

AGENDA

A PUBLIC HEARING REGARDING THE BYLAWS OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, AUGUST 19, 2019 AT 3:30 PM.

ITEM NO. 1. CALL TO ORDER

The Chair will explain the general procedure for the hearing, which may include:

- i) Informing the public of the 10 minute time limit for a speaker that has been established.
- ii) Informing that anyone speaking shall state their name for the record.

ITEM NO. 2. ROAD CLOSURE BYLAW NO. 14-2019

- i) Explanation of Purpose of Proposed Bylaw No. 14-2019.
- ii) Presentation of Written or Oral Briefs **Against** the Proposed Bylaw No. 14-2019.
- iii) Presentation of Written or Oral Briefs **For** the Proposed Bylaw No. 14-2019.

ITEM NO. 3. CLOSE OF MEETING

The Mayor shall declare the hearing closed and Council will deliberate the merits of the information and opinions provided at the Public Hearing.



Council Request for Decision

Meeting Date: August 19, 2019

Subject:

Public Hearing Road Closure Bylaw 14-2019

Recommendation:

That Council accepts the information provided at the Public Hearing for Road Closure Bylaw 14-2019.

Background:

The purpose of the road closure is to facilitate the sale of the road right of way as directed by Council at the June 10th, 2019 meeting:

RES. 309/2019 MOVED by Councillor Firth that Council directs Administration to proceed with entering into a conditional land sales agreement, and processing an associated road closure application, and execution of required advertising and documentation in order to facilitate the sale.

CARRIED UNANIMOUSLY

First Reading for Bylaw 14-2019 was passed with RES. 316/2019 at the regular meeting of Council on June 24, 2019. Administration has now undertaken the required referrals with Alberta Transportation, external referrals and advertising to the public. This public hearing is the next step in the process to move the file forward.

The road closure plan is attached to the bylaw.

The public hearing was advertised in the Taber Times for two weeks. Administration received no comments from the public on the road closure. All external referrals were completed and no objections or issues were raised.

Legislation / Authority:

Section 22 of the Municipal Government Act allows Council to close a portion of a roadway by bylaw.



Strategic Plan Alignment:

Strategic Goal to Develop Community & Promote Growth

Financial Implication:

There are costs associated with the survey, advertising and circulation. Closure of the road and sale of the land will generate revenue for the Town, as well as future additional development on the lands.

Service Level / Staff Resource Implication:

Land sales and road closures are part of the duties of the planning and economic development department.

Justification:

Closure of the road and sale of the land will promote the growth of a local business and generate revenue for the Town.

Alternative(s):

That Council requests more information about the road closure.

Attachment(s): Road Closure Bylaw 14-2019

plan of survey

Aerial photo

APPROVALS:

Originated By:

Phyllis Monks

Chief Administrative Officer (CAO) or Designate: _____



TOWN OF TABER
BYLAW NO.14 – 2019

BEING A BYLAW OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND CREATING TITLE TO AND DISPOSING 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 an application has been made to Council to have the roadway closed,

AND WHEREAS the Council of the TOWN OF TABER 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 thereafter creating title to and disposing of same,

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 WHEREAS, Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw, and

NOW THEREFORE the Council of the Town of Taber in the Province of Alberta, duly assembled, hereby enacts as follows:

1.0 NAME OF BYLAW

This Bylaw may be cited as the "Road Closure Bylaw 14-2019".

2.0 DEFINITIONS

In this Bylaw:

Chief Administrative Officer	means the Chief Administrative Officer for the Town, regardless of the specific title that may be conferred on the Officer by Council from time to time;
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Council	means the Council for the Town of Taber;
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Municipality	means the Town of Taber;
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TOWN OF TABER
BYLAW NO.14 – 2019

3.1 GENERAL

1. All roads and lands as described below are hereby closed to public travel:

**PLAN 7819AQ
AVENUE ADJACENT TO EAST BOUNDARY BLOCK 4
EXCEPTING THEREOUT ALL MINES AND MINERALS**

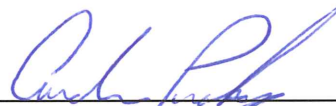
4.0 INTENTION OF TOWN COUNCIL

It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

5.0 EFFECTIVE DATE

This Bylaw shall take effect on the day of the final passing and the signatures of the chief elected official and duly authorized designated officer thereof.

