

Request for Decision

Title	Bylaw 1626/23 – Road Closure Bylaw – Area ‘A’ Plan 232 0067
Proposed Motion	That Council direct Administration to schedule a second Public Hearing for Bylaw 1626/23 at the June 13, 2023 Regular Council Meeting.
Administrative Recommendation	Administration recommends that Council direct that a second Public Hearing be held for Bylaw 1626/23. This Public Hearing would be another opportunity for Council to receive comments from the public regarding proposed Bylaw 1626/23, to close an undeveloped road allowance lying within Area ‘A’ Plan 232 0067.
Previous Council / Committee Direction	<p><u>April 11, 2023 Regular Council Meeting</u> Council held a Public Hearing for Bylaw 1626/23.</p> <p><u>March 28, 2023 Regular Council Meeting</u> Motion 096/23: That Council give first reading of Bylaw 1626/23.</p> <p><u>January 11, 2022 Regular Council Meeting</u> Motion 014/22: That Council approve the Conditional Sale and Purchase Agreement dated October 6, 2021, for Plan 1945Rs, Lot A and consent to the closure of the undeveloped road allowance in accordance with section 24 of the <i>Municipal Government Act</i>.</p> <p><u>April 27, 2021 Regular Council Meeting</u> Motion 264/21: That Council approve an expenditure of up to \$450,000 for the Bridge Project itemized in Attachment 1 to be funded by Road Network Reserve.</p>
Report	<p><u>Background Information</u></p> <p>Proposed Road Closure</p> <ul style="list-style-type: none"> The exceptional 1 in 100-year precipitation event that occurred in Spring of 2020, resulted in Bridge Culvert BF 85388 (Range Road 263 north of Highway 633) washing out. A rented temporary bridge was installed shortly after this incident to provide access to affected residences while design and land acquisition for a replacement bridge was completed.

- The land acquisition for this project necessitated consideration for closure and disposal of the referenced undeveloped road allowance.
- Construction of the bridge culvert was completed in November 2021 and is currently under warranty.
- The proposed closure and disposal of the undeveloped road allowance would conclude agreements associated with acquiring land from adjacent landowners to expand the County's rights-of-way requirements for the replacement bridge.
- In January 2022, Council gave consent to the closure and sale of the undeveloped road allowance, outlined on Schedule "A" in accordance with a conditional sale and purchase agreement.
- To satisfy Ministerial requirements, it was deemed that the bylaw process be utilized. The bylaw process allows for the completion of all requirements to conclude closure of the road allowance.
- The County's legal counsel attended the March 28, 2023, Regular Council meeting and provided additional information to Council on the road closure requirements provided in the *Municipal Government Act*.
- At the April 11, 2023 Council meeting, Council held a Public Hearing for Bylaw 1626/23 – Road Closure Bylaw – Area 'A' Plan 232 0067. At the Public Hearing, members of the public provided opposing perspectives on the proposed road closure. During the Public Hearing, Council noted that it would like additional information in order to understand the full scope of the proposal.
- Section 22(3) of the *Municipal Government Act* (MGA) provides that no road may be closed by bylaw of a municipal council in Alberta unless the bylaw is approved by the Minister of Transportation and Economic Corridors before it receives second reading.

Recommendation for a Second Public Hearing

- Following the closure of the Public Hearing on April 11, Administration identified the opportunity to provide additional information in order to clarify the scope of the proposal. Members of Council have also been contacted by people who spoke at the Public Hearing wishing to provide more information to Council.
- To ensure a fulsome opportunity for Council to receive information from Administration and the public, and recognizing that Ministerial approval is unlikely in the near future given the upcoming provincial election, Administration recommends that Council schedule a second Public Hearing for Bylaw 1626/23 at the June 13, 2023 Regular Council Meeting.
- If approved by Council, notification of the second Public Hearing would be provided in accordance with the MGA, including to persons who made submissions at the first Public Hearing.

	<p><u>External Communication</u></p> <ul style="list-style-type: none"> Advertising would occur in accordance with the requirements of the <i>Municipal Government Act</i> (MGA). <p><u>Relevant Policy/Legislation/Practices</u></p> <ul style="list-style-type: none"> <i>Municipal Government Act</i>, sections 22 and 606
Implication of Administrative Recommendation	<p>Planned Growth – This bylaw facilitates completion of the emergency bridge replacement and demonstrates commitment to the community, maintaining and updating existing infrastructure.</p> <p><u>Organizational</u> Administration will pursue the necessary Ministerial authorization needed to complete the road allowance closure.</p> <p><u>Financial</u> The County is responsible for fees associated with land title registration and associated legal fees. The acquisition of the land associated with the closure will take effect when all legislated requirements have been fully satisfied.</p>
Alternatives Considered	Council could decide not to hold a second Public Hearing for Bylaw 1626/23.
Implications of Alternatives	<p><u>Strategic Alignment</u> Collaborative Governance – A decision not to hold a second Public Hearing for Bylaw 1626/23 would prevent Council from receiving additional submissions from the public on the matter.</p> <p><u>Organizational</u> Administration would send Bylaw 1626/23 to the Minister of Transportation & Economic Corridors for consideration of approval.</p> <p><u>Financial</u> None.</p>
Follow up Action	1. Advertise the Public Hearing in accordance with <i>Municipal Government Act</i> requirements (Transportation & Engineering Services, May/June 2023).
Attachment(s)	1. Attachment 1: Bylaw 1626/23 2. Attachment 2: Schedule A – Road Closure Plan
Report Reviewed by:	<p>Jesse Sopko, General Manager, Corporate Services</p> <p>Gary Mayhew, Director, Transportation & Engineering Services</p> <p>Scott MacDougall, Chief Operating Officer - COO</p> <p>Reegan McCullough, County Commissioner – CAO</p>

Strategic Alignment Checklist

Vision: *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

Guiding Principles: Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
Planned Growth			
<ul style="list-style-type: none"> Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Modern broadband and digital capabilities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Low cost, minimal red-tape regulations 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thriving Communities			
<ul style="list-style-type: none"> Beautiful, surprising places with high standards; integrated natural spaces & trail systems; healthy and resilient 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental Stewardship			
<ul style="list-style-type: none"> Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Sustainable development; partnerships with industry and others to drive emission reductions 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Collaborative Governance			
<ul style="list-style-type: none"> Predictable and stable external relationships; volunteer partnerships 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Meaningful connections with Indigenous communities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Respectful and informed debate; clear and supportive governance processes 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operational Excellence			
<ul style="list-style-type: none"> Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Future focused thinking to proactively respond to emerging opportunities and challenges 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Alternative revenue generation and service delivery models integrated strategic and business planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>