



Legislation Details (With Text)

File #: PH-20-009 **Version:** 1 **Name:**
Type: Public Hearing **Status:** Agenda Ready
File created: 4/24/2020 **In control:** City Council
On agenda: 5/19/2020 **Final action:** 5/19/2020
Title: Transportation System Bylaw 19/2020 (2nd & 3rd Reading)
Presented by: Dean Schick, Manager, Transportation Branch

Sponsors:

Indexes:

Code sections:

Attachments: 1. Bylaw 19-2020- Amending Bylaw - Transportation System Bylaw

Date	Ver.	Action By	Action	Result
5/19/2020	1	City Council	closed Public Hearing	Pass
5/19/2020	1	City Council	received second reading	Pass
5/19/2020	1	City Council	received third reading	Pass

TAMRMS#: B06

Transportation System Bylaw 19/2020 (2nd & 3rd Reading)
Presented by: Dean Schick, Manager, Transportation Branch

RECOMMENDATION(S)

- 1) That the Statutory Public Hearing on Bylaw 19/2020 be closed.
- 2) That Bylaw 19/2020 be read a second time.
- 3) That Bylaw 19/2020 be read a third and final time.

PURPOSE OF REPORT

The purpose of this report is to outline proposed amendments to the Transportation System Bylaw 10/2008 that reflect updated roadway classification as per Complete Streets Guidelines road typology and also to reflect network updates since the last bylaw amendment performed in 2016.

ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN

Strategic Priority #3: Building a Transportation Network: Integrated transportation systems.

Administration Activity 3.7: Recommend Complete Streets Cross sections.

ALIGNMENT TO LEVELS OF SERVICE DELIVERY

N/A

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

On December 17, 2018 Council passed the following motions:

(BL-18-079)

That Bylaw 3/2019, being Amendment 4 to Transportation System Bylaw 10/2008, be read a first time.

That a Public Hearing date for Bylaw 3/2019 be scheduled for January 21, 2019.

On January 21, 2019 Council passed the following motions:

(BL-18-074)

Bylaw 3/2019 Transportation Systems Bylaw (2nd & 3rd readings).

On April 20, 2020 Council passed the following motion

That Bylaw 19/2020, being Amendment 5 to Transportation System Bylaw 10/2008, be read a first time.

That a Public Hearing date for Bylaw 19/2020 be scheduled for May 19, 2020.

BACKGROUND AND DISCUSSION

On January 21, 2019 a Public Hearing was held and Council passed amendments to the City's Transportation Systems Bylaw, through 2nd and 3rd readings that aligned with:

- 1) Updated to identify the reference to the Complete Streets Guidelines;
- 2) Schedule "1" update - a map reflecting the existing and planned road network with associated names; and
- 3) Schedule "2" update - a table listing the existing and planned road network with associated roads being named, limits identified and referenced in both the previous Transportation Association of Canada (TAC) classification with new Complete Streets classification.

The amended Bylaw was then provided to the Minister of Transportation for approval in accordance with the *City Transportation Act*, to which the response from the Province was a rejection of Bylaw 3/2019 and a request to St. Albert Administration to identify Ray Gibbon Drive a "Planned Freeway" in the next submission to the Province.

A second request from the Province involved the Transportation Systems Bylaw correlating to the classifications of the Edmonton Metropolitan Region Board (EMRB), and it was confirmed that the proposed Bylaw does - as it provides nomenclature for roadways that reference both the City's Complete Streets Guidelines, the TAC roadway classes, and EMRB classes (which follow TAC classification).

The proposed Bylaw amendment before Council accounts for the previous approved changes and adds the change to Schedules to show Ray Gibbon Drive as a "Planned Freeway", as per Alberta Transportation's request.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

A Public Hearing was held on January 21, 2019 for the previous amendments proposed to the Transportation Systems Bylaw. The Public Hearing was closed on this date, and the Bylaw was approved by Council through 2nd and 3rd readings.

The Amending Bylaw and updated Transportation Systems Bylaw were sent to the Province for the Governor in Council's approval in February of 2019.

In February of 2020, a formal response from Alberta Transportation communicated the following:

"Alberta Transportation is rejecting St. Albert's Transportation Bylaw 3/2019 on the basis that the classification of Ray Gibbon Drive (Boulevard/Arterial) does not match the Edmonton Metropolitan Region Board's Growth Plan classification (Regional Freeway).

To confirm, Alberta Transportation will accept "planned" or "future" freeway classification for Ray Gibbon Drive which is in alignment with other city transportation bylaws. Additionally, in the next submission, please include the correlation of road classifications with the Edmonton Metropolitan Region Board's classifications."

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

The *City Transportation Act*, RSA 2000, c C-14 states as follows:

- 4(1)** *The city council shall by bylaw establish a transportation system in accordance with the transportation study report and the bylaw shall designate the transportation system.*
- (2)** *The bylaw shall include a map showing the approximate location of the transportation facilities and any other items required by the regulations.*
- (3)** *The council shall hold a public hearing on every proposed bylaw that establishes a transportation system or amends an existing transportation system bylaw.*
- (4)** *The public hearing must be advertised in accordance with the requirements for advertising in the Municipal Government Act <<https://www.canlii.org/en/ab/laws/stat/rsa-2000-c-m-26/latest/rsa-2000-c-m-26.html>>.*
- (5)** *The council, after considering the representations made to it at the public hearing concerning the proposed bylaw, may*
 - (a) pass the proposed bylaw,*
 - (b) make the amendments that it considers necessary to the proposed bylaw and pass the proposed bylaw as amended, or*
 - (c) defeat the proposed bylaw.*
- (6)** *The city council shall submit the bylaw to the Minister for approval by the Lieutenant Governor in Council and the Lieutenant Governor in Council may vary or approve the bylaw in*

whole or in part and if the bylaw is varied or approved in part only, it shall be enforced and take effect as approved.

(7) It is not necessary for the council to pass a further bylaw amending the bylaw submitted pursuant to subsection (6) to conform with the bylaw as approved by the Lieutenant Governor in Council but it is deemed to be amended as approved.

(8) Subject to the approval of the Lieutenant Governor in Council, the city may amend the bylaw from time to time by the addition or deletion of transportation facilities or in any other manner.

The communication the City received from the Province rejected the City's previous bylaw amendment and outlined what changes ought to be included in the resubmission; accordingly, another public hearing must be held on the basis of the amendments that are now being proposed to the bylaw, in accordance with the instructions received from the Province.

The *City Transportation Act* also indicates that a transportation system bylaw, or amendment thereto, must be submitted to the Minister for approval by the Lieutenant Governor in Council, prior to taking effect.

With the Province's response of not supporting the previously amended Bylaw, the amendments have not formally taken effect.

Program or Service:

None at this time.

Organizational:

None at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendation, the following alternatives could be considered:

Alternative 1: Do not approve. This alternative would result in no changes to the Bylaw document that would reduce alignment of the existing and planned transportation network to the Complete Streets Guidelines and would not conform the Bylaw to requests made by Alberta Transportation.

Report Date: May 19, 2020

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Committee/Department: Engineering Services

Deputy Chief Administrative Officer: Kerry Hilts

Chief Administrative Officer: Kevin Scoble