RES. 316/2019 Received first reading this 24th day of June, 2019.



Chief Elected Official

Seal



Chief Administrative Officer

Approved this ____ day of _____, 20__

Minister of Transportation

RES. ____/20__ Received second reading this ____ day of _____, 20__.

TOWN OF TABER
BYLAW NO.14 – 2019

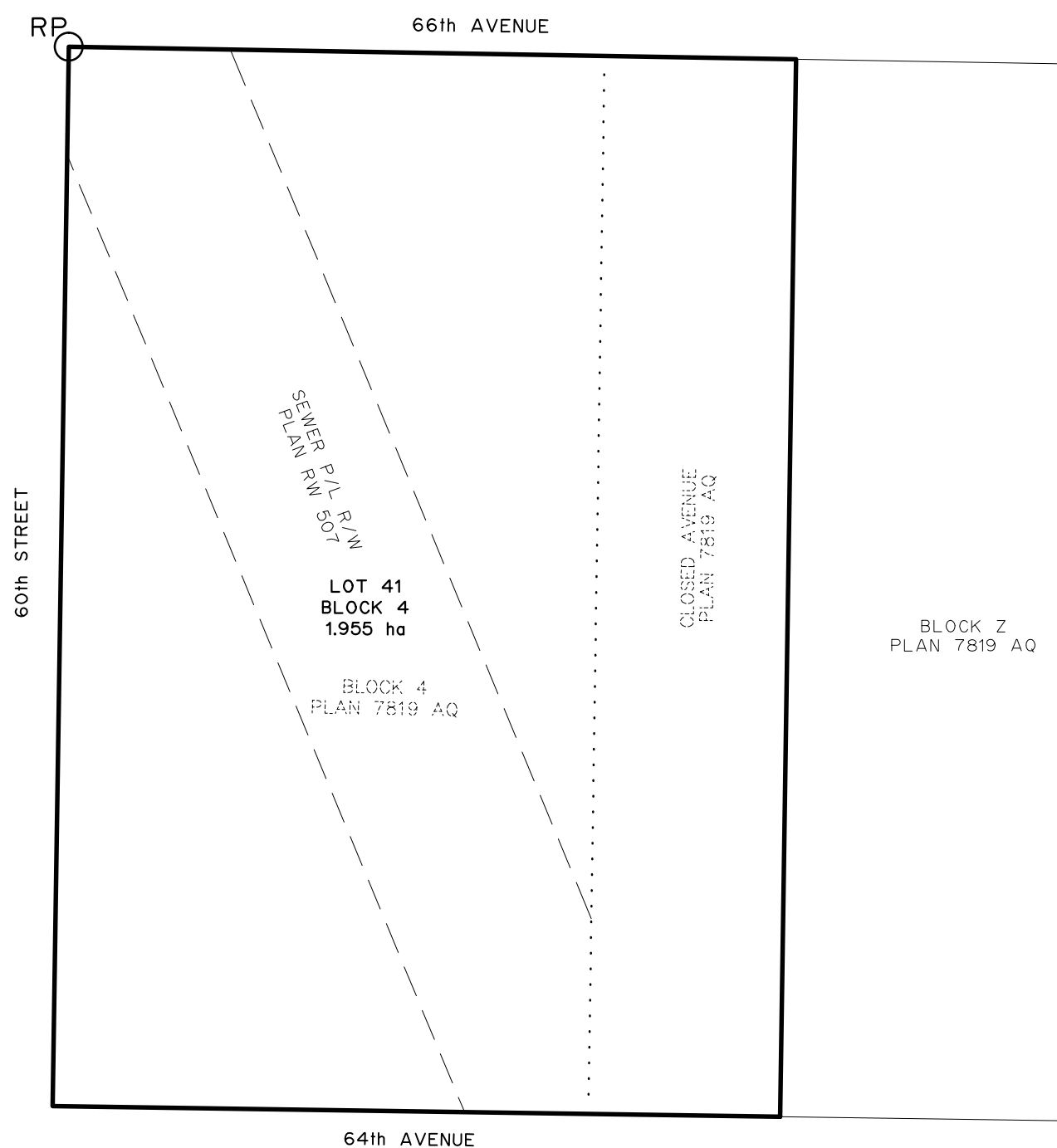
RES. ____/20__ Received third reading and finally passed this _____ day of _____, 20__.

