



AGENDA

Municipal District No.124 Regular Council
Wednesday, June 12, 2024 - 10:00 AM - MD Council Chambers

Page

CALL TO ORDER

ANNOUNCEMENTS / OPENING REMARKS

ADOPTION OF THE AGENDA

- 3.1 June 12, 2024, Regular Meeting of Council Agenda

Proposed Motion: Move to adopt the June 12, 2024, Regular Meeting of Council as presented.

ADOPTION OF MINUTES

- 4.1 May 22, 2024, Regular Meeting of Council Minutes

6 - 9

Proposed Motion: Move to adopt the May 22, 2024, Regular Meeting of Council Minutes as presented.

[05222024 - DRAFT MINUTES -Regular Council](#)

- 4.2 May 29, 2024, Special Meeting of Council Minutes

10 - 11

Proposed Motion: Move to adopt the May 29, 2024, Special Meeting of Council Minutes as presented.

[05292024 - DRAFT MINUTES -Special Meeting](#)

ACCEPTANCE OF MINUTES FOR INFORMATION

- 5.1 May 8, 2024, Community Assistance Board Meeting Minutes

12 - 15

Proposed Motion: Move to accept the May 8, 2024, Community Assistance Board Meeting Minutes as information.

[05082024 - DRAFT MINUTES - Community Assistance Board](#)

PUBLIC HEARING POSTPONED TO JUNE 26, 2024

- 6.1 Public Hearing for:

- Bylaw 2024-11 Lawrence Lake Area Structure Plan

DELEGATIONS

- 7.1 Scott Weinrich - MD Resident

16 - 18

Proposed Motion: Move to accept the discussion with Scott Weinrich as information.

[SWEINRICH_Redacted](#)

- 7.2 Slave Lake Regional Tourism Society - Jennifer Churchil & Kim Huges 19 - 20

Proposed Motion: Move to accept the presentation from the Slave Lake Regional Tourism Society as information.

[Jennifer Churchill_Redacted](#)

BYLAWS

- 8.1 Bylaw 2024-09 Land Use Amendment #15 21 - 28

Proposed Motion: Move to give First Reading to Bylaw 2024-09 to change the land use district of NE 10-70-1-W5M from Commercial (C) to Agricultural District, Land Use Bylaw 2021-17 Amendment No. 15 as presented, and to schedule the public hearing for June 26, 2024.

[1. RFD Bylaw 2024-09 LUB Amendment 15](#)

[2. Bylaw 2024-09 LUB Amendment 15](#)

[3. LUA Application](#)

[4. Bylaw Map](#)

[5. Location Map](#)

- 8.2 Bylaw 2024-10 Land Use Amendment #16 29 - 37

Proposed Motion: Move to give First Reading to Bylaw 2024-10 being a Land Use Bylaw Amendment to redesignate a portion of the parcel legally described as SW 27-73-07-W5 and containing all of Plan 172 2452, Block 2, Lot 1 from Urban Reserve (UR) to Light Industrial (LI) District and to schedule the Public Hearing for June 26, 2024.

[1. RFD - Bylaw 2024-10](#)

[2. Bylaw 2024-10 LUB Amendment 16](#)

[3. Application](#)

[4. Bylaw Map -Rezoning](#)

[5. Location Map](#)

- 8.3 Bylaw 2024-12 Land Use Amendment #17 38 - 46

Proposed Motion: Move to give First Reading to Bylaw 2024-12 being a Land Use Bylaw Amendment to redesignate a portion of the parcel legally described as SW 19-65-26-W4 from Agricultural (A) to Rural Un-Serviced (RUS) District and to schedule the Public Hearing June 26, 2024.

[1. RFD - Bylaw 2024-12 LUB Amendment 17](#)

[2. Bylaw 2024-12 LUA 17](#)

[3. Application - Bylaw 2024-12 LUB Amendment 17](#)

[4. Re-Zoning Map](#)

[5. Location Map](#)

POLICIES

- 9.1 PS-26-02 Community Standards Enforcement Policy 47 - 52

Proposed Motion: Move to adopt PS-26-02 Community Standards Enforcement Policy as presented.

Proposed Motion: Move to accept PS-26-02 Community Standards Enforcement Procedure as information.

[Council RFD PS-26-02 June 12-2024](#)

[PS-26-02 Community Standards Enforcement Policy](#)
[PS-26-02.01 Community Standards Enforcement Procedure](#)
[PS-26-02.01 Schedule A Procedure](#)

9.2 PD-61-05 Closures, Leasing & Licencing of Municipal Roads Policy 53 - 94

Proposed Motion: Move that Council rescind policy E9 Leasing of Undeveloped Road Allowances, H8 Licence of Occupation, and H9 Road Closure Policy (for the sale of road plans and road allowances).

Proposed Motion: Move to adopt the PD-61-05 Closures, Leasing & Licencing of Municipal Roads Policy as presented.

Proposed Motion: Move to accept PD-61-05.01 Closures, Leasing & Licencing of Municipal Roads Procedure as information.

[0. RFD fo Policy PD-61-05](#)

[1. PD-61-05 Closures, Leasing, and Licencing of Municipal Roads Policy](#)

[2. PD-61-05.01 Closure, Leasing, and Licensing of Municipal Roads Procedure](#)

[3. Road Closure Application - Schedule A](#)

[4. Road Allowance Lease Application - Schedule B](#)

[5. Licence of Occupation Application - Schedule C](#)

[6. Signage for LoO - Schedule D](#)

[7. Road Closure, Leasing, Licencing Flowchart - Schedule E](#)

[E9-Leasing of Undeveloped Road Allowance-Sept232015](#)

[H8 - Licence of Occupation](#)

[H9-Road Closure Policy \(For the Sale of Road Plans and Road Allowances\)](#)

REQUESTS FOR DECISION

10.1 CPP 01-2024 Community Policing Plan 95 - 109

Proposed Motion: Move to adopt the CPP 01-2024 Community Policing Plan as presented.

[Council RFD CPP 2025-2029 June 12-2024](#)

[Presentation Community Policing Plan 2](#)

10.2 Enforcement Action Strategy 2024 110 - 114

Proposed Motion: Move to adopt the Enforcement Action Strategy 2024 as presented.

[Council RFD Enforcement Action Strategy June 12-2024](#)

[MDLSR Enforcement Action Strategy June 12](#)

10.3 2024 Line Painting Tender Results 115 - 117

Proposed Motion: Move to increase the line painting budget from \$28,044 to \$41,500 for the 2024 budget year, with dollars to be absorbed within the exiting approved 2024 budget.

Proposed Motion: Move to award the line painting contract to AAA Striping & Seal Coating Service of \$33,615.

[REQUEST FOR DECISION - 2024 Line Painting Tender Results](#)

[TENDER RESULTS - 2024 LINE PAINTING](#)

REPORTS

Proposed Motion: Move to accept the Spring Hamlet Cleanup report as information.

[REPORT TO COUNCIL - TRANSPORTATION - HAMLET SPRING CLEANUP RESULTS](#)

- 11.2 Board Reports - Agricultural Services
 - Agricultural Service Board - Councillors Melzer and Fulmore
 - Veterinary Services Incorporated - Councillors Melzer and Fulmore
- 11.3 Board Reports - Community Futures
 - Community Futures Slave Lake - Councillor Sand
 - Community Futures Tawatinaw Region - Councillor Melzer
- 11.4 Board Reports - Airport
 - Slave Lake Airport Services Commission - Councillors Seatter, Fulmore and Pearson
- 11.5 Board Reports - Education Libraries
 - Peace Library Systems - Councillors Pearson and Sand
 - Slave Lake Regional Library Board - Councillor Sand
 - Community Education Committee - Councillor Seatter
- 11.6 Board Reports - Economic Development
 - Slave Lake Chamber of Commerce - Councillor Seatter
- 11.7 Board Reports - Seniors and Housing
 - Lesser Slave Lake Regional Housing Authority - Councillors Pearson and Sand
 - Homeland Housing - Councillor Melzer
- 11.8 Board Reports - Inter-Municipal Committees - Reeve Kerik, Deputy Reeve Spencer, Councillors Sand and Seatter
- 11.9 Board Reports - Planning & Development
 - Municipal Planning Commission - Deputy Reeve Spencer, Councillors Seatter, Pearson and Fulmore
- 11.10 Board Reports - Tourism
 - Slave Lake Regional Tourism - Deputy Reeve Spencer
- 11.11 Board Reports - Reeve Appointments
 - Northern Alberta Development Council/Northern Alberta Elected Leaders
 - Director of Wildfire Legacy Corporation
- 11.12 Board Reports - Regional Alliances
 - Alberta North Central Alliance - Reeve Kerik and Councillor Sand
- 11.13 Board Reports - Tri-Council Committees
 - Tri-Council Health Advocacy Committee - Councillors Pearson, Melzer and Fulmore
- 11.14 Board Reports - Waste Management
 - Athabasca Regional Waste Management Services Commission - Councillors Sand and Fulmore
 - Lesser Slave Regional Waste Services Commission - Manager Kolenosky, Deputy Reeve Spencer, Councillors Pearson and Seatter
- 11.15 Board Reports - Watersheds
 - Lesser Slave Lake Watershed Council - Councillors Seatter and Pearson

- Athabasca Watershed Council - Councillor Sand

11.16 Board Reports - All Council Committees

- Tri-Council (MD/TOSL/Sawridge First Nation)
- Pembina River District No.3
- Disaster Service Committee

Proposed Motion: Move to accept the verbal Board Reports from Council as information.

NEW BUSINESS

12.1 Council Meeting Dates for July and August 2024

Proposed Motion:

CONFIDENTIAL ITEMS - CLOSED SESSION

13.1 Closed Session as per Sections 17, 18, 19, 20, and 29 of the FOIP Act.

Proposed Motion: Move to go into Closed Session at _____ a.m./p.m.

- Smith Development Status
- Smith Bridge Project Update
- Town of Slave Lake Working Group on Homeless Encampments
- Marten Beach Flood Mitigation Strategy

Proposed Motion: Move to return to Open Session at _____ a.m./p.m.

NOTICE OF MOTION

ADJOURNMENT

MINUTES

**Regular Meeting of Council
Municipal District of Lesser Slave River No. 124
May 22, 2024
Council Chambers**

- MEMBERS PRESENT** Murray Kerik - Reeve
Darren Fulmore - Division 1
Sandra Melzer - Division 1
Nancy Sand - Division 1
Brad Pearson - Division 2 (Teams)
Norm Seatter - Division 2
Lana Spencer - Deputy Reeve, Division 2
- IN ATTENDANCE** Barry Kolenosky - CAO, MD LSR
Rudolf Liebenberg - Operational Director of P & D, Utilities & PS, MD LSR
Holly Omelchuk - Operational Director, Finance and Central Services, MD LSR
Josh Friesen - Community Futures Slave Lake Region
Cody Borris - Facilities/Transportation Manager, MD LSR
Sandra Rendle - Associate Director, Legislative Services, MD LSR
Pearl Lorentzen - Lakeside Leader
Marilyn Gladue - Recording Secretary, MD LSR
- CALL TO ORDER** Reeve Kerik called the meeting to order at 10:00 a.m.
- ADOPTION OF AGENDA** **May 22, 2024, Regular Meeting of Council Agenda**
- MOTION 257-24**
Moved by Councillor Seatter to adopt the May 22, 2024, Regular Meeting of Council Agenda as amended:
- Remove:
- Delegate Scott Weinrich, MD Resident—Rescheduled to June 12, 2024
- Add:
- 10.3 Marten Beach Grooming/Signage
- 10.4 Smith Bridge Truss Repair
- 10.5 Senior's Week
- CARRIED**
- APPROVAL OF MINUTES** **May 8, 2024, Regular Council Meeting Minutes**
- MOTION 258-24**
Moved by Councillor Melzer to approve the May 8, 2024, Regular Council Meeting Minutes as presented.
- CARRIED**
- DELEGATION** **Josh Friesen, Community Futures Slave Lake Region**
- MOTION 259-24**
Moved by Councillor Fulmore to accept Josh Friesen, Community Futures Slave Lake Region presentation as information.
- CARRIED**
- S. Rendle entered at 10:40 a.m.

BYLAW

Bylaw 2024-12 Chief Administrative Officer Performance Evaluation Committee

MOTION 260-24

Moved by Councillor Fulmore to give first reading to Bylaw 2024-12 Chief Administrative Officer Performance Evaluation Committee.

CARRIED

MOTION 261-24

Moved by Councillor Sand to give second reading to Bylaw 2024-12 Chief Administrative Officer Performance Evaluation Committee.

CARRIED

MOTION 262-24

Moved by Councillor Seatter to give third reading to Bylaw 2024-12 Chief Administrative Officer Performance Evaluation Committee.

**UNANIMOUSLY
CARRIED**

MOTION 263-24

Moved by Deputy Reeve Spencer to give third and final reading to Bylaw 2024-12 Chief Administrative Officer Performance Evaluation Committee.

CARRIED

**REQUEST FOR
DECISION**

Rescinding of Motion #255-24

MOTION 264-24

Moved by Councillor Melzer that Council rescind Motion #255-24.

CARRIED

MOTION 265-24

Moved by Councillor Fulmore to appoint Reeve Kerik, Deputy Reeve Spencer, and Councillor Seatter to the CAO Evaluation Committee until the next Organizational Meeting of Council.

CARRIED

Councillor Seatter exited at 10:50 a.m.
Councillor Seatter returned at 10:52 a.m.
S. Rendle exited at 10:50 a.m.

Visitor Information Center (VIC) – Fiber Installation Request

MOTION 266-24

Moved by Councillor Pearson to table and direct Administration to bring back to next Regular Meeting with further information.

CARRIED

Deputy Reeve Spencer exited at 10:59 a.m.
Deputy Reeve Spencer returned at 11:01 a.m.
C. Borris entered at 11:00 a.m.

Compact Track Loader Tender Results

MOTION 267-24

Moved by Councillor Sand to direct Administration to purchase a Takeuchi TL12R2-CRHR compact track loader from SMS Equipment Inc. Edmonton in the amount of \$119,800.00 plus GST coming from 2024 Approved Budget.

CARRIED

MINUTES
Municipal District of Lesser Slave River No. 124 – Regular Meeting of Council
May 22, 2024

C. Borris exited at 11:05 a.m.
S. Rendle entered at 11:05 a.m.

Canyon Creek Recreation Association Campground Management Request

MOTION 268-24

Moved by Councillor Melzer that Council approves the Sale of Alcoholic beverages for on-site consumption at the Canyon Creek Campground and Harbour Store for 9:00 a.m. to 10:00 p.m., during the term of the Memorandum of Understanding between the Canyon Creek Recreation Association and the Municipal District of Lesser Slave River No. 124.

CARRIED

MOTION 269-24

Moved by Councillor Pearson that Council directs Administration to prepare an Addendum to the Memorandum of Understanding between Canyon Creek Recreation Association and Municipal District of Lesser Slave River No. 124 reflecting no off-site sales and sales only between the hours of 9:00 a.m. and 10:00 p.m.

CARRIED

MOTION 270-24

Moved by Councillor Pearson to direct Administration to request the 2023 Financial Statements from Canyon Creek Recreation Association and bring to next Council meeting.

CARRIED

S. Rendle exited at 11:10 a.m.

REPORTS

Lesser Slave Regional Fire Service Report

MOTION 271-24

Moved by Councillor Sand to accept the Lesser Slave Regional Fire Service Report as information.

CARRIED

FINANCIAL

Finance Monthly Report

MOTION 272-24

Moved by Deputy Reeve Spencer to accept the Municipal District of Lesser Slave River No. 124 – Statement of Operations as of April 30, 2024, for information.

CARRIED

H. Omelchuk entered at 11:12 a.m.
H. Omelchuk exited 11:15 a.m.

NEW BUSINESS

Town of Slave Lake Working Group on Homeless Encampments

MOTION 273-24

Moved by Councillor Melzer that Councillors Seatter and Sand attend the Town of Slave Lake Working Group meetings.

CARRIED

Marten Beach Grooming/Signage

MOTION 274-24

Moved by Deputy Reeve Spencer to direct Administration to submit an application for a Temporary Field Authorization (TFA) for West Fawcett Lake and Marten Beach for the purpose of Beach Grooming.

CARRIED

MINUTES
Municipal District of Lesser Slave River No. 124 – Regular Meeting of Council
May 22, 2024

MOTION 275-24

Moved by Councillor Seatter that Administration inspect and address the road signage at Marten Beach.

CARRIED

Senior’s Week

MOTION 276-24

Moved by Deputy Reeve Spencer to bring back B21 Proclamation of Special Days policy to next Council meeting for review.

CARRIED

Smith Bridge Truss Repairs Budget

MOTION 277-24

Moved by Councillor Fulmore to accept the Smith Bridge Truss Repairs Budget report for information as presented.

CARRIED

CLOSED SESSION

MOTION 278-24

Moved by Deputy Reeve Spencer to go into Closed Session at 11:38 a.m. as per the following Sections of the FOIP Act with CAO Kolenosky and Recording Secretary Gladue in attendance.

- Section 19 – Confidential Evaluations
- Section 24 – Advice from Officials

CARRIED

- Community Assistance Board Application
- Minister of Transportation Meeting
- MD Apparel

OPEN SESSION

MOTION 279-24

Moved by Councillor Sand to return to Open Session at 12:06 p.m.

CARRIED

MOTION 280-24

Moved by Councillor Seatter not to approve any Community Assistance funding to the Trailduster Horse Club of Smith, Alberta.

CARRIED

MOTION 281-24

Moved by Councillor Seatter to direct Administration send a written request to Trailduster Horse Club inviting them to a Council meeting.

CARRIED

ADJOURNMENT

MOTION 282-24

Moved by Deputy Reeve Spencer to adjourn at 12:10 p.m.

CARRIED

Chief Administrative Officer

Reeve

MINUTES

**Special Meeting of Council
Municipal District of Lesser Slave River No. 124
May 29, 2024
Council Chambers**

- MEMBERS PRESENT** Murray Kerik - Reeve
Darren Fulmore - Division 1
Sandra Melzer - Division 1
Nancy Sand - Division 1
Brad Pearson - Division 2 (Teams)
Norm Seatter - Division 2
Lana Spencer - Deputy Reeve, Division 2
- IN ATTENDANCE** Barry Kolenosky - CAO, MD LSR
Jeff Alliston - Metrix Group
Ehren Cox - HUB International Insurance Brokers
Holly Omelchuk - Operational Director, Finance and Central Services, MD LSR
Shari Spencer - Assistant Director, Field Services & Document Conveyance Manager
Khushdeep Singh - Field Services GIS
Marilyn Gladue - Recording Secretary, MD LSR
- CALL TO ORDER** Reeve Kerik called the meeting to order at 10:06 a.m.
- ADOPTION OF AGENDA** **May 29, 2024, Special Meeting of Council Agenda**

MOTION 283-24
Moved by Councillor Fulmore to adopt the May 29, 2024, Special Meeting of Council Agenda as presented.

CARRIED
- DELEGATIONS** **Jeff Alliston, CPA, CA – Metrix Group**
Ehren Cox, CEBS, CFP – HUB International Insurance Brokers
- CLOSED SESSION** **MOTION 284-24**
Moved by Councillor Melzer to go into Closed Session at 10:07 a.m. as per the following Sections of the FOIP Act with CAO Kolenosky, Operational Director, Finance & Central Services Omelchuk, Assistant Director, Field Services & Document Conveyance Manager Spencer, Field Services Singh, and Recording Secretary Gladue in attendance.

Section 19 – Confidential Evaluations
Section 29 – Information that is or will be available to the public

CARRIED
- Municipal District of Lesser Slave River No. 124 2023 Audit report presented by Jeff Alliston, Metrix Group

Alliston left meeting at 11:09 a.m.

Cox entered meeting at 11:09 a.m.
- Benefit Plan presented by Ehren Cox, HUB International Insurance Brokers

Omelchuk left meeting at 11:47 a.m.
- CAO Performance Appraisal

MINUTES
Municipal District of Lesser Slave River No. 124 – Special Meeting of Council
May 29, 2024

Councillor Seatter exited at 11:50 a.m.
Councillor Seatter returned at 11:52 a.m.
Councillor Pearson left meeting at 11:55 a.m.
Reeve Kerik exited at 11:56 a.m.
Reeve Kerik returned at 11:58 a.m.
Councillor Melzer exited at 12:04 p.m.
Councillor Melzer returned at 12:06 p.m.
Councillor Fulmore exited at 12:16 p.m.
Councillor Fulmore returned at 12:18 p.m.

Cox left meeting at 12:33 p.m.

RECESS 12:33 p.m.
RECONVENE 12:55 p.m.

Spencer / Singh entered at 12:55 p.m.
Spencer / Singh left meeting at 1:14 p.m.

Kolenosky / Gladue exited at 1:30 p.m.
Kolenosky / Gladue returned at 1:45 p.m.

OPEN SESSION

MOTION 285-24

Moved by Councillor Fulmore to return to Open Session at 1:45 p.m.

CARRIED

MOTION 286-24

Moved by Councillor Melzer to accept the Municipal District of Lesser Slave River No. 124 2023 Audit Report as presented.

CARRIED

MOTION 287-24

Moved by Deputy Reeve Spencer to approve the contract with Humaneuvers HR to complete the CAO performance appraisal for 2024 with funds to come out of 2-17-10-00-259 (HR Contracted Services).

CARRIED

ADJOURNMENT

MOTION 288-24

Moved by Councillor Fulmore to adjourn at 1:48 p.m.

CARRIED

Chief Administrative Officer

Reeve

MINUTES

**Community Assistance Board Meeting
Municipal District of Lesser Slave River No. 124
May 8th, 2024
Council Chambers**

- MEMBERS PRESENT** Murray Kerik - Reeve
Sandra Melzer - Division 1
Brad Pearson - Division 2 (Chair)
Nancy Sand - Division 1
Norm Seatter - Division 2
Lana Spencer - Deputy Reeve, Division 2
Darren Fulmore - Division 1
- IN ATTENDANCE** Barry Kolenosky - CAO, MD LSR
Sandra Rendle - Associate Director, Legislative Services, MD LSR
Marilyn Gladue - Recording Secretary, MD LSR
Pearl Lorentzen - Lakeside Leader
- CALL TO ORDER** Councillor Pearson called the meeting to order at 1:00 p.m.
- ADOPTION OF AGENDA** **May 8th, 2024, Community Assistance Board Agenda**
MOTION 018-24 CAB
Moved by Reeve Kerik to adopt the May 8th, 2024, Community Assistance Board agenda as presented. **CARRIED**
- ADOPTION OF MINUTES** **February 14th, 2024, Community Assistance Board Meeting Minutes**
MOTION 019-24 CAB
Moved by Councillor Melzer to adopt the February 14th, 2024, Community Assistance Board Meeting Minutes as presented. **CARRIED**
- FINANCIAL - CAB** **2024 YTD Community Assistance Board (CAB) Statement of Expenditures**
MOTION 020-24 CAB
Moved by Deputy Reeve Spencer to accept the 2024 YTD Community Assistance Board (CAB) Statement of Expenditures as presented. **CARRIED**
- FINANCIAL - FCSS** **2024 YTD Family and Community Assistance Board (FCSS) Statement of Expenditure**
MOTION 021-24 CAB
Moved by Councillor Sand to accept the 2024 YTD Family and Community Assistance Board (FCSS) Statement of Expenditures as presented. **CARRIED**
- Pearl Lorentzen left the meeting at 1:27 p.m.
- CLOSED SESSION** **CLOSED SESSION Deliberation of CAB AND FCSS Applications**
MOTION 022-24 CAB
Moved by Councillor Sand to go into Closed Session at 1:25 p.m. as per Section 29 of the FOIP Act – Information that is or will be available to the public. **CARRIED**

COMMUNITY ASSISTANCE BOARD (CAB) APPLICATIONS

Flatbush Help Services Society
Project Description: Program Support
Request: \$1,462.00

Gilwood Golf & Country Club
Project Description: Junior Golf Program
Request: \$5,000.00

Slave Lake Region Tourism Society
Project Description: Beach Fest 2024
Request: \$4,000.00

Smith Community Association
Project Description: Hamlet Beautification
Request: \$1,000.00

Smith Half Century Plus Association
Project Description: Operational and Insurance Costs
Request: \$5,000.00

Stage North Association
Project Description: Beach Fest 2024 Entertainment
Request: \$2,112.00

FAMILY AND COMMUNITY SUPPORT SERVICES (FCSS) APPLICATIONS

Flatbush Help Services Society
Project Description: Program Support
Request: \$4,700.00

Smith Community Association
Project Description: Celebrating Community Arts and Volunteer Day
Request: \$625.00

Smith Community Library
Project Description: Babysitting Course
Request: \$682.50

Smith School
Project Description: Indigenous Peoples Day Celebration
Request: \$1,000.00

OPEN SESSION

MOTION 023-24 CAB

Moved by Reeve Kerik to return to Open Session at 1:59 p.m.

CARRIED

Pearl Lorentzen returned to the meeting at 1:59 p.m.

COMMUNITY ASSISTANCE APPLICATIONS

Flatbush Help Services Society

MOTION 024-24 CAB

Moved by Reeve Kerik to direct Administration to send a letter to the Flatbush Help Services Society requesting information regarding users and a potential partnership with Gentle Ben Care Society.

CARRIED

Gilwood Golf & Country Club

MOTION 025-24 CAB

Moved by Councillor Melzer to approve Community Assistance Board funding to the Gilwood Golf & Country Club in the amount of \$2,500.00 for the Junior Golf Program.

CARRIED

Slave Lake Region Tourism Society

MOTION 026-24 CAB

Moved by Councillor Seatter to approve Community Assistance Board funding to the Slave Lake Region Tourism Society in the amount of \$4,000.00 for Summer Beach Fest 2024.

CARRIED

Smith Community Association

MOTION 027-24 CAB

Moved by Deputy Reeve Spencer to approve Community Assistance Board funding to the Smith Community Association in the amount of \$1,000.00 for Hamlet Beautification.

CARRIED

Smith Hall Century Plus Association

MOTION 028-24 CAB

Moved by Councillor Seatter to direct Administration to send a letter to Smith Hall Century Plus Association stating Community Assistance Board does not fund operational costs and encourage them to reapply for programming costs.

