

Subject: Bylaw No. 13/013 – Laneway Closure and Authorization to Sell**APPROVALS:**

Marcel Ulliac, Director
Sudhir Sandhu, Executive Director
Glen Laubenstein, Chief Administrative Officer

Administrative Recommendations:

1. THAT Bylaw No. 13/013, being a bylaw to close a laneway, be read for the first time.
2. THAT subject to the laneway closure, and in accordance with the terms and conditions outlined in the Summary Land Sale – Terms and Conditions dated January 7, 2013 (Attachment 2), Administration be authorized to proceed with sale of the laneway to the purchaser for the purpose of a land consolidation.
3. THAT the required public hearing be held on Tuesday, March 26, 2013.

Summary:

The Municipality received an unsolicited offer to purchase the remaining portion of an undeveloped laneway located adjacent to the property legally described as Plan 972 2462, Block 4, Lot 36 (Attachment 3 – Subject Area Map). Once closed, the remnant laneway will be consolidated with the adjacent land to accommodate a development project.

To create a title and facilitate sale of the laneway, the subject laneway must first be closed by a bylaw. In accordance with the Municipal Government Act, a laneway closure must be effected by a bylaw which requires Council approval.

Background:

The subject property contains a total area of 0.02 ha (0.05 ac). It is the remaining portion of a former laneway that was originally dedicated as part of Block 4, Plan 6344AY and subsequently closed. The purchaser is simultaneously acquiring the adjacent lands that surround the undeveloped remnant laneway to accommodate a proposed development. Consolidation of the subject laneway with the adjacent lands will create a more functional land base due to the enlarged footprint.

Section 16 of the Act provides the Municipality with title to the roads in the Urban Service Area. Upon closure of the laneway, title will be created which will enable the Municipality to transfer ownership of the land. This will allow for the property to be consolidated with the adjacent lands, resulting in the consolidated properties becoming one contiguous parcel.

The proposed laneway closure has been circulated to internal municipal departments, franchise and utility agencies, as well as Alberta Land Titles. No objections were raised regarding the proposed laneway closure. The laneway closure will have no impact on municipal or franchise operations.

Budget/Financial Implications:

To establish the sale price, an independent appraisal was prepared to determine the current market value for the subject property.

Rationale for Recommendations:

Administration supports the laneway closure, subsequent sale, and consolidation with the adjacent property. The subject laneway does not provide physical access to any public utilities nor does it serve as public access to any of the adjacent lands. Legal and physical access to the newly consolidated parcel will continue to be via King Street.

Attachments:

1. Bylaw No. 13/013
2. Summary Land Sale – January 7, 2013
3. Subject Area Map