



**Miscellaneous Municipal Item**  
**REPORT TO COUNCIL**  
**Request to Purchase an Undeveloped Road Plan**  
Public Meeting 10:00am October 16, 2024

<b>Letter of Request information</b>		<b>File:</b> <b>Karanfilov/Turner</b>
<b>LEGAL DESCRIPTION:</b> Undeveloped road plan within NW 26-21-01W5 between Plan 08123255 Blk 4, Lot 9 and Lot 10 containing ~ 0.7 acres		
<b>LANDOWNER:</b> Foothills County		
<b>LICENCE APPLICANT:</b> <b>Lorinda &amp; Clinton Turner, Stoyan Karanfilov &amp; Vladislava Dimitrova</b>		
<b>PROPOSAL:</b> Request to Purchase an Undeveloped Road Plan		
<b>DIVISION NO:</b> 5		<b>COUNCILLOR:</b> Alan Alger
<b>FILE MANAGER:</b> Donna Fowler, Municipal Lands Administrator		

#### **LOCATION**

The undeveloped road plan is located approximately 9km NW of the Town of Okotoks and 3km SW of the Hamlet of Heritage Point, within an undeveloped cul-de-sac portion of Eden Park View West road.

#### **BACKGROUND**

**January 31, 2024-** An application was submitted to request Council's consideration to jointly purchase the above noted undeveloped road plan.

The applicants own the parcels on the east and west sides of the subject road plan and should their application be successful, they would divide the land 2/3 to be consolidated into the east parcel (Lot 10) and 1/3 into the west parcel (Lot 9).

All surrounding parcels have secured direct access without further development of this portion of road plan. The Hamilton Heights subdivision to the north was surveyed in 2017 and has its own dedicated internal roads that serve all parcels.

**September 11, 2024** - Staff provided a brief presentation to Council and Council directed administration to proceed with a public hearing in order to consider the closure for joint purchase and consolidation.

#### **CIRCULATION:**

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

Foothills County Website – Application file posted on October 2, 2024

Western Wheel Advertisement – October 2<sup>nd</sup> & 9<sup>th</sup>, 2024

Adjacent Landowner Circulation – No concerns to October 8, 2024

External Agencies Circulated with one concern identified

- Atco has requested that Foothills County enter into a 5m Utility Right of Way Agreement on the southern boundary of the subject road plan that would mimic the URW along the boundary of the remainder of Eden Park View W

Internal Circulation – No Concerns

## **REQUEST OF COUNCIL**

*Should Council wish to approve this request, they have the option to pass this as a resolution pursuant to Clause 22(4) of the MGA. This resolution would be subject to the approval of the Minister of Transportation and Economic Corridors.*

### **OPTION 1A – APPROVAL by Bylaw**

That Council grants first reading to Bylaw ##/2024 to authorize the closure for purchase of a portion of the undeveloped road plan between Plan 08123255 Blk 4, Lot 9 and Plan 08123255 Blk 4, Lot 10 within NW 26-21-01W5M containing 0.7ac more or less, to be consolidated into the adjoining parcels 2/3 to Plan 08123255 Blk 4 Lot 10 and 1/3 to Plan 08123255 Blk 4 Lot 9.

Subject to establishing a 5m Utility Right of Way along the southern boundary of the subject road plan and ministerial approval prior to second and third reading of the Bylaw.

### **OPTION 1B – APPROVAL by Resolution**

That Council authorizes the closure for purchase of a portion of the undeveloped road plan between Plan 08123255 Blk 4, Lot 9 and Plan 08123255 Blk 4, Lot 10 within NW 26-21-01W5M containing 0.7ac more or less, to be consolidated into the adjoining parcels 2/3 to Plan 08123255 Blk 4 Lot 10 and 1/3 to Plan 08123255 Blk 4 Lot 9.

Subject to establishing a 5m Utility Right of Way along the southern boundary of the subject road plan as well as ministerial approval.

