Wood Buffalo TRIBUNALS
Subdivision and Development Appeal Board

EXHIBIT LIST

File Number	Appellant
SDAB 2025-007	Daniel Roy Represented by Robert Homersham -Terra Legal

Legal Description	Civic Address
Lot 3 Block 10 Plan 5642NY	193 MacKenzie Avenue, Fort Chipewyan

Exhibit #	Description	Filing Date
	Subject Area Map	**2025-11-24**
1.	Notice of Appeal (2 pages)	2025-10-20
2.	Development Permit No. 2025-DP-00169 (22 pages)	2025-10-20
3.	Correspondence re Notice of Appeal Appendix (4 pages)	2025-10-26
4.	Notice of Appeal with Appendix (6 pages)	2025-10-26
P5.	Applicant - Correspondence – Scope of the Appeal (4 pages)	2025-10-29
P6.	Preliminary Hearing Decision - November 12, 2025 (6 pages)	2025-11-19
P7.	Municipality – Evidence Disclosure – Preliminary Hearing (92 pages)	2025-11-12
P8.	Applicant – Memorandum of Argument re: jurisdictional matters (75 pages)	2025-12-01
P9.	Appellant – Memorandum of Argument re: jurisdictional matter (223 pages)	2025-12-09
10.	Appellant – Evidence Disclosure (299 pages)	2025-01-15
11.	Development Permit Applicant - Evidence Disclosure (105 pages)	2026-01-22
12.	Municipality – Evidence Disclosure (154 pages)	2026-01-22
13.	Written Submission – Leo Wilamson (1 page)	2025-11-10
14.	Written Submission – Dave Albert (1 page)	2025-11-12
15.	Written Submission – Fredrick Kevin Ellingson (1 page)	2025-11-12
16.	Written Submission – Joey Fraser (1 page)	2025-11-13
17.	Written Submission – Tamera Ellingson (1 page)	2025-12-01
18.	Written Submission – Ora Campbell (1 page)	2025-12-01
19.	Written Submission – Delta Rough Riders 2.0 (1 page)	2025-12-02

20.	Written Submission – Kurtis Girard (1 page)	2025-12-02
21.	Written Submission – Mary Kutschke (1 page)	2025-12-02
22.	Written Submission – David Castor Jr. (1 page)	2025-12-03
23.	Written Submission – Tammy Riel (1 page)	2025-12-03
24.	Written Submission – Terry Whiteknife (1 page)	2025-12-03
25.	Written Submission – Anonymous (1 page)	2025-12-04
26.	Written Submission – Michelle Voyageur (1 page)	2025-12-04
27.	Written Submission – Samuel Wylie (1 page)	2025-12-05
28.	Written Submission – Clara Shortman (1 page)	2025-12-06
29.	Written Submission – Kelly Piche (1 page)	2025-12-06
30.	Written Submission – George Whiteknife (1 page)	2025-12-08
31.	Written Submission – Jennifer Courtoreille (1 page)	2025-12-08
32.	Written Submission – Cheyenne Hall (1 page)	2025-12-09
33.	Written Submission – Daniel Roy (Development Permit Applicant)	2025-12-09
34.	Written Submission – Misty Marten (1 page)	2025-12-11
35.	Written Submission – Tim Flett (1 page)	2025-12-11
36.	Written Submission – Barbara Grandjambe (1 page)	2025-12-22
37.	Letters of Support Submitted by the Development Permit Applicant (128 pages)	2026-01-19
38.	Email from Branon Colford RCMP submitted by the Development Permit Applicant (1 page)	2026-01-19
39.	Written Submission – Lily Marcel (1 page)	2026-01-19
40.	Written Submission – Kendrick Cardinal (1 page)	2026-01-19
41.	Written Submission – Pam Gilbot (1 page)	2026-01-19
42.	Written Submission – Bruce Inglis (1 page)	2026-01-20
43.	Written Submission – Flossie Cyprien (1 page)	2026-01-20
44.	Written Submission – Anonymous (1 page)	2026-01-21
45.	Written Submission – Greg Marcel (1 page)	2026-01-22

SUBJECT AREA MAP
193 MacKenzie Avenue, Fort Chipewyan

Subject Area
First Nation Reserves
Survey Parcels
Park
Water Bodies

N

0 40 80 160
m

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information System Section on 24 Nov 2025
25111401

Received by the Subdivision and Development Appeal Board
October 17, 2025. File No. SDAB 2025-007

Wood Buffalo TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE OF APPEAL

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot	Block	Plan	ATS
3	10	5642NY	

Civic Address

193 Mackenzie Avenue, Fort Chipewyan, Alberta

Development Permit Number or type of Order
2025-DP-00169

Section 2 - Appellant Information

NB: At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form.

Appellant Name (If the Appellant is a company, enter the complete legal name of the company)

MIKISEW CREE FIRST NATION (CREE-ATIONS ENTERPRISES LIMITED, MISTEE SEEPEE DEVELOPMENT CORPORATION LTD. and 1112958 ALBERTA LTD.)

Agent[1] Name (if applicable)	Contact Name (if different) and position held
Orlagh O'Kelly	

Mailing Address	City/Town	Province	Postal Code
403, 10113 - 104 Street NW	Edmonton	Alberta	T5J 1A1

Telephone Number (Daytime)	Alternate Telephone Number	Email Address
587-525-8348		orlagh.okelly@okellylaw.ca

Section 3 – Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

Subdivision Application	Notice of Order
☐ Approval ☐ Condition of Approval ☐ Refusal	☐ Notice of Order

☐ I/We are the Applicant or Land Owner of the subject property

☐ I/We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings or plans for clarification.

I/We hereby appeal the decision of the Approval Authority for the following reason(s) as the RMWB did not consult with MCFN and did not

SEE APENDIXA

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

ATIA 20(1)

OCTOBER 17 2025

Date

Signature of Appellant/Agent

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner: I/We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property as necessary for the purpose of this Appeal.

Signature of Registered Owner

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@rmwb.ca

Protection of Privacy
The personal information you provide on this form is being collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act.* The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer –SDAB , 7th Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4 ; or call 780.788.2222

[1] Agent – A person who acts for a Property Owner, Applicant, Appellant, and/or Affected/Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.

For Office Use Only				
Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:

MATTERS FOR AN APPEAL

- A decision of the Subdivision Authority concerning a subdivision application;
- A decision of the Development Authority concerning a development permit application;
- An enforcement order issued by the Development Authority.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

In accordance with the Municipal Government Act, once you file an appeal, it will be scheduled for a hearing. The appellant, applicant, owner of the property and anyone considered an affected person will receive written notification of the hearing date, a minimum of five days prior to the hearing. Hearing dates are advertised in the local papers and Municipal website www.rmwb.ca/sdab, the Friday prior to the hearing.

IMPORTANT NOTICES

Your completed form and any supporting attachments, the agent authorization form, and the prescribed filing fee must be submitted to the Clerk of the Subdivision and Development Appeal Board at the contact information provided below prior to the deadline indicated on the notice or decision issued:

Clerk of the Subdivision and Development Appeal Board,
7th Floor, Jubilee Center,
9909 Franklin Avenue,
Fort McMurray AB T9H 2K4

Telephone: 780-743-7001
Email: sdab@rmwb.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number 2025-DP-00169

September 26, 2025

Applicant

DANIEL ROY
ATIA 20(1)
ATIA 20(1)

Owner

DANIEL ROY
ATIA 20(1)
ATIA 20(1)

RE: Permanent Liquor Store, Office & Warehouse Sales building (with a temporary liquor store operating for up to one year while permanent building is completed)
193 MACKENZIE AVENUE
Lot: 3 Block: 10 Plan: 5642NY

Your application for a development permit at the above location has been approved by the Development Officer. This approval is subject to the conditions as outlined in the enclosed Development Permit.

PLEASE READ PERMIT CONDITIONS CAREFULLY.

This development permit shall expire and no longer be valid after one year from the date of decision of the permit if no construction has been initiated. Any other necessary permits shall be in place prior to commencement of any construction or occupancy. In the case of a change of use within an existing structure, where no significant construction of reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

IMPORTANT NOTE

1. Under the Municipal Government Amendment Act, this approval may be appealed within twenty one (21) days after the day of decision being posted. Should this decision be appealed within twenty one (21) days after the Date of Decision, this permit shall not become effective until the Subdivision and Development Appeal Board has determined the appeal and the Permit may be modified or nullified thereby. Commencement of the approved Development prior to expiry of the appeal period is at your own risk.
2. An appeal shall contain statement of the grounds of appeal and shall be delivered personally or by registered mail so as to reach the Secretary of the Subdivision and Development Appeal Board, 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4 within the prescribed time period of twenty one (21) days.
3. Upon delivery of Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a fee of $1000.00.

Compliance with other legislation - A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out development in accordance with:

a. the requirements of the Safety Codes Act, Environment Protection and Enhancement Act and Natural Resources Conservation Board Act;

b. the requirements of any other Federal, Provincial, or Municipal statue, regulation code or standard; and

c. the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

The Municipality is not responsible for not does the Municipality have any obligation whatsoever to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

REGIONAL MUNICIPALITY OF WOOD BUFFALO
Planning & Development Department
per:

September 26, 2025

Date

Phyllis Agyemang
Planner I
Planning and Development Dept.
Regional Municipality of Wood Buffalo
phyllis.agyemang@rmwb.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number
2025-DP-00169

Applicant: Daniel Roy **Issued :** September 26, 2025

Development Permit

193 MACKENZIE AVENUE

	Lot	Block	Plan		Section	Township	Range	
	3	10	5642NY		7	112	7	

New Commercial Industrial or Institutional Development

Permanent Liquor Store, Office & Warehouse Sales building (with a temporary liquor store operating for up to one year while permanent building is completed)

Advertisement Date: October 2, 2025

- **This development was approved by the Development Officer and is subject to the conditions attached to this permit.**
- **All conditions stated on this development permit must be complied with.**
- **You have one year from Date of Decision to commence construction. All appropriate building/mechanical permits must be applied for and issued. In the case of a change of use within an existing structure where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.**

Regional Municipality of Wood Buffalo
Planning & Development Department
per:

ATIA 20(1)

Issued : September 26, 2025
Date

Phyllis Agyemang
Planner I
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
phyllis.agyemang@rmwb.ca

Advisory Notes:

1. Any signage proposed for this development shall require a separate application and approval.
2. The sump shall be installed so that discharge is as per the requirements of the Sewage Bylaw.
3. The developer shall install all appropriate signage at access/egress locations in accordance with the requirements of the Engineering Department.
4. Site services shall be in accordance with the Engineering Standards of the Regional Municipality of Wood Buffalo – Fort McMurray Urban Service Area and the standards set by the Franchise Utilities operating within the Fort McMurray Urban Service Area.
5. A Utility Installation Permit is required from the developer and shall be obtained from Engineering Services Division prior to installing underground utilities.
6. It shall be the developer's responsibility and expense to terminate, at the main, all sanitary and water services which will not be utilized in this development.
7. If a route permit is required for this development, it shall be applied for through the Planning and Development Department.
8. Any damage to the streets, sidewalks, curbs or landscaped boulevards caused by this development shall be the full responsibility of the developer to restore.
9. A Health Certificate may be required for this development. Please contact the Health Inspector for the necessary information.
10. A Municipal Business License may be required for this development. Please contact the Licensing Enforcement Officer for information and an application, if required.
11. The Alberta Fire Code applies in and around buildings existing or being constructed on a site. Complete project plans and specifications, construction fire safety plans, and fire related activities requiring Fire Prevention Permits shall be reviewed by the Fire Authority prior to the commencement of any work related thereto. Inquiries and permit applications shall be submitted to the Fire Authority.
12. All Federal, Provincial and Municipal statutes and regulations shall be met, including the Alberta Building Code.

