REGIONAL MUNICIPALITY OF WOOD BUFFALO

Subject: Bylaw No. 18/012 - Road Closure and Authorization to Sell Land	
APPROVALS:	Annette Antoniak
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Director	Chief Administrative Officer

Recommended Motion:

1. THAT Bylaw No. 18/012, being a Road Closure Bylaw, be read a second time.

2. THAT Bylaw No. 18/012 be read a third and final time.

Summary:

The Municipality received an unsolicited offer from the developers of the proposed Stone Creek Commercial Center, (Sureway Construction Group Ltd.), to purchase a road (Quartzstone Close) and a Public Utility Lot (PUL) located adjacent to the properties legally described as Lot 5, Block 7, Plan 1224241 and Lot 2B, Block 7, Plan 1220354 (Attachment 3 - Subject Area Map). However, subject to the transfer of the road, a bylaw approving the road closure must first be passed by Council. The road closure and subsequent disposal is being initiated in anticipation of the proposed Stone Creek Commercial Development. Further, the road closure will facilitate title creation, land transfers, and consolidation of lands for proper planning.

On June 12, 2018, Council passed a resolution that, subject to the passing of Bylaw No. 18/012, being a Road Closure Bylaw for Quartzstone Close in Stone Creek, the lot be sold to the developer in accordance with the terms and conditions outlined in Attachment 2 (Summary Land Sale - Terms and Conditions, dated April 19, 2018) for land consolidation.

Background:

A rezoning application (2016-LU-00004) has been made to the Municipality by the developers of the proposed Stone Creek Commercial Center, Sureway Construction Group Ltd, to change the existing Land Use Bylaw for several developable parcels in

the area to C3 Shopping Centre Commercial District. Currently, there is a road within the proposed "Stone Creek Commercial" site and there is a PUL on the east side of this road. The noted PUL does not currently serve as a necessary access/egress point for any municipal operations as the lands to the east of this PUL are also owned by the same developers. Pedestrians can access the Stone Creek perimeter trail from this location, however, this pedestrian access will still be available to the public should the ownership of the road and PUL be transferred to the developers. To facilitate an efficient site plan layout for the proposed commercial site, the developers wish to close the road and transfer ownership of it, and ultimately the PUL, from the Municipality to the Sureway Construction Group. These two parcels would then be reconfigured into a private access roadway within the commercial development. Based on the detailed Transportation Impact Assessment and other planning studies that have been carried out by the developers, this reconfiguration will be better suited to the development than what currently exists and will allow for a much more efficient traffic flow. The developers will also assume responsibility and ownership of the deep utilities that exist within the road allowance. They will also be reconfigured to suit the proposed development. Long term maintenance will become the responsibility of the developers. Please note that the deep utilities terminate within the road and do not continue east into the PUL.

In accordance with the *Municipal Government Act*, any proposed closure of a road that is under the direction, management and control of a municipality must be closed by a bylaw. The road closure will be advertised and a Public Hearing will be held prior to consideration of second and third readings.

Legal description of the proposed road closures within "Stone Creek Commercial" has been reviewed by the Land Titles Office to ensure accuracy and proper handling.

The proposed closure has been circulated to internal Municipal departments, Government Agencies, Franchise and Utility companies. There were no objections or concerns raised with respect to the road closure.

Budget/Financial Implications:

There is no book value assigned to the road and the PUL; as a result there will be no financial loss to the Municipality.

Alternative:

That Council direct Administration to transfer the road and the PUL to Sureway Construction Group Ltd., the developer of Stone Creek Commercial Centre, at a nominal sum of One Dollar ($1). There is no book value assigned to the road/PUL, and both of these parcels were originally provided at no cost to the Municipality from the Sureway Construction Group during the overall development of Stone Creek. Therefore,

the transfer of the road and the PUL will not have any negative financial impact to the Municipality, Rather, it will enhance supplementary revenue in terms of additional taxes and levies. In addition, Sureway Construction Group will assume all liability and long-term maintenance from the Municipality as it will become a private roadway.

Rationale for Recommendation:

Administration supports the closure of the road so the lands may be consolidated and treated as one contiguous parcel, facilitating the efficient and effective development of this property by the purchasers. Further, the purchasers suggest that the amalgamation of these two parcels into the proposed commercial development will provide an enhancement to the area, improve economic activities, and in general provide the overall community of Fort McMurray with a desirable amenity.

Strategic Priorities:

Responsible Government

Attachments:

1. Bylaw 18/012 - Road Closure Bylaw

2. Summary Land Sale - Terms & Conditions

3. Subject Area Map