



**PUBLIC HEARING  
REPORT TO COUNCIL**  
**Request to Purchase Undeveloped Road Plan**  
May 14, 2025

Letter of Request information		PL 2002-17SW
<b>LEGAL DESCRIPTION:</b> Undeveloped road plan within SW 17-20-02 W5M between Plan 2411845 Blk 3, Lot 6 and Lot 7 containing ~ 1.22 acres		
<b>LANDOWNER:</b> Foothills County		
<b>LICENCE APPLICANT:</b> McChesney Contracting (Brad McChesney) and 2519089 Alberta Ltd. (Peter Sutherland)		
<b>PROPOSAL:</b> Request to Purchase Undeveloped Road Plan		
<b>DIVISION NO:</b> 3	<b>COUNCILLOR:</b> Barb Castell	
<b>FILE MANAGER:</b> Donna Fowler, Municipal Lands Administrator		

#### **LOCATION**

The undeveloped road plan is located approximately 0.5km from the NW boundary of the Town of Diamond Valley, within an undeveloped cul-de-sac portion of Miners Road.

#### **BACKGROUND**

In 2024, the applicants jointly submitted a letter, to request Council's consideration to jointly purchase a portion of the above noted undeveloped road plan.

On February 26, 2025 – Staff provided a brief presentation to Council and Council directed administration to proceed with a Public Hearing to consider the closure for purchase to the undeveloped road plan.

The applicants own the parcels on the north and south sides of the subject road plan, and should their application be successful, they would divide the land ½ to be consolidated into the north parcel (Lot 6) and ½ into the south parcel (Lot 7).

#### **CIRCULATION:**

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

Foothills County Website – Application file posted on April 23, 2025.

Western Wheel Advertisement – April 30 & May 7, 2025.

Adjacent Landowner Circulation – No concerns to May 6, 2025.

External Agencies Circulated – No concerns to May 6, 2025

Internal Circulation – Comments as follows:

Drew Granson, Deputy Director of Planning provided the following comments:

*From a planning perspective, I'd point out that this right-of-way was created to provide future access to the balance of the quarter section and potentially a future through road to 176th Street. Is my understanding that Miners Road W. was only built halfway through this ROW to save the developer money when the southern 11+/- acres was further subdivided, but there is still value in having this road extend west to support future subdivision/development on the quarter section. If additional gravel extraction occurred on the balance we would certainly want it to come through 168th St. and not have to go west to 176th St.*

*Should be acknowledged that Public Works provided the following comment for the 2023 subdivision application: "Public Works recommends the road be built to the full length of the surveyed road plan. Should Council choose to allow partial construction as the applicant has provided, public works recommends retaining the remainder of the undeveloped road plan for future road extension."*

*If they do proceed with closing the undeveloped portion, my suggestion would be to register a future road acquisition caveat on the title(s) to "re-acquire" the 30-metre right-of-way should it be needed in the future. This would allow the landowner to fence and secure the land, but they would essentially be purchasing the land and could be taken back at any time in the future.*

Public Works provided the following comments:

*The remaining 108 acres of SW 17-20-2 Does have alternate access point options from 176 St W and 402 Ave W. There is also a 20m strip of land to the north where a driveway could be built to connect to 168 St W. There would be some grading require for this however as there is a hill near 168 St W. 176 St W ad 402 Ave W are chipped sealed roads where 168 St W is built and paved to a commercial standard. Leaving the connection from Miners road open to the remainder if SW 17 ensures any future traffic from that parcel can access the commercial standard road.*

## **REQUEST OF COUNCIL**

### **OPTION 1 – APPROVAL**

That Council grants first reading to Bylaw XX/2025 to authorize the closure of the undeveloped road plan within SW 17-20-02 W5M between Plan 2411845 Blk 3, Lot 6 and Lot 7 containing 1.22 acres more or less for purchase and consolidation. Access will be denied.