Conditions:

1 This development is classified as a Liquor Store, Office and Warehouse Sales and is a Discretionary Use in the HC- Hamlet Commercial District.
2 The business must have all valid licenses/approvals from the provincial government prior to starting operations and shall be in compliance with the provincial legislation.
3 The 18.3 meter x 3.7 meter temporary building shall be removed from the site no later than September 12, 2026.
4 The 18.3 meter x 3.7 meter temporary building shall be receive all required Safety Code Permits under the Safety Codes Act required for a commercial space.
5 Construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
6 Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to occupancy of the permanent structures.
7 The garbage and waste material shall be stored in weather-proof and animal-proof containers and shall be visually screened in a manner compatible with the design and external materials of the principal buildings on the site. If a wood screen fence is used, it shall be constructed in accordance with drawing 10-301 of the Engineering Servicing Standards.
8 The building location, orientation, capacity and/or use shall be as indicated on the approved drawings. Any changes to the approved plans shall be submitted to the Development Officer for further approval.
9 A minimum of 19 on-site parking stalls shall be provided as indicated on the approved plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material and shall be completed prior to the issuance of an Occupancy Permit. Should a seasonal allowance be required for paving the parking lot, the developer shall provide a written request for the seasonal allowance together with an automatically renewable and irrevocable letter of credit equal to 100 percent of the cost of paving the parking lot. A minimum of 2of the required stalls shall be accessible parking stalls.These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
10 A minimum of one loading space shall be provided for this development. Loading shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets or lands.
11 All parking stalls shall be graded such that no slope in any direction is less than 0.5% and not more than 4%, to the satisfaction of the Development Officer. All soft landscaped areas shall have a minimum slope of 2% away from buildings.
12 A final site grading plan shall be prepared to the satisfaction of the Engineering Department and shall be approved prior to occupancy of any buildings.
13 The applicant may need to enter into a Development Agreement with the Municipality to pay for the installation of public utilities, other than telecommunication systems or works, which are necessary to serve the development.
14 Any excess fill must be deposited on a site approved by the Municipality. Please contact the Engineering Department and/or the Environmental Branch of the Public Works Department.
15 Any and all easements required by the Municipality or any franchise utility as a result of this development shall be provided by the developer at no cost to the Municipality or any franchise utility and shall be registered on title by Utility Right-of-Way Plan.
16 Should it be necessary to alter any on site Municipal or franchise utilities, all cost shall be borne by the developer.
17 There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development construction. The developer may apply to the Development Officer to utilize these lands.
18 All on site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent residential properties.

19 Any required removal or modification of existing on-site underground storage tanks and the management of identified contaminants shall be undertaken to the satisfaction of the appropriate authorities prior to the construction of the approved development and all applicable permits received from the local Fire Authority.

20 Engineering securities of $40,000 in total [including (a) $10,000 for 1 approach, (b) $20,000 for service connections ($10,000/water + $10,000/sanitary each), and (c) $10,000 for a new storm outfall, shall be provided before issuance of the development permit. This is also a damage deposit for any damage to municipal property including roads, sidewalks, curb and gutter, underground infrastructure, boulevard, parks, URWs. All must be restored to original or better condition.

21 A Development Completion Certificate is required and shall be applied for by the applicant on completion of the conditions of development and prior to occupancy

22 Before any construction starts, the applicant shall ensure that the site is fully fenced, as per the approved fencing plan, in order to prevent any damage to Municipal infrastructure and landscaping surrounding the site, to ensure controlled and safe access and egress of the site, and to provide safe pedestrian access on and through any municipal lands adjacent to the site. The site access locations shall be established as per the fencing plan and will be maintained and operated to the satisfaction of the Development Authority. The fencing is to remain in place and in good working condition until all construction activities have ceased and a Full Development Completion Certificate has been issued

23 The applicant shall provide security in a form acceptable to the Municipality in the amount of $7,150.00 as a guarantee for the installation and maintenance of the construction fencing.

24 A water meter permit may be required. Please contact Underground Services Division for details at 780-799-7493. 780-788-1456 ext. 5832

25 A service connection permit may be required. Please apply at https://www.rmwb.ca/en/permits-and-development/applications-licences-and-permits.aspx.

26 Construction activities will be completed in adherence to all environment and regulatory requirements which include, but are not limited to the Federal Fisheries Act and the Provincial Environmental Protection and Enhancement Act. Construction activities will implement effective sediment control measures at all stages of construction until disturbed soil has been addressed and the fish bearing water body is effectively protected from any impacts.

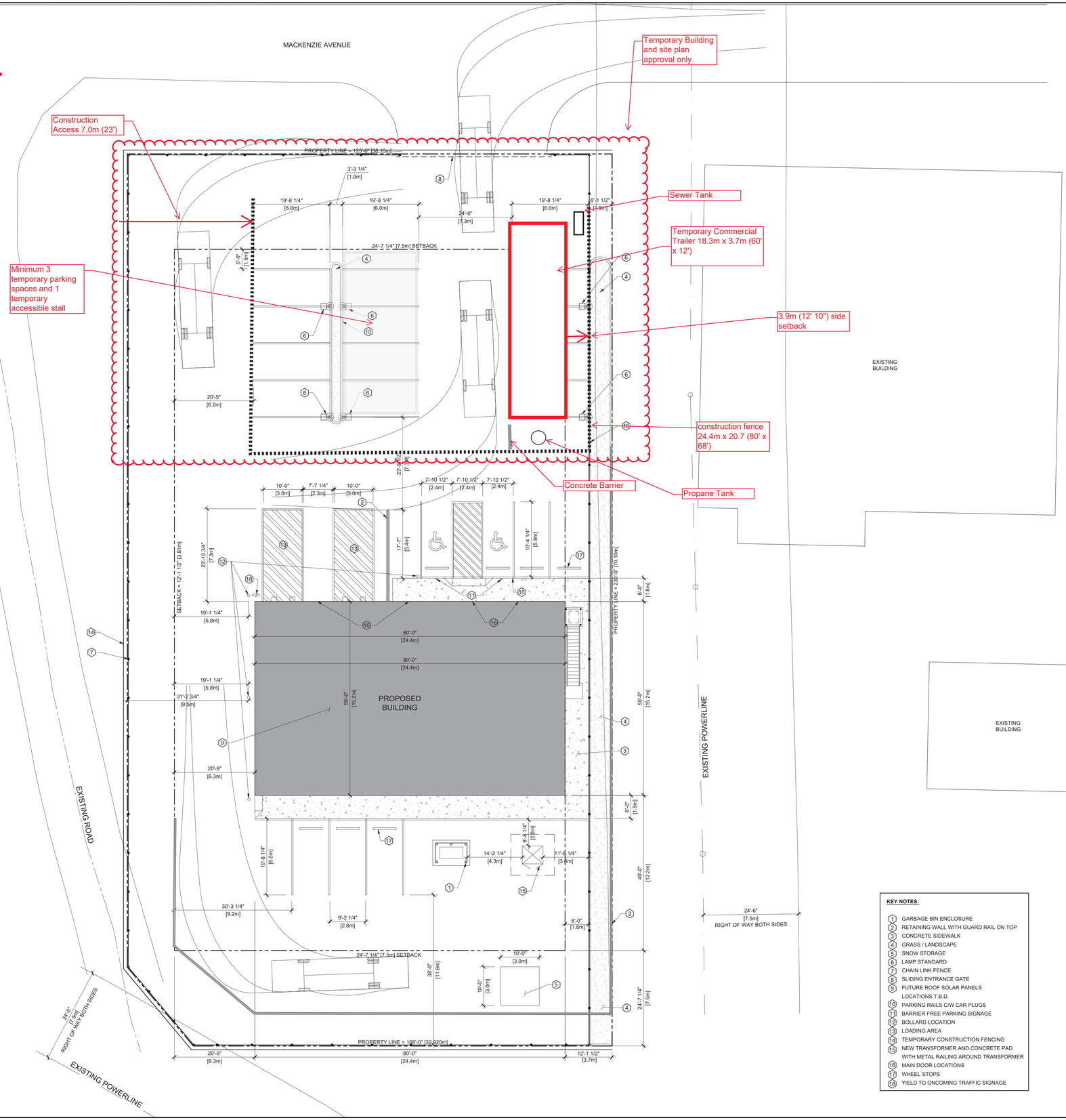
27 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695 or follow up on our permitting website: https://aca.woodbuffalo.ab.ca/citizenaccess/

Docusign Envelope ID: EE49C79D-4CAA-490E-ADCC-9B0842E7E430

Temporary Site Plan.
Valid for up to one year from approval.