CARRIED

Stage North Association

MOTION 029-24 CAB

Moved by Councillor Sand to direct Administration to send a letter to Stage North Association stating the Beach Fest Entertainment cost is funded through the Slave Lake Region Tourism Society.

CARRIED

FAMILY AND COMMUNITY SUPPORT SERVICES (FCSS) APPLICATIONS

Flatbush Help Services Society

MOTION 030-24 CAB

Moved by Councillor Melzer to direct Administration to send a letter to the Flatbush Help Services Society requesting information regarding users and a potential partnership with Gentle Ben Care Society.

CARRIED

Smith Community Association

MOTION 031-24 CAB

Moved by Councillor Seatter to approve Family and Community Support Services (FCSS) funding to the Smith Community Association in the amount of \$625.00 for Celebrating Community Arts and Volunteer Day.

CARRIED

Smith Community Library

MOTION 032-24 CAB

Moved by Councillor Sand to approve Family and Community Support Services (FCSS) funding to the Smith Community Library in the amount of \$682.50 for a Babysitting Course.

CARRIED

Smith School

MOTION 033-24 CAB

Moved by Councillor Fulmore to approve Family and Community Support Services (FCSS) funding to the Smith School in the amount of \$1,000.00 for Indigenous Peoples Day Celebration.

MINUTES
Municipal District of Lesser Slave River No. 124 – Community Assistance Board
May 8, 2024

Page 4

CARRIED

ADJOURNMENT

MOTION 034-24 CAB

Moved by Councillor Fulmore to adjourn the Community Assistance Board meeting at 2:05 p.m.

CARRIED

Chief Administrative Officer

Chair

DRAFT



**Lesser Slave River
Administration**

APPEARING BEFORE COUNCIL AS A DELEGATION

GUIDELINES

- Council meetings are held every second and fourth Wednesdays. Please refer to the Council calendar posted on the MD website (www.md124.ca) for the dates.
- There is a limit of two delegations per meeting; therefore, we advise that delegations book well in advance of the desired date.
- Delegations shall be dealt with at their pre-arranged hour. Please contact the Executive Assistant at 780.849.4888 ext. 211 for details.
- Delegations will only be received with prior arrangements made with the Administration Office at least one week before the next meeting of Council.
- Anyone wishing to appear before Council as a delegation must submit the DELEGATION REQUEST TO APPEAR BEFORE COUNCIL form with written reasons/issues in which they wish to address council and any other pertinent information.
- Delegations are restricted to a Maximum time limit of 15 minutes for their presentation and question period. Anyone requiring more time requires the prior approval of Administration and the Reeve. Council may ask questions after the presentation form clarification.
- If you will be providing supporting documentation, such as a PowerPoint presentation, you are required to submit the documents no later than 4:30 pm on the Wednesday prior to the meeting. PowerPoint presentations are limited to a maximum of ten slides.
- In order to schedule a date to appear before Council, delegations must provide the information on the attached form. This information will be included in the agenda. The provision of this information clarifies the purpose of the delegation for Council and allows Council Members to become familiar with your topic and obtain any necessary background information.
- Your address will be included with your delegation information and circulated to Council; if you do not wish your address to be included in the public agenda, please advise the Executive Assistant.

LEGISLATION: Bylaw 2021-12

DELEGATION REQUEST TO APPEAR BEFORE COUNCIL

This form is mandatory before any request is considered.

NAME OF PERSON & ASSOCIATE OR ORGANIZATION

Scott and or Ellen Weinrich

TOPIC OF DISCUSSION

Please be specific, provide details, and attach additional information if required.

License of occupation regarding Agricultural use of an undeveloped road allowance between two properties of same ownership.

PURPOSE OF PRESENTATION

For example: information only, requesting a letter of support, requesting funding, etc. (Please provide details).

I am willing to make myself available for any questions or concerns regarding regarding the above and to get clarification as to The reasoning behind the notice of discontinuation for license of occupation. I have requested what information may be requested of me from the MD and Will try and provide as requested.

ACTIVITIES TO DATE RELEVANT TO THIS MATTER

Attach additional information if required.



Lesser Slave River

Administration

ADDRESS	PHONE	MUNICIPAL DISTRICT - LESSER SLAVE RIVER #47124
SIGNATURE	DATE	COUNCIL MEETING DAY REQUESTED
<i>Scott Weinrich</i>	April 17/2024	Whenever council is scheduled to hear the matter <i>May 22/24</i>
EMAIL		

DELEGATION REQUEST TO APPEAR BEFORE COUNCIL

REQUIREMENTS

- If you will be providing supporting documentation such as a PowerPoint presentation, you are required to submit the presentation no later than 4:30 pm on the Wednesday prior to the meeting on a CD, DVD, or a flash drive/memory stick.
- PowerPoint presentations are limited to a maximum of ten slides.
- If your software requirements are not compatible with the municipality's software, you will be unable to use an electronic presentation.

TO FACILITATE CONSTRUCTIVE AND EFFECTIVE PUBLIC ENGAGEMENT, THE FOLLOWING INFORMATION IS PROVIDED

1. A ten-minute time limit is necessary regardless of how many people will speak. PowerPoint presentations are limited to a maximum of ten slides. Try to leave time for questions.
2. The name of the person and/or group will be published in the agenda and minutes (available to the public and on the internet).
3. If your material is not published in the agenda, bring sufficient handouts for the Council members (15 copies minimum). The Municipal District will not provide photocopying services.
4. Direct your presentation to Municipal District Council.
5. Participate with integrity. A collaborative and respectful approach is appreciated.
6. Be concise.
7. Do not expect an immediate answer. Your issue may be referred to staff for more information or to another meeting for further consideration.
8. Delegations with regard to any aspect of Community Plans or a Zoning application are prohibited between the conclusion of the Public Hearing and the Adoption of the By-law.
9. All communication and petitions intended to be presented to Council shall be legibly written, typed, or printed; signed by at least one person; dated; and include a contact phone number or address before being accepted.
10. Your presentation may not be on the date requested due to prior commitments or staff resources.
11. Your delegation is not confirmed until you are contacted by Municipal staff to confirm your place on the agenda; all requests are authorized by the CAO.

HELPFUL SUGGESTIONS

- Arrive 15 minutes in advance of the meeting start time.
- Turn off cell phones.
- Be prepared.
- Speak clearly.
- Keep your presentation brief and to the point.
- Allow for extra time at the end of the presentation for a question and answer period.
- Provide the Recording Secretary with any relevant notes if they have not been handed out or published in the agenda.



Lesser Slave River

Administration

MUNICIPAL DISTRICT OF LESSEr SLAVE RIVER 174 | BOX 722, SLAVE LAKE, AB T0G 2A0 | 416 843 4800 | 1-877-308-4294 | FAX: 780 843 4500
FOR OFFICE USE ONLY

Approved Declined Other

APPEARANCE DATE (IF APPLICABLE)

May 22 / 24

APPLICANT INFORMED OF DECISION ON (DATE)

Apr 30 / 24

BY (SIGNATURE)

DATE

Apr 30 / 24

BY (SIGNATURE)



**Lesser Slave River
Administration**

APPEARING BEFORE COUNCIL AS A DELEGATION

GUIDELINES

- Council meetings are held every second and fourth Wednesdays. Please refer to the Council calendar posted on the MD website (www.md124.ca) for the dates.
- There is a limit of two delegations per meeting; therefore, we advise that delegations book well in advance of the desired date.
- Delegations shall be dealt with at their pre-arranged hour. Please contact the Executive Assistant at 780.849.4888 ext. 211 for details.
- Delegations will only be received with prior arrangements made with the Administration Office at least one week before the next meeting of Council.
- Anyone wishing to appear before Council as a delegation must submit the DELEGATION REQUEST TO APPEAR BEFORE COUNCIL form with written reasons/issues in which they wish to address council and any other pertinent information.
- Delegations are restricted to a Maximum time limit of 15 minutes for their presentation and question period. Anyone requiring more time requires the prior approval of Administration and the Reeve. Council may ask questions after the presentation form clarification.
- If you will be providing supporting documentation, such as a PowerPoint presentation, you are required to submit the documents no later than 4:30 pm on the Wednesday prior to the meeting. PowerPoint presentations are limited to a maximum of ten slides.
- In order to schedule a date to appear before Council, delegations must provide the information on the attached form. This information will be included in the agenda. The provision of this information clarifies the purpose of the delegation for Council and allows Council Members to become familiar with your topic and obtain any necessary background information.
- Your address will be included with your delegation information and circulated to Council; if you do not wish your address to be included in the public agenda, please advise the Executive Assistant.

LEGISLATION: Bylaw 2021-12

DELEGATION REQUEST TO APPEAR BEFORE COUNCIL

This form is mandatory before any request is considered.

NAME OF PERSON & ASSOCIATE OR ORGANIZATION

Slave Lake Regional Tourism Society

TOPIC OF DISCUSSION

Please be specific, provide details, and attach additional information if required.

The formalization and expansion of the Tourism Society similar to models done in the Peace and Mackenzie Region

PURPOSE OF PRESENTATION

For example: information only, requesting a letter of support, requesting funding, etc. (Please provide details).

Requesting formalized membership, with a yearly contribution to the society.

ACTIVITIES TO DATE RELEVANT TO THIS MATTER

Attach additional information if required.

ADDRESS

PHONE

EMAIL

hjm@slaverlake.ca, executivedirector@albertanca.ca

SIGNATURE

Jennifer Churchill

DATE

May 21, 2024

COUNCIL MEETING DAY REQUESTED

June 12, 2024



**Lesser Slave River
Administration**

DELEGATION REQUEST TO APPEAR BEFORE COUNCIL

REQUIREMENTS

- If you will be providing supporting documentation such as a PowerPoint presentation, you are required to submit the presentation no later than 4:30 pm on the Wednesday prior to the meeting on a CD, DVD, or a flash drive/memory stick.
- PowerPoint presentations are limited to a maximum of ten slides.
- If your software requirements are not compatible with the municipality's software, you will be unable to use an electronic presentation.

TO FACILITATE CONSTRUCTIVE AND EFFECTIVE PUBLIC ENGAGEMENT, THE FOLLOWING INFORMATION IS PROVIDED

1. A ten-minute time limit is necessary regardless of how many people will speak. PowerPoint presentations are limited to a maximum of ten slides. Try to leave time for questions.
2. The name of the person and/or group will be published in the agenda and minutes (available to the public and on the internet).
3. If your material is not published in the agenda, bring sufficient handouts for the Council members (15 copies minimum). The Municipal District will not provide photocopying services.
4. Direct your presentation to Municipal District Council.
5. Participate with integrity. A collaborative and respectful approach is appreciated.
6. Be concise.
7. Do not expect an immediate answer. Your issue may be referred to staff for more information or to another meeting for further consideration.
8. Delegations with regard to any aspect of Community Plans or a Zoning application are prohibited between the conclusion of the Public Hearing and the Adoption of the By-law.
9. All communication and petitions intended to be presented to Council shall be legibly written, typed, or printed; signed by at least one person; dated; and include a contact phone number or address before being accepted.
10. Your presentation may not be on the date requested due to prior commitments or staff resources.
11. Your delegation is not confirmed until you are contacted by Municipal staff to confirm your place on the agenda; all requests are authorized by the CAO.

HELPFUL SUGGESTIONS

- Arrive 15 minutes in advance of the meeting start time.
- Turn off cell phones.
- Be prepared.
- Speak clearly.
- Keep your presentation brief and to the point.
- Allow for extra time at the end of the presentation for a question and answer period.
- Provide the Recording Secretary with any relevant notes if they have not been handed out or published in the agenda.

FOR OFFICE USE ONLY

Approved
 Declined
 Other

APPEARANCE DATE (IF APPLICABLE) *June 12, 2024*

APPLICANT INFORMED OF DECISION ON (DATE) *May 21/24*

BY (SIGNATURE) *[Signature]*

DATE *May 21/24* BY (SIGNATURE) *Mandy [Signature]*



Lesser Slave River

Request for Decision

Title:	Bylaw 2024-09 Land Use Amendment #15
Date:	6/12/2024
Presented By:	Samantha Dyck, Planning & Development Officer
Attachments:	Bylaw 2024-09, Application, Map

Proposed Motion	<i>Move to give First Reading to Bylaw 2024-09 to change the land use district of NE 10-70-1-W5M from Commercial (C) to Agricultural District, Land Use Bylaw 2021-17 Amendment No. 15 as presented, and to schedule the public hearing for June 26, 2024.</i>
Administration's Recommendation(s)	As proposed

BACKGROUND:

An application has been received from a landowner to change the current zoning of NE 10-70-1-W5M from Commercial (C) to Agricultural (A) District. During the examination of documents pertaining to this property, previous Administration conducted a thorough analysis of its history in 2007. There does not appear to be a reason for the Commercial zoning, other than that the property is located adjacent to HWY 2 and would be ideal for a business location. The landowner does not wish to locate a business on the site and instead, desires to allow their children to build homes near them. The Commercial zoning does not allow for additional dwellings to be built, while the Agricultural zoning will.

ALTERNATIVE OPTIONS:

Council may refuse this application; however, Administration does not recommend this.

BENEFIT/RISKS:

The benefit of changing the zoning of this property is that it will allow the property owner to build further residential development.

STRATEGIC ALIGNMENT:

- Municipal Development Plan Bylaw 2012-09:*
Section 6.0 Agriculture:
Objectives:
 - To protect and retain productive agricultural lands.
 - To protect agricultural operations from incompatible non-agricultural uses.

Currently, the lands are zoned as Commercial, which does not align with the MDP, Section 6.0, so rezoning to Agricultural will bring the property into conformance.

- Land Use Bylaw No. 2021-17:*
Section 7.3. Agricultural District:
Minimum Parcel Area is 10 ha (24.7 ac)

This parcel is 45.66 ha (112.84 ac) and as such meets the minimum size for the requirements of Section 7.3 of the LUB. There is currently one (1) dwelling on-site and the Land Use Bylaw allows up to four (4) in Agricultural District.

Council reminder for the development process:

1. *Subdivision - to create additional parcels, land use amendment may be required prior to subdivision approval.*
2. *When rezoning is required, MDLSR needs a land use amendment (3 readings that requires PH after 1st reading).*
3. *Development process - development permit approval can be done by Planning after subdivision registration is completed, all discretionary development permits will go to MPC.*

FINANCIAL IMPLICATION:

Negligible.

OTHER CONSIDERATIONS:

Section 692 of the *Municipal Government Act (MGA)* requires a municipality to hold a public hearing with respect to amending a statutory plan or land use bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

COMMUNICATION STRATEGY:

Prior to the public hearing, adjacent landowners, adjacent jurisdictions, and other referral agencies will be notified via letter. The public hearing will also be advertised as per the *MGA*.

Following are the dates proposed for adjacent landowners, adjacent jurisdictions, referral agencies, advertising of the public hearing, written submission deadline, and public hearing.

- June 12, 2024 – 1st reading of Bylaw 2024-02
- April 30, 2024 – written notification sent to the landowner, adjacent landowners, and referral agencies.
- June 12, 2024 – advertisement in the Lakeside Leader (week one)
- June 19, 2024 – advertisement in the Lakeside Leader (week two)
- June 20, 2024 – deadline for written submissions to be included in the agenda
- June 26, 2024 – Public Hearing (Council Chambers at 10:15 a.m.)
- June 26, 2024 – 2nd reading and 3rd reading

Prepared By: Samantha Dyck, Planning & Development Officer
Reviewed By: Rudolf Liebenberg, Director, Planning, Utilities, and Protective Services
Approved By: Barry Kolenosky, Chief Administrative Officer



BYLAW 2024-09

A BYLAW OF THE MUNICIPAL DISTRICT OF LESSER SLAVE RIVER NO. 124 IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW 2021-17 LAND USE BYLAW AMENDMENT #15

WHEREAS Section 640 of the *Municipal Government Act*, RSA 2000, and amendments thereto, empowers a Council to adopt a Land Use Bylaw within the Municipal District of Lesser Slave River No. 124;

WHEREAS the Municipal District of Lesser Slave River No. 124 Council has adopted Bylaw 2021-17 Land Use Bylaw;

WHEREAS Section 191 (1) of the *Municipal Government Act*, and amendments thereto, provides the power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw;

WHEREAS the amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise;

WHEREAS the Council for the Municipal District of Lesser Slave River No. 124 deems it appropriate and expedient to amend Bylaw 2021-17 Land Use Bylaw; and

NOW THEREFORE the Council of Municipal District of Lesser Slave River No. 124 in the Province of Alberta, duly assembled, hereby amends Bylaw 2021-17 Land Use Bylaw as follows:

NOW THEREFORE the Council of Municipal District of Lesser Slave River No. 124 in the Province of Alberta, duly assembled, hereby amends Bylaw 2021-17 Land Use Bylaw as follows:

1. The land use district of NE 10-70-1-W5M changes from Commercial (C) to Agricultural (A) District, as shown on Schedule "A" which is attached hereto and forms part of this Bylaw.
2. Bylaw 2021-17 Land Use Bylaw is hereby amended.
3. Bylaw 2024-05 AMENDMENT #14 forms part of Bylaw 2021-17 Land Use Bylaw.
4. This Bylaw 2024-05 AMENDMENT #14 becomes effective upon the date of the final passing thereof.

This Bylaw takes effect immediately after third reading and upon being signed.

READ for a first time this ___th day of June 2024

PUBLIC HEARING held on ___ day of _____, 2024.

READ for a second time this ___th day of _____, 2024.

READ for a third and final time this ___th day of _____, 2024.

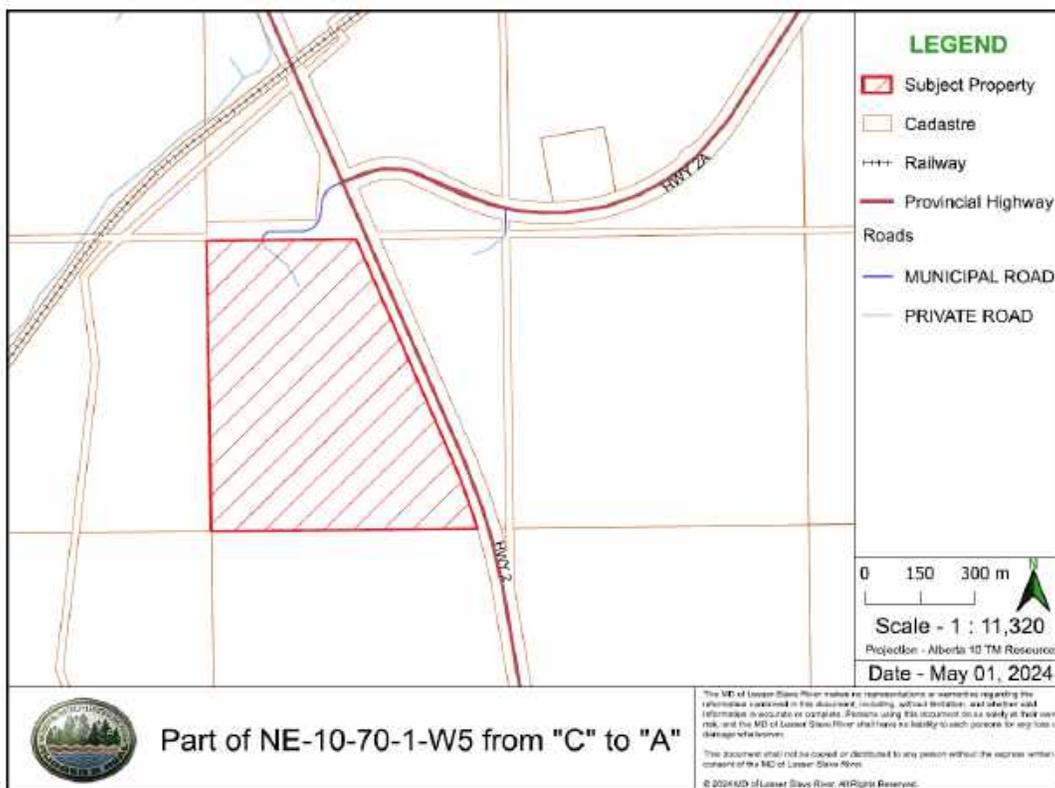
Murray Kerik, Reeve

Barry Kolenosky, Chief Administrative Officer



BYLAW 2024-09

SCHEDULE "A"





Application no.: *24-RZ-01*

Form Received: *MARCH 2024*

Lesser Slave River
Planning & Development

LAND USE BYLAW AMENDMENT APPLICATION

This form is to be completed in full wherever applicable by the registered owner of the land that is subject of the application or by a person authorized to act on the registered owner's behalf.

APPLICANT NAME <i>Derek + Sandra Nickel</i>	HOME PHONE	MOBILE PHONE
MAILING ADDRESS [REDACTED]		POSTAL CODE [REDACTED]
EMAIL ADDRESS [REDACTED]		
<i>Complete below if different from applicant:</i>		
REGISTERED LANDOWNER NAME <i>Derek + Sandra Nickel</i>	HOME PHONE	MOBILE PHONE
MAILING ADDRESS		POSTAL CODE

LAND LOCATION [REDACTED]

Quarter: *N.E.* Section: *10* Township: *70* Range: *1* Meridian: *W of 5th* OR Lot: Block: Plan:

LAND USE CLASSIFICATION AMENDMENT PROPOSED

FROM: *Commercial* TO: *Agricultural*

IS THIS AMENDMENT A CONDITION OF SUBDIVISION OR DEVELOPMENT? YES NO

DESCRIBE THE HISTORICAL USE/CONTENTS OF THE LAND (Please check all that apply)

Gravesite Industrial Site Oil/Gas Landfill Sewage: *Septic* Open Discharge Lagoon

Storage of Hazardous Materials Other

REASONS SUPPORTING PROPOSED AMENDMENT (Please include additional pages if space below is insufficient)

Historically this land was used as a farm. We wish to have land zoned agricultural from commercial so our children would be able to build homes on the land. This rezoning will allow discretionary uses, more in line with our desires.

I/WE HAVE ENCLOSED THE REQUIRED APPLICATION FEE OF \$____, AND HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT. *waived / documented*

NOTE: Registered owner's signature is required if different from applicant.

[REDACTED SIGNATURE] DATE: *March 25, 2024*

[REDACTED SIGNATURE] DATE: *March 25, 2024*

MUNICIPAL DISTRICT OF LESSER SLAVE RIVER 100-124 | BOX 722, SLAVE LAKE AB T0G 2A0 | Tel 780.849.4888 | Toll-Free 1.866.449.4888 | Fax 780.849.4939
 BOX 93, FLATBUSH AB T0G 0Z0 | Tel 780.681.3929 | Toll-Free 1.866.681.3929 | Fax 780.681.3936



Lesser Slave River
Planning & Development

LAND USE BYLAW AMENDMENT APPLICATION | RIGHT OF ENTRY

Please complete the following right-of-way form and include it with your Development Permit Application.

Right of Entry for an Authorized Person of the Municipal District of Lesser Slave River no. 124 for the purpose of a Site Inspection of the Land Affected by the Proposed Permit Application.

I DO
 I DO NOT

give consent for an authorized person of the Municipal District of Lesser Slave River no. 124 to enter upon the land that is subject to the application for the purposes of making a site inspection in order to evaluate the proposed application and monitor its compliance.

LAND LOCATION

N.E. Quarter *10.* Section *70* Township *R1* Range *W 45th* Meridian OR Lot Block Plan

SANDRA + DEREK NICKEL
APPLICANT NAME (PLEASE PRINT)

[Redacted Signature]

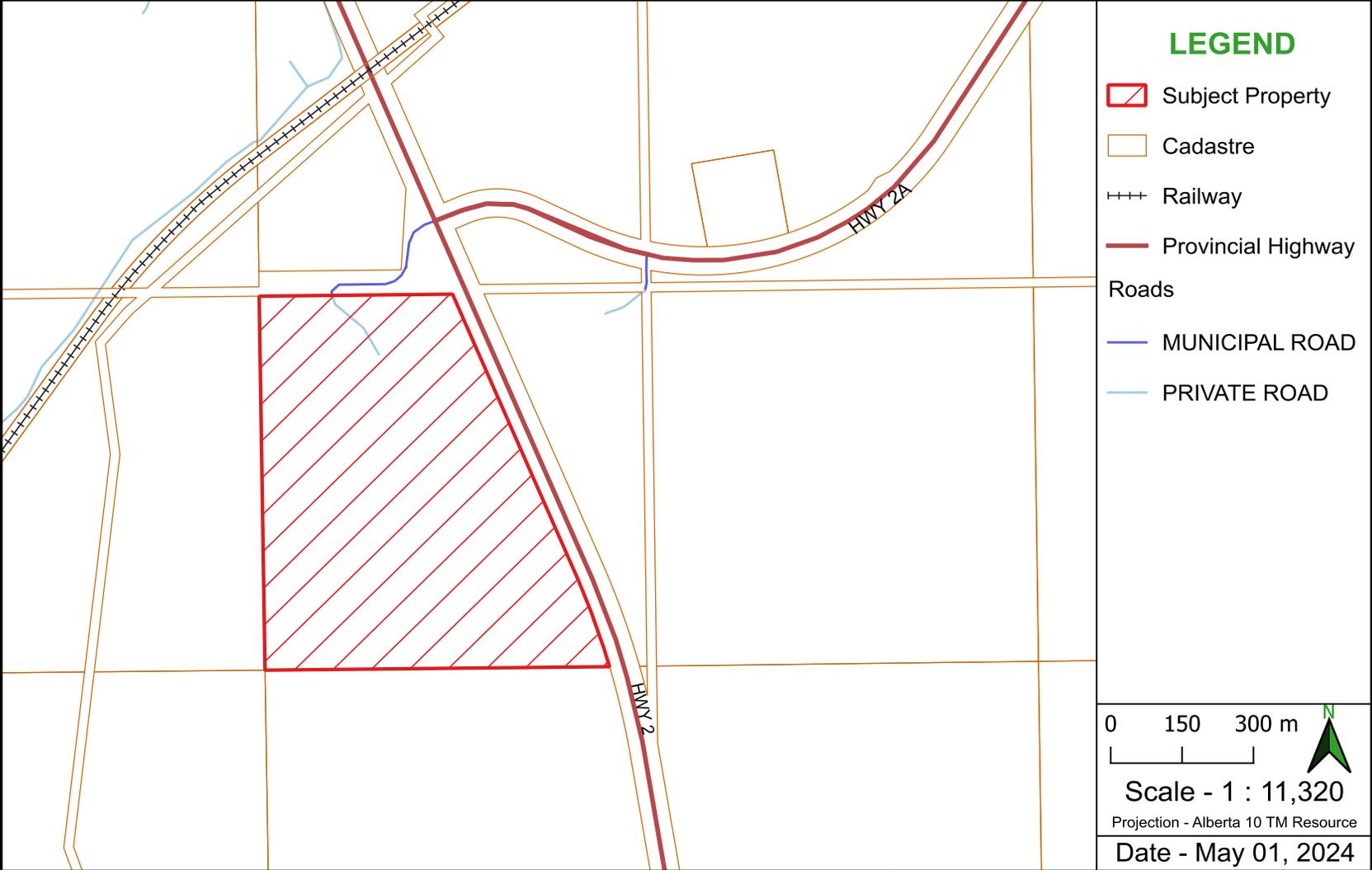
DATE *March 25, 2024*

FOR ADMINISTRATIVE USE

FEE ENCLOSED: *NIA* AMOUNT: RECEIPT NO.:

Yes No *See ITR form A. Winarski*

MUNICIPAL DISTRICT of LESSER SLAVE RIVER no. 124 | BOX 722, SLAVE LAKE AB T0G 2A0 | Tel 780.849.4888 | Toll-Free 1.866.449.4888 | Fax 780.849.4939
BOX 93, FLATBUSH AB T0G 0Z0 | Tel 780.681.3929 | Toll-Free 1.866.681.3929 | Fax 780.681.3936



Part of NE-10-70-1-W5 from "C" to "A"

The MD of Lesser Slave River makes no representations or warranties regarding the information contained in this document, including, without limitation, and whether said information is accurate or complete. Persons using this document do so solely at their own risk, and the MD of Lesser Slave River shall have no liability to such persons for any loss or damage whatsoever.

