

Municipality of Opportunity No. 17
TRANSPORTATION POLICY

TITLE: **ROAD CANCELLATIONS AND CLOSURES**

POLICY NUMBER: **T.16**

EFFECTIVE DATE: **May 7, 1996**

LEGISLATION REFERENCE: **M.G.A. Section 22, Section 24**

Purpose of Policy:

This policy is set out to identify regulations and procedures for Road Cancellations and Closures.

Policy Statements:

A new direction for Road Cancellations and Closures: Commencing May 15, 1996, local municipalities, requesting approval of bylaws and resolutions, will be responsible for providing written proof to the District Operations Manager of Alberta Transportation and Utilities; that all interested parties have been notified of the proposed cancellation/closure and that any easement requirements have been addressed prior to submitting for approval of the Minister. The District Operations Manager will ensure the integrity of the transportation network is not jeopardized, while providing a "one window" contact for the department. This method will streamline the process for obtaining the approval of the Minister of Transportation and Utilities by allowing the local municipality to deal at a local level with local department staff.

Referral to interested parties includes other government departments, utility companies, and the holders of any easements which may cross the road proposed to be closed.

The following sections will outline the requirements and procedures for the different types of closures and will provide contact information for third party referrals.

A. ROAD CLOSING BYLAWS – SECTION 22

1. MINIMUM REQUIREMENTS:

- a. Prior to first reading and advertising, the municipality shall obtain a correct and acceptable description of the closure area. This can be obtained from an Alberta Land Surveyor or the Land Titles Office.
- b. The bylaw and advertising (Sec. 606, M.G.A.) must state the ultimate purpose of the closure (i.e., to public travel only, for lease or for creation of a title). It is the opinion of the department that the public, through the advertising or notice, should be made aware of the nature of the closure and its long term consequences. The advertising should also state the time and place for a public hearing.
- c. If the objections are raised, either in writing or at the public hearing, Council should determine whether the objections are valid and whether they wish to continue in spite of the objections. If continuing, the rationale must be made clear to the District Operations Manager.

2. REQUIRED REFERRALS:

It is the responsibility of the municipality to ensure all third party interests are protected; and therefore, to provide the department with written documentation to that effect. If easements or conditions are required, the municipality must supply the proper documentation to accompany the bylaw when submitting for approval. All easements will be granted by the Crown.

- AGT Limited/TELUS
- Power Authority
- Gas Distribution Authority
- Client and Field Services Section of Alberta Environmental Protection (if a Statutory Road Allowance)
- Public Land Management Branch of Alberta Agriculture, Food and Rural Development (if adjacent to Crown Lands).
- The owner/operator of any pipeline or right-of-way which crosses the subject closure area.

B. CANCELLATION BY RESOLUTION – SECTION 24

1. MINIMUM REQUIREMENTS:

- a. May only be used by Municipal Districts, Counties, or a Special Municipality, by agreement with the Minister of Transportation and Utilities, and only for roads that are the subject of “a surveyed road plan”.
- b. Separate title may occasionally be issued but generally the road must be returned to the title from which it is excepted (i.e., the ¼ section). Consolidation with adjacent land parcels may require a descriptive plan or a plan of survey. Land Titles Office should be consulted in this regard. None of these costs will be borne by the Crown.
- c. No advertising is necessary, but an agreement or consent must be obtained from the adjacent land owner. If there is more than one adjacent owner, direction from the municipality as to disposition of the road, and consent from all adjacent owners is required.
- d. Alberta Transportation and Utilities will prepare the documentation (Notification to Registrar) necessary to transfer the road to the appropriate owner. Descriptions are not critical but the municipality must provide a clear indication of the extent of the proposed cancellation.

2. REQUIRED REFERRALS:

As in the bylaw process, the municipality will be responsible for ensuring that all third party interests are protected, and that the documentation for such accompanies the Council resolution when submitted. Easements will be granted by the Crown.

- AGT Limited/TELUS
- Power Authority
- The owner/operator of any pipeline or right-of-way which crosses the subject closure area.

REFERRAL CONTACTS

ALBERTA TRANSPORTATION AND UTILITIES

District Operation Engineers

Ken LaPierre

2nd Floor, Administration Building
909 – 3rd Avenue North
LETHBRIDGE, AB T1J 4C7

Telephone: 381-5480

Cindy MacGowan

Room 107, Hill Park
2411 – 4th Street N.W.
CALGARY, AB T2M 2Z8

Telephone: 297-6311

Tom Mammen

P.O. Box 1300
HANNA, AB T0J 1P0

Telephone: 854-5550

Alan Griffith

Room 404, 4920 51st Street
RED DEER, AB T4N 6K8

Telephone: 340-5200

Kp. Smith

Box 19, 4701 – 52nd Street
VERMILION, AB T9X 1J9

Telephone: 853-8178

Gordon Zack

Room 223, Provincial Building
4709 44th Avenue
STONY PLAIN, AB T7Z 1N4

Telephone: 963-5711

Terry Carter

103, 111 54th Street
EDSON, AB T7E 1T2

Telephone: 723-8250

Andy Brown

Unit 2, Jewel Building
3603 – 53rd Street
ATHABASCA, AB T9S 1A9

Telephone: 675-2624

Darrell Camplin

8424 – 108th Street
GRANDE PRAIRIE, AB T8V 4C7

Telephone: 538-5310

Roy Callioux, Acting

Bag 900 – 29
PEACE RIVER, AB T8S 1T4

Telephone: 624-6130

“Vacant”

Bag 1045
HIGH LEVEL, AB T0H 1Z0

Telephone: 926-2241

Other Government Agencies

Alberta Agriculture, Food and Rural Development
Public Land Management Branch
200, J.G. O'Donaghue Building
7000 – 113th Street
EDMONTON, AB T6H 5T6
Attention: Darlene Craven, Reservations Unit

Telephone: 427-3563

Alberta Environmental Protection
Client and Field Services Section
7th Floor, Bramalea Building
9920 – 108th Street
EDMONTON, AB T5K 2M4
Attention: Herman Selcho, Manager, Geophysical

Telephone: 422-3120

Utility Companies

AGT Limited
P.O. Box 2411
EDMONTON, AB T5J 2S4
Attention: Shirley Laplante, Clerk, Real Estate Transactions

Telephone: 493-2501

Alberta Power Limited
Manager of local office in area of closure

Canadian Western Natural Gas Co. Ltd.
909 – 11th Avenue, S.W.
CALGARY, AB T2R 1L8
Attention: David L. Olsen, Land Administration

Telephone: 245-7511

Centra Gas Alberta Inc.
Box 800, 5509 – 45th Street
LEDUC, AB T9E 3N3
Attention: Barry Robinson, Manager, Land & Safety

Telephone: 986-5215

Northwestern Utilities Corporation
10035 – 105th Street
EDMONTON, AB T5J 2V6
Attention: Kay Beauchamp, Land Acquisition Clerk

Telephone: 420-7356

TransAlta Utilities Corporation
Room T1-702, 110 – 12th Avenue, S.W.
CALGARY, AB T2P 2M1
Attention: Supervisor, Property Management & Sales

Telephone: 267-7110