### **OPTION 2 – POSTPONE**

That Council postpones their decision to allow administration to gather more information

### **OPTION 3 – REFUSAL**

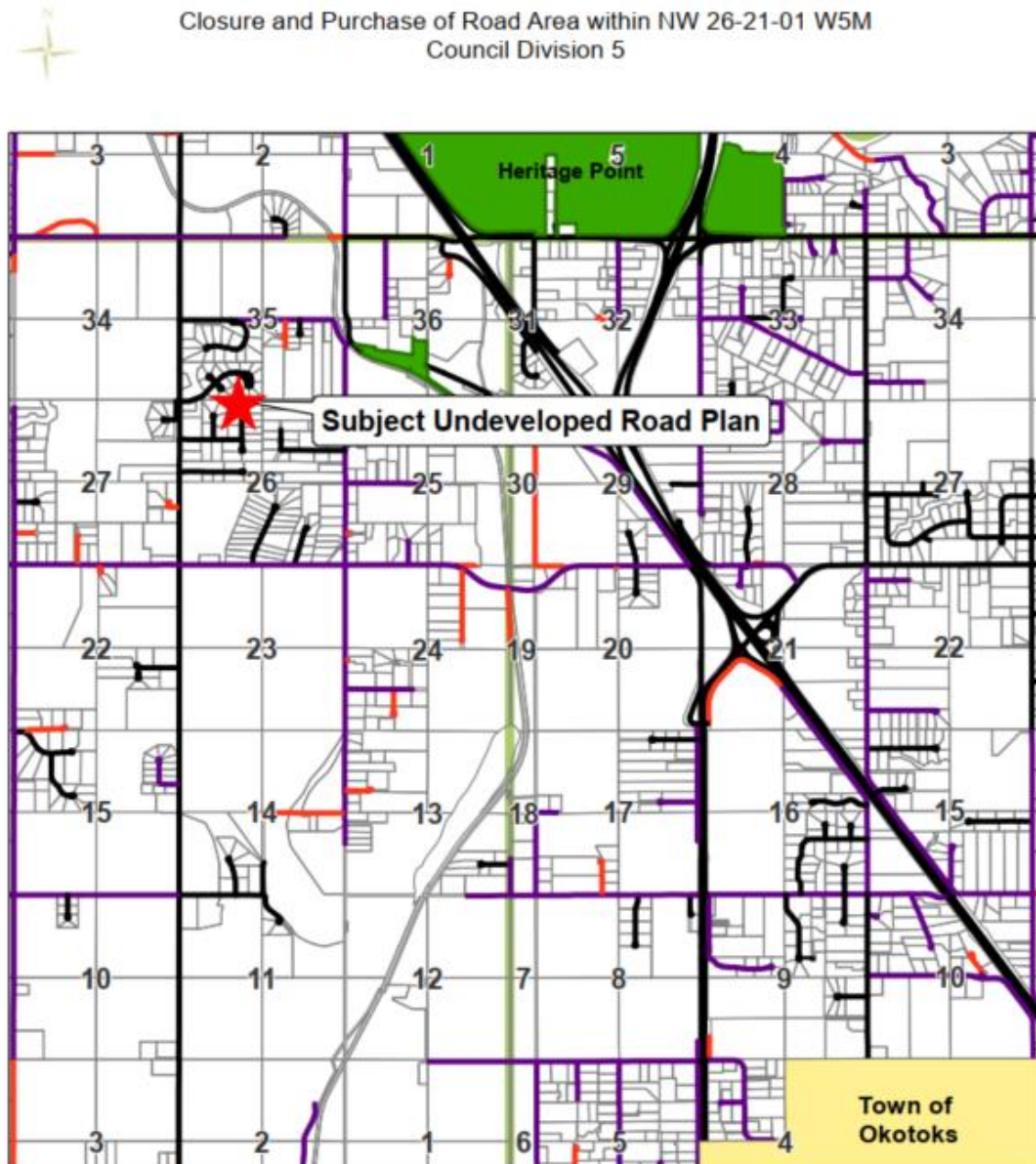
That Council denies the application, at this time