This document shall not be copied or distributed to any person without the express written consent of the MD of Lesser Slave River.

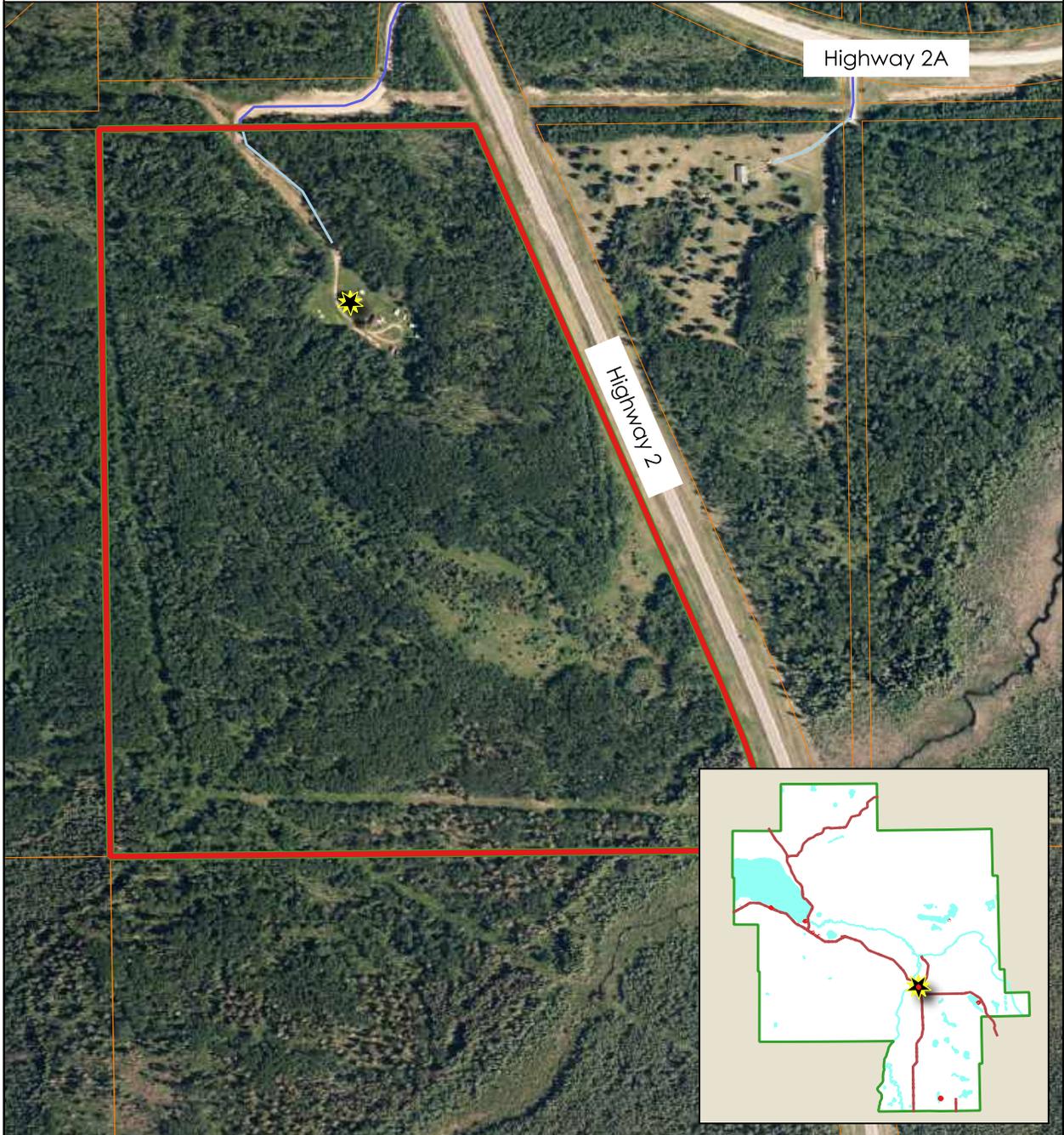
© 2024 MD of Lesser Slave River. All Rights Reserved.



Municipal District of
Lesser Slave River 124

Land Use Amendment

Location - NE-10-70-1-W5



LEGEND

- Subject Property
- Cadastre

M.D. of Lesser Slave River 124 makes no representations or warranties regarding the information contained in this document, including, without limitation, whether said information is accurate or complete. Person using this document do so solely at their own risk and M.D. of Lesser Slave River 124 shall have no liability to such persons for any loss or damage whatsoever.

This document shall not be copied or distributed to any person without the express written consent of M.D. of Lesser Slave River 124.

©2024 M.D. of Lesser Slave River 124. All Rights Reserved.

0 80 160 m

Scale - 1 : 6,000

Map Print Date : June 4, 2024



Lesser Slave River

Request for Decision

Title:	Bylaw 2024-10 Land Use Amendment #16
Date:	6/12/2024
Presented By:	Samantha Dyck, Planning & Development Officer
Attachments:	Bylaw 2024-10, Application, Map

Proposed Motion	<i>Move that Council give First Reading to Bylaw 2024-10 being a Land Use Bylaw Amendment to redesignate a portion of the parcel legally described as SW 27-73-07-W5 and containing all of Plan 172 2452, Block 2, Lot 1 from Urban Reserve (UR) to Light Industrial (LI) District and to schedule the Public Hearing for June 26, 2024.</i>
Administration's Recommendation(s)	As proposed.

BACKGROUND:

An application has been received to change the zoning of a portion of SW 27-73-07 W5M from Urban Reserve to Light Industrial District. The current zoning does not align with the usage of the property as the Urban Reserve District's purpose is to reserve or hold those areas near or within Hamlets that are currently unserved, un-subdivided, or undeveloped for future expansion. However, this property is not any of those things. It has had a home on the property since 1976 and a development permit for an automotive shop since 2008.

ALTERNATIVE OPTIONS:

Since every person has the right to be heard, no alternative other than to proceed to a Public Hearing is recommended.

BENEFIT/RISKS:

There is no risk of proceeding with a public hearing.

STRATEGIC ALIGNMENT:

1. *Municipal Development Plan Bylaw 2012-09:*
 - 2.0 *Community Areas*
Fringe Area Development
 - 2.1.3 *Developments on the fringes of Community Areas shall be carefully regulated by the MD so that the natural amenities of the Community Areas are not negatively affected. To that end, the MD shall not normally approve of discretionary developments and Council shall not normally approve of Land Use Bylaw amendments in the areas close to Community Areas unless it can be demonstrated that the proposed developments or subdivisions will not have a negative impact on the Community Areas.*

This parcel is within the fringe area of a Community Area as it is along Highway 2 in the western part of the MD. As a parcel along Highway 2, it is separated from the other residential lots by a buffer of trees. Additionally, access to the subdivided parcel is gained from Highway 2 rather than an MD road. The location of this parcel, while in a fringe area, does make sense to allow a re-zoning as it will not negatively affect the neighboring properties.

2. *Land Use Bylaw No. 2021-17:*
Section 7.6 Light Industrial:

The Land Use Bylaw 2021-17 requires a minimum size of 0.05 ha (0.124 ac) for a Light Industrial zoned parcel of land. As the subdivision is registered, the parcel of land will have enough land when changed from Urban Reserve to Light Industrial District.

The current use of the property follows the uses within the Light Industrial District. The current zoning of Urban Reserve does not allow for any subdivision. To do a Boundary Adjustment subdivision, the zoning must change. The property will be required to have the services upgraded and brought into the property. The landowner is aware and willing to complete this requirement.

Council reminder for the development process:

1. *Subdivision - to create additional parcels, land use amendment may be required prior to subdivision approval.*
2. *When rezoning is required, MDLSR needs a land use amendment (3 readings that requires PH after 1st reading).*
3. *Development process - development permit approval can be done by Planning after subdivision registration is completed, all discretionary development permits will go to MPC.*

FINANCIAL IMPLICATION:

Standard costs to process a change in land use application (Planning & Development staff time, advertising) can be anticipated.

OTHER CONSIDERATIONS:

Section 692 of the *Municipal Government Act (MGA)* requires a municipality to hold a public hearing with respect to amending a statutory plan or land use bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

COMMUNICATION STRATEGY:

Prior to the public hearing, adjacent landowners, adjacent jurisdictions, and other referral agencies will be notified via letter. The public hearing will also be advertised as per the *MGA*.

Following are the dates proposed for adjacent landowners, adjacent jurisdictions, referral agencies, advertising of the public hearing, written submission deadline, and public hearing.

- June 12, 2024 – 1st reading of Bylaw 2024-02
- May 27, 2024 – written notification sent to the landowner, adjacent landowners, and referral agencies.
- June 12, 2024 – advertisement in the Lakeside Leader (week one)
- June 19, 2024 – advertisement in the Lakeside Leader (week two)
- June 20, 2024 – deadline for written submissions to be included in the agenda.
- June 26, 2024 – Public Hearing (Council Chambers at 10:15 a.m.)
- June 26, 2024 – 2nd reading and 3rd reading.

Prepared By: Samantha Dyck, Planning & Development Officer
Reviewed By: Rudolf Liebenberg, Director, Planning, Utilities, and Protective Services
Approved By: Barry Kolenosky, Chief Administrative Officer



BYLAW 2024-10

A BYLAW OF THE MUNICIPAL DISTRICT OF LESSER SLAVE RIVER NO. 124 IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW 2021-17 LAND USE BYLAW AMENDMENT #16

WHEREAS Section 640 of the *Municipal Government Act*, RSA 2000, and amendments thereto, empowers a Council to adopt a Land Use Bylaw within the Municipal District of Lesser Slave River No. 124;

WHEREAS the Municipal District of Lesser Slave River No. 124 Council has adopted Bylaw 2021-17 Land Use Bylaw;

WHEREAS Section 191 (1) of the *Municipal Government Act*, and amendments thereto, provides the power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw;

WHEREAS the amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise;

WHEREAS the Council for the Municipal District of Lesser Slave River No. 124 deems it appropriate and expedient to amend Bylaw 2021-17 Land Use Bylaw; and

NOW THEREFORE the Council of Municipal District of Lesser Slave River No. 124 in the Province of Alberta, duly assembled, hereby amends Bylaw 2021-17 Land Use Bylaw as follows:

NOW THEREFORE the Council of Municipal District of Lesser Slave River No. 124 in the Province of Alberta, duly assembled, hereby amends Bylaw 2021-17 Land Use Bylaw as follows:

1. The land use district of a portion of the parcel legally described as SW 27-73-07-W5 and containing all of Plan 172 2452, Block 2, Lot 1 changes from Urban Reserve (UR) to Light Industrial (LI) District, as shown on Schedule "A" which is attached hereto and forms part of this Bylaw.
2. Bylaw 2021-17 Land Use Bylaw is hereby amended.
3. Bylaw 2024-05 AMENDMENT #14 forms part of Bylaw 2021-17 Land Use Bylaw.
4. This Bylaw 2024-05 AMENDMENT #14 becomes effective upon the date of the final passing thereof.

This Bylaw takes effect immediately after third reading and upon being signed.

READ for a first time this ____th day of June 2024

PUBLIC HEARING held on ____ day of _____, 2024.

READ for a second time this ____th day of _____, 2024.

READ for a third and final time this ____th day of _____, 2024.

Murray Kerik, Reeve

Barry Kolenosky, Chief Administrative Officer



BYLAW 2024-10

SCHEDULE "A"





Lesser Slave River
Planning & Development

Application no.:

Form Received:

LAND USE BYLAW AMENDMENT APPLICATION

This form is to be completed in full wherever applicable by the registered owner of the land that is subject of the application or by a person authorized to act on the registered owner's behalf.

APPLICANT NAME Don Wilson Surveys Ltd. C/O Nate Wilson	HOME PHONE [REDACTED]	MOBILE PHONE
MAILING ADDRESS [REDACTED]		POSTAL CODE T7N 1A1
EMAIL ADDRESS [REDACTED]		
<i>Complete below if different from applicant:</i>		
REGISTERED LANDOWNER NAME r	HOME PHONE	MOBILE PHONE
MAILING ADDRESS		POSTAL CODE T9G 0M0

LAND LOCATION

Pl. SW	27	73	7	5	OR	1	2	172-2433
Quarter	Section	Township	Range	Meridian	Lot	Block	Plan	

LAND USE CLASSIFICATION AMENDMENT PROPOSED

FROM: Urban Reserve District TO: Light Industrial District

IS THIS AMENDMENT A CONDITION OF SUBDIVISION OR DEVELOPMENT? YES NO

DESCRIBE THE HISTORICAL USE/CONTENTS OF THE LAND (Please check all that apply)

<input type="checkbox"/> Gravesite	<input type="checkbox"/> Industrial Site	<input type="checkbox"/> Oil/Gas	<input type="checkbox"/> Landfill	<input type="checkbox"/> Sewage	<input type="checkbox"/> Open Discharge	<input type="checkbox"/> Lagoon
<input type="checkbox"/> Storage of Hazardous Materials	<input type="checkbox"/> Other					

REASONS SUPPORTING PROPOSED AMENDMENT (Please include additional pages if space below is insufficient)

Please see attached Letter

I/WE HAVE ENCLOSED THE REQUIRED APPLICATION FEE OF \$ 500 AND HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT.

NOTE: Registered owner's signature is required if different from applicant.

_____ APPLICANT SIGNATURE	DATE: March 20, 2024
_____ Please see attached signed form	DATE:
_____ REGISTERED LANDOWNER SIGNATURE	DATE:

MUNICIPAL DISTRICT of LESSER SLAVE RIVER no. 124 | BOX 722, SLAVE LAKE AB T0G 2A0 | Tel 780.849.4888 | Toll-Free 1.866.449.4888 | Fax 780.849.4839
 BOX 93, FLATBUSH AB T0G 0Z0 | Tel 780.681.3929 | Toll-Free 1.866.681.3929 | Fax 780.681.3939



Lesser Slave River
Planning & Development

LAND USE BYLAW AMENDMENT APPLICATION | RIGHT OF ENTRY

Please complete the following right-of-way form and include it with your Development Permit Application.

Right of Entry for an Authorized Person of the Municipal District of Lesser Slave River no. 124 for the purpose of a Site Inspection of the Land Affected by the Proposed Permit Application.

I DO

I DO NOT

give consent for an authorized person of the Municipal District of Lesser Slave River no. 124 to enter upon the land that is subject to the application for the purposes of making a site inspection in order to evaluate the proposed application and monitor its compliance.

LAND LOCATION

Pl. SW **OR**
Quarter Section Township Range Meridian Lot Block Plan

Nate Wilson For Den Wilson Surveys Ltd.

APPLICANT NAME (PLEASE PRINT)

[Redacted Signature]

APPLICANT SIGNATURE

DATE

FOR ADMINISTRATIVE USE

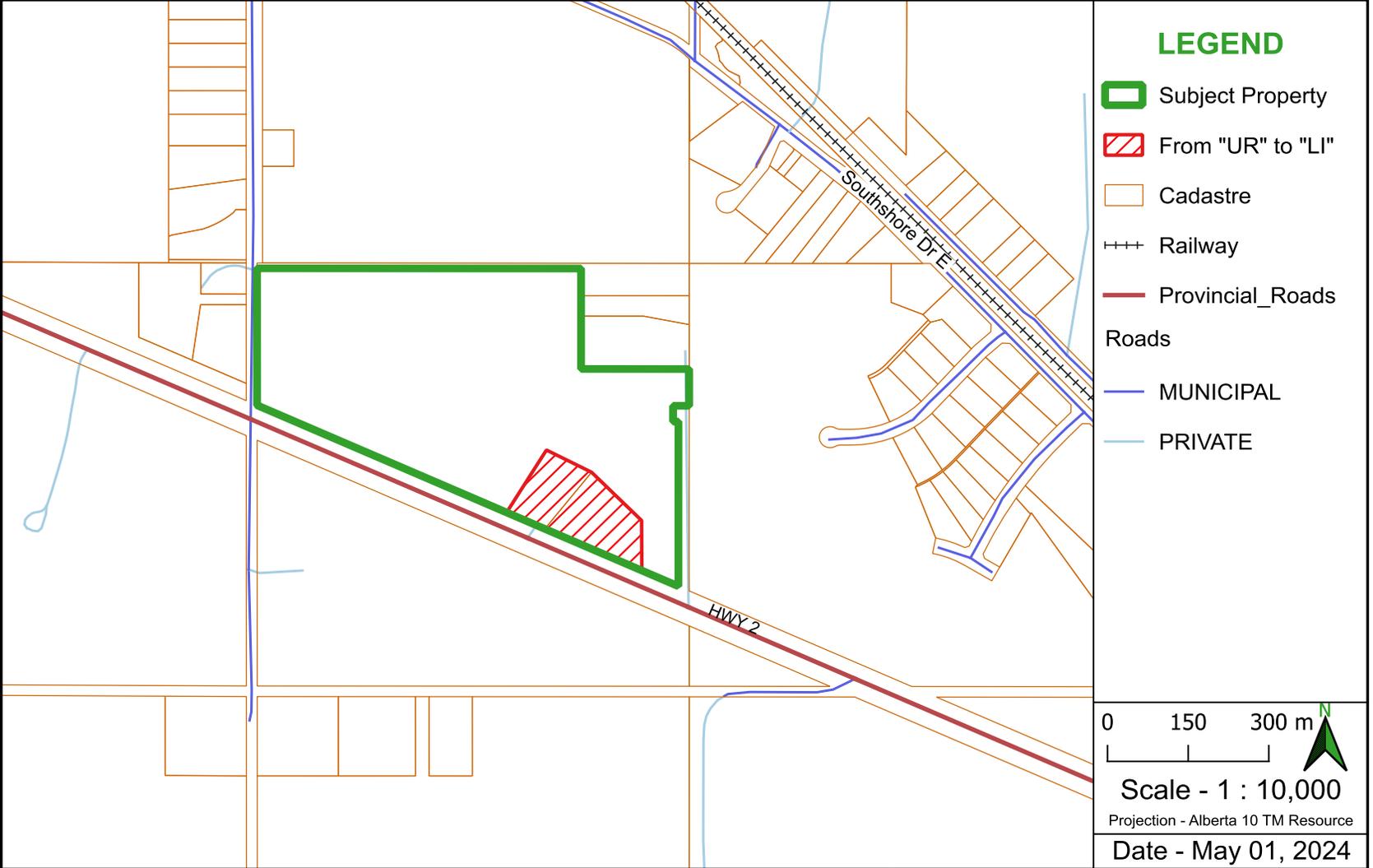
FEE ENCLOSED:

Yes No

AMOUNT:

RECEIPT NO.:

MUNICIPAL DISTRICT of LESSER SLAVE RIVER no. 124 | BOX 722, SLAVE LAKE AB T0G 2A0 | Tel 780.849.4888 | Toll-Free 1.856.449.4888 | Fax 780.849.4939
BOX 93, FLATBUSH AB T0G 0Z0 | Tel 780.681.3929 | Toll-Free 1.856.681.3929 | Fax 780.681.3936



Plan 1722452, Block 2, Lot 1 from "UR" to "LI"

The MD of Lesser Slave River makes no representations or warranties regarding the information contained in this document, including, without limitation, and whether said information is accurate or complete. Persons using this document do so solely at their own risk, and the MD of Lesser Slave River shall have no liability to such persons for any loss or damage whatsoever.

This document shall not be copied or distributed to any person without the express written consent of the MD of Lesser Slave River.

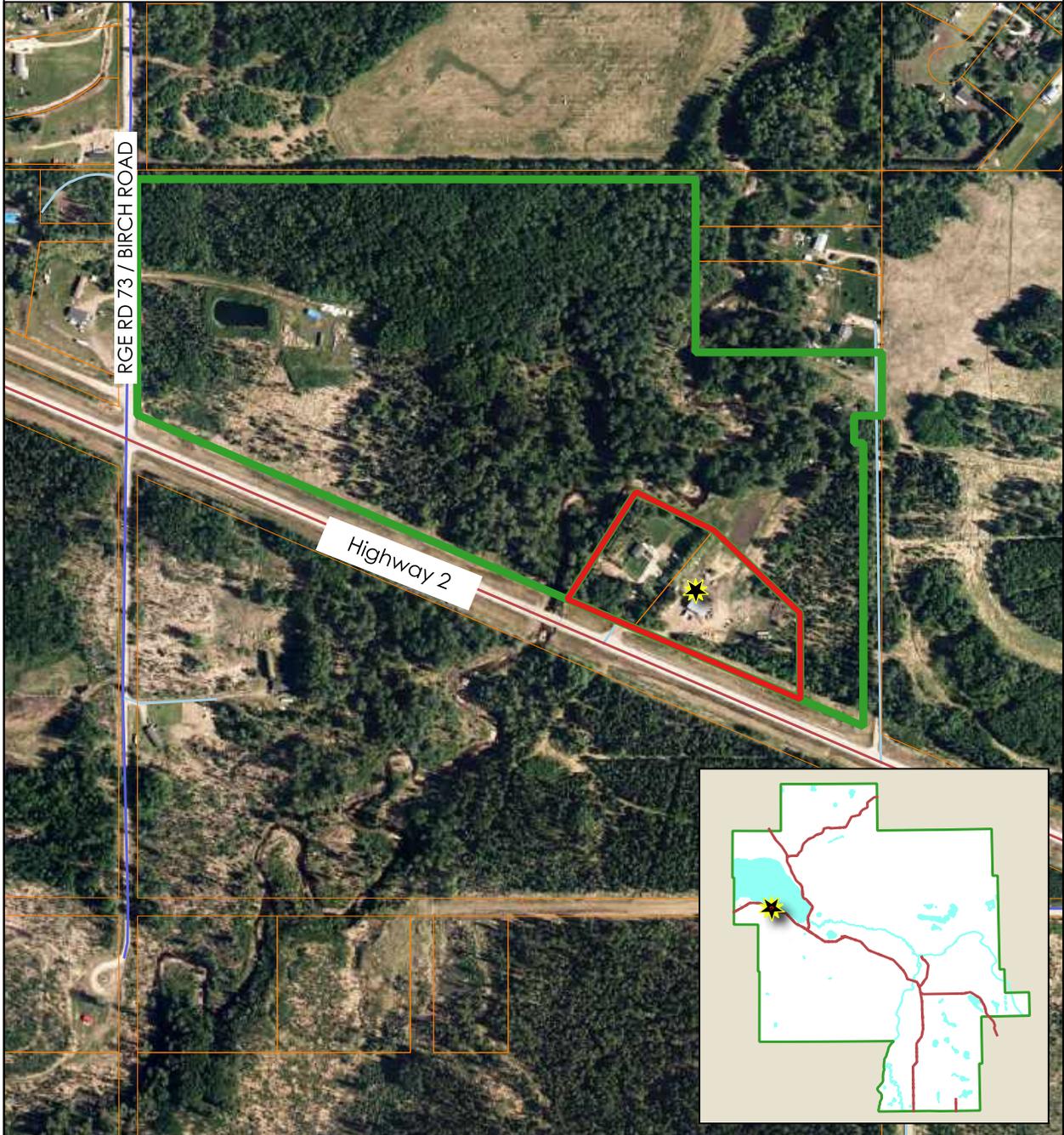
© 2024 MD of Lesser Slave River. All Rights Reserved.



Municipal District of
Lesser Slave River 124

Land Use Amendment

Location - SW-27-73-7-W5



<p>LEGEND</p> <p> Subject Property</p> <p> Cadastre</p>	<p>M.D. of Lesser Slave River 124 makes no representations or warranties regarding the information contained in this document, including, without limitation, whether said information is accurate or complete. Person using this document do so solely at their own risk and M.D. of Lesser Slave River 124 shall have no liability to such persons for any loss or damage whatsoever.</p> <p>This document shall not be copied or distributed to any person without the express written consent of M.D. of Lesser Slave River 124.</p> <p>©2024 M.D. of Lesser Slave River 124. All Rights Reserved.</p>	<p>0 80 160 m </p> <p>Scale - 1 : 6,000</p> <p>Map Print Date : June 4, 2024</p>
--	--	---



Lesser Slave River

Request for Decision

Title:	Bylaw 2024-12 Land Use Amendment #17
Date:	6/12/2024
Presented By:	Samantha Dyck, Planning & Development Officer
Attachments:	Bylaw 2024-12, Application, Maps

Proposed Motion	<i>Move that Council give First Reading to Bylaw 2024-12 being a Land Use Bylaw amendment to redesignate a portion of the parcel legally described as SW 19-65-26-W4 from Agricultural (A) to Rural Un-Serviced (RUS) District and to schedule the Public Hearing for June 26, 2024.</i>
Administration's Recommendation(s)	As proposed.

