

## Request for Decision

<b>Title</b>	<b>Bylaw 1638/23 – Road Closure for Portion of Range Road 222 – First Reading</b>
<b>Proposed Motion</b>	That Council give first reading of Bylaw 1638/23.
<b>Administrative Recommendation</b>	That Council give first reading of Bylaw 1638/23 to allow the Bylaw to proceed to public hearing for Council to receive feedback from affected parties.
<b>Previous Council / Committee Direction</b>	<p><u>April 25, 1986 Regular Council Meeting</u>            Motion 570/86: That the Council of the Municipal District of Sturgeon No. 90 does hereby close the following described highway subject to the rights of access granted by other legislation or regulations; all that portion of government road allowance adjoining the east boundaries of Sections 28 and 33, Township 55, Range 22, West of the Fourth Meridian lying north of the north bank of the Sturgeon River.</p>
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>• Cando Rail and Terminals (Cando) has proposed an expansion of their existing rail terminal in Sturgeon County. The expansion will support additional growth in the region, specifically within the petrochemical and hydrogen production sectors.</li> <li>• As a result of their site design, Cando has requested that a portion of Range Road 222 be closed to facilitate the safe storage and transportation of products in and out of the terminal.</li> <li>• The closure is legally described as:             <ul style="list-style-type: none"> <li>○ <i>Section 35 Township 55 Range 22 Meridian 4 All of the Government Road Allowance adjoining the West boundary of the NORTHWEST quarter, containing 1.62 ha (4.00 ac) more or less. Excepting out all Mines and Minerals</i></li> </ul> </li> <li>• The following Administrative feedback was provided to Cando:             <ul style="list-style-type: none"> <li>○ Range Road 222 is the only alternative north/south access over Sturgeon River – a full closure that does not maintain alternative access would not be supported.</li> <li>○ If a bypass is incorporated, it must be built to an industrial standard including a 30-meter right-of-way with an 8-meter finished gravel surface.</li> </ul> </li> </ul>

- Sturgeon County owns a sanitary line that runs along Range Road 222; an easement will be required as part of any closure.
- Cando explored alternative options to maintain north/south access including a redesign of the site as well as level/raised crossings. Due to development constraints and to maintain safe rail operations, a bypass around their site was proposed as the most viable option to allow for expansion of the facility while still maintaining access across the Sturgeon River (see Attachment 2).
- If Council gives first reading of Bylaw 1638/23, a Public Hearing would be scheduled to receive input from affected parties. As required by the *Municipal Government Act (MGA)*, the Bylaw would then be submitted to the Minister of Transportation and Economic Corridors for review and approval. Once Ministerial approval has been given, the Bylaw would be returned to Council for consideration of second and third readings.

#### Summary Analysis

- The proposed bypass will incorporate existing rights-of-way along Range Road 223, south of Township Road 560, turning east and reconnecting with Range Road 222 at Township Road 555 (see Attachment 2).
- A Plan mark up of proposed road segment to be closed is provided in Attachment 3.
- Constructing a bypass will require a portion of Range Road 223 that was closed in 1986 to be re-opened. Portions of Range Road 223 not included in the bypass can be closed again after construction, if necessary.
- There is no west-east road right-of-way immediately west of Range Road 222 at Township Road 555. As such, it will need to be acquired from the landowners to allow for the bypass to be constructed.
- Cando is responsible for the acquisition and expansion of any required rights-of-way, as well as for the construction and upgrade of the bypass along its entire route. A Development Agreement with the County will outline construction requirements, schedules, detailed design, warranties, and securities.
- Sturgeon County will retain ownership of the closed portion of Range Road 222 until the bypass has been constructed by Cando.

#### External Communication

- Cando hosted an open house on November 2, 2023 to engage with impacted landowners and residents. Over 60 properties within a 57 square kilometer area surrounding the proposed road closure were identified by Cando to receive a direct mail invite to the open house and information pertaining to the project. As of the date of this report information on the open house is not available; however, the information will be included for the Public Hearing.

	<ul style="list-style-type: none"> <li>• Legislation requires that other utility companies also be consulted on this matter. As Range Road 222 may be used by large employers and industrial landowners in the area to support their operations, and could be included within their respective emergency response plans, a third-party consultant was engaged by Administration to gather their feedback. No significant issues were flagged with the closure or proposed bypass, though some concerns were noted with the timeline proposed by Cando (see Attachment 4).</li> <li>• If Council gives first reading of Bylaw 1638/23, the Public Hearing would be advertised in accordance with the County’s Public Notification Bylaw 1618/23.</li> </ul> <p><u>Relevant Policy/Legislation/Practices</u></p> <ul style="list-style-type: none"> <li>• Section 22 of the <i>Municipal Government Act</i> (MGA) allows a municipality to close a road by bylaw with the approval of the Minister of Transportation and Economic Corridors.</li> </ul>
<p><b>Implication of Administrative Recommendation</b></p>	<p><u>Strategic Alignment</u>  <b>Planned Growth</b> – Closing a portion of Range Road 222 would allow for an expansion of Cando’s rail terminal, fostering economic growth within the County.</p> <p><u>Organizational</u>  Administration has capacity to process the proposed closure and related administrative requirements.</p> <p><u>Financial</u>  None at this time; costs associated with the closing of Range Road 222 and construction of a bypass are the responsibility of Cando.</p>
<p><b>Alternatives Considered</b></p>	<p>Council could defeat first reading of Bylaw 1638/23.</p>
<p><b>Implications of Alternatives</b></p>	<p><u>Strategic Alignment</u>  A decision to give first reading of a Bylaw is not support for the Bylaw, but approval that the matter may proceed to Public Hearing to receive feedback from affected parties. It is the advice of Sturgeon County’s legal counsel that providing first reading of bylaws initiated by a third party is appropriate, to ensure due consideration and procedural fairness.</p> <p><u>Organizational</u>  None.</p> <p><u>Financial</u>  None.</p>

<b>Follow up Action</b>	1. Schedule a public hearing for Bylaw 1638/23 (Planning & Development Services, November 2023).
<b>Attachment(s)</b>	<ol style="list-style-type: none"> <li>1. Attachment 1 - Bylaw 1638/23</li> <li>2. Attachment 2 - Map of Proposed Bypass</li> <li>3. Attachment 3 - Plan Mark up of proposed road segment to be closed</li> <li>4. Attachment 4 - Industrial Engagement Report</li> </ol>
<b>Report Reviewed by:</b>	<p>Mark Morrissey, Director, Economic Innovation &amp; Growth</p> <p>Bonnie McInnis, Manager, Planning &amp; Development Services</p> <p>Travis Peter, General Manager, Development &amp; Strategic Services</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
<b>Planned Growth</b>			
<ul style="list-style-type: none"> <li>Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Modern broadband and digital capabilities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Low cost, minimal red-tape regulations</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Thriving Communities</b>			
<ul style="list-style-type: none"> <li>Beautiful, surprising places with high standards; integrated natural spaces &amp; trail systems; healthy and resilient</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Engaging cultural, historical, and civic amenities; strong community identity and pride</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Environmental Stewardship</b>			
<ul style="list-style-type: none"> <li>Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Sustainable development; partnerships with industry and others to drive emission reductions</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Collaborative Governance</b>			
<ul style="list-style-type: none"> <li>Predictable and stable external relationships; volunteer partnerships</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Meaningful connections with Indigenous communities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Respectful and informed debate; clear and supportive governance processes</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<ul style="list-style-type: none"> <li>Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>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</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Future focused thinking to proactively respond to emerging opportunities and challenges</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Alternative revenue generation and service delivery models integrated strategic and business planning</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>