Chief Elected Official

Seal

Chief Administrative Officer

SCHEDULE OF AREAS		
NEW LOT	PARENT PARCEL	AREA
LOT 41, BLOCK 4	BLOCK 4, PLAN 7819 AQ	1.440 ha
LOT 41, BLOCK 4	CLOSED AVENUE, PLAN 7819 AQ	0.515 ha
TOTAL		1.955 ha



SURVEYOR: Michael A. Thompson, ALS
 Prepared in accordance with Section
 88 (1) (b) of the Land Titles Act.
 Dated this 24th day of June, 2019



LAND TITLES

PLAN No. _____
ENTERED AND REGISTERED
ON _____
INSTRUMENT No. _____
A.D. REGISTRAR

REGISTERED OWNER:

BAUKE BANGA
 GRIETJE WOODSTRA BANGA

ABBREVIATIONS:

Δ	Central Angle of Curve	Mk	Mark
3TM	3° Transverse Mercator	Mp	2 metre standard Alberta Survey Marker Post
A	Arc	N,E,S,W	North, East, South, West
ASCM	Alberta Survey Control Marker	NAD	North American Datum
A/R	Access Road	P	Standard Pattern Post
Bdy	Boundary	Pit	4 Pits
C of T	Certificate of Title	Pits	4 Road Pits
calc	Calculated point or position	PI	Placed
ckm	Check Measured	P/L	Pipeline
cs	Countersunk	PUL	Public Utility Lot
CSRS	Canadian Spatial Reference System	(R)	Radial Bearing
Fd	Found	R	Radius
GNSS	Global Navigation Satellite System	R/W	Right of Way
ha	Hectares	Re-est	Re-established
I	Statutory Iron Post	Rest	Restored
m	Metre	RGE	Range
M	Mound	SEC	Section
MR	Municipal Reserve	SM	Stone Mound
MER	Meridian	TWP	Township
		URW	Utility Right of Way

LEGEND:



Georeferenced Point

- Lands dealt with by this plan are bounded thus _____ and contain 1.955 ha.

NOTES:

1. The georeferenced point is the NW corner of BLOCK 4, PLAN 7819 AQ, 3TM NAD'83(ORIGINAL) Coordinate: 5,518,911.18 N, -81,568.67 E.
2. A combined factor of 0.999858 was used to scale ground distances to the projected plane.
3. A field inspection was not carried out and boundaries were not established on the ground.

DESCRIPTIVE PLAN

SHOWING

CONSOLIDATION

OF

BLOCK 4, PLAN 7819 AQ

AND

CLOSED AVENUE, PLAN 7819 AQ

(SE 1/4 SEC 8-10-16-4)

TOWN OF TABER
ALBERTA

SCALE 1:1000 0 10 25 50

DRAWN: DRL
 CHECKED: MAT
 JUNE 24, 2019

HALMA THOMPSON
LAND SURVEYS LTD.

200-410 Stafford Drive S
 Lethbridge AB, T1J 2L2
 Phone (403) 381-1320
 Fax (403) 381-1366

JOB
 H22019
 DRAWING
 H22019L

Attachment 1 – Road Closure Location



Road right of way adjacent to 6009 64 Ave, Taber.