BACKGROUND:

An application has been received to change the zoning of a portion of SW 19-65-26-W4 from Agricultural to Rural Unserviced District. The application to rezone is happening concurrently with the subdivision application.

The parcel to be subdivided is 4.047 ha (10 ac) in size and is less than the minimum parcel size required for an Agricultural parcel. A change in land use zoning requires an amendment of the Land Use Bylaw. Bylaw 2024-12 as presented for first reading proposes to amend Land Use bylaw 2021-17 and change the present zoning from Agricultural (A) to Residential Un-Serviced (RUS) district.

ALTERNATIVE OPTIONS:

Since every person has the right to be heard, no alternative other than to proceed to a Public Hearing is recommended.

BENEFIT/RISKS:

There is no risk of proceeding with a public hearing.

STRATEGIC ALIGNMENT:

- 1. *Municipal Development Plan Bylaw 2012-09:*
 - 6.0 Agriculture
 - Section 6.1.4 (c)
 - The subdivision of land in the agricultural area may be approved in the following circumstances:*
 - (c) The subdivision of a maximum of two lots from the original unsubdivided quarter section for residential, recreational, or rural industrial purposes, including fragmented parcels.*

The parcel to be redistricted is within the Agriculture Area of the MDP. This quarter section has no other subdivisions out of it. This will be the first parcel out.

Section 6.1.6
The maximum size of an unsubdivided parcel described in Policy 6.1.4 should generally be 2.0 hectares. However, the size may be increased to include dwellings or other improvements, such as power supply, well, sewage disposal system, access, shelter belts, and accessory buildings.

This parcel has no current services and as such the maximum size permitted under the MDP is 2 hectares. The applicant is asking for a subdivision of 4.047 hectares. This does not follow the MDP policies.

Section 6.1.8

The MD shall only approve a vacant residential parcel where the location of the parcel and its residential land use will minimize impacts on environmental features and the agricultural use of the balance of the quarter section and on adjoining lands.

This parcel shall be taken from the northwest corner of the quarter section. The area has been used as pasture for cattle and should not have any impact on the current farming operation adjacent. There were no environmental concerns noted during the property inspection.

2. *Land Use Bylaw No. 2021-17:*

Section 7.2 Residential Un-Serviced:

The Land Use Bylaw 2021-17 requires a minimum size of 0.186 ha (0.46 ac) for a Residential Un-Serviced zoned parcel of land. As the subdivision is registered, the parcel of land will have enough land when changed from Agricultural to Residential Un-Serviced District.

The property is currently empty and will be required to put in access and services. The Rural Un-Serviced District will allow the landowner to sell the property and the new landowners to develop a residence. The proposed subdivision and amendment comply with the requirements of Land Use Bylaw 2021-17.

Council reminder for the development process:

1. *Subdivision - to create additional parcels, land use amendment may be required before subdivision approval.*
2. *When rezoning is required, MDLSR needs a land use amendment (3 readings require a PH after 1st reading).*
3. *Development process - development permit approval can be done by Planning after subdivision registration is completed, all discretionary development permits will go to MPC.*

FINANCIAL IMPLICATION:

Standard costs to process a change in land use application (Planning & Development staff time, advertising) can be anticipated.

OTHER CONSIDERATIONS:

Section 692 of the *Municipal Government Act (MGA)* requires a municipality to hold a public hearing with respect to amending a statutory plan or land use bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

COMMUNICATION STRATEGY:

Prior to the public hearing, adjacent landowners, adjacent jurisdictions, and other referral agencies will be notified via letter. The public hearing will also be advertised as per the *MGA*.

Following are the dates proposed for adjacent landowners, adjacent jurisdictions, referral agencies, advertising of the public hearing, written submission deadline, and public hearing.

- June 12, 2024 – 1st reading of Bylaw 2024-02
- May 29, 2024 – written notification sent to the landowner, adjacent landowners, and referral agencies.
- June 12, 2024 – advertisement in the Lakeside Leader (week one)
- June 19, 2024 – advertisement in the Lakeside Leader (week two)
- June 13, 2024 – deadline for written submissions to be included in the agenda
- June 26, 2024 – Public Hearing (Council Chambers at 10:15 a.m.)

- June 26, 2024 – 2nd reading and 3rd reading

Prepared By: Samantha Dyck, Planning & Development Officer
Reviewed By: Rudolf Liebenberg, Director, Planning, Utilities, and Protective Services
Approved By: Barry Kolenosky, Chief Administrative Officer



BYLAW 2024-12

A BYLAW OF THE MUNICIPAL DISTRICT OF LESSER SLAVE RIVER NO. 124 IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW 2021-17 LAND USE BYLAW AMENDMENT #17

WHEREAS Section 640 of the *Municipal Government Act*, RSA 2000, and amendments thereto, empowers a Council to adopt a Land Use Bylaw within the Municipal District of Lesser Slave River No. 124;

WHEREAS the Municipal District of Lesser Slave River No. 124 Council has adopted Bylaw 2021-17 Land Use Bylaw;

WHEREAS Section 191 (1) of the *Municipal Government Act*, and amendments thereto, provides the power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw;

WHEREAS the amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise;

WHEREAS the Council for the Municipal District of Lesser Slave River No. 124 deems it appropriate and expedient to amend Bylaw 2021-17 Land Use Bylaw; and

NOW THEREFORE the Council of Municipal District of Lesser Slave River No. 124 in the Province of Alberta, duly assembled, hereby amends Bylaw 2021-17 Land Use Bylaw as follows:

NOW THEREFORE the Council of Municipal District of Lesser Slave River No. 124 in the Province of Alberta, duly assembled, hereby amends Bylaw 2021-17 Land Use Bylaw as follows:

1. The land use district of SW-19-65-26-W4M changes from Agricultural (A) to Rural Unserviced (RUS) District, as shown on Schedule "A" which is attached hereto and forms part of this Bylaw.
2. Bylaw 2021-17 Land Use Bylaw is hereby amended.
3. Bylaw 2024-12 AMENDMENT #17 forms part of Bylaw 2021-17 Land Use Bylaw.
4. This Bylaw 2024-12 AMENDMENT #17 becomes effective upon the date of the final passing thereof.

This Bylaw takes effect immediately after third reading and upon being signed.

READ for a first time this ___th day of June, 2024

PUBLIC HEARING held on _____ day of _____, 2024.

READ for a second time this ___th day of _____, 2024

READ for a third and final time this ___th day of _____, 2024

Murray Kerik, Reeve

Barry Kolenosky, Chief Administrative Officer



BYLAW 2024-12

SCHEDULE "A"





Lesser Slave River
Planning & Development

Application no.:

Form Received:

LAND USE BYLAW AMENDMENT APPLICATION

This form is to be completed in full wherever applicable by the registered owner of the land that is subject of the application or by a person authorized to act on the registered owner's behalf.

APPLICANT NAME <i>Jamie / Susan Mulrooney</i>	HOME PHONE [REDACTED]	MOBILE PHONE [REDACTED]
MAILING ADDRESS [REDACTED]	POSTAL CODE [REDACTED]	
EMAIL ADDRESS [REDACTED]		
<i>Complete below if different from applicant:</i>		
REGISTERED LANDOWNER NAME <i>Richard A. McLaughlin</i>	HOME PHONE [REDACTED]	MOBILE PHONE [REDACTED]
MAILING ADDRESS [REDACTED]	POSTAL CODE [REDACTED]	

LAND LOCATION

SW 19 65 26 W-4 **OR**

Quarter Section Township Range Meridian Lot Block Plan

LAND USE CLASSIFICATION AMENDMENT PROPOSED

FROM: *Ag.* TO: *RUS*

IS THIS AMENDMENT A CONDITION OF SUBDIVISION OR DEVELOPMENT? YES NO

DESCRIBE THE HISTORICAL USE/CONTENTS OF THE LAND (Please check all that apply)

Gravesite Industrial Site Oil/Gas Landfill Sewage: Open Discharge Lagoon

Storage of Hazardous Materials Other

REASONS SUPPORTING PROPOSED AMENDMENT (Please include additional pages if space below is insufficient)

proposed subdivision

I/WE HAVE ENCLOSED THE REQUIRED APPLICATION FEE OF \$____, AND HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT.

NOTE: Registered owner's signature is required if different from applicant.

[REDACTED SIGNATURE]

APPLICANT SIGNATURE

[REDACTED SIGNATURE]

REGISTERED LANDOWNER SIGNATURE

DATE *Apr 11/5/24*

DATE *Apr 11/5/24*

MUNICIPAL DISTRICT of LESSER SLAVE RIVER no. 124 | BOX 722, SLAVE LAKE AB T0G 2A0 | Tel 780.849.4888 | Toll-Free 1.866.449.4888 | Fax 780.849.4939

BOX 93, FLATBUSH AB T0G 020 | Tel 780.681.3929 | Toll-Free 1.866.681.3929 | Fax 780.681.3936



Lesser Slave River
Planning & Development

LAND USE BYLAW AMENDMENT APPLICATION | RIGHT OF ENTRY

Please complete the following right-of-way form and include it with your Development Permit Application.

Right of Entry for an Authorized Person of the Municipal District of Lesser Slave River no. 124 for the purpose of a Site Inspection of the Land Affected by the Proposed Permit Application.

I DO

I DO NOT

give consent for an authorized person of the Municipal District of Lesser Slave River no. 124 to enter upon the land that is subject to the application for the purposes of making a site inspection in order to evaluate the proposed application and monitor its compliance.

LAND LOCATION

SW 19 65 26 W-4 OR Lot Block Plan
Quarter Section Township Range Meridian

APPLICANT NAME (PLEASE PRINT)

APPLICANT SIGNATURE

DATE April 15 2024

FOR ADMINISTRATIVE USE

FEE ENCLOSED:

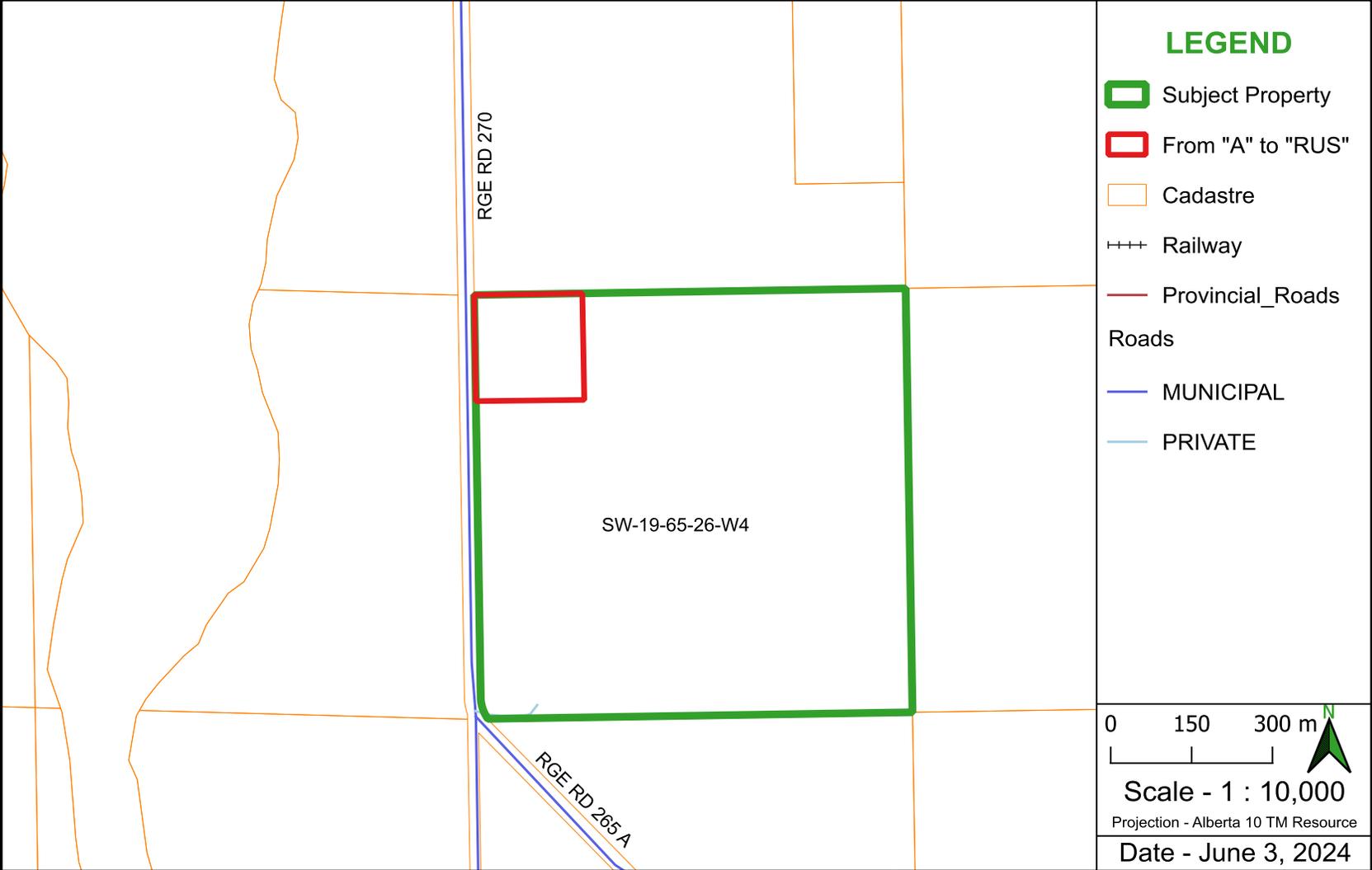
Yes No

AMOUNT:

RECEIPT NO.:

MUNICIPAL DISTRICT of LESSER SLAVE RIVER no. 124 | BOX 722, SLAVE LAKE AB T0G 2A0 | Tel 780.849.4888 | Toll-Free 1.866.449.4888 | Fax 780.849.4939

BOX 93, FLATBUSH AB T0G 0Z0 | Tel 780.681.3929 | Toll-Free 1.866.681.3929 | Fax 780.681.3936



Part of SW-19-65-26-W4 from "A" to "RUS"

The MD of Lesser Slave River makes no representations or warranties regarding the information contained in this document, including, without limitation, and whether said information is accurate or complete. Persons using this document do so solely at their own risk, and the MD of Lesser Slave River shall have no liability to such persons for any loss or damage whatsoever.

This document shall not be copied or distributed to any person without the express written consent of the MD of Lesser Slave River.

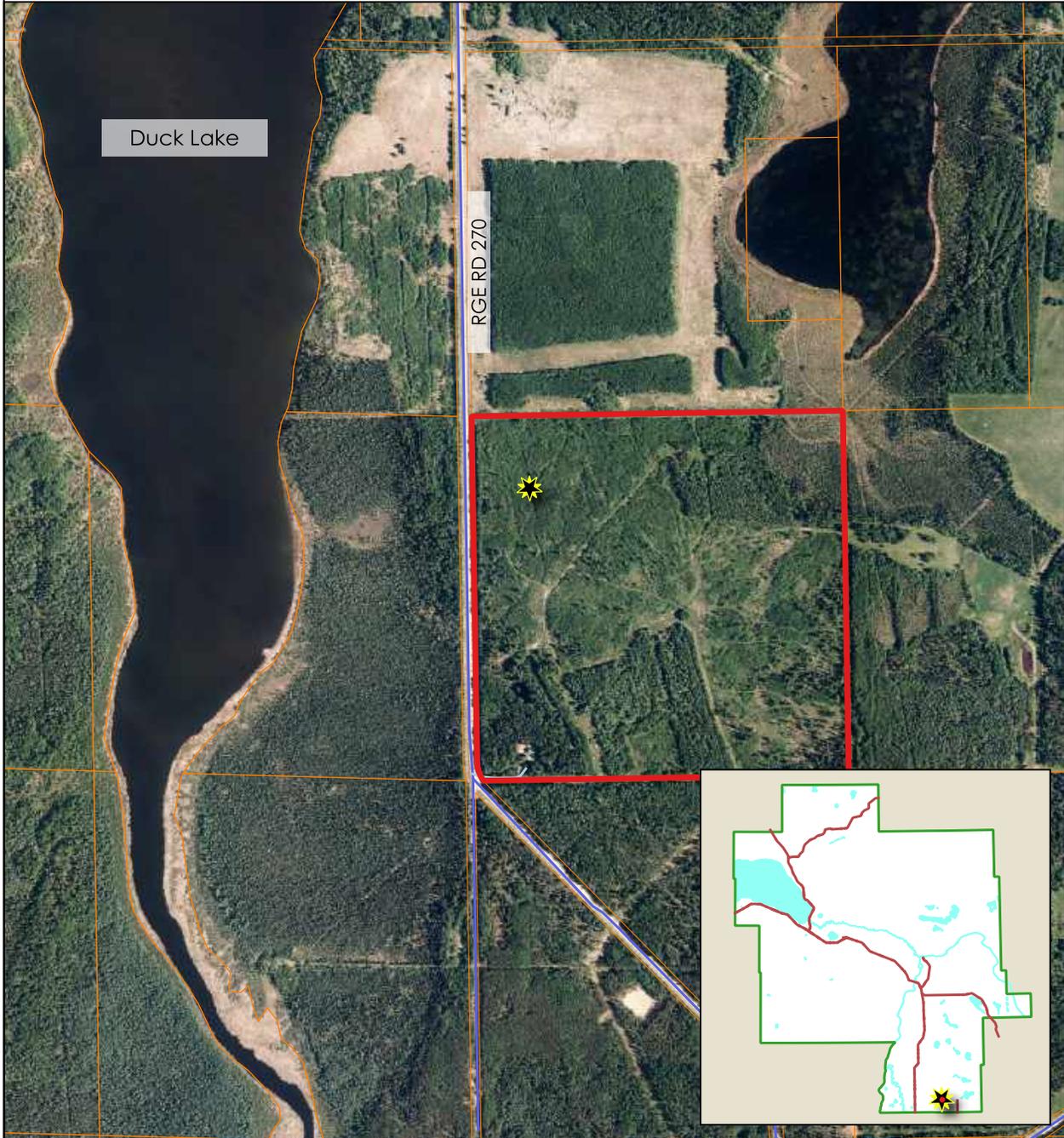
© 2024 MD of Lesser Slave River. All Rights Reserved.



Municipal District of
Lesser Slave River 124

Land Use Amendment

Location - SW-19-65-26-W4



LEGEND

- Subject Property
- Cadastre
- MD_Boundary

M.D. of Lesser Slave River 124 makes no representations or warranties regarding the information contained in this document, including, without limitation, whether said information is accurate or complete. Person using this document do so solely at their own risk and M.D. of Lesser Slave River 124 shall have no liability to such persons for any loss or damage whatsoever.

This document shall not be copied or distributed to any person without the express written consent of M.D. of Lesser Slave River 124.

©2024 M.D. of Lesser Slave River 124. All Rights Reserved.

0 150 300 m

Scale - 1 : 12,000

Map Print Date : June 3, 2024



Lesser Slave River

Request for Decision

Title	PS-26-02 Community Standards Enforcement Policy & Procedure
Date	June 12-2024
Presented By:	Rudolf Liebenberg
Attachments	PS-26-02 Community Standards Enforcement Policy & PS-26-02.01 Community Standards Enforcement Procedure

Proposed Motion	1. Move to adopt PS-26-02 Community Standards Enforcement Policy as presented. 2. Move to accept PS-26-02.01 Community Standards Enforcement Procedure as information.
Administrations Recommendation(s)	As proposed

BACKGROUND

Administration brought forth the draft policy and procedure at the May 15th, 2024, COW meeting, amendments were made as follows:

- MDLSR retains the right to initiate enforcement annually and right throughout the year.
- MDLSR requires additional communication to affected parties to ensure awareness of any action taken to address bylaw and other infractions.

ALTERNATIVE OPTIONS

1. Move to bring back Policy PS-26-02 and Procedure PS-26.02.01 to an upcoming COW meeting for further discussion.
2. Council has the alternative to alter or deny the recommended action.

BENEFITS/RISKS

Benefit: Organizational and Policing Efficiency.

Risk: Public Push Back potential legal costs.

STRATEGIC ALIGNMENT

Municipal Government Act. Community Standards Bylaw 2023-03 and Land Use Bylaw 2021-17.

FINANCIAL IMPLICATIONS

There could be legal costs involved as part of the property clean up and enforcement process.

COMMUNICATION STRATEGY

New MD Website, Print Publication and internally within organization.

Prepared by: Rudolf Liebenberg, Director Protective Services
Reviewed by: Paul Mulholland, Senior Peace Officer.
Approved by: Barry Kolenosky, Chief Administrative Officer



Lesser Slave River

Title: COMMUNITY STANDARDS ENFORCEMENT

Policy Number: PS-26-02

Effective Date: June 12, 2024

Resolution:

Lead Department Responsible: Protective Services

Supersedes Policy No: NEW

Next Review Date: June 12, 2027

POLICY STATEMENT:

The Municipal District of Lesser Slave River no. 124 will employ Peace Officer(s) to help ensure our communities are safe and secure places where residents can live, work, and raise families. Peace Officers perform several duties from enforcing various bylaws as it pertains to people, property, and animals to providing security in public facilities and recreational activity.

DEFINITIONS:

“**Council Policy**” means the written commitment of Council establishing service delivery, programs, and governance matters. Policy is approved, amended, or rescinded by Council and reflect Council’s values, established service levels and strategic goals.

“**MDLSR**” means the Municipal District of Lesser Slave River No. 124.

“**Peace Officer / Member**” means a duly appointed Peace Officer, appointed under the Peace Officer Act of Alberta.

PRINCIPLE:

1. In accordance with the *Municipal Government Act, RSA 2000, c.M-26* the authority for approving policy lies with Municipal District Council.
2. Policies mandate actions or prescribe constraints and provide authority or direction from Council on service-levels and decision making within the realm of good governance.
3. Protective Services will seasonally and annually identify nuisance properties throughout the municipality that are in breach of the Land Use Bylaw and the Community Standards Bylaw.
4. Properties identified are prioritized by i) Environmental impact, ii) Neighborhood impact and iii) Complaint basis. The MDLSR retains the right to initiate enforcement action during anytime of the year and will ensure that adequate written and verbal communication goes out via the website and print publication but also to those roll owners specifically affected.

- 5. Council will commit annual funding through the budget process to remedy identified nuisances.
- 6. The MDLSR will implement several options (in no specific preference) to enforce the cleanup of identified properties and may apply any or all of these including:
 - a) Violation tickets issued solely on Provincial Paper.
 - b) Order to Remedy (30-day Compliance Letter), as issued by the municipality with specification that the owner(s) effected has no right to a Council review but solely must address the matters as listed by the Peace Officer compliance letter – the letter can only list and require action on Bylaw or Land Use Bylaw infractions.
 - c) 30 days prior to July 31 Protective Services as part of its communication obligations will issue a reminder letter to affected parties – those who had received initial 30-day compliance letters.
 - d) A Court of King’s Bench application (after July 31st) by the municipality which will entail a right of appeal to the affected owner(s).
- 7. Court of Kings Bench Order is a final decision, has always been effective, and all costs are born by the property owner. Council reserves the right to apply all associated costs with property clean up to a particular roll number’s tax roll as some identified properties can have large amounts of debris and nuisance items that will need specific equipment and skill sets to remove said items.
- 8. Under this policy the MDLSR will seek a Court Order to remedy property bylaw infractions.
- 9. The MDLSR recognize under this policy that it will incur costs and that these costs will be applied to the tax roll of said property.
- 10. Smaller scale debris properties will be issued a compliance notice under s.6 of the Community Standards Bylaw (s545 MGA) to remedy said nuisances.

Chief Administrative Officer
Barry Kolenosky

Date

Reeve
Murray Kerik

Date

RELATED DOCUMENTS:

Municipal Government Act, RSA 2000, c.M-26
Land Use Bylaw 2021-17,
Community Standards Bylaw 2023-03.



Lesser Slave River

TITLE: Community Standards Enforcement

PROCEDURE NO: PS-26-02.01

RESOLUTION:

EFFECTIVE DATE: June 12, 2024

LEAD DEPARTMENT RESPONSIBLE: Protective Services

NEXT REVIEW DATE: June 12, 2027

GENERAL GUIDELINES:

The Municipal District of Lesser Slave River no. 124 will employ Peace Officer(s) to help ensure our communities are safe and secure places where residents can live, work, and raise families. Peace Officers perform several duties from enforcing various bylaws as it pertains to people, property, and animals to providing security in public facilities and recreational activity.

DEFINITIONS:

“**MDLSR**” means the Municipal District of Lesser Slave River No. 124.

“**Peace Officer / Member**” means a duly appointed Peace Officer, appointed under the Peace Officer Act of Alberta.

“**Protective Services**” means the Peace Officer branch and department as part of the MDLSR organizational structure.

PROCEDURE:

1. Protective Services will issue 30-day compliance letters of direction, with expected compliance dates. Compliance Letters will be issued annually as part of seasonal cycles of clean up and compliance to be continued indefinitely.
2. Protective Services will action letters as part of the complaints and targeted enforcement process as per the Community Policing Plan.
3. Protective Services will adhere to July 31 of the current year as the 30-day compliance letter actual clean up or remedy date - if no action is taken by this date the affected/identified/targeted rolls will be informed that court action is next step.
4. Protective Services will after July 31 of the current year apply for Court of Kings Bench Orders for said properties that are not in compliance with the signed Community Standards Bylaw as well as the adopted Land Use Bylaw.
5. Protective Services will issue Compliance Orders under s.6 of the Community Standards Bylaw (s.545 MGA) against those properties Council/Administration deems to be an infraction of the Bylaws identified in this policy.