ATIA 20(1)

1 of 4



LEGAL DESCRIPTION

LOT:	3
BLOCK:	10
PLAN:	5642NY
ADDRESS:	193 MACKENZIE AVENUE FORT CHIPEWYAN, AB T0P 1B0

SITE DATA

LUB ZONING:	HC - HAMLET COMMERCIAL
SITE AREA:	28577.792 ft² (2654.964 m²)
BUILDING FOOTPRINT:	4000 ft² (371.612 m²)

GROSS FLOOR AREAS

MAIN FLOOR:		4000 ft² (371.612 m²)
LIQUOR STORE	-	672 ft² (62.43 m²)
OFFICE	-	828 ft² (76.92 m²)
STORAGE	-	2500 ft² (232.26 m²)
MEZZANINE FLOOR:		1500 ft² (139.355m²)
STORAGE	-	1500 ft² (139.355m²)
TOTAL GROSS FLOOR AREA:		5500 ft² (510.967m²)

BUILDING HEIGHT
MAXIMUM HEIGHT: 26'-0" (7.925m)

PARKING INFORMATION

PARKING STALLS REQUIRED:		
LIQUOR STORE	-	6 (8.5 / 100 m²)
OFFICE	-	3 (2.8 /100 m²)
STORAGE	-	5 (1.1/100 m²)
TOTAL PARKING STALLS REQUIRED	-	14
PARKING STALLS PROVIDED	-	19

PAVED PARKING LOT WITH PAINTED LINES (NORTH & WEST SIDE OF PROPOSED BLDG.)
GRAVEL PARKING LOT (SOUTH SIDE OF THE PROPOSED BLDG.)
ALL PARKING ACCESS ROAD ARE ONE-WAY TRAFFIC

Accepted:

BIPUL BHOWMIK, M. Eng., P. Eng., PMP
Municipal Engineer, Development Engineering
Planning & Development Services

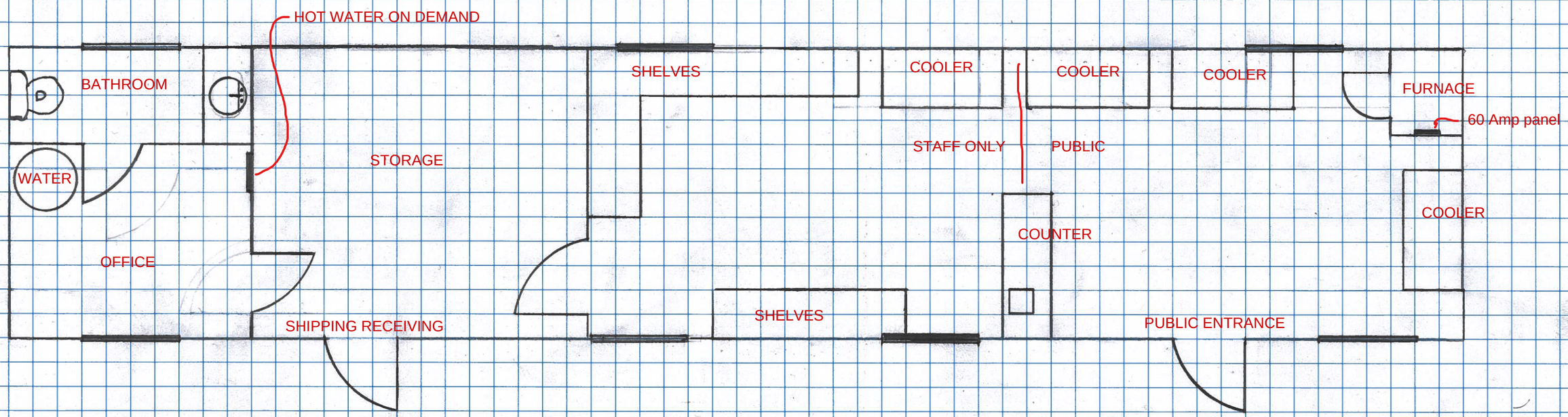
9/26/2025

KEY NOTES:

1. GARBAGE BIN ENCLOSURE
2. RETAINING WALL WITH GUARD RAIL ON TOP
3. CONCRETE SIDEWALK
4. GRASS / LANDSCAPE
5. SNOW STORAGE
6. LAMP STANDARD
7. CHAIN LINK FENCE
8. SLIDING ENTRANCE GATE
9. FUTURE ROOF SOLAR PANELS LOCATIONS T.B.D.
10. PARKING RAILS C/W CAR PLUGS
11. BARRIER FREE PARKING SIGNAGE
12. BOLLARD LOCATION
13. LOADING AREA
14. TEMPORARY CONSTRUCTION FENCING
15. NEW TRANSFORMER AND CONCRETE PAD WITH METAL RAILING AROUND TRANSFORMER
16. MAIN DOOR LOCATIONS
17. WHEEL STOPS
18. YIELD TO ONCOMING TRAFFIC SIGNAGE

G:\2022\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE_LIQUOR.DWG
LAYOUT: A1.1
PLOTTED BY: GREGORIO NISPEROS
PAPER SIZE: ARCH D
PLOT DATE: February 2, 2024

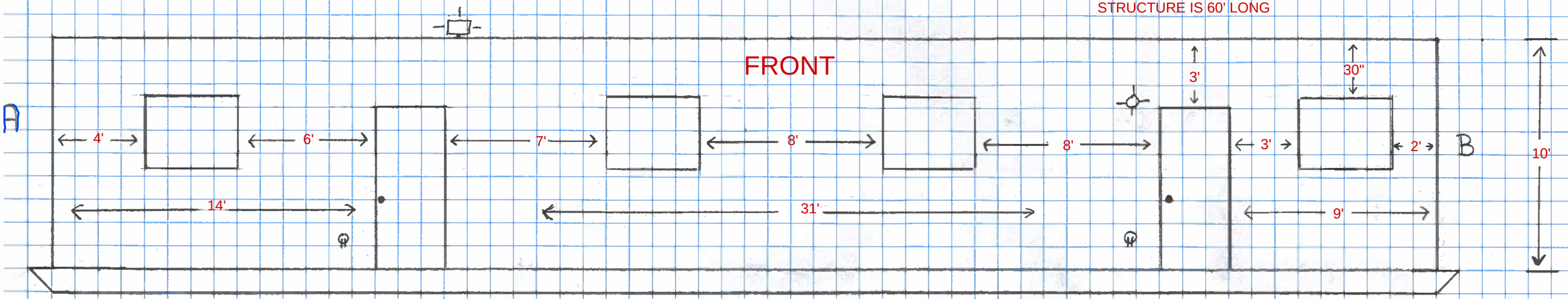
1261446 Alberta Ltd.
193 Mackenzie Blvd.
Fort Chipewyan, Ab
Stage 1, Temporary Liquor Store

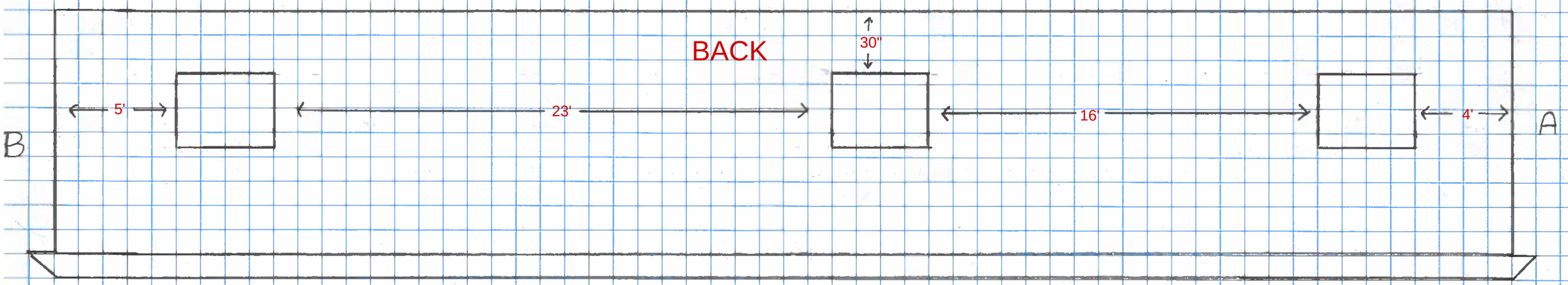


12' x 60'
720sqft
scale: 1square = 1'

193 MacKenzie Ave

STRUCTURE IS 60' LONG





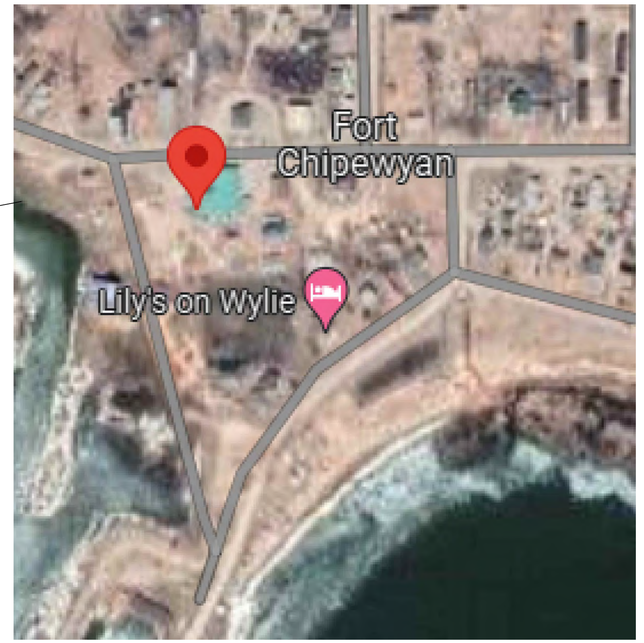
ALL WINDOW ARE 3' x 4'
ALL DOORS ARE 3' x 7'

SCALE IS 1 SQUARE = 1'

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

REGIONAL MUNICIPALITY OF WOOD BUFFALO

LOCATION



KEY PLAN

PROJECT :

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

CIVIL DRAWINGS

ISSUED FOR DEVELOPMENT PERMIT - 24 SEPT 2025

PROJECT NO.: 23-2279-003

DRAWING LIST	
SHEET NO.	**SHEET DESCRIPTION**
G-001	COVERSHEET & INDEX PAGE
V-101	SURVEY PLAN
C-101	GRADING PLAN
C-102	WATER SERVICE PLAN
C-103	SANITARY SEWER PLAN