## **APPENDICES**

### **APPENDIX A – Location Maps & Orthophotos**

### **APPENDIX B – Draft Bylaw XX/2024**

## APPENDIX A: LOCATION MAP



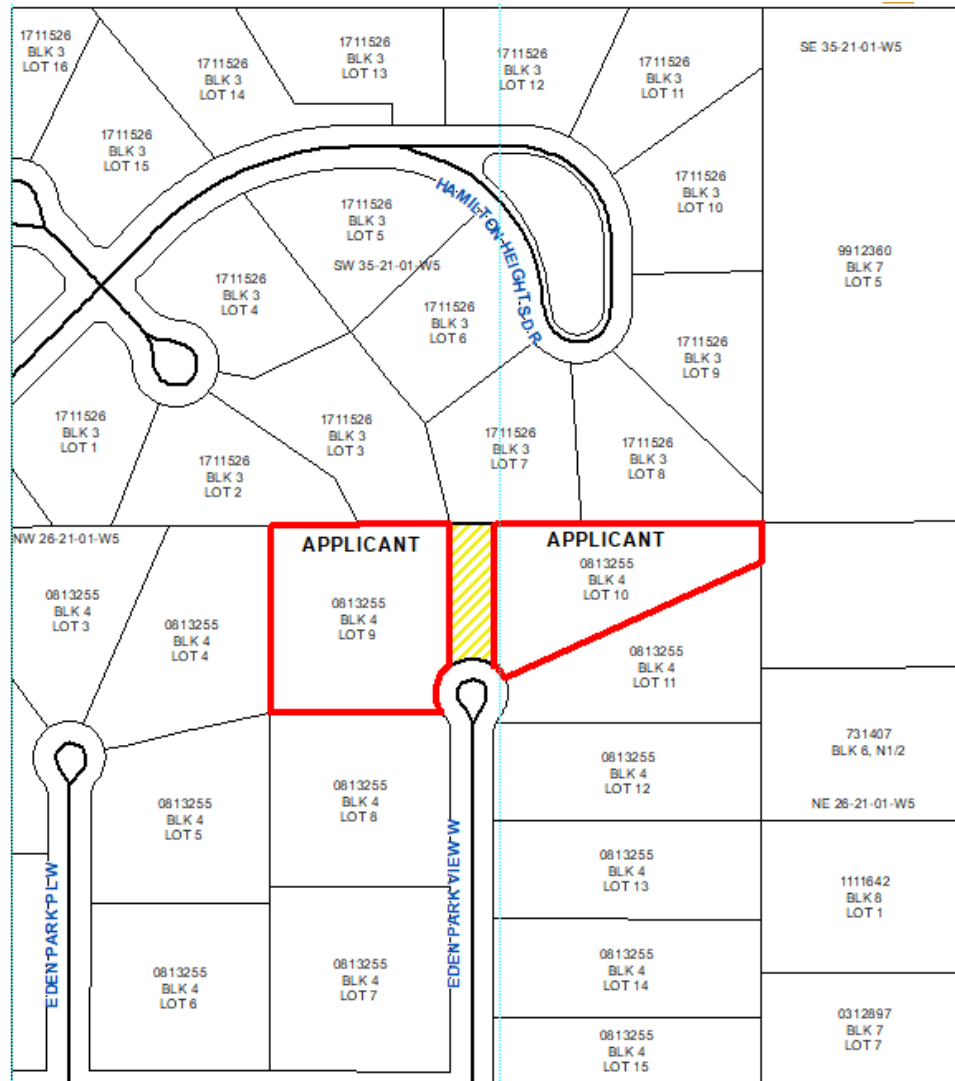
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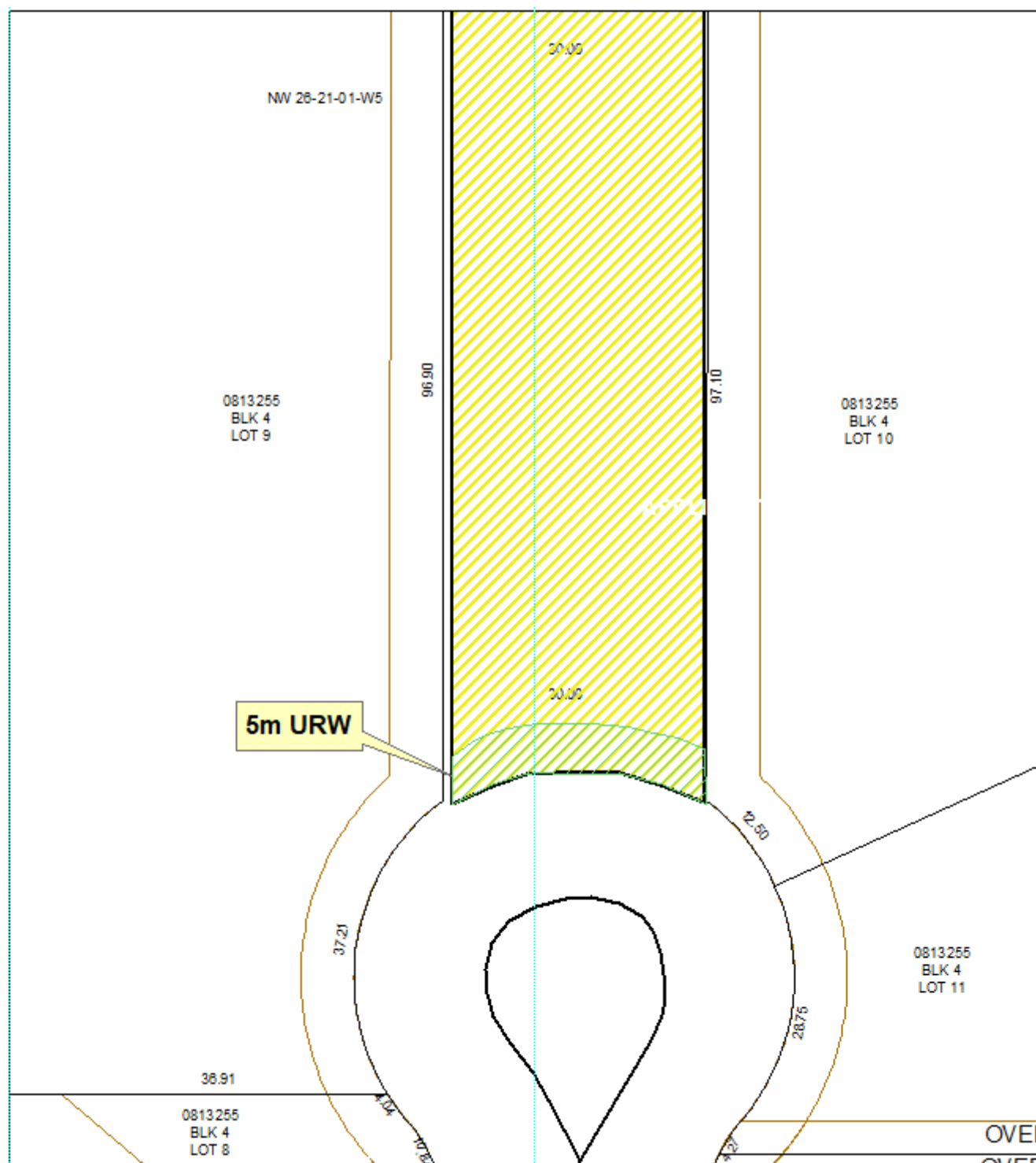
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Date Sources Include Municipal Records and Atlas25.  
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Date Printed: 2024-08-29