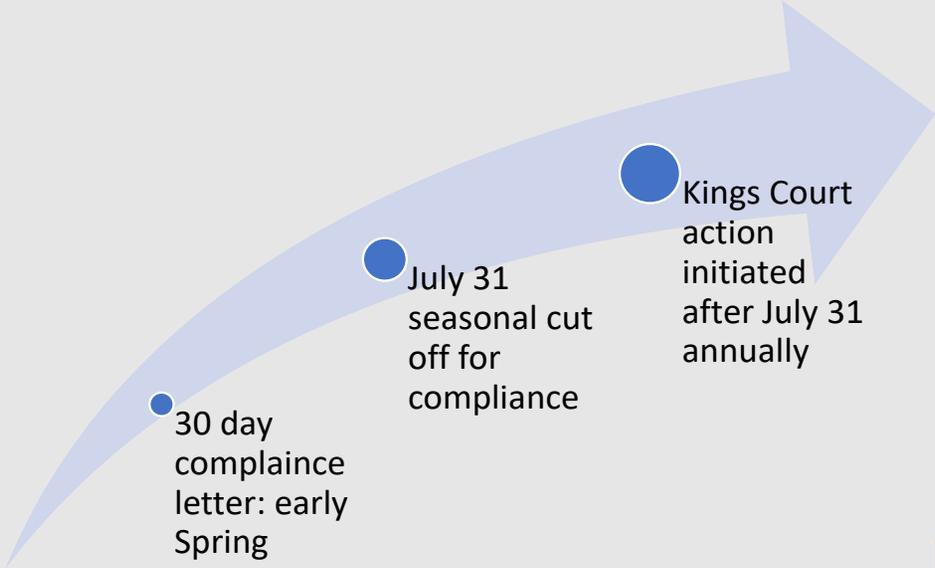
MDLSR with this Policy retains the right to initiate enforcement action during anytime of the year as required and simultaneously ensure adequate communication will be implemented via the website and print publication either or both to make sure that residents and visitors are up to date and stay well informed on the MD action to be taken.

Barry Kolenosky - Chief Administrative Officer

Date

Communication
Letters:
Website:
Legal:

Schedule A Policy





Lesser Slave River

Request for Decision

Title:	Policy for Closure, Leasing, and Licensing of Municipal Roads
Date:	6/12/2024
Presented By:	Samantha Dyck
Attachments:	PD-61-05 Closure, Leasing, and Licensing of Municipal Roads Policy PD-61-05.01 Closure, Leasing, and Licensing of Municipal Roads Procedure Schedule A – Road Closure Application Schedule B – Leasing of Road Allowance Schedule C – Licence of Occupation Schedule D – Signage Schedule E - Flowchart Policy H9 Road Closure Policy Policy E9 Leasing of Undeveloped Road Allowance Policy H8 Licence of Occupation.

Proposed Motion	<ol style="list-style-type: none"> 1. <i>Move that Council rescind policy E9 Leasing of Undeveloped Road Allowances, H8 Licence of Occupation, and H9 Road Closure Policy (for the sale of road plans and road allowances).</i> 2. <i>Move to adopt PD-61-05 Closure, Leasing, and Licensing of Municipal Roads Policy as presented.</i> 3. <i>Move to accept PD-61-05.01 Closure, Leasing, and Licensing of Municipal Roads Procedure as information.</i>
Administration's Recommendation(s)	As proposed.

BACKGROUND:

Administration brought forth the draft policy and procedure at the May 15th, 2024, COW meeting, amendments were made as follows:

- Restructured to have a delineation between each section of the policy and procedure,
- Added segments to ensure that gates, if allowed, are not locked, and
- Added a flowchart to show how the process will work.

Upon reviewing our records, it is evident that our municipality currently holds one active Licence of Occupation, set to expire on June 29, 2024, and one expired Licence of Occupation from April 28, 2024. Additionally, we manage a total of fifty-eight leases, with twenty-one currently active.

Municipalities must plan for the future and identify areas where roads are necessary and areas where roads are not feasible. In addition, adjacent landowners may request permission to use undeveloped road rights-of-ways from the municipality. It is important to note that the Municipal District of Lesser Slave River does not own the road allowances, but they have full control over the roads under the *Municipal Government Act, s18*.

In researching this topic, our neighbors do this in a variety of ways and so we need to decide what is the most beneficial

for us. The administration suggests that creating a whole new policy that only deals with the closing, leasing, and licensing of municipal roads is the simplest way forward. Encroachments and Easements were dealt with under the previous policy. Still, they should have their policy for many reasons such as legal clarity, liability & property management, regulatory compliance, and risk management.

Municipalities may consider the closure of roads to sell or lease for a variety of reasons including property management, safety and security, infrastructure optimization, and environmental conservation. Before proceeding with the closure of road rights-of-way, municipalities typically engage in thorough analysis, consultation with stakeholders, and adherence to legal and regulatory requirements to ensure that the decision aligns with the best interests of the community as a whole.

A municipality should consider allowing only temporary leases of undeveloped road allowances to maintain flexibility and control over its infrastructure. By permitting temporary leases, the municipality retains the ability to reassess its needs and priorities. This approach ensures that the municipality can adapt to changing circumstances, without being bound by long-term commitments. Additionally, temporary leases can facilitate short-term utilization of road allowances for events, construction projects, or public services, maximizing the utility of these spaces while preserving their primary function as thoroughfares. This strategy strikes a balance between facilitating activities and safeguarding the integrity and accessibility of the municipality's road network for the long term.

Should Council decide that the closure of a road rights-of-way not be the appropriate action, the road allowance could still be used by an adjacent landowner through a Licence of Occupation. This allows the adjacent landowner to utilize MD lands for a price but still allows the MD control of the lands. Allowing an adjacent landowner to use these lands can be a positive for the MD through recreation management, controlled access, and mitigation of nuisances. The best option for the MD is to require the adjacent landowner to install a Texas gate in the road rights-of-way, should they want to have a Licence of Occupation for the road allowance. This still allows for the regular use of the road rights-of-way while retaining livestock within the area.

ALTERNATIVE OPTIONS:

1. Keep the current policies in place.
2. Make Minor Changes
3. Bring the policy back to the next scheduled COW meeting for further discussion.

BENEFIT/RISKS:

The benefit of having a solid policy for the Closure, Leasing, and Licensing of Municipal Roads is that the MDLSR can formalize a fair and consistent process of how the road allowances and other MDLSR-controlled land are handled. Consolidating policies streamlines the process by enabling Administration to oversee lease and licensing approvals, leaving road closures as the sole responsibility of the Council.

Not everyone will agree on the policy as there are strong views on the use of public land adjacent to privately owned land. There is a risk of increasing complaints.

STRATEGIC ALIGNMENT:

The main legislative authority over the policy is the *Municipal Government Act, RSA 2000, Chapters M-25*. Several sections apply to this policy. In addition, the *Traffic Safety Act* and municipal bylaws also apply to this policy.

- *Municipal Government Act* section 16 – title to roads.
- *Municipal Government Act* section 18 – control of roads.
- *Municipal Government Act* section 18 – road closure
- *Municipal Government Act* section 61 – municipality may grant rights over property (including road allowances).
- *Municipal Government Act* section 609 – no person can acquire an estate or interest in land owned by the municipality by unauthorized occupation.
- *Public Lands Act* section 54.01 – prohibited uses of roads.

- *Traffic Safety Act* Section 13(1) – the general powers of a municipality include authorizing a licence or permit for the temporary use of a road allowance that is terminable on 30 days' notice.
- Bylaw 2022-12 – to control and regulate the use of roads in Lesser Slave River, the Chief Administrative Officer has the authority to issue a licence of occupation for a roadway under the jurisdiction and control of the municipality.
- Bylaw 2020-10 Chief Administrative Officer Bylaw that authorizes the CAO to “negotiate contracts, agreements, and transactions required for the effective operation of the Municipal District of Lesser Slave River No. 124 and to recommend the approval of such to Council.”
- Bylaw 2012-09 Municipal Development Plan – requires all subdivision and development proposals to have access to developed roads.

FINANCIAL IMPLICATION:

Should a road allowance be closed, the sale of the lands would be at Fair Market Value, paid to the MDLSR.

Should a road allowance be leased or licenced, the MDLSR will receive monies as required by the Schedule of Fees bylaw. Currently, that fee is \$100/yr.

OTHER CONSIDERATIONS:

Several property owners in the MD of Lesser Slave River own property without public road access. These lots may have been one of the quarter sections in a full section without road access that are sold individually and not as full sections. A predictable, fast process is preferable to all parties involved in the process.

COMMUNICATION STRATEGY:

To adopt a new policy the following steps are needed: A policy can be approved by Council at a regular meeting and does not have to go through a hearing process. After the policy is approved, it is posted to the MDLSR's website.

Communication strategy for the Closure, Leasing, and Licensing of Municipal Roads: as set out in the procedure.

Prepared By: Samantha Dyck, Planning & Development Officer

Reviewed By: Rudolf Liebenberg, Director of Planning, Utilities, & Protective Services

Approved By: Barry Kolenosky, Chief Administrative Officer



Lesser Slave River

Title: CLOSURES, LEASING and LICENSING OF SURPLUS MUNICIPAL ROADS

Policy Number: PD-61-05

Effective Date: June 12, 2024

Resolution:

Department Responsible: Planning & Development

Supersedes Policy No: E9, H8 & H9

Next Review Date: June 12, 2027

POLICY STATEMENT:

Under the authority of the Municipal Government Act, RSA 2000, c M-26, the Municipal District of Lesser Slave River No. 124 has the jurisdiction to direct, control, and manage all roads within the municipality. Council strives to ensure that these roads are maintained through effective transportation networks for its residents, businesses, and industries. The MDLSR understands that there can be advantages to using the land located within non-essential Road Allowances or road plans through road closures if it does not cause significant negative effects to neighboring landowners or MDLSR infrastructure needs. The benefits that may arise from these requests can aid in the generation of revenue to increase fiscal sustainability, aid in creating a safe and prosperous community as well as promote effective land use management.

DEFINITIONS:

- “**Adjacent Land**” means land that is next to or adjoining to the Undeveloped Road Allowance.
- “**Adjacent Landowner**” means the registered landowner(s) of the parcels directly adjacent to the road or undeveloped road allowance.
- “**Assessor**” means a registered land appraiser and or the MDLSR’s Tax Assessor, as defined in the Municipal Government Act, who will determine what Fair Market Value shall be. A realtor may also be used to determine the rate.
- “**Council**” means the duly elected members of the Municipal Council of the Municipal District of Lesser Slave River.
- “**Consolidation**” means the process of combining more than one Certificate of Title(s) into a single Certificate of Title.
- “**Disposal**” means the process of reutilizing, transferring, donating, selling, or other dispositions of MDLSR-owned Assets.
- “**Fair Market Value (FMV)**” means a purchase rate based on a professionally prepared market value assessment to determine a fair market rate for the subject lands.
- “**Lessee**” means a person(s) to whom an exclusive lease agreement is granted for a determined use.

“Licence of Occupation Agreement” means a temporary agreement whereby a person(s) or business(s) is granted the right to use land owned by or under the direction, control, and management of the MDLSR for certain purposes without becoming entitled to exclusive possession of them.

“Licence of Occupation” means a Licence of Occupation Agreement for the use of land for an access road, pasturing, grazing, watering of livestock, encroachment of fences, and any other similar uses approved by Council.

“Licensee” means the person(s), business, or corporation to whom the non-exclusive Licence of Occupation Agreement has been granted or issued for a determined use.

“MGA” means the Municipal Government Act, RSA 2000, c M-26.

“MDLSR” means the Municipal District of Lesser Slave River No. 124 having jurisdiction under the Municipal Government Act and other applicable legislation.

“MDLSR Owned Land” means all land registered in the name of the Municipal District of Lesser Slave River No. 124 and land that is under the direction, control and/or management of the MDLSR. This may include parcels of land designed as Municipal Reserve (MR), Environmental Reserve (ER), Reserve (R), School Reserve (SR), Public Utility lots, and Road Allowances, as well as easements and rights-of-way registered in the MDLSR's name across privately owned land.

“Natural Vegetation” means vegetation existing on-site prior to the issuance of the licence.

“Public Hearing” means a hearing held in accordance with section 30 of the MGA and advertised in accordance with section 606 of the Municipal Government Act.

“Public Lands” means a parcel of land not privately owned, held by the federal, provincial, or municipal government Land, and including Road Allowances.

“Public Travel” means any travel on the Road Allowance by the general public, excluding the Lessee, Licensee, or owner, and includes all modes of travel with the exception of foot access. Examples of modes of Public Travel may include but are not limited to horseback, bicycle, vehicle, machinery, or equipment.

“Road” as defined in the Municipal Government Act, RSA 2000, c M-26.

“Surplus Roads” means roads within the MDLSR that are not required for Public Travel and are considered non-essential in the overall context of the MDLSR. Surplus Roads largely consist of undeveloped Road Allowances, road rights-of-way, and/or service roads but may also be surveyed roads that are not required due to the existence of an alternate route.

“Undeveloped Road Allowance” means any land dedicated as a road right-of-way that has not been fully developed. The right-of-way may or may not be shown as a road on a plan of survey that has been filed or registered in a land titles office.

PRINCIPLE:

The following general uses are acceptable to occur within a road allowance, in this priority order:

A) Permanent Road or Temporary Road/Trail

The primary purpose of a road allowance is to allow for the movement of goods and people and provide access to property. If expansion of the MDLSR's Road network is required and serves this municipal purpose, permission will be granted to undertake the required work (subject to additional conditions within this, and other MDLSR policies and bylaws).

B) Treed Shelterbelt

If a road allowance is not required to form part of the municipal road network, the intent is for road allowances to remain treed in order to create windbreaks and regulate drainage flow rates. If the existing trees on a road allowance are older and likely to create an ongoing safety and maintenance challenge, it is acceptable to clear the offending trees. No stumping or other disturbance of the topsoil is permitted.

C) Animal Grazing

The road allowance may be utilized for grazing purposes if adjacent to existing pasture lands, but the road allowance shall remain primarily treed.

D) Sale of Road Allowance

The sale of road allowances will be considered on a case-by-case basis but is a practice that will generally be discouraged.

CLOSURE OF ROADS

The Municipal District of Lesser Slave River No. 124 strives to maintain and utilize its land interest to its highest and best use. This includes Road Allowances within its jurisdiction. Roads within the MDLSR may be considered surplus if they are non-essential (not required for Public Travel) or undeveloped due to changes to existing operational requirements or no anticipated future MDLSR expansions. If an undeveloped road allowance is not needed for road(s) or other municipal purposes it may be licenced to an adjacent landowner.

1. **MDLSR does not promote the sale of undeveloped road allowances or road plans**, however, will consider it in extenuating circumstances.
2. Considering roads as surplus will be reviewed in the context of all regulatory documents, including but not limited to the Municipal Development Plan, Area Structure Plan(s), Intermunicipal Development Plans, and the Municipal Rural Roads Study.
3. Roads may not be considered Surplus if a road closure or exclusivity agreement would restrict the public's reasonable access to Public Lands or would cause a parcel of land to become landlocked, removing legal access. (This would include access to lands that are identified as intended for agricultural sale in provincial plans.)
4. Council may consider the following requests on Surplus Roads:
 - a) Road Closure for the purpose of Disposal.
 - b) Road Closure for the purpose of Leasing.
 - c) Licensing of an undeveloped Road Allowance/Right-of-Way.
5. All proposals are required to outline the reasoning for the request and will be evaluated based on current municipal objectives, bylaws, and procedures as well as applicable Provincial legislation.
6. Fair Market Value (FMV) shall be determined by the Assessor on the purchase rates for the area of the land. This amount is based on similar and comparable uses and land in the area. The rate shall be agreed upon prior to the bylaw (for road closure) receiving first reading. The applicant may apply to purchase a road or undeveloped road allowance, or a portion thereof at FMV if the road or undeveloped road allowance sever the applicant's property and where the applicant has land on both sides of the road and/or undeveloped road allowance, only that landowner will have the ability to apply to purchase the lands. If the landowner does not wish to purchase the area at FMV, the land will not be sold, and the MDLRS will keep the land in its name and may lease it to the applicant. When an applicant wishes to purchase a road or undeveloped road allowance, or a portion thereof that adjoins property owned by two or more landowners, the municipality will offer the lands to the highest bidder, but not less than the current FMV, if there is only one bidder, the land will be sold at FMV.
7. If the intent of a road closure is for Disposal purposes, it must be consolidated into an adjacent property with the landowner bearing all costs of the consolidation and the purchase of the lands.

DISPUTES

If the applicant(s) do not agree with the FMV rate as determined by the Assessor, the applicant may wish to hire their own professional to provide an alternate FMV rate. If both assessments are different, Council will decide on which rate to apply.

If two or more bidders offer the same purchase price, Council may choose to split the area and sell a portion to each bidder or may choose not to sell the lands and re-tender the sale.

The road closure process shall be in accordance with the requirements set out in the MGA.

The purchaser will be required to pay all costs associated with the road closure. This may include but is not limited to the cost of obtaining a land appraisal, surveying costs, registration costs, and legal fees.

LEASING OF UNDEVELOPED ROAD ALLOWANCES

The Municipal District of Lesser Slave River No. 125 acknowledges that leasing an undeveloped road allowance may be necessary. However, such leasing can only be considered if it meets policy criteria or is needed temporarily due to an emergency or special circumstance.

1. An application for leasing an undeveloped road allowance does not qualify as a special circumstance if the reason for the lease includes, but is not limited to:
 - Addressing an encroachment upon a road allowance where an application for an encroachment agreement would be required;
 - A situation where an adjacent landowner does not want to fence both sides of the road allowance because it is less expensive to fence off the right-of-way;
 - Addressing privacy issues.
2. The road allowance shall not be an integral part of the MDLSR road network, as deemed by the CAO and/or designate and the Municipal Rural Roads Studies.
3. The road allowance must not prevent current public access for any purpose including recreational pursuits such as walking, skiing, hunting, and/or recreational vehicle use. **Any gated lease areas must be unlocked at all times.** Should a lock be placed, this may be cause for an immediate cancellation of the Lease.
4. The road allowance shall maintain access to Crown leases or licenses of occupation, or privately held lands without road access.
5. An applicant must own, lease, or rent the land on both sides of the road allowance being applied for.
6. A lease for an undeveloped road allowance will have a maximum duration of six (6) months. Should there be a need for a longer period, a Licence of Occupation will be granted.
7. Despite the arguments for a special case, the Administration can choose to provide a short-term lease, up to a maximum of three (3) months, to handle an emergency situation (for example, to secure lands during a pipeline break restoration) or agricultural emergencies (such as severe drought conditions where usual water sources have dried up and livestock can be watered using the road allowance).
7. For such a temporary emergency or agricultural emergency circumstance, Administration will advertise its decision in two successive newspapers that service the MDLSR, and the lease fee shall be waived. Administration may use its discretion to renew such a lease should the emergency conditions persist.

LICENCE OF OCCUPATION

The Municipal District of Lesser Slave River No. 124 recognizes that under certain circumstances, it can be advantageous to allow ratepayers the opportunity to utilize undeveloped road allowances for agricultural purposes.

1. A Licence of Occupation is required for the use of the road allowance for agricultural purposes. The licence holder will be required to enter into an agreement with the MDLSR.
2. Requests for Licences of Occupation beyond the scope of agricultural purposes may be approved at the discretion of the Council and must not be for a use that would conflict with surrounding properties.
3. A Licence of Occupation grants the holder non-exclusive access to the road allowance. Reasonable access, generally providing for foot access, shall be provided at all times. If there are existing quad trails, access shall remain when the road allowance leads to Crown Land. **Any gated Licence of Occupation areas must be unlocked at all times.** Should a lock be placed, this may be cause for an immediate cancellation of the Licence of Occupation.
4. A licence applies to a continuous piece of undeveloped road allowance abutting the licence holder's property or properties, or until the road allowance meets developed infrastructure.
5. The licence holder shall own property, hold a long-term lease or legal agreement on both sides of the portion of the road allowance for which the licence is being sought, with the signed consent of landowners on those properties. The licence will apply to the portion of the undeveloped road allowance abutting the licence holder's property.
6. All applications for licencing of the undeveloped road allowance shall be made on the form as determined by the MDLSR and shall be accompanied by the applicable fee, as per the MDLSR's Schedule of Fees Bylaw.
7. All Licence of Occupation approvals will be advertised according to the Advertising policy/bylaw.
8. The Licence of Occupation does not supersede the Alberta Traffic Safety Act.
9. The licence does not grant the holder the right to clear natural vegetation, including timber, on the road allowance. Any request to clear natural vegetation on the road allowance shall be submitted to and approved by Alberta Environment & Parks (AEP). Confirmation of AEP approval for the clearing of natural vegetation shall be submitted to the MDLSR prior to any work commencing.
10. The unapproved removal of natural vegetation shall result in the cancellation of all road allowance licences with the MDLSR.
11. No work, development, improvement, or change to the condition of the Undeveloped Road Allowance is permitted without prior written authorization from the MDLSR. No buildings or structures shall be constructed on the Road Allowance. Fencing will be permitted with prior approval from the MDLSR. The Undeveloped Road Allowance may only be used for purposes listed in the licence holder's licence, and for no other use. The licence holder may not use the Undeveloped Road Allowance in any other manner without the prior written consent of the MDLSR, which consent may be unreasonably withheld.
12. The MDLSR retains the right of entry and control including the right and privilege of cutting or spraying any portion of the road allowance for the purpose of weed control, or for any other purpose at any time in the areas for which this licence has been issued.
13. In issuing a licence, the MDLSR will impose such terms and conditions determined to be necessary or beneficial, including but not limited to:
 - A) The term of the licence shall be up to a maximum of five (5) years;
 - B) Insurance requirements;

- C) Signage Requirements;
- D) Whether obstructions such as fences and gates are permissible;
- E) Weed control; and
- F) The limitation of the licence holder's access or use.

14. The MDLSR may terminate the licence holder's licence for any reason, including convenience, with thirty (30) days written notice to the licence holder. Refunds will be granted and prorated on a monthly basis.

RESPONSIBILITIES:

RESPONSIBILITIES FOR ROAD CLOSURE

1. Planning & Development will manage the road closure process.
2. As per Section 22 of the MGA, Road Allowance closures will be closed through Bylaw after the completion of a Public Hearing. This Bylaw must receive approval from the Minister of Transportation after First Reading and the Public Hearing.
3. As per Section 24 of the MGA, Council may, by resolution, with the approval of the Minister of Transportation, close the whole or any part of a road described in a surveyed road plan.
4. Upon receipt of the application and payment, administration will proceed with the request in accordance with Alberta Transportation requirements.
5. Fees are as outlined in the Schedule of Fees Bylaw.

RESPONSIBILITIES OF THE LEASEHOLDER

1. Fees for the duration of the lease term will be invoiced on a lump sum basis at the beginning of the applicable term. The fee shall be paid prior to the licence being issued.
2. The leaseholder shall, at its sole expense, obtain and maintain comprehensive general liability insurance of no less than \$2,000,000 throughout the term of the lease. A copy of the current insurance policy shall be submitted to the MDLSR within thirty (30) days of the issuance of the Lease. A copy of the insurance coverage is to be supplied annually to the MDLSR, failure to comply will result in a cancellation of the agreement.
3. The leaseholder shall be responsible for weed control on the undeveloped road allowance to the MDLSR's satisfaction.
4. In consideration of the MDLSR's granting of the lease, the leaseholder agrees to indemnify and save harmless the Municipal District of Lesser Slave River No. 124 of and from any claims or demands arising from the operations on the undeveloped road allowance.
5. The leaseholder shall not have the right to sublet any portion of the lease.
6. The leaseholder will be required to leave any gates that are installed to be **unlocked** to maintain public access along the leased portion of the undeveloped road allowance.
7. The leaseholder shall not use the leased area in such a way as to adversely affect groundwater resources or disturb natural drainage patterns or watercourses unless such measures are necessary to serve a proposed development and receive approval from Alberta Environment and Parks. The MDLSR shall be notified of the approval prior to any work commencing. Additionally, the leaseholder shall not cause stormwater to drain onto adjoining property.
8. Upon termination, the lessee shall, upon the MDLSR's request, remove all equipment, structures, and installations on the road allowance placed for the lessee's purposes. If they are not removed within thirty (30) days of such a request, the MDLSR shall have the right to remove equipment, structures, and installations and the MDLSR shall invoice the licence holder the actual cost relating thereto.

RESPONSIBILITIES OF THE LICENCE HOLDER

1. Fees for the duration of the licence term will be invoiced on a lump sum basis at the beginning of the applicable term. The fee shall be paid prior to the licence being issued.

2. The licence holder shall, at its sole expense, obtain and maintain comprehensive general liability insurance of no less than \$2,000,000 throughout the term of the licence. A copy of the current insurance policy shall be submitted to the MDLSR within thirty (30) days of the issuance of the Licence of Occupation. A copy of the insurance coverage is to be supplied annually to the MDLSR, failure to comply will result in a cancellation of the agreement.
3. The licence holder shall be responsible for weed control on the undeveloped road allowance to the MDLSR's satisfaction.
4. In consideration of the MDLSR's granting of the licence, the licence holder agrees to indemnify and save harmless the Municipal District of Lesser Slave River No. 124 of and from any claims or demands arising from the operations on the undeveloped road allowance.
5. The licence holder shall not have the right to sublet any portion of the licence.
6. Licence of Occupation Agreements cannot be passed on to another Licence of Occupation Holder
9. The licence holder will be required to provide Texas Gate(s), at the licence holder's expense and constructed to Alberta Transportations specifications, in order to maintain public access along the leased portion of the undeveloped road allowance. The leaseholder will be required to leave any gates that are installed to be **unlocked** to maintain public access along the leased portion of the undeveloped road allowance.
7. The licence holder shall not use the licenced area in such a way as to adversely affect groundwater resources or disturb natural drainage patterns or watercourses unless such measures are necessary to serve a proposed development and receive approval from Alberta Environment and Parks. The MDLSR shall be notified of the approval prior to any work commencing. Additionally, the licence holder shall not cause stormwater to drain onto adjoining property.
8. Upon termination, the licence holder shall, upon the MDLSR's request, remove all equipment, structures, and installations on the road allowance placed for the licence holder's purposes. If they are not removed within thirty (30) days of such a request, the MDLSR shall have the right to remove equipment, structures, and installations and the MDLSR shall invoice the licence holder the actual cost relating thereto.
9. Subsequent terms will be subject to application as renewals will not be automatic.
10. The MDLSR shall provide the initial sign and the licence holder is required to install and maintain the sign in a reasonable condition for the duration of the term.
11. Replacement signs due to damage or removal will be ordered by the MDLSR upon the licence holder's request and at their expense in accordance with the Schedule of Fees.
12. Signs shall measure 30cm by 45cm.
13. Signs shall note the licence number.
14. Signs shall be located as close to the center as possible of the undeveloped road allowance at the boundary.

The MDLSR will not consider entering into a Licence of Occupation Agreement respecting any use or any activity that **will** negatively MDLSR 's operations or public safety.