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

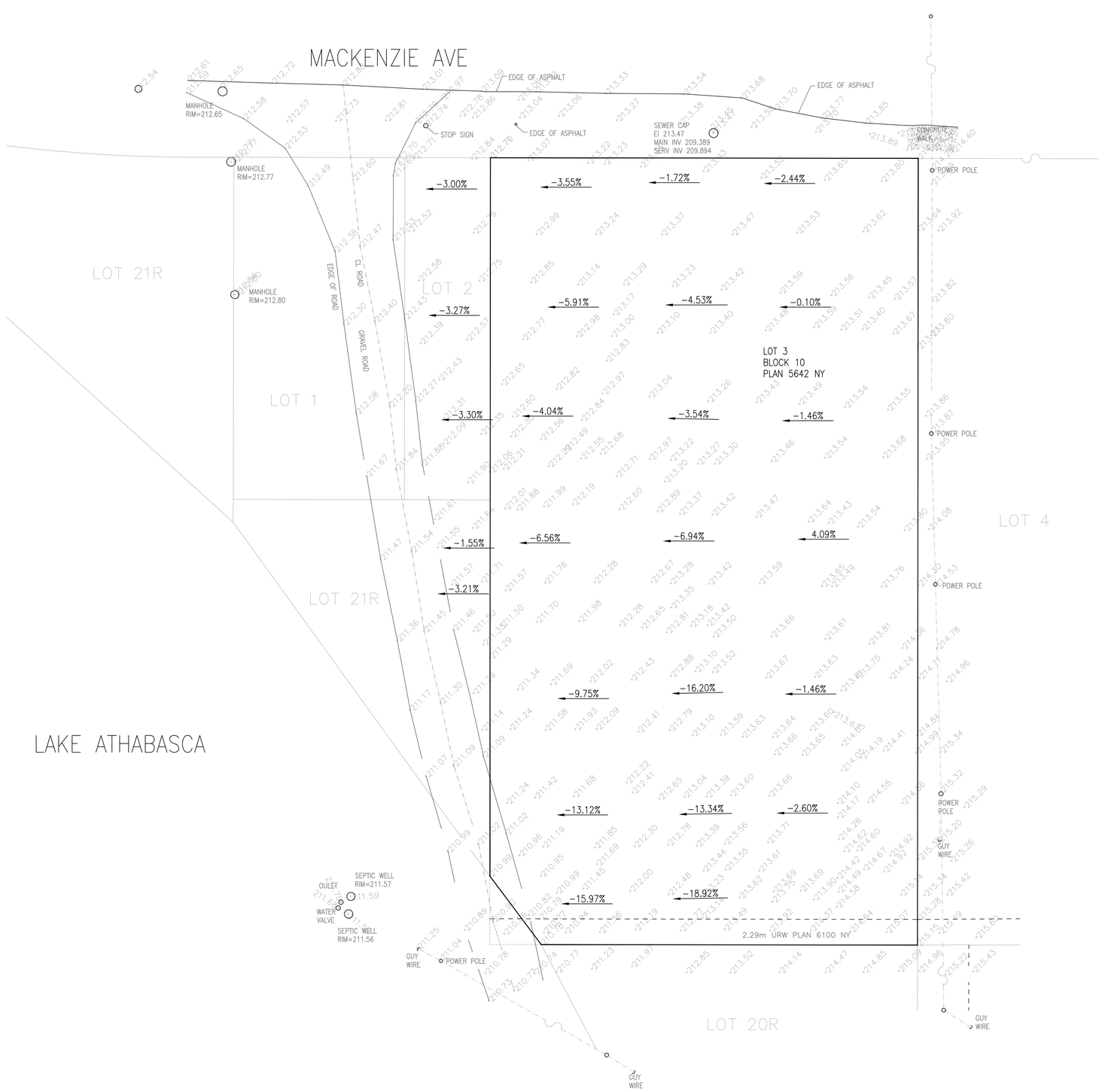
CONSULTANT

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
ELECTRICAL | CIVIL CONSULTING
9918 - 75 AVENUE EDMONTON, AB. T6E 1J2
Phone: (780) 468-5477
office@twsengineering.com www.twsengineering.com

G:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Des & CAD\23-2279-003C-20250924-EA.dwg G-001 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

NO.	DATE	DESCRIPTION
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign [redacted]
Date [redacted]
PERMIT N[redacted]
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
CIVIL | ENVIRONMENTAL | CIVIL SURVEYING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

SURVEY PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

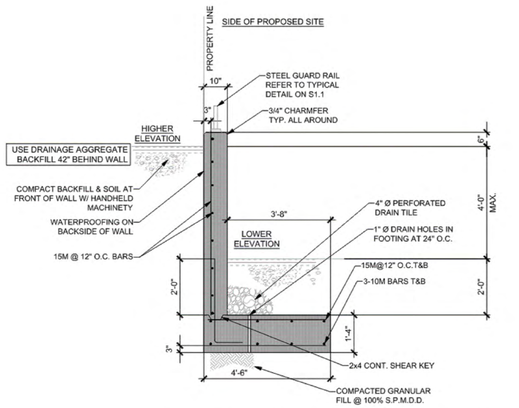
PROJECT NO.	DRAWING NO.
23-2279-003	V-101

TWS-CAD-DWG#

G:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\CV2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg V-101 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

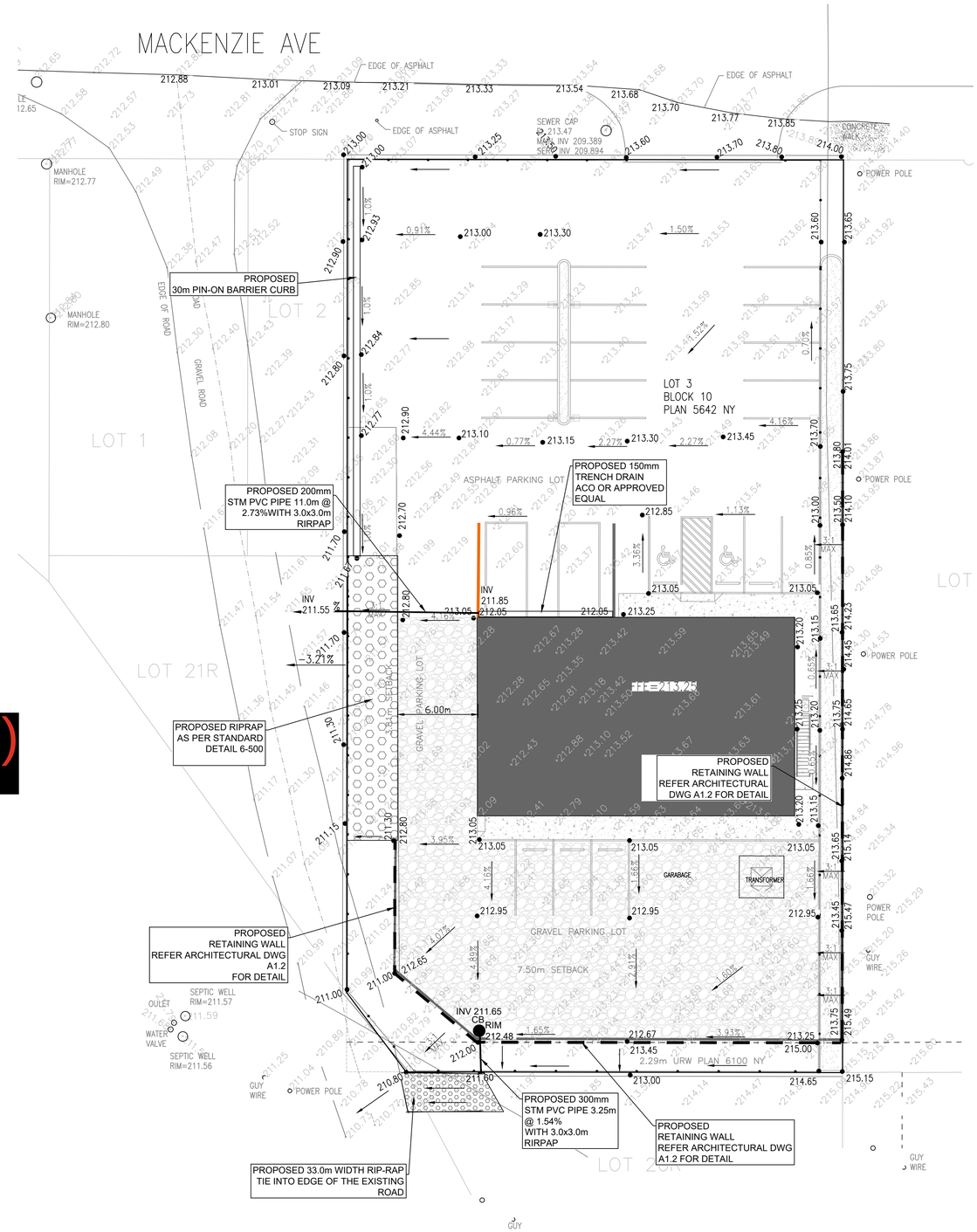
Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

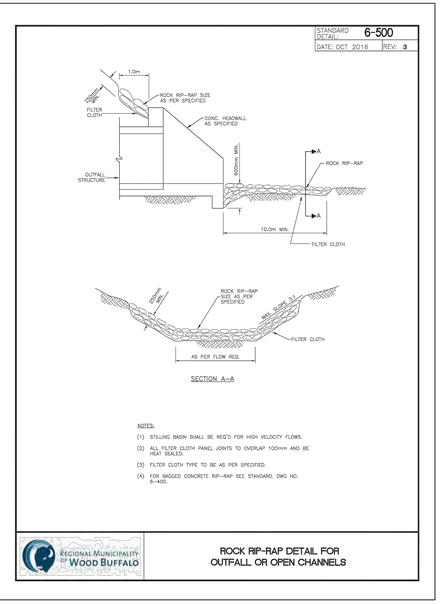


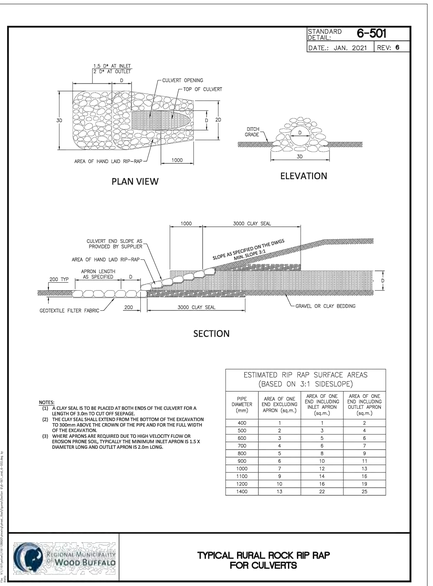
DETAIL - CONCRETE RETAINING WALL @ PROPERTY LINE

SCALE: 3/4" = 1'-0"

- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS







NOTES:

1. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
2. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- 213.30 PROPOSED ELEVATION
- x 213.30 EXISTING ELEVATION
- 0.77% PROPOSED SLOPE
- GRAVEL
- CONCRETE
- RETAINING WALL
- PROPOSED STORM PIPE
- PROPOSED CATCHBASIN
- RIPRAP

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2024.08.29	ADDED RETAINING WALL,TRENCH DRAIN, STORM
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