### **OPTION 2 – POSTPONE**

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

### **OPTION 3 – REFUSAL**

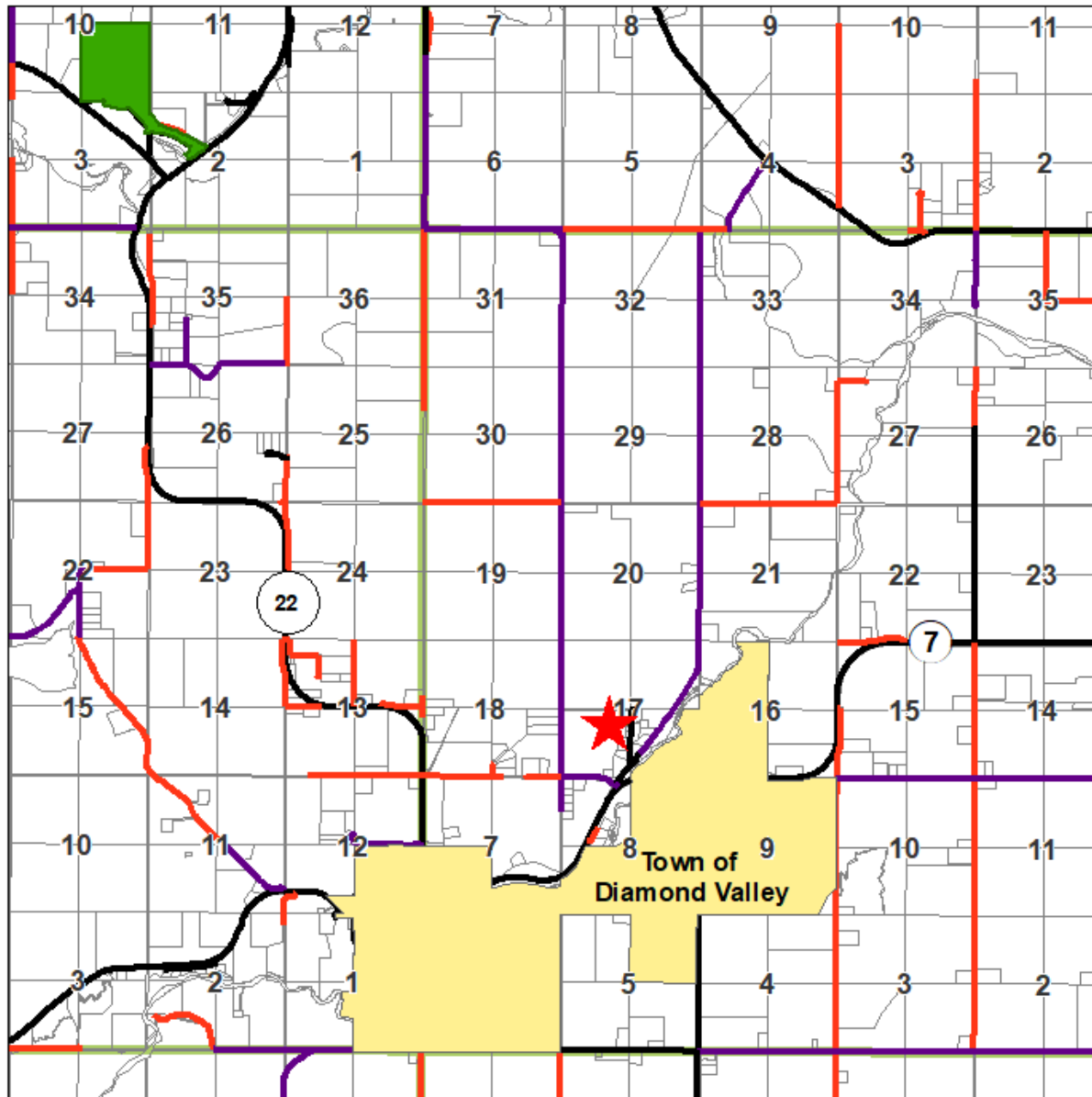
That Council denies the application, at this time.