Suspensions Of Licence of Occupation Agreements:

- Should the applicant fail to pay the applicable Licence of Occupation fees or **if** any additional monies owing as a result of an Agreement are in arrears, the Agreement shall be suspended until the monies owed are paid and current.
-

Chief Administrative Officer
Barry Kolenosky

Date

Reeve
Murray Kerik

Date

- RELATED DOCUMENTS:**
- PD-61-05.01 Closure, Leasing, and Licensing of Municipal Roads Procedure
 - Schedule "A" Application – Road Closure
 - Schedule "B" Application – Lease of Undeveloped Road Allowance
 - Schedule "C" Application – License of Occupation
 - Schedule "D" Signage – Licence of Occupation
 - Schedule "E" Flowchart



Lesser Slave River

TITLE: CLOSURES, LEASING and LICENSING OF SURPLUS MUNICIPAL ROADS PROCEDURE

PROCEDURE NO: PD-61-05.01

RESOLUTION:

EFFECTIVE DATE: June 12, 2024

LEAD DEPARTMENT RESPONSIBLE: Planning & Development

NEXT REVIEW DATE: June 12, 2027

GENERAL GUIDELINES:

As per Section 22 of the *Municipal Government Act, RSA 2000, C M-26*, no road in the Municipal District of Lesser Slave River No. 124 may be closed except through bylaw and with the approval of the Minister of Transportation. For example:

- All typical government road allowances surveyed in the early 1800s with no road plan number, must be closed by bylaw.
- Or any Township or Range Roads not registered with a road plan require closure by bylaw.

DEFINITIONS:

“Adjacent Land” means land that is next to or adjoining to the Undeveloped Road Allowance.

“Adjacent Landowner” means the registered landowner(s) of the parcels directly adjacent to the road or undeveloped road allowance.

“Assessor” means a registered land appraiser and or the MDLSR’s Tax Assessor, as defined in the *Municipal Government Act*, who will determine what Fair Market Value shall be. A realtor may also be used to determine the rate.

“Council” means the duly elected members of the Municipal Council of the Municipal District of Lesser Slave River No. 124.

“Consolidation” means the process of combining more than one Certificate of Title(s) into a single Certificate of Title.

“Disposal” means the process of reutilizing, transferring, donating, selling, or other dispositions of MDLSR -owned Assets.

“Fair Market Value (FMV)” means a purchase rate based on a professionally prepared market value assessment to determine a fair market rate for the subject lands.

“Lessee” means a person(s) to whom an exclusive lease agreement is granted for a determined use.

“Licence of Occupation Agreement” means a temporary agreement whereby a person(s) or business(s) is granted the right to use land owned by or under the direction, control, and management of the MDLSR for certain purposes without becoming entitled to exclusive possession of them.

“Licence of Occupation” means a Licence of Occupation Agreement for the use of land for an access road, pasturing, grazing, watering of livestock, encroachment of fences, and any other similar uses approved by Council.

“Licensee” means the person(s), business, or corporation to whom the non-exclusive Licence of Occupation Agreement has been granted or issued for a determined use.

“MGA” means the Municipal Government Act, RSA 2000, c M-26.



Lesser Slave River

“**MDLSR**” means the Municipal District of Lesser Slave River No. 124 having jurisdiction under the *Municipal Government Act* and other applicable legislation.

“**MDLSR Owned Land**” means all land registered in the name of the MDLSR and land that is under the direction, control, and/or management of the MDLSR. This may include parcels of land designed as Municipal Reserve (MR), Environmental Reserve (ER), Reserve (R), School Reserve (SR), Public Utility lots, and Road Allowances, as well as easements and rights-of-way registered in the MDLSR 's name across privately owned land.

“**Natural Vegetation**” means vegetation existing on-site prior to the issuance of the licence.

“**Public Hearing**” means a hearing held in accordance with section 30 of the MGA and advertised in accordance with section 606 of the *Municipal Government Act*.

“**Public Lands**” means a parcel of land not privately owned, held by the federal, provincial, or municipal government Land, and including Road Allowances.

“**Public Travel**” means any travel on the Road Allowance by the general public, excluding the Lessee, Licensee, or owner, and includes all modes of travel with the exception of foot access. Examples of modes of Public Travel may include but are not limited to horseback, bicycle, vehicle, machinery, or equipment.

“**Road**” as defined in the *Municipal Government Act*.

“**Surplus Roads**” means roads within the MDLSR that are not required for Public Travel and are considered non-essential in the overall context to the MDLSR. Surplus Roads largely consist of undeveloped Road Allowances, road rights-of-way, and/or service roads but may also be surveyed roads that are not required due to the existence of an alternate route.

“**Undeveloped Road Allowance**” means any land dedicated as a road right-of-way that has not been fully developed. The right-of-way may or may not be shown as a road on a plan of survey that has been filed or registered in a land titles office.

PROCEDURE:

ROAD CLOSURE:

1. Council approves all road closures with the MDLSR, however, Planning and Development will manage all procedures for road closures for the MDLSR, which includes the following:
 - Keep a record of all requests for all road closures.
 - Send correspondence to applicants and work with the Finance department with respect to collecting additional information, termination, expiry, or renewal of leases on an undeveloped road allowance.
 - Keep road closure templates up to date and relevant.
2. **Application:** Planning and Development will receive all written requests to close a road or undeveloped road allowance. The written request shall include:
 - The paid application fees as per the Schedule of Fees
 - The legal land description and or civic address of the applicant
 - A detailed description of the intended use or activity of the said lands
 - Contact information of the applicant which includes a mailing address and phone number.
 - Plan of Survey with the description of the portion of the road plan or road allowance to be closed.
 - Current Certificate of title (current within the last thirty (30) days)



Lesser Slave River

3. **Evaluation of application:** Once the application is deemed complete, Administration circulates the application to the third parties deemed as per Alberta Transportation and circulates the application to all departments within the MDLSR for evaluation and input.
 - Transportation Services to verify any concerns or objections.
 - Utility Services to every utility and/or right-of-way in the area.
 - External Department Referrals:
 - Alberta Transportation.
 - Utility providers in the area (telecommunication, power authorities, gas distributors).
 - Alberta Environment and Parks if the road is adjacent to or through a water body or adjacent to crown land.
 - Adjacent landowners within 60.0 meters.

Referrals must be given a minimum of two (2) weeks for responses.

4. **First Reading:** Once the referral period has lapsed, Planning and Development will prepare a bylaw and present it to Council for first reading.
5. **Public Hearing:** Should the bylaw receive first reading; a public hearing shall be scheduled in accordance with the requirements of the MGA. Notice shall be provided to adjacent landowners and affected agencies in the area. Planning and Development will send the road closure information to the Minister of Transportation for consideration and shall include:
 - Cover letter which includes the rationale for the closure.
 - If any objections were received during the process, the cover letter shall address how the objection(s) were addressed.
 - Original bylaw with the first reading signed and dated.
 - Survey plan for the closure (typically Schedule A to the bylaw)
 - Mapping
 - Copies of the notices sent to adjacent landowners and affected agencies.
 - Copies of the public hearing advertisement
 - Copies of any written responses received.
 - Copy of the Council meeting minutes.
 - Include original right-of-way agreement(s) required by any utility provider.

6. **Second and Third Reading:** Once the bylaw is returned with the Minister of Transportation's signature, Planning and Development shall submit the bylaw to Council for second and third reading.

Planning and Development shall prepare the necessary documents for a registered Alberta Land Surveyor to register the road closure with the Land Titles Office.

Once the road closure is registered, the sale of lands to the adjacent landowner(s), shall proceed.

ROAD ALLOWANCE LEASES

1. Prior to accepting an application for a lease, the Planning and Development Officer shall review the Closures, Leasing, and Licencing Policy with the potential applicant. Should the person decide to proceed with an application, the Planning and Development Officer will accept the application and review it to determine if it meets policy.
2. Once the application is received the Planning and Development Officer or another member of Administration shall conduct a site visit to evaluate the current use(s) of the road allowance.



Lesser Slave River

3. Should the CAO and/or designate that the lease application meets the criteria, the proposed lease shall be advertised for two (2) weeks in the local newspaper serving the MDLSR to solicit any concerns to be considered at a public hearing on the application.
4. Upon consideration of remarks at the public hearing, written submissions, and policy criteria, the CAO and/or designate shall decide if a lease is to be issued.
5. If the CAO and/or designate approves the lease application, the applicant shall enter into a Road Allowance Lease Agreement with the MDLSR and comply with all terms and conditions of the lease.
6. The leased area shall not hinder access to Crown lands or to the property of other landowners.
7. Lease applications that propose to fence the road allowance will only be acceptable where public access is not a concern.
8. The lessee is responsible for installing and maintaining the signage indicating that this is a Public Road Allowance.
9. At the expiry of a road allowance lease, the lessee is responsible for road allowance reclamation, at the expense of the lessee, including the removal of fencing and site grading of the road allowance to its pre-lease state.
10. The lessee is required to provide confirmation to the Municipal District of Lesser Slave River No. 124 of liability insurance coverage that shows the MDLSR as a named insured.
11. Lessee shall comply with all relevant Government legislation, and all MDLSR Plans, Policies, and Regulations.
12. The fee for a lease shall be \$50/month/kilometer of the right-of-way for a portion thereof, or the most current fee set for this purpose on a MDLSR Fee Schedule.
13. The Municipal District of Lesser Slave River No. 124 may cancel a lease at any time, for any reason by providing a 30-day written notice to the lessee.

LICENCE OF OCCUPATION

Planning and Development will manage all License of Occupation Agreements for the MDLSR, which includes the following:

- Keep a record of all requests for a License of Occupation Agreement.
- Send correspondence to Licensees with respect to collecting additional information, termination; expiry, or renewal of an existing License of Occupation Agreement; and
- Keep templates up-to-date and relevant.

Planning and Development will receive all written requests to use MDLSR Owned Land. The written request shall include:

- The legal land description and or civic address of the said lands;
- A detailed description of the intended use or activity of the said lands, which may include a map;
- Contact information of the applicant which includes a mailing address and phone number; and
- Current Certificate of title (current within the last thirty (30) days).
-



Lesser Slave River

Planning and Development will refer the request to other departments along with:

- A copy of the request and description of the proposal;
- The legal land description and map; and
- Any additional information necessary to render a decision.

Internal Department Referrals

- Operations Services
- Utility Services
- Community Services
- The Chief Administrative Officer (CAO) and/or designate.

External Department Referrals:

- Alberta Transportation where the proposal is adjacent to a Provincial Highway.
- Alberta Environment and Parks where the proposal is adjacent to a waterbody or Crown Land.
- Utility Providers in the area and where a right of way is identified on the Certificate of Title.
- Agencies with an interest in the lands, as noted on the Certificate of Title.

Planning and Development may also wish to consult with adjacent landowners if the request is adjacent to a privately owned property. A Licence of Occupation is to be advertised to the general public in the Lakeside Leader once.

Once the referral is complete and comments are received, Planning and Development shall:

- Review the comments received.
- If denied, notify the applicant, and provide the reason.
- If approved:
 - Prepare the License of Occupation Agreement with applicable schedules for signing.
 - Collect the applicable fees in accordance with the Schedule of Fees.
 - Update mapping and tracking for location, insurance, and date of agreement.

Barry Kolenosky – Chief Administrative Officer

Date

SPECIAL NOTES/CROSS-REFERENCE: *Freedom of Information and Protection of Privacy Act, RSA 2000, Ch F-25*
PD-61-05 Closure, Leasing, and Licensing of Municipal Roads Policy
Municipal Government Act, RSA 2000, c. M-26
B31 Policy & Procedure Development



ROAD CLOSURE APPLICATION

This form is to be completed **IN FULL** by the **registered owner(s)** of the land that is subject of the application or by a **person authorized to act on behalf of the registered owner(s)**.

ALL road closure applications are required to include:

- Road closure application fee as per the Schedule of Fees Bylaw
- Complete application form includes signature, payment and all necessary information including a site plan of proposed road closure.
- Certificate of Title, for lands adjacent to the subject road, obtained no more than 30 days prior to the date of application. The title search can be obtained from Alberta Registries.

WHAT YOU SHOULD KNOW ABOUT THE ROAD CLOSURE PROCESS

Applicants should be fully aware that a successful application to close a road will result in additional costs to the applicant, over and above the initial application as follows:

- Land purchase and associated legal costs;
- Surveying costs;
- Any required environmental assessments;
- Relocation and/or removal of sewer, water, gas, telephone, and power lines; and
- Additional costs which may be case specific.

**Please note that additional information may be required.*

GENERAL ROAD CLOSURE PROCEDURE

1. Applicant submits completed application with application fee.
2. The Municipal District of Lesser Slave River No. 124 requests surveyor to prepare survey plan and description of road closure area.
3. The Municipal District of Lesser Slave River No. 124 prepares an offer to sell for signature(s) of landowner(s).
4. The Municipal District of Lesser Slave River No. 124 circulates notice of application to internal departments and referral agencies.
5. Application receives first reading by council and a public hearing is scheduled.
6. Public hearing is advertised for two consecutive weeks.
7. The Municipal District of Lesser Slave River No. 124 circulates a notice of public hearing to referral agencies and adjacent landowners.
8. The Municipal District of Lesser Slave River No. 124 submits bylaw to Minister of Alberta Transportation for their consideration.
9. Application is taken to council for second and third reading.
10. If council approves road closure bylaw, applicable transfer of lands documents are prepared for registration at Alberta Land Titles.

**Please note that additional steps and information may be required.*

**Please submit all required documents and fees with the application to the below address or email address:
For further information, please contact the Planning Department at: info@mdlsl.ca**



Lesser Slave River

SCHEDULE "A"

APPLICANT INFORMATION	
Registered Landowner(s): _____	
Mailing Address: _____	Town: _____ PC: _____
Primary Phone: _____	Other Phone: _____
Email: _____	(By providing an email address, you authorize Planning & Development to contact you via email.)

LAND INFORMATION	
Legal Location: _____ ¼ of Sec. _____ Twp. _____ Range _____ W _____	
Registered Plan: _____ Block: _____ Lot: _____	
<p>The subject road allowance is located immediately:</p> <p> <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/> NE <input type="checkbox"/> NW <input type="checkbox"/> SE <input type="checkbox"/> SW of my property </p>	
<p>Note: This application is for road closure and/or consolidation only. Please identify the purpose for requesting the closure in the space below:</p>	

I/WE _____ hereby certify that:
(FULL NAME IN CAPITAL LETTERS)

I am the registered landowner and the information provided on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for road closure.

Signature Date

The personal information on this form is collected under the authority of Section 33 (c) of the *Alberta Freedom of Information and Protection of Privacy Act, RSA, 2000, Ch F-25*. The information will be used to process your application(s) and your name and address may be included on reports that are available to the public. If you have any questions on the collection and use of this information, please contact the FOIP Coordinator at (780) 849-4888.



ROAD ALLOWANCE LEASE APPLICATION

This form is to be completed **IN FULL** by the **registered owner(s)** of the land that is subject of the application or by a **person authorized to act on behalf of the registered owner(s)**.

ALL road lease applications are required to include:

- Road lease application fee as per the Schedule of Fees Bylaw
- Complete application form includes signature, payment and all necessary information including a site plan of proposed road allowance lease.
- Certificate of Title, for lands adjacent to the subject road, obtained no more than 30 days prior to the date of application. The title search can be obtained from Alberta Registries.

WHAT YOU SHOULD KNOW ABOUT THE ROAD ALLOWANCE LEASE PROCESS

Applicants should be fully aware that a successful application to lease a road allowance will result in additional costs to the applicant, over and above the initial application as follows:

- Fencing costs,
- Weed control costs,
- All costs for road allowance reclamation; and
- Additional costs which may be case-specific.

**Please note that additional information may be required.*

**Please submit all required documents and fees with the application to the below address or email address:
For further information, please contact the Planning Department at: info@mdlsr.ca**

APPLICANT INFORMATION	
Registered Landowner(s): _____	Town: _____ PC: _____
Mailing Address: _____	Other Phone: _____
Primary Phone: _____	(By providing an email address, you authorize Planning & Development to contact you via email.)
Email: _____	

LAND INFORMATION	
Legal Location: _____ ¼ of Sec. _____ Twp. _____ Range _____ W _____	
Registered Plan: _____ Block: _____ Lot: _____	
The subject road allowance is located immediately: <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/> NE <input type="checkbox"/> NW <input type="checkbox"/> SE <input type="checkbox"/> SW of my property	
Note: This application is for road closure and/or consolidation only. Please identify the purpose for requesting the road allowance lease in the space below:	



Lesser Slave River

SCHEDULE "B"

You understand that:	
1. If you receive a lease, you are responsible to maintain public access along the leased portion of the road allowance?	Y / N
2. You are required to provide confirmation to the Municipal District of liability insurance coverage that shows the Municipal District as a named insured?	Y / N
3. You shall comply with all relevant Government legislation, Municipal District Plans, Policies, and Regulations?	Y / N
Is this an application to address privacy issues?	Y / N
Will the leasing of the road allowance maintain access to Crown lease or licences of occupation, or privately held lands without road access?	Y / N
Will the leasing of the road allowance prevent current access for any purpose including recreational pursuits such as walking, skiing, hunting, and/or recreational use?	Y / N
Are there established trails?	Y / N

I/WE _____ hereby certify that:
(FULL NAME IN CAPITAL LETTERS)

I am the registered landowner and the information provided on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for road allowance lease.

Signature _____

Date _____

The personal information on this form is collected under the authority of Section 33 (c) of the *Alberta Freedom of Information and Protection of Privacy Act, RSA, 2000, Ch F-25*. The information will be used to process your application(s) and your name and address may be included on reports that are available to the public. If you have any questions on the collection and use of this information, please contact the FOIP Coordinator at (780) 849-4888.



Lesser Slave River

SCHEDULE "C"

UNDEVELOPED ROAD ALLOWANCE LICENCE APPLICATION

In accordance with Policy PD-61-05, "Closures, Leasing, and Licensing of Municipal Roads Policy," this road allowance application applies solely to **agricultural purposes; that is, animal grazing and/or existing field crop farming.**

The Municipal District of Lesser Slave River No. 124's approval of this application indicates that you have entered into a Road Allowance License Agreement with MDLSR for the term indicated below and subject to, but not limited to, the following conditions, in accordance with Policy PD-61-05:

- Provide proof of \$2 million liability insurance on the licensed premises to the Municipal District.
- Remit the required non-refundable application fee of \$100/year of use.

I/We apply for a license to temporarily occupy the road allowance(s) or portion thereof, marked on the attached diagram, for a term of ____ years (maximum three (3) years). I/We understand that this application will only be processed if submitted in complete form.

Applicant Information	
Applicant:	
Complete Mailing Address:	
Primary Phone:	Email:
<i>**By providing an email address, you authorize the Municipal District of Lesser Slave River to contact you via email.</i>	
Road Allowance Information	
The undeveloped Road Allowance(s) is/are as shown on the attached diagram, hereinafter referred to the Licenced Premises, and abutting the following lands:	
<input type="checkbox"/> Leased <input type="checkbox"/> Owned	All/Part of: ____ LSD/QTR ____ SEC ____ TWP ____ RGE ____ W ____ M
<input type="checkbox"/> Leased <input type="checkbox"/> Owned	All/Part of: ____ LSD/QTR ____ SEC ____ TWP ____ RGE ____ W ____ M
The undeveloped road allowance licence is for agricultural purposes as follows:	
<input type="checkbox"/> Animal grazing <input type="checkbox"/> Existing field crop farming	
Signage and Fencing Information <i>(all fields required)</i>	
<input type="checkbox"/> I understand that the Municipal District of Lesser Slave River No. 124 provides signage and as the applicant I am required to install this signage at the entrance of the undeveloped road allowance.	
Do you wish to install fencing, gates, and foot access? <input type="checkbox"/> Yes (please see below and show on diagram) <input type="checkbox"/> No	
1. Gate(s) will be installed to provide: <input type="checkbox"/> foot access or <input type="checkbox"/> access to existing trails leading to Crown Land	
2. Gate(s) will be barbed wire and able to be opened for passage by the public? <input type="checkbox"/> Yes <input type="checkbox"/> No	
3. Gate(s) will measure: _____ and be constructed of: _____	
Declaration	
<p>I hereby declare that the information submitted is, to the best of my knowledge, factual and correct. I understand that by signing this declaration, I also give consent for authorized persons of the Municipal District of Lesser Slave River No. 124 to enter upon the land(s) that is/are subject to a road allowance licence application for the purposes of conducting a site inspection to evaluate the proposed road allowance.</p> <p>Note: ALL registered landowners MUST sign the application.</p>	
_____ Registered Landowner Signature	_____ Registered Landowner Signature
_____ Date	_____ Date

MUNICIPAL DISTRICT OF LESSER SLAVE RIVER No. 124 | Tel 780.849.4888 | Toll-Free 1.866.449.4888 | Fax 780.849.4939 | P.O. BOX 722, SLAVE LAKE AB T0G 2A0 | MDLSR.CA



Lesser Slave River

SCHEDULE "C"

Undeveloped Road Allowance Licence # _____	
On the diagram below:	
<input type="checkbox"/>	Indicate road allowance location with solid line (———)
<input type="checkbox"/>	Indicate gates with an asterisk (*)
<input type="checkbox"/>	Indicate fences with a dashed line (- - -)
<input type="checkbox"/>	Indicate any other access points (foot, ATV, vehicular, etc. with #)

TOWNSHIP _____ RANGE _____ WEST OF THE _____TH MERIDIAN
 (*Must insert Section and Road numbers on lines provided below)

31	32	33	34	35	36
30	29	28	27	26	25
19	20	21	22	23	24
18	17	16	15	14	13
7	8	9	10	11	12
6	5	4	3	2	1

Example:
NW portion of Sec. 12

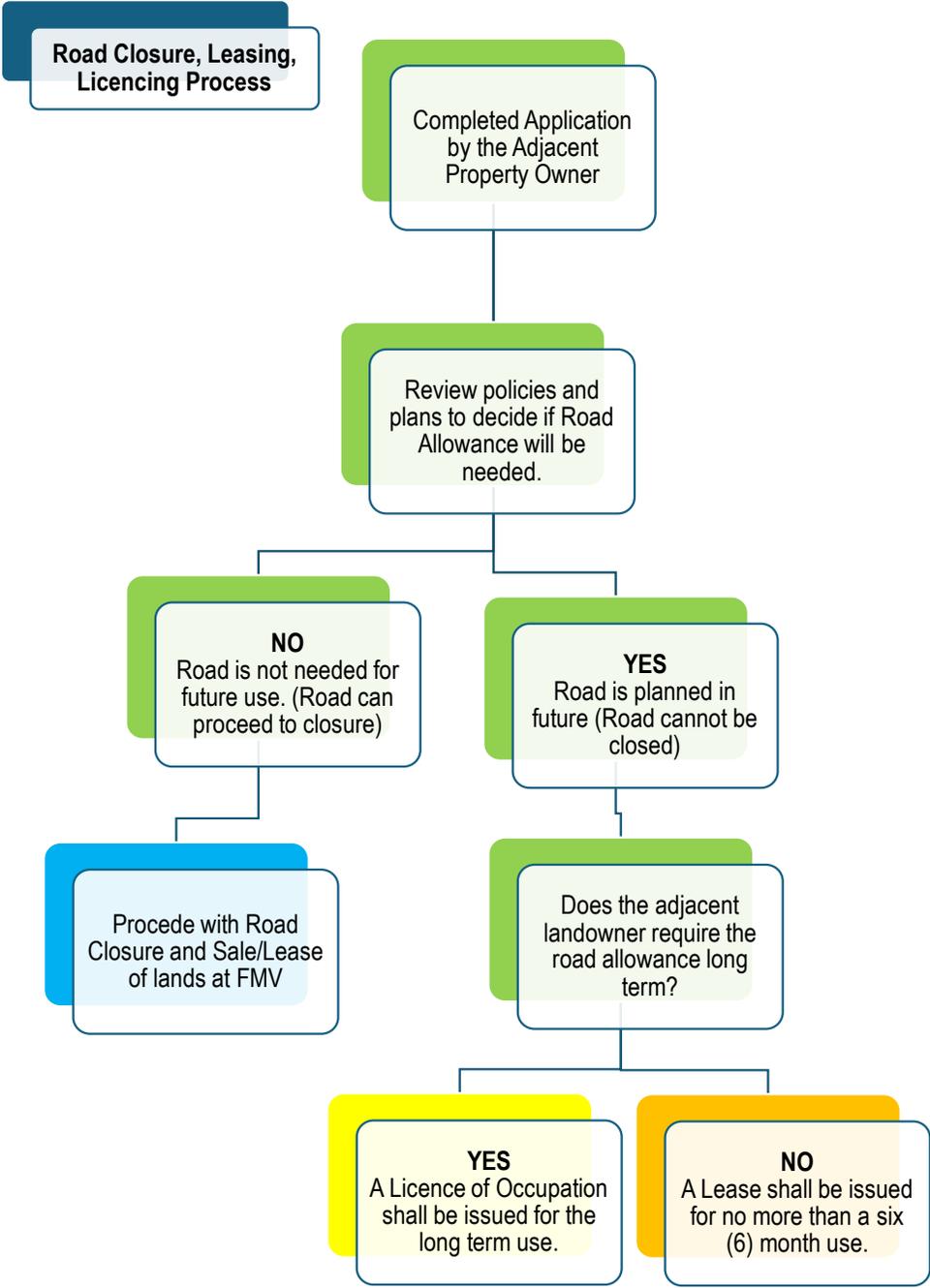
The personal information on this form is collected under the authority of Section 33 (c) of the *Alberta Freedom of Information and Protection of Privacy Act, RSA, 2000, Ch F-25*. The information will be used to process your application(s) and your name and address may be included on reports that are available to the public. If you have any questions on the collection and use of this information, please contact the FOIP Coordinator at (780) 849-4888.



Lesser Slave River

SCHEDULE "D" SIGNAGE

A rectangular sign with a white background and a dark blue border. At the top, the word "NOTICE" is written in large, bold, yellow capital letters on a dark blue background. Below this, the text "THIS ROAD IS CONTROLLED BY THE MD IN COOPERATION WITH THE LANDOWNER" is written in bold, dark blue capital letters. Underneath, the phone number "Tel 780.849.4888" is displayed in a smaller, italicized font. At the bottom, there is a small circular logo of the Lesser Slave River Municipal District, followed by the text "Lesser Slave River" in a bold, dark blue font.



