

**Agenda Item: D.1**

Request for Decision

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| **Title** | **Bylaw 1558/21 – Surface Drainage Bylaw – Second and Third Readings** |
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| **Proposed Motion** | 1. That Council give second reading of Bylaw 1558/21. 2. That Council give third reading of Bylaw 1558/21. |
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| **Administrative**  **Recommendation** | Administration recommends that Council give second and third readings of Bylaw 1558/21, the Surface Drainage Bylaw. |
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| **Previous Council Direction** | July 13, 2021 Regular Council Meeting  Motion 397/21: That Council give first reading of Bylaw 1558/21. |
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| **Report** | Background Information   * The purpose of this bylaw is to better regulate and control the use of land and activities, outside of road rights-of-way, that result in impairment or damage or that have the ability to cause impairment or damage to: * storm drainage systems and facilities; * public or private property; * human health or safety; and * the natural environment. * This bylaw will apply to all drainage facilities within the County, including all existing and future facilities, public and licensed, private infrastructure, and facilities licensed by the Province of Alberta within the County. * The bylaw provides a mechanism to best position the County and its enforcement authority to address drainage-related matters that occur on private land that impact or have the potential to impact property and County infrastructure. This enables the County to act on the remedial measures required with drainage issues that originate on private land.   **CURRENT SITUATION**   * The lack of a Surface Drainage Bylaw has resulted in delayed response (stalled action in some cases) in resolving drainage issues that emanate from the actions or inactions of landowners who may be altering the natural flow of surface drainage on their property, and in some cases, within the County road rights-of-way. * With no internal mandate to act upon (private land access rights), the County has relied on education, extensive engagement, and referrals to Alberta Environment in resolving these challenging drainage issues. * An internal review working group comprised of technical expertise from Development Services, Legislative Services, and Transportation and Engineering Services was constituted in 2020. * The draft of the bylaw compiled by the technical group has undergone legal review by Brownlee LLP. * Council gave first reading of Bylaw 1558/21, the Surface Drainage Bylaw on July 13, 2021.   External Communication   * Once the Bylaw is passed, educational information will be posted on the County’s website, social media platforms, and in local print media.   Relevant Policy/Legislation/Practices:   * *Municipal Government Act* |
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| **Implication of Administrative Recommendation** | Strategic Alignment:  **Strong Local Governance and Regional Leadership** – The Surface Drainage Bylaw is consistent with provincial legislation and aligns with best practices across neighbouring municipalities.  **Maintain and Enhance Strong Communities** – The Surface Drainage Bylaw will equip the County with the requisite legislative tools to be able to proactively address localized drainage issues before they become multifaceted case files requiring extensive resource and time allocation.  Organizational:  Transportation and Engineering Services will have the mandate to respond to issues outside of the County’s road rights-of-way and registered drainage channels.  Financial:  All associated costs for delivery of the Drainage program are included within the approved annual budget. |
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| **Alternatives Considered** | Council could choose not to give second or third reading of Bylaw 1558/21. |
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| **Implications of Alternatives** | Strategic Alignment:  None.  Organizational:  Transportation and Engineering Services will continue to address drainage issues as per current practice.  Financial:  None. |
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| **Follow up Action** | 1. Obtain Mayor and CAO signatures on Bylaw 1558/21 (Legislative Services, August 2021). 2. Arrange advertising and educational information on the County’s website, social media platforms, and in local print media (Transportation and Engineering Services and Corporate Communications, Q3-Q4 2021). |
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| **Attachment(s)** | 1. Bylaw 1558/21 |
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| **Report Reviewed by:** | Gary Mayhew, Manager, Transportation and Engineering Services  Scott MacDougall, Chief Operations Officer – COO  Reegan McCullough, County Commissioner – CAO |

**Strategic Alignment Checklist**

**Vision:** *Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.*

**Mission:** *Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.*

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| **Focus Areas** | **Not consistent** | **N/A** | **Consistent** |
| **Planned Growth and Prosperity** |  |  |  |
| *We encourage varied and integrated enterprises that enhance our strong economic*  *base, while balancing the needs of the community and natural environment.*  *(Strategic Plan and MDP pg. 36)* |  |  |  |
| * *Supports a strong thriving business environment to strengthen our economic foundation* |  |  |  |
| * *Plans for responsible growth through the MDP and regional growth plan.* |  |  |  |
| * *Manages growth for current and future developments through:*   + *transparent bylaws, policies and processes to enable responsible land development* |  |  |  |
| * + *targeting growth around existing and identified future growth areas* |  |  |  |
| **Maintain and Enhance Strong Communities** |  |  |  |
| *We are committed to a safe and viable community, where our residents are*  *provided with access to opportunities and quality of life.*  *(Strategic Plan and pg. 27 MDP)* |  |  |  |
| * *Provides access to programs and services that have a positive impact on residents’ quality of life* |  |  |  |
| * *Provides access to safe and reliable infrastructure assets* |  |  |  |
| * *Supports the safety of people and property* |  |  |  |
| **Strong Local and Regional Governance** |  |  |  |
| *We promote consistent and accountable leadership through collaborative and*  *transparent processes (Strategic Plan and pg. 27 MDP)* |  |  |  |
| * *Provides effective leadership and management consistent with Strategic Plan, MDP, master plans, bylaws, policies, community engagement* |  |  |  |
| * *Considers fiscal stability and sustainability* |  |  |  |
| * *Fosters collaborative intergovernmental partnerships* |  |  |  |
| **Community Identity & Spirit** |  |  |  |
| *We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan and MDP pg. 27)* |  |  |  |
| * *Promotes and/or enhances residents’ identification with Sturgeon County* |  |  |  |
| * *Support and/or collaborate with voluntary organizations in the region* |  |  |  |
| **Environmental Stewardship** |  |  |  |
| *We foster a healthy environment and minimize our impact on ecosystems. (Strategic Plan and MDP pg. 27)* |  |  |  |
| * *Plans and partnerships that minimize environmental impact on natural areas* |  |  |  |
| * *Provides awareness of environmental issues impacting the County* |  |  |  |