise area
 - The landowner/developer has met our criteria for URW and has been registered as instrument number: _____
- ATCO Gas Objects with the following comments –**
- The Landowner is **required to contact ATCO Gas via Email:** southlandadmin@atcogas.com to facilitate execution of Utility Right of Way to the satisfaction of ATCO Gas

Once the URW has been registered at the Alberta Land Titles Office, we will notify the MD/County

ATCO Gas would also like to make the MD/County and Landowner/Developer aware of the following:

- If conducting any ground disturbance on the subject property, the landowner/developer must ensure the location of all utilities by contacting Utility Safety Partners at 1-800-242-3447 or <https://utility-safety.ca/>
- For any ground disturbance within 30m of an existing gas line please contact Crossings@atcogas.com to obtain permission (submit locate slip as back up)
- ATCO Gas requires a minimum of 6 months' notice to design and construct a new gas line, or alter an existing gas line. New Service installations, pipeline alterations, and Main extensions will be performed at the landowner/developers expense.
- If the landowner requires a single gas service please visit <https://gas.atco.com/en-ca/products-services-rates/new-services-changes/new-natural-gas-line.html>

Any further questions please email southlandadmin@atco.com