Note: As these approvals are done through Council, Administration would be required to review, make a recommendation, and issue approval. For a Road Closure this process takes a minimum of eight (8) weeks to go through the bylaw process For the Lease or Licence of Occupation approval, the process will take a minimum of three (3) weeks' time depending on when the application is made and the schedule of Council.



Lesser Slave River

TITLE: LEASING OF UNDEVELOPED ROAD ALLOWANCES

EFFECTIVE DATE: September 23, 2015

POLICY NUMBER: E.9

STATEMENT:

To ensure that access remains open to the public along out network of undeveloped road allowances. The Municipal District shall only consider an application for leasing an undeveloped road allowance that meets policy criteria or on a temporary basis associated with an emergency or special circumstance.

CRITERIA:

1. An application for leasing an undeveloped road allowance does not qualify as a special circumstance if the reason for the lease includes, but is not limited to:
 - Addressing an encroachment upon a road allowance where an application for an encroachment agreement would be required
 - A situation where an adjacent landowner does not want to fence both sides of the road allowance because it is less expensive to fence off the right-of-way
 - Addressing privacy issues
2. The road allowance shall not be an integral part of the Municipal District road network, as deemed by the Director of Transportation and Infrastructure.
3. The road allowance must not prevent current public access for any purpose including recreational pursuits such as walking, skiing, hunting, and/or recreational vehicle use.
4. The road allowance shall maintain access to Crown leases or licenses of occupation, or privately held lands without road access.
5. An applicant must own, lease or rent the land on both sides of the road allowance being applied for.
6. Notwithstanding the case made for a special circumstance, Administration has the discretion to grant a short term lease, to a maximum of three (3) months, to address an emergency (e.g. to secure lands during a pipeline break restoration) or agricultural emergency circumstance (e.g. serious drought conditions where normal water sources have dried up and livestock can be watered by utilization of the road allowance).
7. For such a temporary emergency or agricultural emergency circumstance, Administration will advertise its decision in two successive newspapers that service the Municipal District and the lease fee shall be waived. Administration may use its discretion to renew such a lease should the emergency conditions persist.



Lesser Slave River

PROCEDURE:

1. Prior to accepting an application for lease, the potential applicant shall be provided a copy of Policy E.9 for consideration with regard to the proposal so the applicant can decide if his or her reasons for a lease meet the policy criteria.
2. If the applicant chooses to proceed, the Planning and Development Officer will accept a written lease application including reasons for the lease request and a map of the lease area, and will review to determine if the application meets the criteria under this policy.
3. Once a lease application is accepted, the Planning and Development Officer or other member of the Administration shall conduct a site investigation to evaluate the current use(s) (e.g. recreational use, license of occupation, Crown lease, etc.) of the road allowance and present a recommendation for Council's consideration.
4. Should Council decide that the lease application meets the criteria, the proposed lease shall be advertised in two successive editions of the newspaper serving the Municipal District to solicit any concerns to be considered at a public hearing on the application.
5. Upon consideration of remarks made at the public hearing, written remarks received, policy criteria, and the Administration recommendation on the proposed lease, Council shall decide whether to issue a lease.
6. If the lease application is successful, the applicant shall enter into a Road Allowance Lease Agreement with the Municipal District and comply with all terms and conditions of the lease.
7. The leased area shall not hinder access to Crown land or to property of other landowners.
8. Lease applications that propose to fence the road allowance will only be acceptable where public access is not a concern. If public access is a concern then the lessee is required to provide Texas Gate(s), at the lessee's expense and constructed to Alberta Transportation specifications, in order to maintain public access along the leased portion of road allowance.
9. The lessee is responsible to maintain the structure and signage of the Texas Gate and the road carriageway for a minimum distance of 20m on either side of the structure.
10. At the expiry of a road allowance lease the lessee is responsible for road allowance reclamation, at the expense of the lessee, including the removal of fencing and /or Texas Gates and site grading of road allowance to its pre-lease state.
11. The lessee is required to provide confirmation to the Municipal District of liability insurance coverage that shows the Municipal District as a named insured.
12. Leases shall comply with all relevant Government legislation, and all Municipal District Plans, Policies, and Regulations.



Lesser Slave River

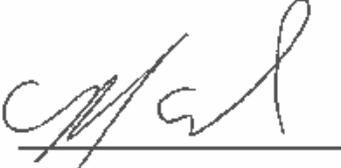
- 13. The annual fee for a lease, other than for a temporary emergency or agricultural emergency situation, shall be \$50/year/half mile of right-of-way for a portion thereof, or the most current fee set for this purpose on a Municipal District fee schedule.
- 14. Should the lessee wish to renew a lease, the lessee shall re-apply for the lease under the provisions of this policy. Current leases with the Municipal District will fall under this policy upon their expiry.
- 15. The Municipal District may cancel a lease at any time by providing a 30-day written notice to the lessee.

MOTION: 346-15

DATE: September 23, 2015



Chief Administrative Officer



Reeve

MD of LESSER SLAVE RIVER

Policy



Title:	LICENCE OF OCCUPATION
Policy Number:	H8 – Amended
Effective Date:	October 25, 2023
Resolution:	430-23
Department Responsible:	Planning & Development
Supersedes Policy No:	H.8
Next Review Date:	October 25, 2026

POLICY STATEMENT:

The Municipality requires a policy to formalize a process for the fair, consistent, and effective identification, review, and management of the use of land owned by or under the direction, control, and management of the Municipal District of Lesser Slave River No 124. The municipality may consider entering into a Licence of Occupation Agreement with a person(s) or business(s) who wishes to occupy or use the land. A Licence of Occupation Agreement grants permission to the Licensee to use the lands but does not grant exclusive rights to the area.

DEFINITIONS:

“**Agricultural Licence of Occupation**” means a Licence of Occupation Agreement for the use of land for animal life. The uses include, but are not limited to, the pasturing, grazing, and watering of livestock.

“**Licence of Occupation Agreement**” means a temporary agreement whereby a person(s) or business(s) is granted the right to use land owned by or under the direction, control, and management of the Municipal District for certain purposes without becoming entitled to exclusive possession of them.

“**Licence of Occupation**” means an agreement for the use of land for access road, pasturing, grazing, watering of livestock, temporary outdoor patio, encroachment of fences or buildings and any other similar uses approved by Council.

“**Licence of Occupation Holder**” means the person(s), business or corporation using the lands for the term of the Licence of Occupation Agreement.

“**Licence of Occupation, Encroachment**” means a structure that is encroaching onto land owned or controlled by the Municipal District.

“**Licence of Occupation, Patio/Sidewalk**” means a portion of an eating or drinking place that is located on a public sidewalk. This may include the placement of furniture and provides waiter and waitress service.

“**Municipal District**” means The Municipal District of Lesser Slave River No. 124.

“**Municipal District Owned Land**” means all land registered in the name of the Municipal District and land that is under the direction, control, and management of the Municipal District. This may include parcels of land designated as Municipal Reserve (MR), Environmental Reserve (ER), Reserve (R), School Reserve (SR), Public Utility lots and Road Allowances, as well as easements and right-of-ways registered in the Municipal District’s name across privately owned land.

MD of LESSER SLAVE RIVER Policy

"Public Thoroughfare" means any right-of-way under the jurisdiction and maintenance of the Municipal District which may be used by the public in general and which serves as the frontage street to the abutting property.

PRINCIPLE:

1. A Licence of Occupation shall:
 - Be terminable on 30 days notice in writing;
 - Be for a specific period of time and for a term not exceeding 365 days;
 - Include a map showing the exact location of the use;
 - Be limited to a specific purpose(s);
 - Require an indemnification on the part of the permittee;
 - Require the LOC holder to maintain liability insurance;
 - Require a fee as shown; and may be amended from time to time, in the schedule of fees by-law;
 - Require the permittee to be responsible for any weed control;
 - Require the permittee to install gates/Texas gates at suitable locations if applicable;
 - Not be fenced to block access to a road allowance;
 - If a gate is installed on a Road Allowance, the gate is to remain unlocked, and an approved sign is to be installed identifying it as a Licence of Occupation authorized by the Municipal District;
 - Require the permittee to be responsible to restore any damage done to the permitted area to a state satisfactory to the Municipal District upon Licence of Occupation completion;
 - Be advertised in the local media.
2. Should an applicant request exclusive rights to the lands, Administration shall follow the *Road Closure Policy (for Lease or Sale of Road Plans and Road Allowances)*
3. A business owner located along a Public Thoroughfare may wish to enter into a Licence of Occupation Agreement for the temporary placement of seating or dining furniture. The applicable fees shall be in accordance with the Schedule of Fees Bylaw, as amended and shall be renewed annually.
4. Cutting hay does not fall under the regulations of this Policy.
5. The Municipal District will not consider entering into a Licence of Occupation Agreement respecting any use or any activity that will negatively impact or affect Municipal District's operations or public safety.



MD of LESSER SLAVE RIVER Policy



- 6. Suspensions Of Licence of Occupation Agreements:
 - Should the applicant fail to pay the applicable Licence of Occupation fees or if any additional monies owing as a result of an Agreement are in arrears, the Agreement shall be suspended until the monies owed are paid and current.
 - Licence of Occupation Agreements cannot be passed on to another Licence of Occupation Holder. The Licence of Occupation Holder is not permitted to sublet the lands.

 "Original Signed"
 Chief Administrative Officer
 Barry Kolenosky

 November 15, 2023
 Date

 "Original Signed"
 Reeve
 Murray Kerik

 November 15, 2023
 Date

SPECIAL NOTES/CROSS REFERENCE: H8 Licence of Occupation Procedure
 Schedule "A" Application
 Schedule "B" Licence of Occupation Holder Sign
 AMENDMENT DATE: October 25, 2023



Lesser Slave River

MD of LESSER SLAVE RIVER

Procedure

PROCEDURE TITLE: LICENCE OF OCCUPATION	PROCEDURE NO.: H8
RESOLUTION: 431-23	EFFECTIVE DATE: October 25, 2023
DEPARTMENT RESPONSIBLE: Planning & Development	NEXT REVIEW DATE: October 25, 2026

GENERAL GUIDELINES:

These procedures are to ensure that every application is reviewed in a consistent manner. A License of Occupation Agreement authorizes a specific use on Municipal District owned land which grants the Lessee non-exclusive rights to the lands for a one (1) year term.

DEFINITIONS:

"Lessee" means the person(s), business or corporation using the lands for the term of the Licence of Occupation Agreement.

"Licence of Occupation Agreement" means a temporary agreement whereby a person(s) or business(s) is granted the right to use land owned by or under the direction, control, and management of the Municipal District for certain purposes without becoming entitled to exclusive possession of them.

"Licence of Occupation" means a Licence of Occupation Agreement for the use of land for access road, pasturing, grazing, watering of livestock, temporary outdoor patio, encroachment of fences or buildings and any other similar uses approved by Council.

"Municipal District" means The Municipal District of Lesser Slave River No. 124.

"Municipal District Owned Land" means all land registered in the name of the Municipal District and land that is under the direction, control, and management of the Municipal District. This may include parcels of land designated as Municipal Reserve (MR), Environmental Reserve (ER), Reserve (R), School Reserve (SR), Public Utility lots and Road Allowances, as well as easements and right-of-ways registered in the Municipal District's name across privately owned land.

PROCEDURE:

Planning and Development will manage all License of Occupation Agreements for the Municipal District, which includes the following:

- Keep record of all requests for a License of Occupation Agreement.
- Send correspondence to Licensees with respect to collecting additional information, termination, expiry, or renewal of an existing License of Occupation Agreement;

MD of LESSER SLAVE RIVER Procedure

- Complete the Licence of Occupation Agreement within sixty (60) days of application; and
- Keep templates up to date and relevant.

Planning and Development will receive all written requests to use Municipal District Owned Land. The written request shall include:

- The legal land description and or civic address of the said lands;
- A detailed description of the intended use or activity of the said lands, which may include a map;
- Contact information of the applicant which includes a mailing address and phone number; and
- Current Certificate of Title (current within the last thirty (30) days).

Planning and Development will refer the request to internal and external departments with a twenty-one (21) day response window along with:

- A copy of the request and description of the proposal;
- The legal land description and map; and
- Any additional information necessary to render a decision.

Internal Department Referrals will be sent by Planning and Development to:

- Operations Services (Utilities)
- Field Services (Agricultural Services, Transportation)
- Protective Services
- Community Services
- The Chief Administrative Officer (CAO) and/or designate

External Department Referrals will be sent by Planning and Development to:

- Alberta Transportation where the proposal is adjacent to a Provincial Highway.
- Alberta Environment and Parks where the proposal is adjacent to a waterbody or Crown Land.
- Utility Providers in the area and where a right of way is identified on the Certificate of Title.
- Agencies with an interest in the lands, as noted on the Certificate of Title.

Planning and Development may also wish to consult with adjacent landowners if the request is adjacent to a privately owned property. A Licence of Occupation is to be advertised by Planning and Development to the general public in the local media once.

Once the referral is complete and comments are received, Planning and Development shall:

- Review the comments received.
- Bring the Licence of Occupation to the next council meeting for a decision.
- If denied, notify the applicant, and provide the reason.
- If approved:
 - Prepare the License of Occupation Agreement with applicable schedules for signing.
 - Collect the applicable fees in accordance with the Schedule of Fees.
 - Update tracking and mapping.



MD of LESSER SLAVE RIVER Procedure



If the Lessee wishes to reapply for renewal of the Licence of Occupation before the one (1) year term lapses, Planning and Development can renew it without bringing it to Council for a decision.

_____"Original Signed"_____
Chief Administrative Officer
Barry Kolenosky

_____November 14, 2023_____
Date

SPECIAL NOTES/CROSS-REFERENCE: *Freedom of Information and Protection of Privacy Act, RSA 2000, Ch F-25*
H8 Licence of Occupation Policy
AMENDMENT DATE: October 25, 2023



MD of LESSER SLAVE RIVER Procedure



Schedule "A" Licence of Occupation Application

TO BE COMPLETED BY THE REGISTERED OWNER:		
Name:		
Mailing Address:		
Town/City:	Province:	Postal Code:
Phone:	Email:	
Legal Land Description:		
Description of Road Allowance (i.e., plan number; all that portion located on the west side of land description):		
Description of use (includes anything built such as texas gates, part of buildings, etc.):		
Reasoning/Relevant Information:		
Certificate of Title attached: yes no		
Proof of Liability Insurance attached: yes no		
Signature:	Date:	

The personal information on this form is collected under the authority of **Section 33 (c)** of the *Alberta Freedom of Information and Protection of Privacy Act, RSA 2000, Ch F-25*. The information will be used to process your application(s) and your name and address may be included on reports that are available to the public. If you have any questions on the collection and use of this information, please contact the FOIP Coordinator at (780) 849-4888.



Lesser Slave River

MD of LESSER SLAVE RIVER Procedure

Schedule "B" Sign





Lesser Slave River

Title:	ROAD CLOSURE POLICY (FOR THE SALE OF ROAD PLANS AND ROAD ALLOWANCES)
Policy Number:	H.9
Effective Date:	2023-01-01
Resolution:	346-22
Department Responsible:	Planning & Development
Supersedes Policy No:	N/A
Next Review Date:	January 2026

POLICY STATEMENT:

Council recognizes that under certain circumstances it may be reasonable to close a road allowance and sell or lease the road allowance.

The purpose of this policy is to establish the principles of when residents are allowed to lease or purchase a road plan or road allowance

DEFINITIONS:

“Assessor” means a registered land appraiser and or the municipality’s Tax Assessor, as defined in the Municipal Government Act, who will determine what Fair Market Value shall be. A realtor may also be used to determine the rate.

“Adjacent Landowner” means the registered landowner(s) of the parcels directly adjacent to the road or undeveloped road allowance.

“Council” means the Municipal Council of the Municipal District of Lesser Slave River

“Fair Market Value (FMV)” means a purchase rate based on a professionally prepared market value assessment to determine a fair market rate for the subject lands.

“MGA” means the Municipal Government Act, RSA 2000, c M-26

“Public Hearing” means a hearing held in accordance with section 230 of the MGA and advertised in accordance with section 606 of the MGA.

“Road” as defined in the Municipal Government Act.

“Undeveloped Road Allowance” means any land dedicated as a road right of way that has not been fully developed or has not yet been required for vehicular traffic. The right of way may or may not be shown as a road on a plan of survey that has been filed or registered in a land titles office.

PRINCIPLE:

1. The Municipal District of Lesser Slave River recognizes that sometimes there are circumstances when a landowner need to use a road allowance or road plan.
2. The Municipal District of Lesser Slave River also recognizes there are some benefits derived from closing, for lease or sale, the whole or any part of a road described in a surveyed road plan that is determined to be **no** longer required for use by the travelling public owing to the existence of an alternate route.
3. A road closure cannot land lock or remove legal access to a property. (This includes access to lots that are identified as intended for agricultural sale in provincial plans).
4. Council will review and decide of the application's approval of refusal.
5. Fair Market Value (FMV) shall be determined by the Assessor on the purchase rates for the area of land. This amount is based on similar and comparable uses and land in the area. The rate shall be agreed upon prior to the bylaw receiving first reading. The applicant may apply to purchase a road or undeveloped road allowance, or a portion thereof at FMV. If the road or undeveloped road allowance sever the applicant's property and where the applicant has land on both sides of the road and or undeveloped road allowance, only that landowner will have the ability to apply to purchase the lands. If the landowner does not wish to purchase the area at FMV, the land will not be sold and the Municipal District will keep the land in its name and lease it to the applicant. When an applicant wishes to purchase a road or undeveloped road allowance, or portion thereof that adjoins property owned by two or more landowners, the municipality will offer the lands to the highest bidder, but not less than the current FMV. If there is only one bidder, the land will be sold at FMV. The MD of Lesser Slave River will not accept applications for a road closure from landowners who do not have ownership of lands adjacent to the road or undeveloped road allowance.
6. MDLSR does not promote the sale of undeveloped road allowances or road plans, however, will consider in extenuating circumstances.

Disputes:

If the applicant(s) do not agree with the FMV rate determined by the Assessor, the applicant may wish to hire their own professional to provide an alternate FMV rate. If both assessments are different, Council will decide on which rate will apply.

If two or more bidders offer the same purchase price, Council may choose to split the area and sell a portion to each bidder or may choose not to sell the lands and re-tender the sale.

The road closure process shall be in accordance with the requirements set out in the MGA.

The purchaser will be required to pay all costs associated with the road closure. This may include but does not limit to the cost of obtaining a land appraisal, surveying costs, registration costs and legal fees.

RESPONSIBILITIES:

- 1. Planning and Development will manage the road closure process.
- 2. As per Section 22 of the *Municipal Government Act*, Road Allowance closures will be closed through Bylaw after completion of a Public Hearing. This Bylaw must receive approval from the Minister of Transportation after First Reading.
- 3. As per Section 24 of the *Municipal Government Act*, Council may, by resolution, with the approval of the Minister of Transportation, close the whole or any part of a road described in a surveyed road plan.
- 4. Upon receipt of application and payment, administration will proceed with the request in accordance with Alberta Transportation requirements.
- 5. Fees are as outlined in the Schedule of Fees Bylaw.



Chief Administrative Officer

11/23/22

Date



Reeve

11/23/22

Date

RELATED DOCUMENTS: Schedule "A" Application

SCHEDULE "A" APPLICATION

TO BE COMPLETED BY REGISTERED OWNER (APPLICANT)			
Name:			
Mailing Address:			
			Postal Code:
Phone:	Email:		
Legal Description:			
Description of Road Allowance (i.e. plan number; all that portion located on the west side of land description):			
THIS APPLICATION IS FOR:			
Road Allowance		Or	Road Plan
Closure & Lease		Closure & Sale (consolidation)	Opening
Reasoning/Relevant Information:			
Plan and description prepared by a surveyor attached: yes no			
Signature:			Date:

The personal information on this form is collected under the authority of **Section 33 (c)** of the Alberta Freedom of Information and Protection of Privacy Act. The information will be used to process your application(s) and your name and address may be included on reports that are available to the public. If you have any questions on the collection and use of this information, please contact the FOIP Coordinator at (780) 849-4888.

Information submitted to MDLSR Council: All pertinent information included in a written submission received from the public that is presented to a Council, Committee or Board meeting of the MD of Lesser Slave River becomes part of the public meeting minutes, unless otherwise requested by the individual in writing. Any personal information pertinent to the issue (including but not limited to, name and legal land description) could be recorded in the public minutes of the meeting.



Lesser Slave River

Title: ROAD CLOSURE PROCEDURE (FOR LEASE OR SALE OF ROAD PLANS AND ROAD ALLOWANCES)

Policy Number: H.9

Effective Date: November 1, 2022

Motion Number: 346-22

Department Responsible: Planning and Development

Related Policies: Licence of Occupation Policy

Review Date: 2026

GENERAL GUIDELINES:

As per Section 22 of the MGA, no road in the Municipal District may be closed except through bylaw and with the approval of the Minister of Transportation. For example:

- All typical government road allowances surveyed in the early 1800's with no road plan number, has to be closed by bylaw.
- Or any Township or Range Roads not registered with a road plan require closure by bylaw.

PROCEDURE:

1. **Planning and Development** will manage all road closures and leases for the Municipal District, which includes the following:
 - Keep record of all requests for all road closures and leases
 - Send correspondence to applicants and work with the Finance department with respect to collecting additional information, termination, expiry or renewal of leases on a closed road or undeveloped road allowance
 - Keep road closure templates up to date and relevant.
2. **Application:** Planning and Development will receive all written requests to close a road or undeveloped road allowance. The written request shall include:
 - The paid application fees as per schedule of fees
 - The legal land description and or civic address of the applicant
 - A detailed description of the intended use or activity of the said lands
 - Contact information of the applicant which includes a mailing address and phone number
 - Plan of Survey with the description of the portion of road plan or road allowance to be closed
 - Current Certificate of title (current within the last thirty (30) days)
3. **Evaluation of application:** Once the application is deemed complete, Administration circulates the application to the third parties deemed as per Alberta Transportation and circulates application to all departments within the Municipal District for evaluation and input.
 - Transportation Services to verify any concerns or objections.
 - Utility Services to very utilities and or right of ways in the area. External Department Referrals:
 - Alberta Transportation.
 - Utility providers in the area (telecommunication, power authorities, gas distributors).



Lesser Slave River

- Alberta Environment and Parks if the road is adjacent to or through a water body or adjacent to crown land.
 - Adjacent landowners within 60.0 meters.
- Referrals must be given a minimum of two (2) weeks for responses.

4. **First Reading:** Once the referral period has lapsed, Planning and Development will prepare a bylaw and present to Council for first reading.
5. **Public Hearing:** Should the bylaw receive first reading, a public hearing shall be scheduled in accordance with the requirements of the MGA. Notice shall be provided to adjacent landowners and affected agencies in the area.

Planning and Development will send the road closure information to the Minister of Transportation for consideration and shall include:

- Cover letter which includes the rationale for the closure.
- If any objections were received during the process, the cover letter shall address how the objection(s) were addressed.
- Original bylaw with the first reading signed and dated.
- Survey plan for the closure (typically Schedule A to the bylaw)
- Mapping
- Copies of the notices sent to adjacent landowners and affected agencies.
- Copies of the public hearing advertisement
- Copies of any written responses received.
- Copy of the Council meeting minutes
- Include original right-of-way agreement(s) required by any utility provider

6. **Second and Third Reading:** Once the bylaw is returned with the Minister of Transportation's signature, Planning and Development shall submit the bylaw to Council for second and third reading.

Planning and Development shall prepare the necessary documents for a registered Alberta Land Surveyor to register the road closure with the Land Titles Office.

If the road, or undeveloped road allowance, or portions thereof, is to be leased, Planning & Development shall prepare a lease agreement. Road Allowance leases are to be renewed every 3 years.



Lesser Slave River

ROAD ALLOWANCE LEASE RENEWALS

Every three years the road allowance lease must be renewed.

- Review and prepare lease.
- Prepare invoice for 3 year term.
- Send lease, along with invoice to leaseholder for payment and signature.

If renewal received:

- Take to Council for resolution to approve.
- Return signed copy of lease.
- Update filing system to show new expiry date.

If renewal is not received:

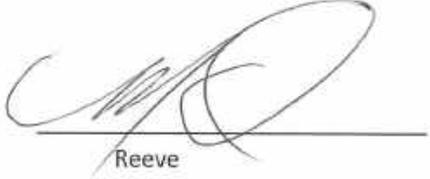
- Cancel invoice.
- Update filing system.
- Send letter to other adjacent landowners to inquire if they would like to lease.
- If no lease is required, Council has the option to "open" the road allowance (and repeal the originating bylaw).
- The Director of Transportation and field staff need to inspect the road allowance to ensure that there are no improvements (i.e. fencing) and confirm that the road allowance is no longer being used.

MOTION: #346-22

DATE: 11/23/22



 Chief Administrative Officer



 Reeve



Lesser Slave River

Request for Decision

Title	CPP 01-2024 Community Policing Plan
Date	June 12-2024
Presented By:	Rudolf Liebenberg
Attachments	CPP 01-2024 Community Policing Plan - DRAFT

Proposed Motion	<i>1. Move to adopt CPP 01-2024 Community Policing Plan as presented.</i>
Administrations Recommendation(s)	As proposed

BACKGROUND

Protective Services propose a Community Policing Plan to set out key policing and enforcement directives at the April 17th, 2024, COW meeting.

ALTERNATIVE OPTIONS

1. Move to bring back the Community Policing Plan for further review at another COW meeting.
2. Council has the alternative to alter or deny the recommended motion.

BENEFITS/RISKS

Benefit: Organizational Efficiency and Prioritizing Community Policing.

Risk: Public Push Back.

STRATEGIC ALIGNMENT

Municipal Government Act. Community Standards Bylaw 2023-03 and Land Use Bylaw 2021-17.

FINANCIAL IMPLICATIONS

There could be costs involve at the back end of enforcement action.

COMMUNICATION STRATEGY

New MD Website, Print Publication and internally within organization.