## **APPENDICES**

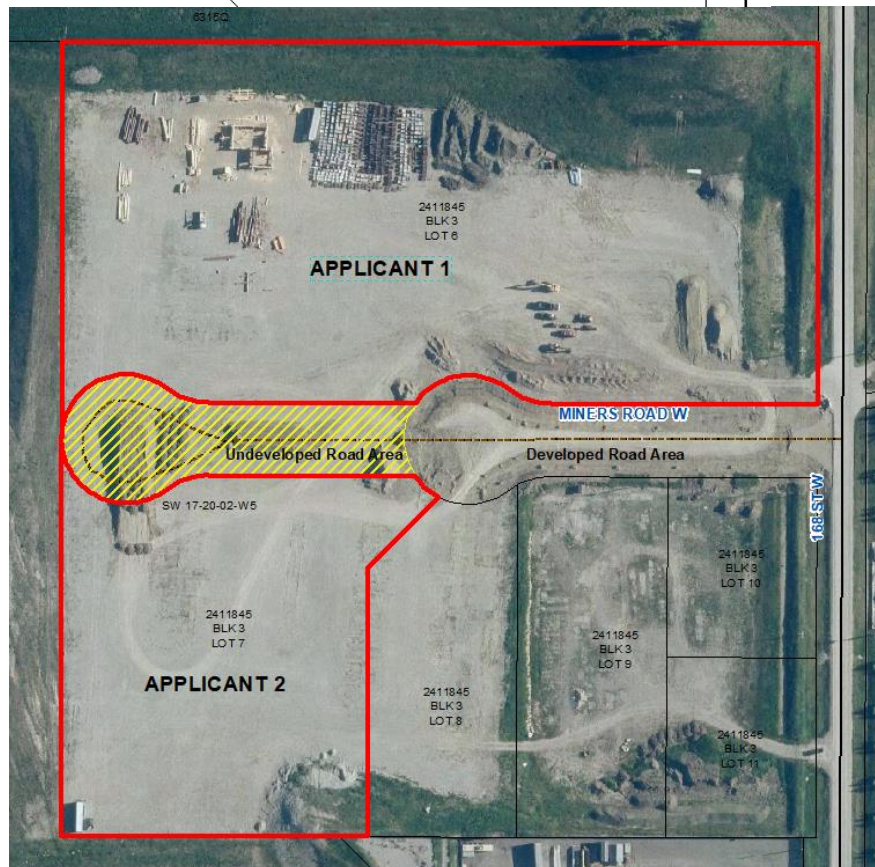
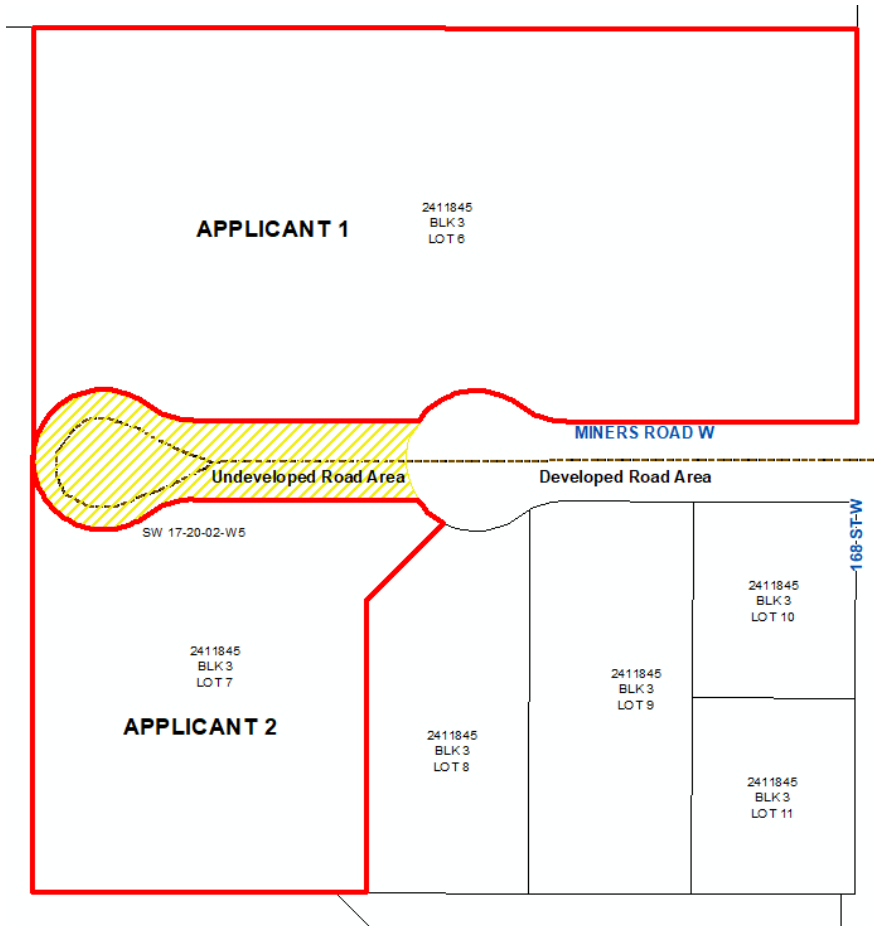
### **APPENDIX A – Location Maps**