ATIA 20(1)
Sign
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PROFESSIONAL ENGINEER ALBERTA MICHAEL HENRY EARP
PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
MUNICIPAL | CIVIL CONSULTING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

GRADING PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

PROJECT NO.	DRAWING NO.
23-2279-003	C-101

106880
2025-09-24

ATIA 20(1)

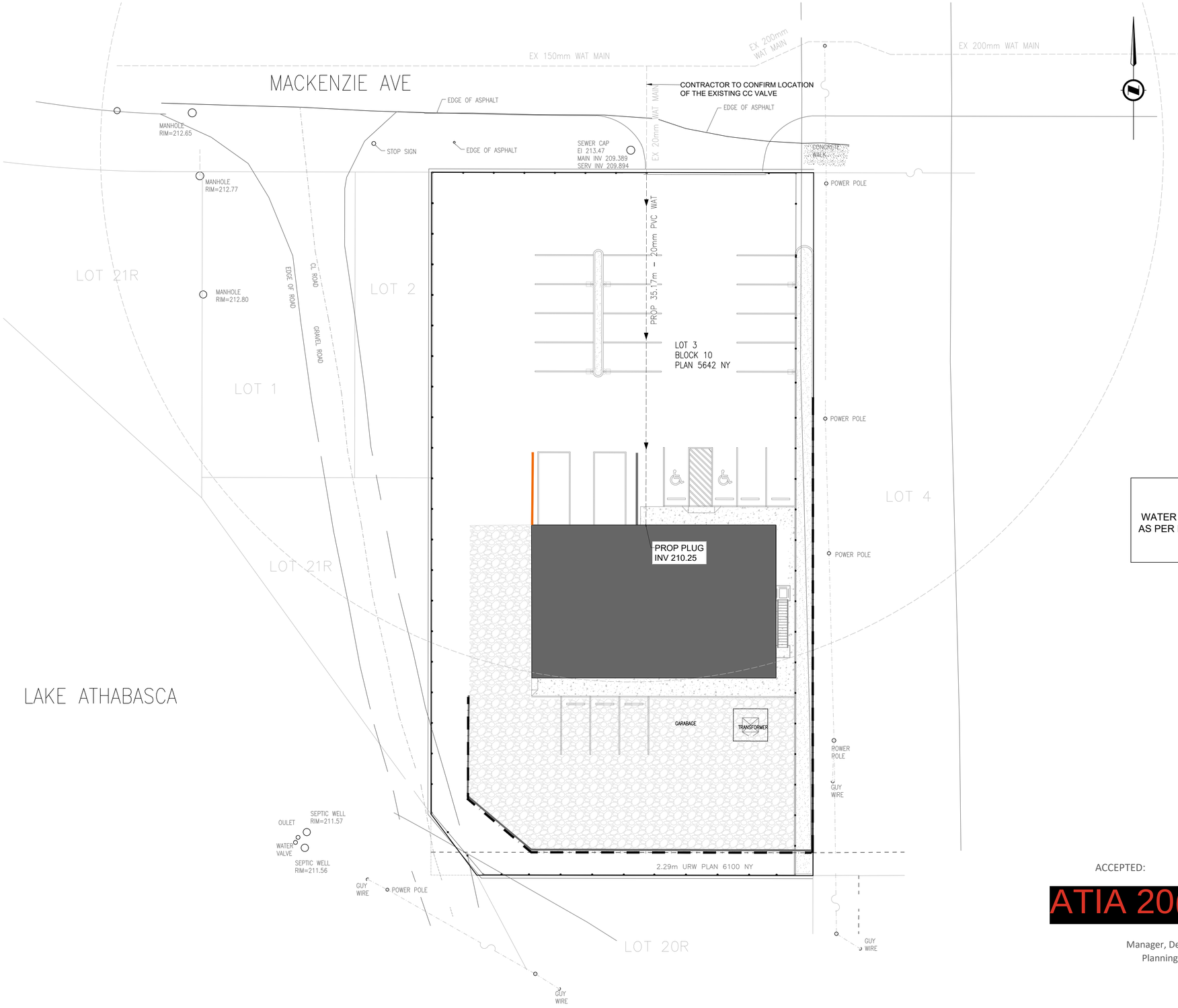
2 of 4

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



WATER AND SANITARY LINES TO BE INSULATED AS PER RMWB ENGINEERING STANDARDS

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

Regional Municipality of Wood Buffalo

NOTES:

1. ALL PIPE SIZES ARE IN MILLIMETER AND ALL DIMENSIONS ARE IN METER UNLESS OTHERWISE NOTED.
2. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
3. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- PROP PW 20 PVC — WATER MAIN
- EX PW 150 TYPE — EXISTING WATER MAIN
- EXISTING MANHOLE
- EXISTING OVERHEAD POWER LINE
- GRAVEL
- CONCRETE
- RETAINING WALL

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2025.09.11	REVISED WATER MAIN SIZE
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign ATIA 20(1)
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL | ELECTRICAL | CIVIL CONSULTING

PROJECT NAME
LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE
WATER SERVICE PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

PROJECT NO.	DRAWING NO.
23-2279-003	C-102

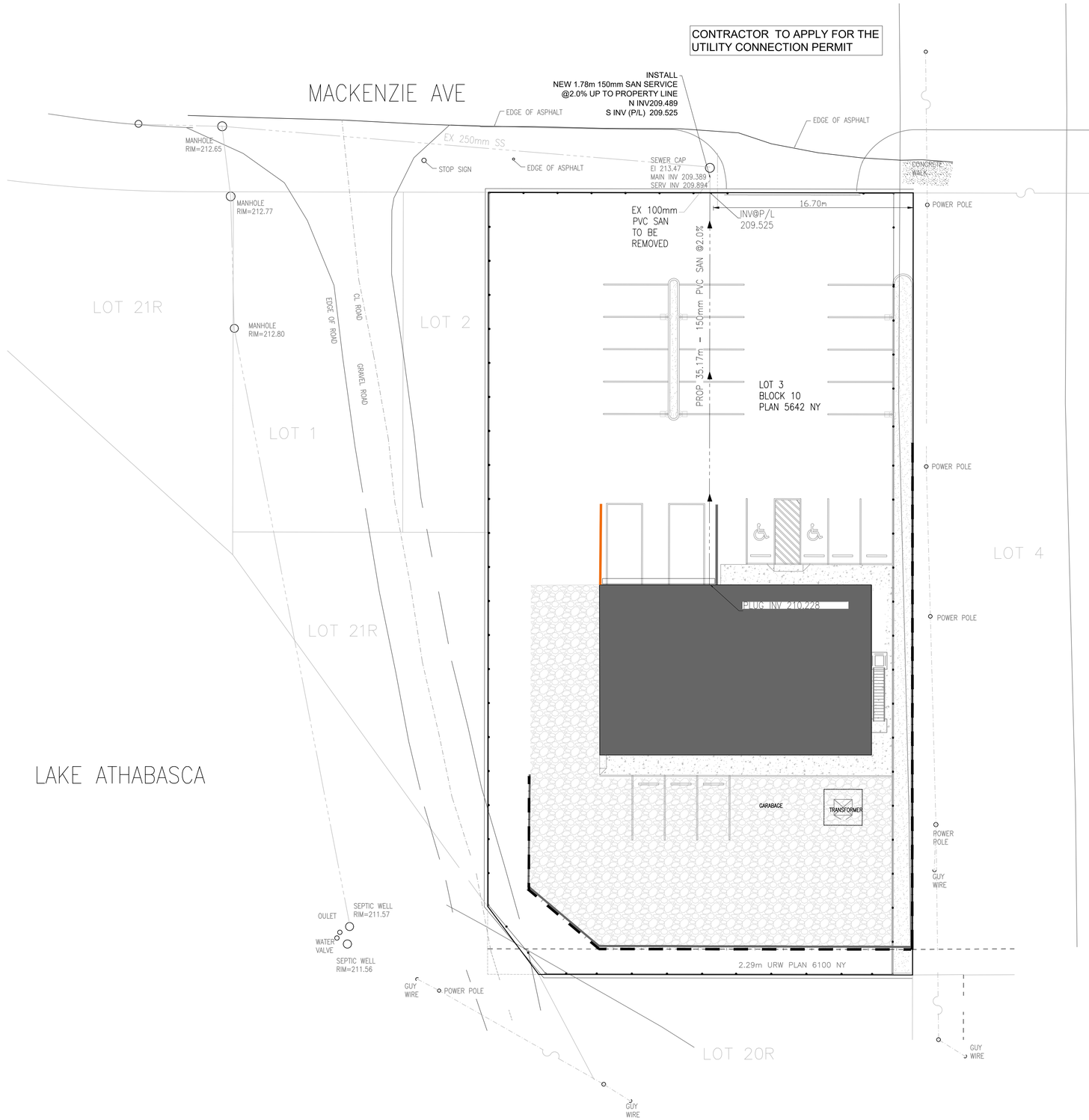
TWS-CAD-DWG#

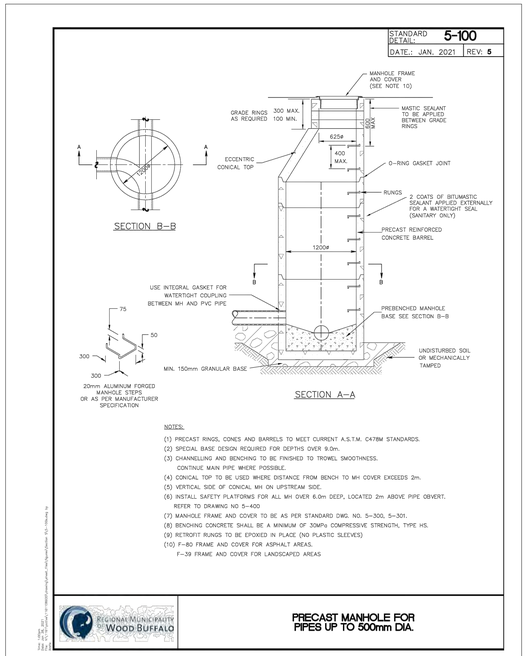
C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\CV2 Working Dwg & CAD\23-2279-003C-20250924-E4.dwg C-102 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

CONTRACTOR TO APPLY FOR THE UTILITY CONNECTION PERMIT





WATER AND SANITARY LINES TO BE INSULATED AS PER RMWB ENGINEERING STANDARDS

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

Regional Municipality of Wood Buffalo

NOTES:

1. ALL PIPE SIZES ARE IN MILLIMETER AND ALL DIMENSIONS ARE IN METER UNLESS OTHERWISE NOTED.
2. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
3. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- PROP SS 100 PVC — SAN SEWER
- EX SS 250 TYPE — EXISTING SAN SEWER
- EXISTING MANHOLE
- EXISTING OVERHEAD POWER LINE
- GRAVEL
- CONCRETE
- RETAINING WALL

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

ATIA 20(1)

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL | ELECTRICAL | CIVIL CONSULTING

PROJECT NAME
LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE
SANITARY SEWER PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

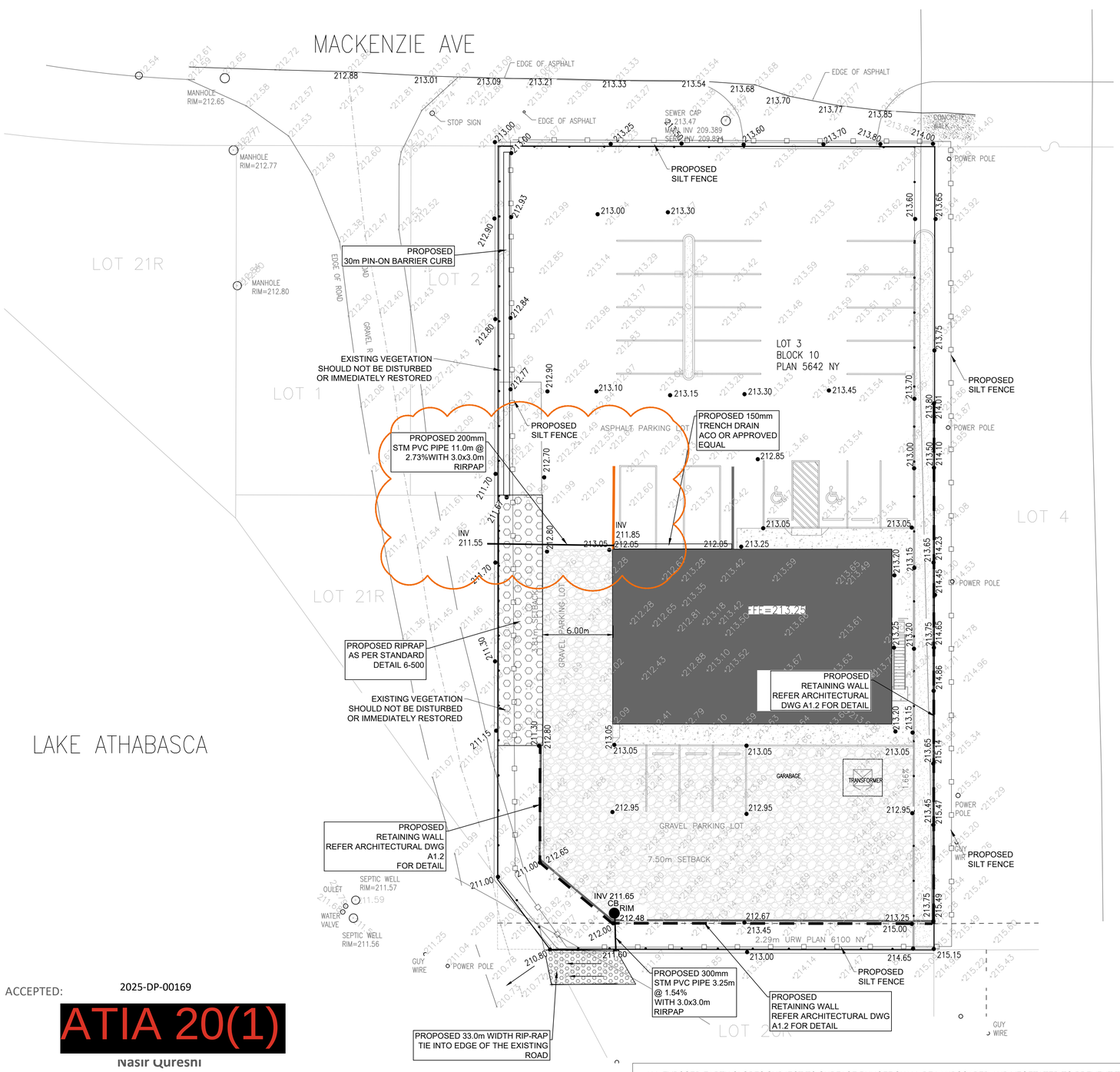
PROJECT NO.	DRAWING NO.
23-2279-003	C-103

TWS-CAD-DWG#

C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-103 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



ALL EXPOSED EARTH SLOPES SUBJECT TO SURFACE RUNOFF SHALL BE LANDSCAPED AND VEGETATED TO PREVENT THE MOBILIZATION AND EROSION OF SILTS AND MATERIALS FROM THE SLOPE. EROSION CONTROL BLANKETS OR STRAW / COCO-MATTING SHALL BE INSTALLED AT THE DEVELOPER'S COST AT THE DIRECTION AND DISCRETION OF THE MUNICIPALITY IF THERE IS AN IDENTIFIED RISK OF EROSION PRIOR TO THE ESTABLISHMENT OF VEGETATION ON SLOPES.

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni

Manager, Development Engineering |Engineering Planning & Development Services Division

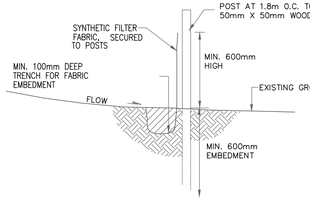
9/25/2025

EROSION & SEDIMENT CONTROL GENERAL NOTES

1. THE OWNER/DEVELOPER MUST CONFORM TO THE REQUIREMENTS OF THE RMWB EROSION AND SEDIMENTATION CONTROL GUIDELINES AND FIELD MANUAL
2. FUTURE LOT DEVELOPERS/BUILDERS MUST PROVIDE AND IMPLEMENT A DETAILED EROSION AND SEDIMENTATION CONTROL PLAN AT THE TIME OF DEVELOPMENT OF EACH INDIVIDUAL LOT CONFORMING TO THE RMWB SECTION 6.25 EROSION AND SEDIMENT CONTROL AND SECTION 12 EROSION AND SEDIMENT CONTROL MEASURES.
3. THE CONTRACTOR ACKNOWLEDGES THAT SURFACE EROSION AND SEDIMENT RUNOFF RESULTING FROM THE CONSTRUCTION OPERATIONS HAS POTENTIAL TO CAUSE A DETRIMENTAL IMPACT TO ANY DOWNSTREAM WATERCOURSE OR SEWER, AND THAT ALL CONSTRUCTION OPERATIONS THAT MAY IMPACT UPON WATER QUALITY SHALL BE CARRIED OUT IN A MANNER THAT STRICTLY MEETS THE REQUIREMENTS OF ALL APPLICABLE LEGISLATION AND REGULATIONS.
4. AS SUCH THE CONTRACTOR SHALL BE RESPONSIBLE FOR CARRYING OUT THEIR OPERATIONS, AND SUPPLYING AND INSTALLING ANY APPROPRIATE CONTROL MEASURES, SO AS TO PREVENT SEDIMENT LADEN RUNOFF FROM ENTERING ANY SEWER OR WATERCOURSE WITHIN OR DOWNSTREAM OF THE WORKING AREA.
5. THE CONTRACTOR ACKNOWLEDGES THAT NO ONE MEASURE IS LIKELY TO BE 100% EFFECTIVE FOR EROSION PROTECTION AND CONTROLLING SEDIMENT RUNOFF AND DISCHARGES FROM THE SITE. THEREFORE, WHERE NECESSARY THE CONTRACTOR SHALL IMPLEMENT ADDITIONAL MEASURES ARRANGED IN SUCH A MANNER AS TO MITIGATE SEDIMENT RELEASE FROM THE CONSTRUCTION OPERATIONS AND ACHIEVE SPECIFIC MAXIMUM PERMITTED CRITERIA WHERE APPLICABLE. SUGGESTED ON-SITE MEASURES MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING METHODS: SEDIMENT PONDS, FILTER BAGS, PUMP FILTERS, SETTLING TANKS, SILT FENCES, STRAW BALES, FILTER CLOTHS, CATCH BASIN FILTERS, CHECK DAMS AND/OR BERMS, OR OTHER RECOGNIZED TECHNOLOGIES AND METHODS AVAILABLE AT THE TIME OF CONSTRUCTION. SPECIFIC MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF TOWN OF ST ALBERT CONTRACT SPECIFICATION SECTION 01 35 43 WHERE APPROPRIATE, OR IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
6. WHERE, IN THE OPINION OF THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY, THE INSTALLED CONTROL MEASURES FAIL TO PERFORM ADEQUATELY, THE CONTRACTOR SHALL SUPPLY AND INSTALL ADDITIONAL OR ALTERNATIVE MEASURES AS DIRECTED BY THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY. AS SUCH, THE CONTRACTOR SHALL HAVE ADDITIONAL CONTROL MATERIALS ON SITE AT ALL TIMES WHICH ARE EASILY ACCESSIBLE AND MAY BE IMPLEMENTED BY HIM AT A MOMENT'S NOTICE.
7. PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL SUBMIT TO THE CONTRACT ADMINISTRATOR SIX COPIES OF A DETAILED EROSION AND SEDIMENT CONTROL PLAN (ESCP). THE ESCP WILL CONSIST OF A WRITTEN DESCRIPTION AND DETAILED DRAWINGS INDICATING THE ON-SITE ACTIVITIES AND MEASURES TO BE USED TO CONTROL EROSION AND SEDIMENT MOVEMENT FOR EACH STEP OF THE WORK.