## ORTHOPHOTOS:





**APPENDIX B:**  
**DRAFT BYLAW XX/2024**

(file: PL2101-26NW)

**BYLAW ##/2024**

**A BYLAW OF FOOTHILLS COUNTY FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND CREATING TITLE TO PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26.1, REVISED STATUTES OF ALBERTA 2000, AS AMENDED.**

**WHEREAS** the lands hereafter described are no longer required for public travel, and

**WHEREAS** application has been made to Council to have the highway closed, and

**WHEREAS** the Council of Foothills County deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads, or portions thereof, situated in the said municipality, and

**WHEREAS** notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and published in the Western Wheel on October 2 and October 9, 2024, and

**WHEREAS** Council was not petitioned in writing by a person claiming to be prejudicially affected by the bylaw.

**NOW THEREFORE BE IT RESOLVED** that the Council of Foothills County in the Province of Alberta does hereby close to public travel and provide title to the following described highways, subject to the rights of access granted by other legislation:

97 METRES OF THE UNDEVELOPED ROAD PLAN BETWEEN PLAN 08123255 Blk 4, Lot 9 and Plan 08123255 Blk 4, Lot 10 within NW 26-21-01W5M CONTAINING 0.7 ACRES MORE OR LESS.

Excepting thereout all mines and minerals

**As identified on site plan in attached Schedule "A"**

Received first reading this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chief Elected Official  
(Seal)

\_\_\_\_\_  
Chief Administrative Officer

**APPROVED** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Minister of Transportation & Economic Development

Received second reading this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Received third reading and finally passed this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Chief Elected Official  
(Seal)

\_\_\_\_\_  
Chief Administrative Officer



SCHEDULE "A"  
(Site Plan)

