

Request for Decision

Title	Bylaw 1440/19 – Road Closure of Road Plan 7770Z (Second and Third Reading)
Proposed Motion	<ol style="list-style-type: none"> 1. That Council give second reading of Bylaw 1440/19. 2. That Council give third reading of Bylaw 1440/19. 3. That Council transfer the portion of road indicated in Bylaw 1440/19 to the Sturgeon School Division #24 for \$1.00.
Administrative Recommendation	<p>Administration recommends that Council grant second and third readings to Bylaw 1440/19. As the Sturgeon School Division #24 is a non-profit organization under section 241(f) of the <i>Municipal Government Act</i> (MGA), Administration further recommends that Council transfer the portion of road allowance indicated in Bylaw 1440/19 for less than market value (\$1.00).</p>
Previous Council Direction	<p><u>May 14, 2019</u> Motion 162/19: That Council give first reading to Bylaw 1440/19.</p> <p><u>April 24, 2018</u> Motion 127/18: That Council approve a Resolution to temporary closure of a portion of road in Riviere Qui Barre described as: Plan 7770Z All that portion of road lying north of a line drawn from the southeast corner of Lot 3 to the southwest corner of Lot 18 on said Plan and lying south of a line drawn from the northeast corner of Lot 10 to the northwest corner of Lot 11 on said Plan.</p> <p>Motion 128/18: That Council authorize the County Commissioner to enter into a License Agreement, for the area of the temporary closed road, with the Sturgeon School Board.</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • In April 2018, Council approved to temporarily close this section of road to allow the Camilla School Replacement project to proceed. As part of the project, the School Board is required to consolidate the lots into a single parcel. • In 1969, Sturgeon County (formerly Sturgeon No.90) and Alberta Transportation (formerly the Ministry of Highways) approved Bylaw 93-

69 to close this portion of road and to consolidate it into the lands owned by the Sturgeon School Division No. 24.

- After reviewing Bylaw 93-69 and enquiring with Alberta Land Titles (LTO), it was confirmed that although this bylaw was approved it was never submitted to LTO, and therefore never closed. It was also determined by LTO that the road description contained within the Bylaw was invalid, and that a proper metes and bounds description was required as part of the new bylaw.
- Administration discussed the 1969 Road Closure Bylaw with Alberta Transportation (AT), and it was determined that a new road closure was necessary.
- This process will follow AT procedures for road closures.
- Under the MGA, Council must give first reading to the bylaw prior to submitting the signed and dated original bylaw to the Minister of Transportation for approval. A Public Hearing is also required by the MGA prior to sending the bylaw to the Minister of Transportation for approval. First Reading was given on May 14, 2019 and the Public Hearing occurred on June 11, 2019.
- On August 23, 2019 the Minister of Transportation granted approval and signed Bylaw 1440/19.
- The County is permitted to transfer the land to a non-profit organization under section 241(f) of the *Municipal Government Act* (“as an entity established under a law of Canada or Alberta for any purpose other than to make a profit”) for less than market value without the need to advertise.
 - The County’s legal counsel agrees that the Sturgeon School Division #24, is a non-profit organization under section 241(f) of the MGA.

External Communication

- Notifications of the road closures were sent to all third-party interests for parcels adjacent to the proposed closure area.
- Public Hearing notifications were sent out to all landowners within 800 metres of the proposed road closure area. The Public Hearing was advertised in the local newspaper.




Relevant Policy/Legislation/Practices:

- *Municipal Government Act*, sections 22 and 241(f)
- *Highways Development and Protection Act*, section 38.1

Implication of Administrative Recommendation

Strategic Alignment:

Planned Growth and Prosperity – The proposed Road Closures are in alignment with Goal 1.2 – “*Sturgeon County plans for responsible growth through the Sturgeon County Municipal Development Plan and regional growth management plans*” and Goal 1.3 – “*Sturgeon County manages growth for current and future developments*”, of the Strategic Plan. MDP

	<p>Neighborhood B directs growth and development to the Hamlet of Rivière Qui Barre, and the closure of this road allowance will allow for a new school in that areas to be constructed.</p> <p><u>Organizational:</u> Administration will coordinate the signing of the bylaw.</p> <p><u>Financial:</u> The County will forego the revenue of the sale of the land.</p>
Alternatives Considered	Council could decide not to give second and third readings of Bylaw 1440/19.
Implications of Alternatives	<p>Planned Growth and Prosperity – The proposed road closure is in alignment with Goal 1.2 – “<i>Sturgeon County plans for responsible growth through the Sturgeon County Municipal Development Plan and regional growth management plans</i>” and Goal 1.3 – “<i>Sturgeon County manages growth for current and future developments</i>”, of the Strategic Plan. MDP Neighborhood B directs growth and development to the Hamlet of Riviere Qui Barre, and the closure of this road allowance is required for the new school to be built.</p>
Follow up Action	<ol style="list-style-type: none"> Administration will work with the School Boards surveyor to register Bylaw 1440/19 and transfer documents to Alberta Land Titles.
Attachment(s)	<ol style="list-style-type: none"> Bylaw 1440/19 Location Map
Report Reviewed by:	<p> Colin Krywiak, Manager, Development Support Services</p> <p> Travis Peter, Acting Director, Development Services</p> <p> Reegan McCullough, County Commissioner – CAO</p>

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.*

Focus Areas	Not consistent	N/A	Consistent
Planned Growth and Prosperity			
<i>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)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Supports a strong thriving business environment to strengthen our economic foundation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Plans for responsible growth through the MDP and regional growth plan.</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Manages growth for current and future developments through: <ul style="list-style-type: none"> <i>transparent bylaws, policies and processes to enable responsible land development</i> <i>targeting growth around existing and identified future growth areas</i> </i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintain and Enhance Strong Communities			
<i>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)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Provides access to programs and services that have a positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Provides access to safe and reliable infrastructure assets</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Supports the safety of people and property</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Strong Local and Regional Governance			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan and pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Provides effective leadership and management consistent with Strategic Plan, MDP, master plans, bylaws, policies, community engagement</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Considers fiscal stability and sustainability</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Fosters collaborative intergovernmental partnerships</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Identity & Spirit			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan and MDP pg. 27)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Promotes and/or enhances residents' identification with Sturgeon County</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Support and/or collaborate with voluntary organizations in the region</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Stewardship			
<i>We foster a healthy environment and minimize our impact on ecosystems. (Strategic Plan and MDP pg. 27)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Plans and partnerships that minimize environmental impact on natural areas</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Provides awareness of environmental issues impacting the County</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>