## APPENDIX B –Draft Bylaw XX/2025

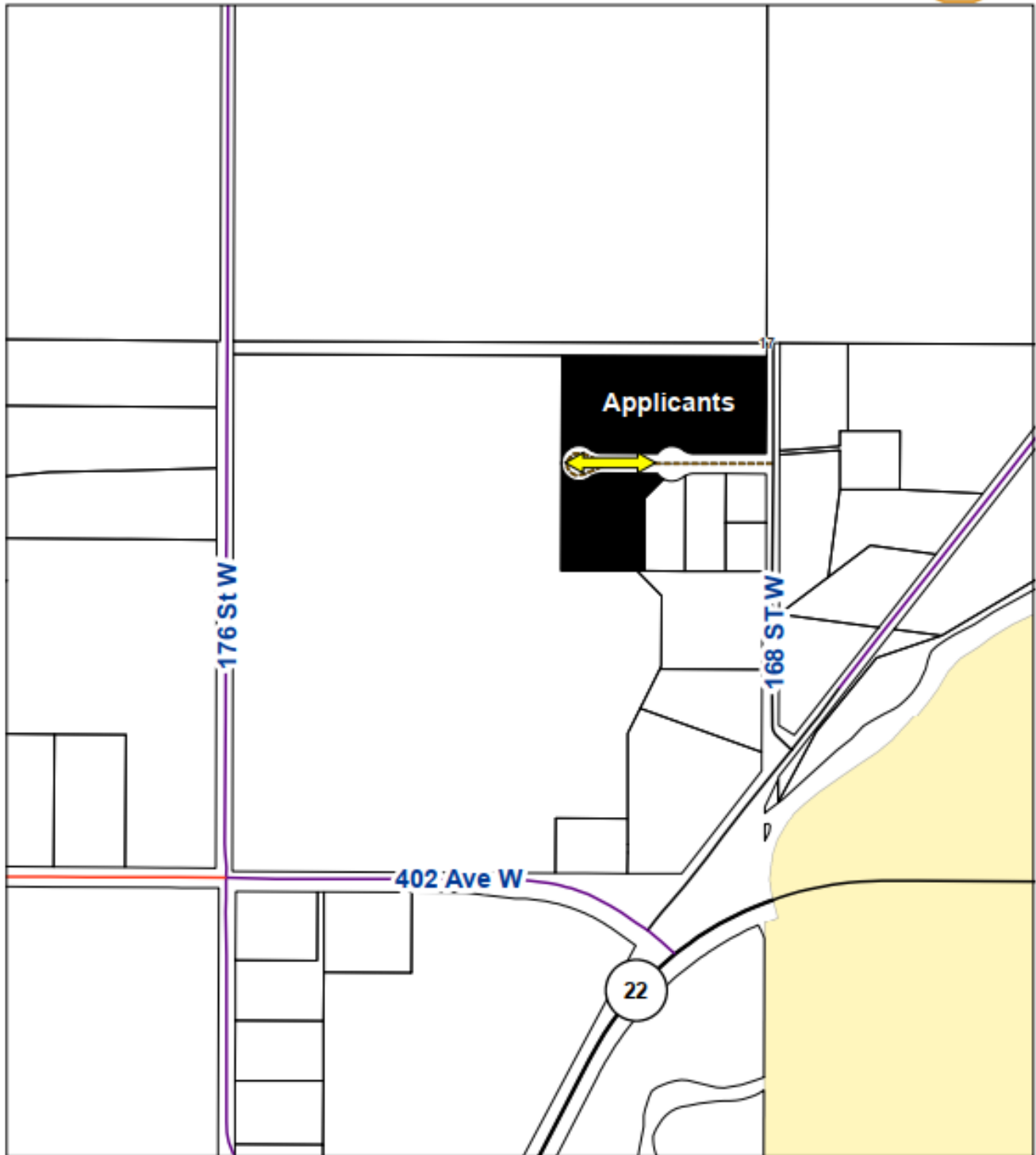
### APPENDIX A: LOCATION MAP



## MAPS SHOWING THE ROAD AREA & SUBJECT PARCELS



## MAP SHOWING THE SURROUNDING PARCELS



BYLAW **XX**/2025

**A BYLAW OF FOOTHILLS COUNTY FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND LICENCE OF PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26, 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 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 April 30, 2025 and May 7, 2025 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 licence to the following highways, subject to the rights of access granted by other legislation:

A PORTION OF THE ROAD PLAN WITHIN THE SW ¼ OF SECTION 17 TOWNSHIP 20 RANGE 02 WEST OF THE 4<sup>TH</sup> MERIDIAN, LYING BETWEEN PLAN 2411845 BLK 3, LOT 6 AND 7 CONTANING 1.22 ACRES (0.49 HECTARES) MORE OR LESS.  
Excepting thereout all mines and minerals.

Received first reading this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
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