

BYLAW 20975

To revise Bylaw 20588, Closure of the Lane Right-of-Way between 116 and 117 Avenue and between 86 Street and 85 Street, Parkdale

Recommendation

That Bylaw 20975 be given the appropriate readings.

Purpose

To correct a non-substantive error found on Attachment 1 of the closed road Bylaw 20588. Attachment 1 includes an error within the legal description of the road closed by Bylaw 20588.

Readings

Bylaw 20975 is ready for three readings.

A majority vote of City Council on all three readings is required for passage of Bylaw 20975.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 20975 be considered for third reading.”

Advertising and Signing

Bylaw 20975 does not require advertising or a public hearing as the revisions proposed are non-substantive in nature.

REPORT

Bylaw 20588 (given three readings on October 3, 2023), proposed to close the lane right-of-way between 116 and 117 Avenue and between 86 Street and 85 Street. The closure areas will be consolidated with the adjacent development site to the north and to the south.

Bylaw 20588 was received by the applicant’s lawyer for review before being submitted to the Land Titles Office for the North Alberta Land Registration District (the “Land Titles Office”) for the purposes of registration and issuance of a certificate of title for the road closure land. In July 2024, it was noted

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that a change in configuration to the subdivision plan occurred, which resulted in a change to the legal description in Attachment 1 of Bylaw 20588. A revision bylaw (Attachment 2) is required to revise Bylaw 20588 to reflect the accurate legal description.

Legal Implications

Pursuant to the *Municipal Government Act*, City Council may, by bylaw, make any non-substantive revisions to its bylaws, including any changes which do not materially affect the bylaw. Prior to first reading of the revision bylaw, the City Manager, or its designate, must certify that the revisions were prepared in accordance with the *Municipal Government Act*. The City Manager's bylaw revision certification authority has been delegated to the City Solicitor and the Director, Solicitors Section, Legal Services. The Director, Solicitors Section, Legal Services' certification is attached as Attachment 3.

Provisions of a revised bylaw that replace a previous bylaw operate retrospectively and prospectively. All revisions made to a bylaw using this process are deemed to be made in accordance with all bylaw requirements, such as advertising and public hearings.

Once a bylaw is revised the title of the bylaw must include the words "revised bylaw".

Community Insight

Bylaw 20975 does not require advertising or a public hearing as the revisions proposed are non-substantive in nature.

Attachments

1. Signed Bylaw 20588
2. Revision Bylaw 20975
3. Certification by Director, Solicitors Section, Legal Services

Others Reviewing the Report

- M. Plouffe, Chief People Officer and City Solicitor