

Briefing Note

Title	1:30 p.m. – Public Hearing for Bylaw 1440/19 – Closure of Road Plan 7770Z (Camilla School Road Closure)
Issue	To provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaw 1440/19.
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 Rivière 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 Alberta Transportation procedures for road closures.
- Council must give first reading to the Bylaw prior to the County submitting the signed, dated, original Bylaws to the Minister of Transportation for approval. First reading occurred on May 14, 2019.
- Council must give an opportunity for anyone who claims to be affected prejudicially by the Bylaw an opportunity to be heard.
- The School Board is as 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”). This means that the County may choose to transfer the land to them for less than market value.

External Communication

- Public Hearing notifications were sent to landowners within 800 metres of the proposed road closure area.
- The Public Hearing was advertised in the local newspaper (the Free Press).

Relevant Policy/Legislation/Practices:

- *Municipal Government Act*, section 22

Implication

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 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 area to be constructed.

Organizational:

Administration will forward the Bylaw and related materials to the Minister of Transportation for review and approval following the

	<p>Public Hearing. Once the Bylaw is signed by the Minister, Council can consider the Bylaw for second and third readings.</p> <p><u>Financial:</u> None.</p>
<p>Follow Up Action</p>	<ol style="list-style-type: none"> 1. Administration will work with the applicant to address any relevant concerns raised at the Public Hearing. 2. Administration will forward the Bylaw to Alberta Transportation for the Minister's review and signature. 3. Upon receiving the Minister's approval, Administration will bring the Bylaw back to Council for consideration of second and third readings.
<p>Attachment (s)</p>	<ol style="list-style-type: none"> 1. Bylaw 1440/19 2. Location Map
<p>Report Reviewed by:</p>	<div style="text-align: center;">  <p>Colin Krywiak, Manager, Current Planning & Development</p> </div> <div style="text-align: center; margin-top: 20px;">  <p>Collin Steffes, General Manager, Integrated Growth</p> </div> <div style="text-align: center; margin-top: 20px;">  <p>Reegan McCullough, County Commissioner – CAO</p> </div>