Prepared by: Rudolf Liebenberg, Director Protective Services
 Reviewed by: Paul Mulholland, Senior Peace Officer.
 Approved by: Barry Kolenosky, Chief Administrative Officer



MD of Lesser Slave River No.124

COMMUNITY POLICING PLAN

June 12, 2024

MOTION:

MISSION STATEMENT

“Public Safety through Peace Officer Excellence”

CORE VALUES

OUR PEOPLE / INTEGRITY / SERVICE / CARE / COMMUNICATION / ENFORCEMENT

MOTION:

2

Message from our Peace Officers

Any democratic Peace Officer Agency such as that of the MDLSR Peace Officer Services, exists and operates with the consent and will of the public it serves. Our Peace Officers together with its legislative mandate should be an extension of the community it serves.

The 2025-2029 Community Policing Plan embraces this fundamental concept through an inclusive and comprehensive process, capturing input from our citizens, our membership, and our many partners throughout the region. This method of developing a community policing plan allows the MDLSR to align our resources to emerging trends and community policing priorities.

MOTION:

3

Message from our Peace Officers

While the core duties and responsibilities of our MD Peace Officers remains focused on the detection, investigation, and apprehension of Bylaw contraventions and infractions, the policing environment has changed significantly over the last few years as citizens want increased transparency and accountability together with visible enforcement and protection. Additionally increases in mental health, addictions and a rising number of unhoused people challenges the resources of many services including bylaw enforcement.

Economic pressure on homeowners, business and government all require an efficient, flexible and collaborative police service, focused on overall community safety and wellbeing, as well as the protection of homes, property, infrastructure, ensuring recreational compliance that enhances responsible use as well as conservation whilst also sustaining traffic safety for all our users and visitors.

MOTION:

4

Message from our Peace Officers

While there are always competing priorities the MDLSR Peace Officer Services firmly believe that if everything is a priority then nothing is a priority.

Narrowing our focus in this Community Policing Plan to three (3) main priorities, allows our MD Peace Officers to continue providing our citizens professional, efficient, timely and responsive bylaw enforcement services.

MOTION:

5

MD Peace Officer Strategies



Incident / Infraction RESPONSE



Prevention AWARENESS



Risk Intervention APPLYING MD LAWS



Social Development and Behaviors PROVIDE SUPPORT AND EDUCATION

- Contribute to safer and healthier communities. Support crime prevention, intervention and enforcement initiatives.
- Support the development and maintenance of tools, information, technology and training that facilitate the delivery of front-line peace officer services.
- Support the renegotiation of provincial police service agreements and provide on-going support to RCMP divisions once the agreements are in place.
- Ensure enhanced enforcement action to ensure seasonal operational readiness and reaction.
- Provide RCMP and Fire SUPPORT for major Regional emergencies or disasters.

MOTION:

WHAT DO RATEPAYERS AND RESIDENTS WANT?

- The Municipal District of Lesser Slave River No. 124 should be a safe place to live, where people, their property and animals are protected.
- Property owners should peacefully enjoy the amenities of their land and homes.
- Theft, vandalizing, speeding, bylaw infractions and Community Standards compliance are significant issues in the MDLSR.
- External partners want more collaboration on many of our bylaw issues within the region.
- Communication and engagement are key areas to enhance public trust and confidence, as well as providing an educational platform that ensures community standards awareness and compliance.
- Internally, our members see response times and technology as areas where we can improve and innovate.

ADDITIONAL PRESSURE MIGHT ARISE FROM MENTAL HEALTH, THE UNHOUSED AND PEOPLE ADDICTIONS THAT COULD DRIVE MANY OF OUR CALLS FOR SERVICE.

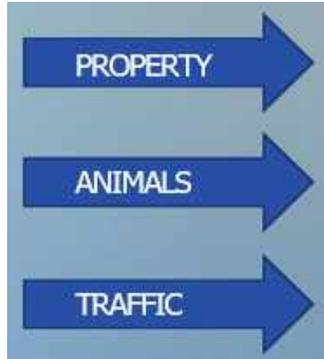
WORKING WITH OUR REGIONAL PARTNERS, ADDRESSING ROOT CAUSES WILL ASSIST IN ADDRESSING SOCIAL PRIORITIES

MOTION:

7

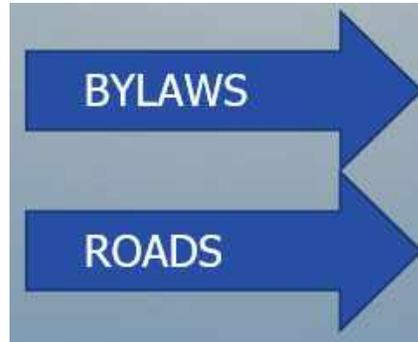
BYLAW ENFORCEMENT PROCESS (Policing)

EDUCATION



**PEACE OFFICERS WILL
CONNECT WITH
OFFENDERS TO OFFER
EDUCATIONAL ADVICE AND
SUGGEST POSSIBLE
RESOLVE ACTION**

WARNING



**WARNINGS COME IN THE FORM OF
COMPLIANCE LETTERS,
SEASONAL WEBSITE UPDATES
AND SITE VISITS – THE KEY IS TO
ESTABLISH A REGULAR ANNUAL
SEASONAL AWARENESS THAT
ACT AS PREVENTATIVE MEASURE**

FINES



**THE PROCESS IS COMPLAINT
AS WELL AS OBSERVATION
DRIVEN. FINES ARE NOT COST
EFFECTIVE**

MOTION:

8

PRIORITY 1

ENHANCING SERVICE DELIVERY

OBJECTIVE 1

LEVERAGE TECHNOLOGY INITIATIVES

911 / Regional Support
Website & Social Media
Public Drone Safety
Additional Peace Officers

OBJECTIVE 2

CRIME/INFRACTION PREVENTION & RESPONSE INITIATIVES

Offender Management / Education
Coordinated Objectives / Annual
Reoccurring Action Plans
Target Enforcement - Yes

OBJECTIVE 3

IMPROVED SUPPORT INITIATIVES

Security Surveillance
Investigate Follow Up /
Adequate emailing Filing
System
Continued Collaboration /
Adequate training &
professional development for
Officers

MOTION:

9

PRIORITY 2

FORECASTING for the FUTURE

OBJECTIVE 1

INVEST IN MD PEACE OFFICERS

INITIATIVES

Provide leadership training opportunities internal/external.

Technical training, providing effective, best practice service.

Ensure work/life balance is maintained & support is in place.

Identify, Mentor, and develop key positions.

OBJECTIVE 2

INFRASTRUCTURE / RESOURCES

INITIATIVES

Explore additional revenue streams to optimize investment.

Environmental scans for potential changes in Law Enforcement landscape.

Continue to develop a Peace Officer Headquarters site – possibly.

MOTION:

10

PRIORITY 3

IDENTIFYING KEY AREAS OF ENFORCEMENT

OBJECTIVE 1

PROPERTY & COMMUNITY STANDARDS

INITIATIVES

Ensure annual seasonal compliance action on residential as well as other properties – Roll over process.

Maintain an active list on A and B list properties to viable aesthetic community evolution.

Enhance social media and website awareness so residents get used to annual enforcement action.

OBJECTIVE 2

TRAFFIC

INITIATIVES

Peace Officers to work closely with highway partners and specifically target MDLSR highways and roads, including Recreational and OHV enforcement.

MPC should work at ensuring land use compliance and not be complicit in altering community development standards.

OBJECTIVE 3

ANIMALS

INITIATIVES

Landowners in all district should be in compliance.

Exceptions and relaxations should be avoided.

Stronger restrictions in residential serviced or unserved districts and Hamlets.

MOTION:

IN SUMMARY

- **The Municipal District of Lesser Slave River No. 124** will focus on three (3) main priorities under the umbrella of community safety and property well being; **supported** by collaboration with our ratepayers, residents and visitors as well as regional policing partners, this DOCUMENT will be the roadmap of the 2025-2029 MD Community Policing Plan; **and** would help create the peaceful enjoyment of property for all within the boundaries of our municipality.

MOTION:



12

POTENTIAL Strategic Plan CONTENT 2025-2029

Council Priorities

Enhanced Service Delivery	Communications & Engagement	Forecasting for the Future
<p data-bbox="637 399 726 435">Crime</p> <p data-bbox="445 442 917 514">Leverage Improved Prevention & Victim Support Technology Response.</p> <p data-bbox="598 549 777 585">Public Safety</p> <p data-bbox="560 592 815 664">Targeted Drone Enforcement.</p> <p data-bbox="509 699 866 735">Back up 911, RCMP, Sheriff</p>	<p data-bbox="968 399 1286 435">Community Engagement</p> <p data-bbox="968 442 1516 549">Seek opportunities to engage diverse segments of the community. Deploy weekly schedules and attend community events.</p> <p data-bbox="968 556 1516 621">Enhance social media footprint, leverage good news stories.</p> <p data-bbox="968 664 1133 699">Partnerships</p> <p data-bbox="968 706 1477 921">Expand MD network of partner agencies to address social challenges. Continue to advocate for resource collaboration. Seek opportunities for joint force investigations. Support community initiatives for social wellness.</p> <p data-bbox="968 963 1261 999">Government Relations</p> <p data-bbox="968 1006 1528 1113">Lobby Government for local issues (i.e. Police funding Model, sheriff support, increased crime response funding).</p> <p data-bbox="968 1120 1477 1156">Seek funding/grants for operational needs.</p>	<p data-bbox="1745 399 1923 442">Objectives</p> <p data-bbox="1592 449 2076 492">Invest in property owners needs.</p> <p data-bbox="1745 549 1923 592">Initiatives</p> <p data-bbox="1579 599 2089 785">Maintain environmental scans for technical training and for potential Changes in the law enforcement landscape.</p> <p data-bbox="1579 842 2089 978">Ensure work/life continues to explore balance is maintained and support is in development.</p> <p data-bbox="1592 985 2076 1078">Identify, mentor, and develop key positions, sworn and civilian.</p>

MOTION:

13

PRIORITY COMMUNITY POLICING

WE ARE INVITING YOU TO TAKE OUR SURVEY, YOUR FEEDBACK MATTERS ON WHAT ARE THE KEY POLICING AREAS FOR THE MD

- TRAFFIC
- PROPERTY CLEAN UP
- SOCIAL ISSUES
- ANIMAL CONTROL
- RECREATIONAL ENFORCEMENT PROPERTY THEFT AND DAMAGE

[Please visit our MDLSR.ca website for further information](https://www.mdlsr.ca)

MOTION:

14



Lesser Slave River

Request for Decision

Title	Enforcement Action Strategy 2024
Date	June 12-2024
Presented By:	Rudolf Liebenberg
Attachments	MD Enforcement Action Strategy 2024

Proposed Motion	1. <i>Move to adopt Enforcement Action Strategy 2024 as presented.</i>
Administrations Recommendation(s)	As proposed.

BACKGROUND

Administration brought forth the Enforcement Action Strategy specifically on Nuisance and Property Clean Ups to the April 17th, 2024, COW meeting.

ALTERNATIVE OPTIONS

1. Move to bring back the Enforcement Action Strategy to an upcoming COW meeting for further discussion.
2. Council has the alternative to alter or deny the recommended action.

BENEFITS/RISKS

Benefit: Organizational and Policing Efficiency.

Risk: Public Push Back potential legal costs.

STRATEGIC ALIGNMENT

Municipal Government Act. Community Standards Bylaw 2023-03 and Land Use Bylaw 2021-17.

FINANCIAL IMPLICATIONS

There could be legal costs involved as part of the property clean up and enforcement process.

COMMUNICATION STRATEGY

New MD Website, Print Publication and internally within organization.

Prepared by: Rudolf Liebenberg, Director Protective Services
 Reviewed by: Paul Mulholland, Senior Peace Officer.
 Approved by: Barry Kolenosky, Chief Administrative Officer



Lesser Slave River

MDLSR Enforcement Action Strategy

A Protective Services Checklist

- ✓ Property Enforcement in the MD should include cleaning up Hamlets through the MD and inclusive of selected agricultural properties.
- ✓ Administration wishes to align with Council to draft and sanction a Community Policing Plan inclusive of focusing on seasonal tasks for cleaning up properties that are in a bad state. In addition, the MD should also clean up their own properties, that are in the same condition.
- ✓ Protective Services has an "A" list of properties (approx. 6-8) that leans itself to the court order process as the best way to deal with their clean up - as part of this process they will receive a 30-day letter to remind tax role owners of the intended clean up action and costs can ultimately be recovered against the roll; This provides strong action on behalf of the municipality.
- ✓ Protective Services also has a "B" list of properties (approx. 20) where PS propose to follow the MGA route (clean up letters) to bring them in compliance and cleaned up; Next year the outstanding ones will be bumped up to "A" level.
- ✓ Seasonal Spring and Fall clean-up programs will also be recommended in hamlets prior to May and Sept long weekend to be initiated by MD staff cleaning up the Tuesday after.
- ✓ The general strategic idea is that enforcement or the clean up of properties becomes a lightweight annual action item that rolls over (depending on budget approval) from one year to the next (without Council decision) and the property-owning public is aware of it and keep their properties in good state for amenity purposes.
- ✓ Because property clean up and enforcement has been delayed thus far the initial action taken this year can off course kick up a storm with those affected and Council and its important once Council initiates the process that we do not backtrack regardless of resistance.
- ✓ Protective Services has a list ready that can be shared in closed session although the MD will refrain from using names and will use general references.
- ✓ Given encroachment issues, site boundaries, unlawful storage, and the general deterioration of highly visible properties in the MD it is prudent that a strategic initiative be put in place to ensure the continued beautification of our extraordinary, beautiful community.

B Protective Services Mandate

MD Bylaw ENFORCEMENT **process** for **property and community standards** should be:

1. Education
2. Warning
3. Fine

The above shall be implemented through a detailed communication plan which is both complaint and inspection driven.

C Protective Services Key Enforcement Priorities

Key action areas are:

1. Property Clean Up
2. Traffic Safety
3. Seasonal Large Item/White Bin pick ups in MD hamlets
4. Planning & Development Permit Compliance: Land Use Bylaw
5. Recreational Enforcement – Camping, Boating, Hunting

D Protective Services Legal Mandate

Enforcement is always a little challenging and the type of nuisance and required action to remedy the contravention can impact the approach the MD would recommend.

Here is a summary of the options, including where Compliance Notices are issued under Section 6 of the MD's Community Standards Bylaw:

Some of the nuisance files are quite large, so the contraventions have been ongoing for quite some time and the MD has been working with the landowners to try and obtain compliance. In almost all cases, nuisance properties enter the enforcement stream because of complaints being received and the first step is speaking with the landowner to explain the problem and what needs to be done to bring the property into compliance.

Whether the MD proceeds to clean up a property **under its s. 549 self-help remedy or a Court Order** (more on that later), the landowner clearly needs **to be given notice of the contravention**, what is required to bring the property into compliance and a reasonable time to do so. There **are two options** under the MGA for **Orders to Remedy, s. 545 and s. 546**. **Section 545** requires the contravention of a municipal bylaw, in this case the Community Standards Bylaw.

Section 546 is based on a direct contravention of the MGA.

Either could be used in cases of unsightly or nuisance **properties but legal counsel usually recommend s. 545** because s. 546 is awkwardly drafted and your Community Standards Bylaw is very comprehensive and addresses both risk to public safety and a broad definition of what constitutes a contravention of the Community Standards Bylaw, including properties which are untidy, unsightly, unsafe or a nuisance.

Both s. 545 Orders to Remedy Contraventions and s. 546 Orders to Remedy Dangerous and Unsightly Property provide for appeals/reviews to Council (14 days for s. 545 and 7 days for s. 546), the right to proceed with self-help under s. 549, the ability to register a caveat on title and the ability to add the costs to bring the property into compliance to the tax roll. Both are issued by a development authority.

Compliance Notices issued under s. 6 of the Community Standards Bylaw overlap with both Orders to Remedy under the MGA. Under the Bylaw, Compliance Notices can be issued by a Peace Officer or a Designated Officer and provide for many of the same things in an Order to Remedy. However, a Compliance Notice is not going to lead to a right to proceed with self-help under s. 549, the ability to register a caveat on title or the ability to add the costs to bring the property into compliance to the tax roll. So, it would essentially be an extra step, or extra notice, of the contravention of the Community Standards Bylaw. If the Compliance Notice met the requirements of s. 545 or 546, including being issued by a development authority, then it could be relied upon as an MGA Order to Remedy.

So, assuming there have been no Orders to Remedy issued yet, or even if there has been but significant time has passed, the next step would be issuing an Order under s. 545 or 546 identifying the contravention and requiring the owner to address the nuisance, which usually involves cleaning up the property within a set period of time. How long really depends on **what needs to be done and the time of year.**

If the properties are so bad that demolition is required, the Order may require that the owner apply for a demolition permit, demolish the structure and fill and grade the site within a set period of time. If requiring demolition, the MD would basically be taking the position that demolition (as opposed to renovation/repair) is required in order to remedy the contravention, which is likely easier to justify for the properties where the structure is not salvageable or could only be renovated at significant expense.

There is a small risk when requiring demolition of an unsightly property as opposed to renovation that a Court might find demolition is not proportional to the contravention, and an appeal of the Orders to Remedy to Council may arise along those lines.

One option to consider before issuing the Orders is a letter, either from the MD or legal counsel, identifying the problem and requesting that they work with the MD to bring the property into compliance within a certain period of time, failing which the MD will issue an Order. Whether or not this would result in compliance depends on the recipient.

Once the Orders are issued, **the recipients may file a request for a review by Council.** This does not have to be a formal hearing but should follow a fair process, similar to an SDAB hearing. If Council upholds the Order after review, there is a further right of appeal to the Court of King's Bench on limited grounds (procedural grounds or a patently unreasonable decision).

Assuming no appeal, if the owner does not comply with an Order within the specified time, s. 549 of the MGA does contain a self-help remedy, which permits the MD to go in (or hire someone to go in) and take the required action to bring the property into compliance and add the costs to the tax roll, if unpaid. Legal Counsel would recommend giving **plenty of notice** before going in and doing the work and, ideally, providing an estimate for the cost of the work required to bring the property into compliance, for which they will become responsible – so they cannot argue they would have done it themselves for cheaper if they had known.

Often where a municipality is looking at demolition of a structure with arguable value or a significant clean up where potentially valuable assets will be removed, we recommend not relying **on s. 549 but bringing an application to the Court of King's Bench under s. 554 for a Court Order which confirms the contravention and requires compliance within a certain period of time, failing which the municipality can enter the property and bring it into compliance and add the costs to the tax roll.** While this increases the time and cost, it arguably provides

additional protection to the municipality to proceed with the approval of the Court, particularly where an argument might be made that demolition is too harsh a remedy or where the clean-up will be quite extensive and expensive.

A Court application requires an application and affidavit, and we would need evidence of the state of the property, including pictures, and the efforts made to date to work with the owner and, potentially, the estimated cost to bring into compliance or demo. We generally do not have a problem getting these types of Court Orders, especially where the problem can easily be seen in photos. For demolition, Court Orders are also often granted provided there is sufficient evidence that demolition of a structure is required to bring the property into compliance, unless the owners produce a reasonable plan as to how they would otherwise bring the structures into compliance.

A Court Order is sometimes taken more seriously by the landowner and has the added remedy of contempt of Court, but in these cases either way you simply want to go in and do the work yourselves if the owners do not comply. Assessing the risk of proceeding under s. 549 depends on the contravention and the landowner. Generally speaking, for really extensive or expensive cleanups or demolition, we recommend getting a Court Order.

With respect to “service” of the Orders and subsequent notices, there is no requirement for personal service in the MGA – you need to make reasonable efforts to bring the Order to the attention of the landowners. Of course, if MD legal counsel were to apply for a Court Order, personal service would be required (or an Order for substitutional service – which we have obtained before for absentee owners).

Caution should be heeded to proceed under s. 549 and do anything significant on a property without knowing the Order came to the attention of the owner – so that may be a situation where the extra step of obtaining a Court Order would be justified, i.e. and then the Court can sanction something less than personal service.

Another important thing to keep in mind is the assessed value relative to the cost of cleanup / demolition, **because if you add the costs to the tax roll and there are significant unpaid taxes, there is a risk of not being able to recoup the costs through.**



Lesser Slave River

Request for Decision

Title:	2024 Line Painting Tender Results
Date:	6/12/2024
Presented By:	Shari Spencer, Assistant Director of Field Services, Document Conveyance Manager
Attachments:	Unofficial Tender Results

Proposed Motion	<i>Move to increase the line painting budget from \$28,044 to \$41,500 for the 2024 budget year, with dollars to be absorbed within the existing approved 2024 budget. And Move to award the line painting contract to AAA Striping & Seal Coating Service for \$33,615</i>
Administration's Recommendation(s)	As proposed.

BACKGROUND:

In the 2024 operating budget, administration allotted \$20,000 for a line painting contractor, the total budget including internal staff time was for \$28,044. It was a contract renewal year, so administration expected that the contract would increase from the \$17,700 the contract was in 2021-2023. The bulk of the contract is the West Mitsue Industrial Road, and with that road being slated for repaving in the near future. Administration did not want to enter into another multi-year agreement, knowing that the scope of work would likely be drastically reduced in coming years. With this in mind, Administration reached out to the previous year's contractor for an extension on the previous contract. The Contractor came back with pricing that had increased dramatically (\$33,358.18), citing inflation and supply cost increases. Local contractors and previous bidders were contacted unfortunately, they either did not have availability, or the proper equipment to complete the work or they just simply didn't respond.

There is no legal requirement that the Municipal District has to paint the lines every year, however Alberta Transportation Specification states that they must be legible.

When presented with the options, council directed Administration to post a tender for a single year of line painting services.

A tender was posted to the Alberta Purchasing Connection, as well as the municipal district website on May 22, 2024. The tender closed on June 6, 2024 with one submission also from AAA Striping & Seal Coating Services but this time for \$33,615.

ALTERNATIVE OPTIONS:

- a) The MD can award the work to AAA Striping for \$33,615.
- b) The MD can choose not to paint the lines in 2024.

As was previously presented to council, there is no legal requirement to paint the lines, however if the lines are not legible, the MD could be found to be negligent in their maintenance of the road and liable if an accident were to occur. Currently the lines are in fair shape in most places, however there is no way to know how they will look by the

end of the year. Line Painting needs to be completed when temperatures are consistently above zero, and cannot be done late in the Fall if it is determined that it needs to be done then.

BENEFIT/RISKS:

Painting the lines ensures the safety of the traveling public and protects the Municipality from potential liability.

STRATEGIC ALIGNMENT:

The MD is responsible for maintaining paved municipal roads that are safe for public travel. Line painting is a part of this maintenance.

FINANCIAL IMPLICATION:

Increase of \$13,456 to the 2024 Operating Budget to be funded from the Transportation Operating Reserve or decreasing other program needs.

OTHER CONSIDERATIONS:

In future paving projects, the Municipality should consider alternative more durable line markings. While this will likely result in a higher project cost, it may save money in the long run.

COMMUNICATION STRATEGY:

The decision of council will be communicated to residents via a social media release if necessary.

Prepared By: Shari Spencer, Assistant Director of Field Services, Document Conveyance Manager

Reviewed By: Shari Spencer, Assistant Director of Field Services, Document Conveyance Manager

Approved By: Barry Kolenosky, Chief Administrative Officer



Lesser Slave River
Administration

CLOSED

Date: June 6, 2024

Time: 2:00 p.m.

TENDER OPENING RECORD

TYPE OF PROCUREMENT Request for Tender		DP #	
PROJECT TITLE 2024 Line Painting		DEPARTMENT Transportation	
<input type="radio"/> GOOD <input checked="" type="radio"/> SERVICE			
PROJECT DESCRIPTION			

BIDDER DETAILS		PAYMENT DETAILS			
BIDDER NAME		TENDER AMOUNT	FAX CHANGE	TENDER W/ FAX CHANGE	CHEQUE/ BOND
1	AAA Striping & Seal Coating	\$ 33615. ⁰⁰	\$	\$	
2		\$	\$	\$	
3		\$	\$	\$	
4		\$	\$	\$	
5		\$	\$	\$	
6		\$	\$	\$	
7		\$	\$	\$	
8		\$	\$	\$	
9		\$	\$	\$	
10		\$	\$	\$	

NOTE: The above information represents the results as read out in the **Public Tender Opening**.

DATE OF OPENING June 6 / 2024	<u>Janie Freckelton</u> TENDERS OPENED BY	<u>Janie Freckelton</u> SIGNATURE
TIME OF OPENING 2:05 PM	<u>Janie Freckelton</u> AMOUNTS READ BY	<u>Janie Freckelton</u> SIGNATURE
PLACE OF OPENING MDLSR Admin	<u>Shari Spencer</u> AMOUNTS RECORDED BY	<u>Shari Spencer</u> SIGNATURE

MD STAFF IN ATTENDANCE	
STAFF MEMBER NAME	SIGNATURE

PUBLIC IN ATTENDANCE		
NAME	AFFILIATED COMPANY/BUSINESS	SIGNATURE



Lesser Slave River

Report to Council

Title	Spring Hamlet Cleanup Results
Date	June 12, 2024
Presented By:	Cody Borris
Attachments	

Proposed Motion	<i>Accept the Spring Hamlet Cleanup report as information.</i>
Administration's Recommendation(s)	As proposed

On the May 24th council meeting, Council passed the motion to provide accessible free garbage disposal bins for ratepayers within hamlets and subdivisions on the May long weekend. The intent behind the program was to remove any barriers to residents cleaning and maintaining their properties.

Six waste disposal bins were placed throughout the Municipality in the following locations: the Canyon Creek Arena, the Widewater Truck Fill, Eating Creek lift station, two in Smith (one at 9th street, one at 10 Ave), and the Flatbush Fire Hall.

Almost all the waste disposal bins were utilized and were emptied as below:

Administration did receive concerns from residents of Marten Beach about not being included in

Canyon Creek	3
Widewater	2
Popular Lane	1
9 th Street, Smith	1
10 th Ave, Smith	1
Flatbush Fire Hall	0

the program.

Some sorting of the waste was required at the landfills, but no major abuse of the program was noted. Approximately 15 tonnes of waste was taken to the landfill.

Overall, the program was success and was utilized by residents.

Prepared by: Cody Borris, Transportation & Facilities Maintenance Manager
 Reviewed by: Shari Spencer, Assistant Director of Field Services, Document Conveyance Manager
 Approved by: Barry Kolenosky, Chief Administrative Officer