

Lac La Ronge Indian Band Urban Reserve Creation

ISSUE

This report provides City Council with the proposed content of the Municipal Services and Compatibility Agreement between the City of Saskatoon and Lac La Ronge Indian Band. This is required as part of the Treaty Land Entitlement Framework Agreement and the Additions to Reserve Policy prior to land being set apart as Entitlement Reserve in an Urban Municipality.

RECOMMENDATION

1. That City Council approve the proposed content of the Municipal Services and Compatibility Agreement; and
2. That His Worship the Mayor and the City Clerk be authorized to execute the Agreement.

BACKGROUND

Lac La Ronge Indian Band owns the parcel of land at 211 Wheeler Street in the Marquis Industrial area in Saskatoon. Lac La Ronge Indian Band wishes to have 211 Wheeler Street designated as an Urban Reserve.

The Treaty Land Entitlement Framework Agreement and the Additions to Reserve Policy requires that where an Entitlement Band requests that land in an Urban Municipality be granted reserve status, the Entitlement Band and the Urban Municipality negotiate an Agreement for the provision and payment of municipal services as compensation to the Urban Municipality for loss of taxes, levies or grants-in-lieu, which, but for the setting apart of the Entitlement Reserve, could reasonably have been expected to have been received by the Urban Municipality.

DISCUSSION/ANALYSIS

The Agreement with Lac La Ronge Indian Band is very similar to the Agreements that exist for other Urban Reserves in Saskatoon and consist of two main features:

1. The City agrees to provide all regular City services to the property in return for an annual fee-for-service payment from Lac La Ronge Indian Band. This payment will be calculated to be the same amount in each year as would be paid in municipal and library property taxes if the land was subject to municipal taxation.

The City services provided to the land are of the same type and level that is provided to all similarly zoned land in a similar state of development in the City.

This amount includes local improvement charges, Business Improvement District levies and any other special charges or levies that would be permitted as if the land were not reserve land.

2. The Agreement requires bylaw compatibility. The parties agree that the occupation, use, development and improvement of the property will, at all times, be essentially the same as similarly zoned properties in the City.

The bylaw compatibility of the land speaks to matters such as land use and zoning compatibility; building standards, including consideration of building development permits as well as plan examination and site inspections; fire standards, including fire inspections and emergency services; public health and safety; and business regulations.

The overall intent of the Agreement is to recognize and respect the separate jurisdiction of Lac La Ronge Indian Band while also recognizing the need for cooperation and coordination between Lac La Ronge Indian Band and the City.

Lac La Ronge Indian Band Chief and Council will approve the necessary Agreements through a Band Council Resolution prior to execution.

A Police Services Agreement for the property requires approval by the Board of Police Commissioners. This is scheduled to be considered at their meeting on August 24, 2023.

We are pleased to provide the proposed Municipal Services and Compatibility Agreement to City Council in support of Lac La Ronge Indian Band. If granted reserve status by the Federal Government, this will mark the 10th urban reserve within the boundaries of Saskatoon.

IMPLICATIONS

There are no financial, legal, social or environmental implications identified.

NEXT STEPS

Once approved by Lac La Ronge Indian Band Chief and Band Council and Saskatoon City Council, the Municipal Services and Compatibility Agreement, in addition to the Police Services Agreement, will be signed by the parties at a formal signing ceremony, scheduled for September 11, 2023.

Report Approval

Written by: Jodi Manastyrski, Director of Legal Services
Approved by: Cindy Yelland, City Solicitor