CONTRACTOR'S RESPONSIBILITIES FOR EROSION & SEDIMENT CONTROL

1. THE CONTRACTOR SHALL ENSURE THAT ALL WORKERS, INCLUDING SUB-CONTRACTORS, IN THE WORKING AREA ARE AWARE OF THE IMPORTANCE OF THE EROSION AND SEDIMENT CONTROL MEASURES AND INFORMED OF THE CONSEQUENCES OF THE FAILURE TO COMPLY WITH THE REQUIREMENTS OF ALL REGULATORY AGENCIES.
2. THE CONTRACTOR SHALL PERIODICALLY, AND WHEN REQUESTED BY THE CONTRACT ADMINISTRATOR, CLEAN OUT ACCUMULATED SEDIMENT DEPOSITS AS REQUIRED AT THE SEDIMENT CONTROL DEVICES, INCLUDING THOSE DEPOSITS THAT MAY ORIGINATE FROM OUTSIDE THE CONSTRUCTION AREA. ACCUMULATED SEDIMENT SHALL BE REMOVED IN SUCH A MANNER THAT PREVENTS THE DEPOSITION OF THIS MATERIAL INTO ANY SEWER OR WATERCOURSE AND AVOIDS DAMAGE TO THE CONTROL MEASURE. THE SEDIMENT SHALL BE REMOVED FROM THE SITE AT THE CONTRACTOR'S EXPENSE AND MANAGED IN COMPLIANCE WITH THE REQUIREMENTS FOR EXCESS EARTH MATERIAL AS SPECIFIED ELSEWHERE IN THE CONTRACT.
3. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO THE CONTRACT ADMINISTRATOR ANY ACCIDENTAL DISCHARGES OF SEDIMENT MATERIAL INTO EITHER THE WATERCOURSE OR THE STORM SEWER SYSTEM. FAILURE TO REPORT WILL CONSTITUTE A BREACH OF THIS SPECIFICATION AND THE CONTRACTOR MAY ALSO BE SUBJECT TO THE PENALTIES IMPOSED BY ANY APPLICABLE REGULATORY AGENCY. APPROPRIATE RESPONSE MEASURES, INCLUDING ANY REPAIRS TO EXISTING CONTROL MEASURES OR THE IMPLEMENTATION OF ADDITIONAL CONTROL MEASURES, SHALL BE CARRIED OUT BY THE CONTRACTOR WITHOUT DELAY.
4. THE SEDIMENT CONTROL MEASURES SHALL ONLY BE REMOVED WHEN, IN THE OPINION OF THE CONTRACT ADMINISTRATOR, THE MEASURE OR MEASURES, IS NO LONGER REQUIRED. NO CONTROL MEASURE MAY BE PERMANENTLY REMOVED WITHOUT PRIOR AUTHORIZATION FROM THE CONTRACT ADMINISTRATOR. ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE REMOVED IN A MANNER THAT AVOIDS THE ENTRY OF ANY EQUIPMENT, OTHER THAN HAND-HELD EQUIPMENT, INTO ANY WATERCOURSE, AND PREVENTS THE RELEASE OF ANY SEDIMENT OR DEBRIS INTO ANY SEWER OR WATERCOURSE WITHIN OR DOWNSTREAM OF THE WORKING AREA. ALL ACCUMULATED SEDIMENT SHALL BE REMOVED FROM THE WORKING AREA AT THE CONTRACTOR'S EXPENSE AND MANAGED IN COMPLIANCE WITH THE REQUIREMENTS FOR EXCESS EARTH MATERIAL.
5. WHERE, IN THE OPINION OF EITHER THE CONTRACT ADMINISTRATOR OR A REGULATORY AGENCY, ANY OF THE TERMS SPECIFIED HEREIN HAVE NOT BEEN COMPLIED WITH OR PERFORMED IN A SUITABLE MANNER, OR AT ALL, THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY HAS THE RIGHT TO IMMEDIATELY WITHDRAW ITS PERMISSION TO CONTINUE THE WORK BUT MAY RENEW ITS PERMISSION UPON BEING SATISFIED THAT THE DEFAULTS OR DEFICIENCIES IN THE PERFORMANCE OF THIS SPECIFICATION BY THE CONTRACTOR HAVE BEEN REMEDIED.



SILT FENCE

SILT FENCE NOTES

1. SILT FENCE TO BE INSPECTED WEEKLY (MIN) AND AFTER ANY RAIN EVENTS
2. FABRIC TO BE TRENCHED IN, TIGHT AND CONSISTENT BETWEEN ALL POSTS.
3. ADD ADDITIONAL POST AS REQUIRED.
4. OVERALL FENCE INSTALLATION TO BE INSTALLED IN STRATEGIC SEMI-CIRCLES, WITH THE CROWN OF THE CURVE TO BE IN DIRECTION OF THE WATER FLOW. THE INTENT IS TO INCREASE STABILIZATION AND EFFECTIVENESS OF THE FENCE.
5. AT FACE ALL POST TO BE REMOVED AND FABRIC TO BE CUT FLUSH WITH GROUND - DO NOT PULL FENCE FABRIC FROM TRENCH
6. SEDIMENT TO BE REMOVED WHEN ACCUMULATION REACHES ⅓ OF FENCE HEIGHT
7. SEDIMENT TO BE REMOVED TO AN OFFSITE LOCATION
8. SECURELY ATTACH FILTER FABRIC TO UPSTREAM SIDE POST.

Regional Municipality of Wood Buffalo

NOTES:

1. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
2. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- 213.30 — PROPOSED ELEVATION
- 213.30 — EXISTING ELEVATION
- 0.77% — PROPOSED SLOPE
- GRAVEL
- CONCRETE
- RETAINING WALL
- PROPOSED STORM PIPE
- PROPOSED CATCHBASIN
- RIPRAP

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2024.08.29	ADDED RETAINING WALL,TRENCH DRAIN, STORM
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign: ATIA 20(1)
Date:
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL & MECHANICAL ELECTRICAL (LOW) CONSULTING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

EROSION CONTROL PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

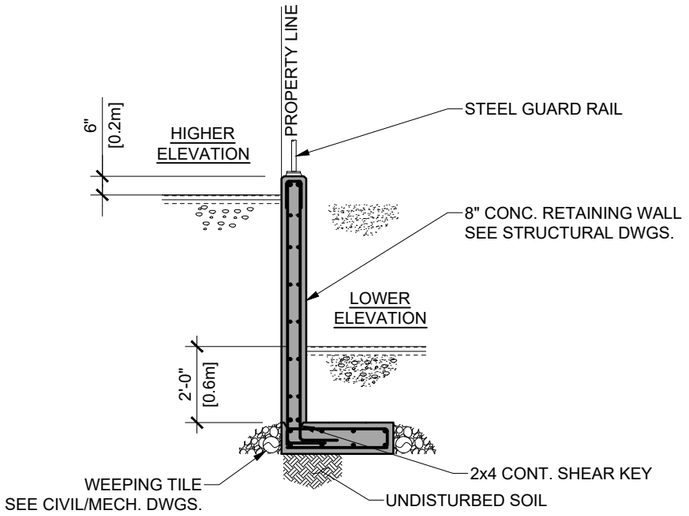
SCALE	DATE
1:200	SEP 24/25

PROJECT NO.	DRAWING NO.
23-2279-003	C-104

C:\2023\2300 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-104 Sep. 24, 2025 11:55 AM - Eugene Apartain

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

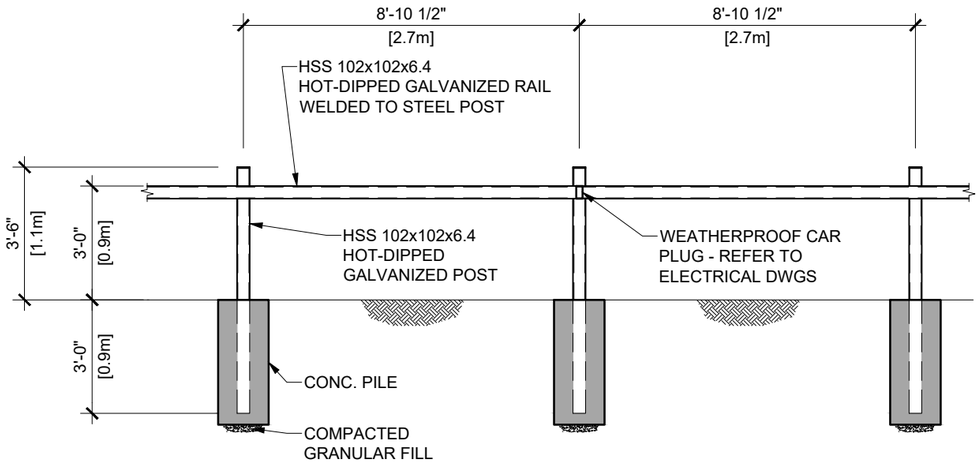
TWS-CAD-DWG#



DETAIL - CONCRETE RETAINING WALL @ PROPERTY LINE

SCALE: 1/4" = 1'-0"

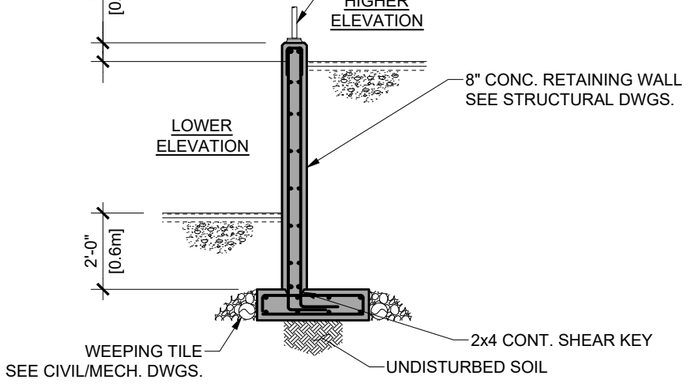
- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS



DETAIL - CAR PARK RAILING

SCALE: 1/4" = 1'-0"

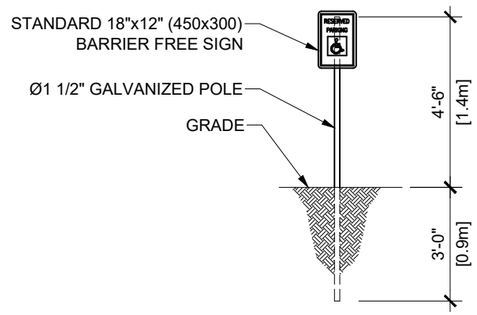
- SEE SITE PLAN FOR EXTENT AND LOCATIONS



DETAIL - CONCRETE RETAINING WALL

SCALE: 1/4" = 1'-0"

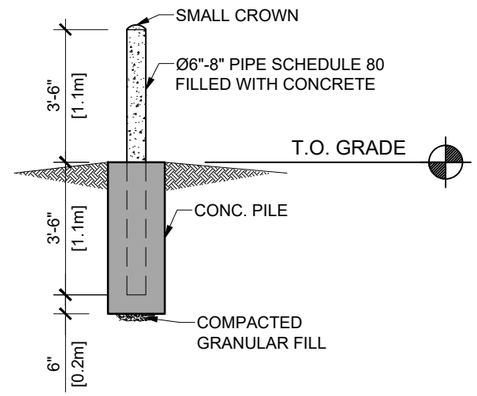
- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS



DETAIL - BARRIER FREE PARKING SIGNAGE

SCALE: 1/4" = 1'-0"

- SEE SITE PLAN FOR EXTENT AND LOCATIONS



DETAIL - BOLLARD CONSTRUCTION

SCALE: 3/4' = 1'-0"

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

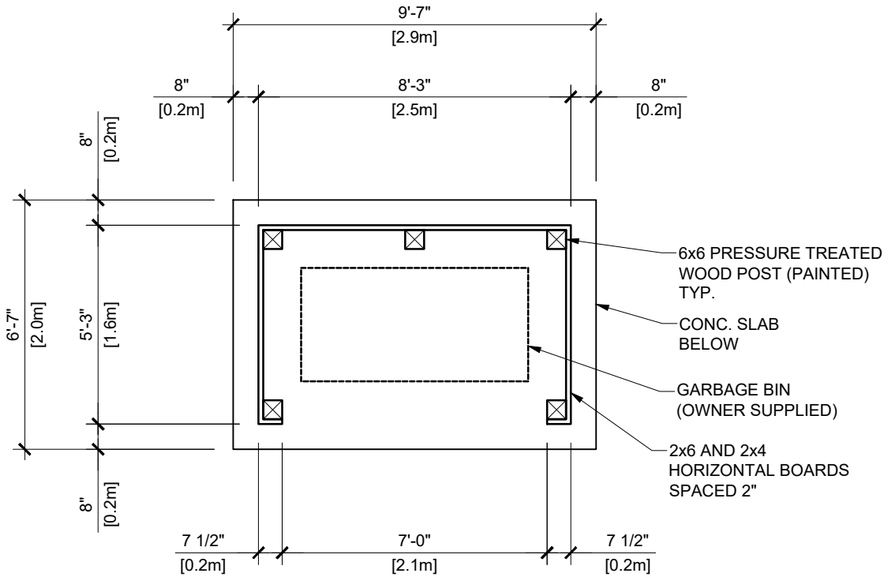
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

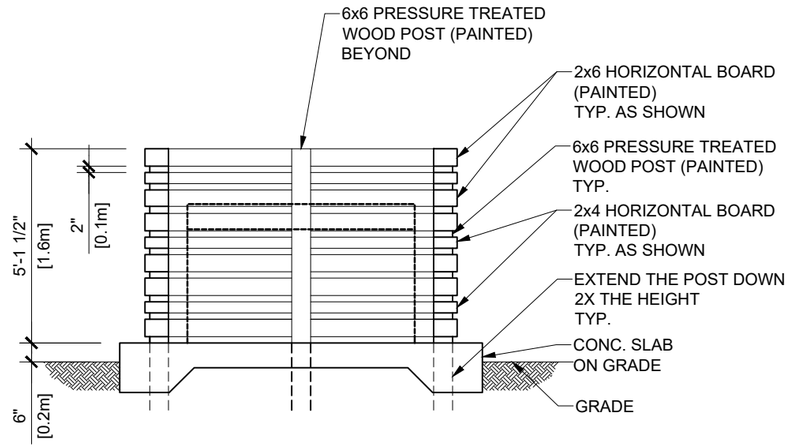
SITE PLAN DETAILS

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A1.2

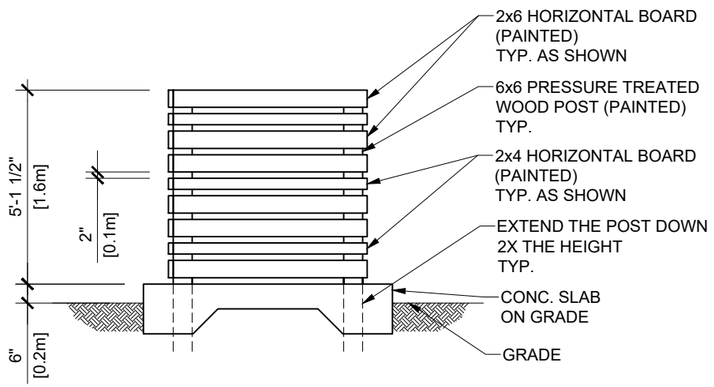
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A1.2
PAPER SIZE: ANSI B
PLOTTED BY: GREGORIO NISPEROS
PLOT DATE: February 2, 2024
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS



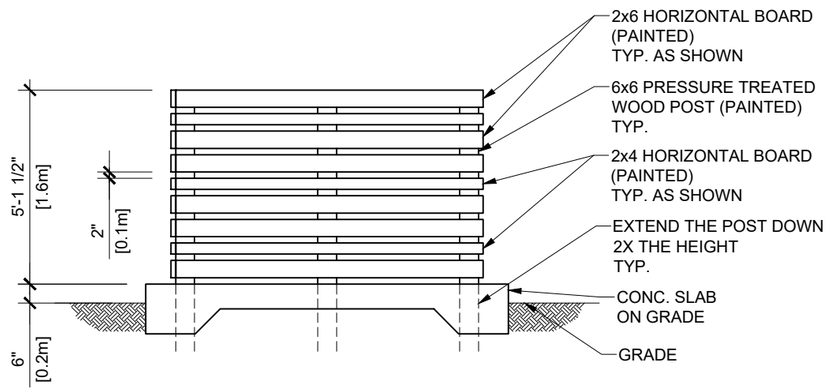
PLAN



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

DETAIL - GARBAGE BIN ENCLOSURE

SCALE: 1/4" = 1'-0"

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
SITE PLAN DETAILS

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A1.3

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A1.3
PLOTTED BY: GREGORIO NISPEROS
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG

BUILDING CONSTRUCTION

EXTERIOR WALLS
EIFS ON STEEL STUD WALLS

FLOOR
FINISHED FLOORING ON SLAB ON GRADE

ROOF
SPS ROOF SYSTEM ON METAL ROOF DECK

LIMITING DISTANCE CALCULATIONS

	E CLASSIFICATION (NORTH WALL)	E CLASSIFICATION (SOUTH WALL)	E CLASSIFICATION (EAST WALL)	E CLASSIFICATION (WEST WALL)
LIMITING DISTANCE:	115'-6" (35.3m)	64'-7" (19.7m)	6'-3" (1.9m)	32'-10" (10m)
WALL LENGTH:	80'-0" (24.4m)	80'-0" (24.4m)	50'-0" (15.2m)	50'-0" (15.2m)
WALL HEIGHT:	25'-0" (7.6m)	22'-0" (6.7m)	27'-6" (8.4m)	27'-6" (8.4m)
RATIO:	XXX	XXX	XXX	XXX
AREA OF UNPROTECTED	356 ft^2 (33.1m^2)	42 ft^2 (3.9 m^2)	0	0
OPENINGS CALCULATED	17.13%	2.30%	0%	0%
FROM TABLE				
FIRE RATING REQUIRED	2 HR	2 HR	2 HR	2 HR
COMBUSTIBLE CONSTRUCTION ALLOWED	Y	N	N	N
COMBUSTIBLE CLADDING ALLOWED	N	N	N	N

- CONSTRUCTION OF EXPOSED BUILDING FACE AS PER 2019 ABC 3.2.3.7.

WALL SCHEDULE

MARK	LOCATION	DESCRIPTION
W1	EXTERIOR WALL	EXTERIOR FINISH 2" EIFS INSULATION (RAIN SCREEN) ROLL ON AIR BARRIER (VP) 1/2" DENGLASS SHEATHING 6" x 20 Ga. STEEL STUDS @ 16" O.C. R22 BATT INSULATION 6 mil POLY VAPOUR BARRIER 2 LAYERS 5/8" GYPSUM BOARD WALL FINISH
W2	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 6" STEEL STUDS @ 16" O.C 5/8" GYPSUM BOARD WALL FINISH
W3	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 3 5/8" STEEL STUDS @ 16" O.C 5/8" GYPSUM BOARD WALL FINISH
W4	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 6" STEEL STUDS @ 16" O.C. 6" MINERAL FIBER INSULATION 5/8" GYPSUM BOARD WALL FINISH -OR- INSULATED METAL PANELS (IMP) FOR COLD STORAGE APPLICATION

WINDOW SCHEDULE

MARK	WIDTH	HEIGHT	COUNT	DESCRIPTION
A1	7'-0"	1'-6"	4	EXTERIOR WINDOW
A2	10'-0"	8'-0"	1	MAIN ENTRANCE WINDOW AROUND DOUBLE SLIDING DOOR

DOOR SCHEDULE

MARK	WIDTH	HEIGHT	COUNT	DESCRIPTION
D1	3'-4"	7'-0"	2	EXTERIOR MANDOOR
D2	6'-0"	8'-0"	1	MAIN ENTRANCE DOUBLE SLIDING DOOR
D3	8'-0"	8'-0"	1	STORAGE ROOM OVERHEAD DOOR
D4	10'-0"	12'-0"	1	COLD STORAGE ROOM OVERHEAD DOOR
D5	3'-4"	7'-0"	1	TYPICAL MANDOOR
D6	6'-0"	7'-0"	1	TYPICAL DOUBLE MANDOOR

FIRE RATINGS, ETC REQUIRED
- FLOOR ASSEMBLIES SHALL BE FIRE SEPARATIONS AND, IF OF COMBUSTIBLE CONSTRUCTION, SHALL HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
- MEZZANINES SHALL HAVE, IF OF COMBUSTIBLE CONSTRUCTION, A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
- ROOF ASSEMBLIES SHALL HAVE, IF OF COMBUSTIBLE CONSTRUCTION, A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN.
- LOADBEARING WALLS, COLUMNS AND ARCHES SUPPORTING AS ASSEMBLY REQUIRED TO HAVE A FIRE-RESISTANCE RATING SHALL
  i) HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
  OR
  ii) BE OF NONCOMBUSTIBLE CONSTRUCTION. - 1 HR 1 HR FRR/FIRE SEPARATION AND MECHANICAL UTILITY ROOMS.
- 2 HR FRR/FIRE SEPARATION BETWEEN SUITES.
- FIRE ALARM SYSTEM IS NOT REQUIRED.
- STANDPIPE & HOSE SYSTEM IS NOT REQUIRED.

SETBACK REQUIREMENTS

MINIMUM LOT AREA: 465m^2
MINIMUM LOT WIDTH: 16.0m
MINIMUM YARD SETBACKS
FRONT: AT THE DISCRETION OF THE DEVELOPMENT OFFICER
SIDE: 4.5m OR 10% OF THE LOT WIDTH, WHICHEVER IS LESS
REAR: 7.5m
MAXIMUM HEIGHT: 10.0m

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

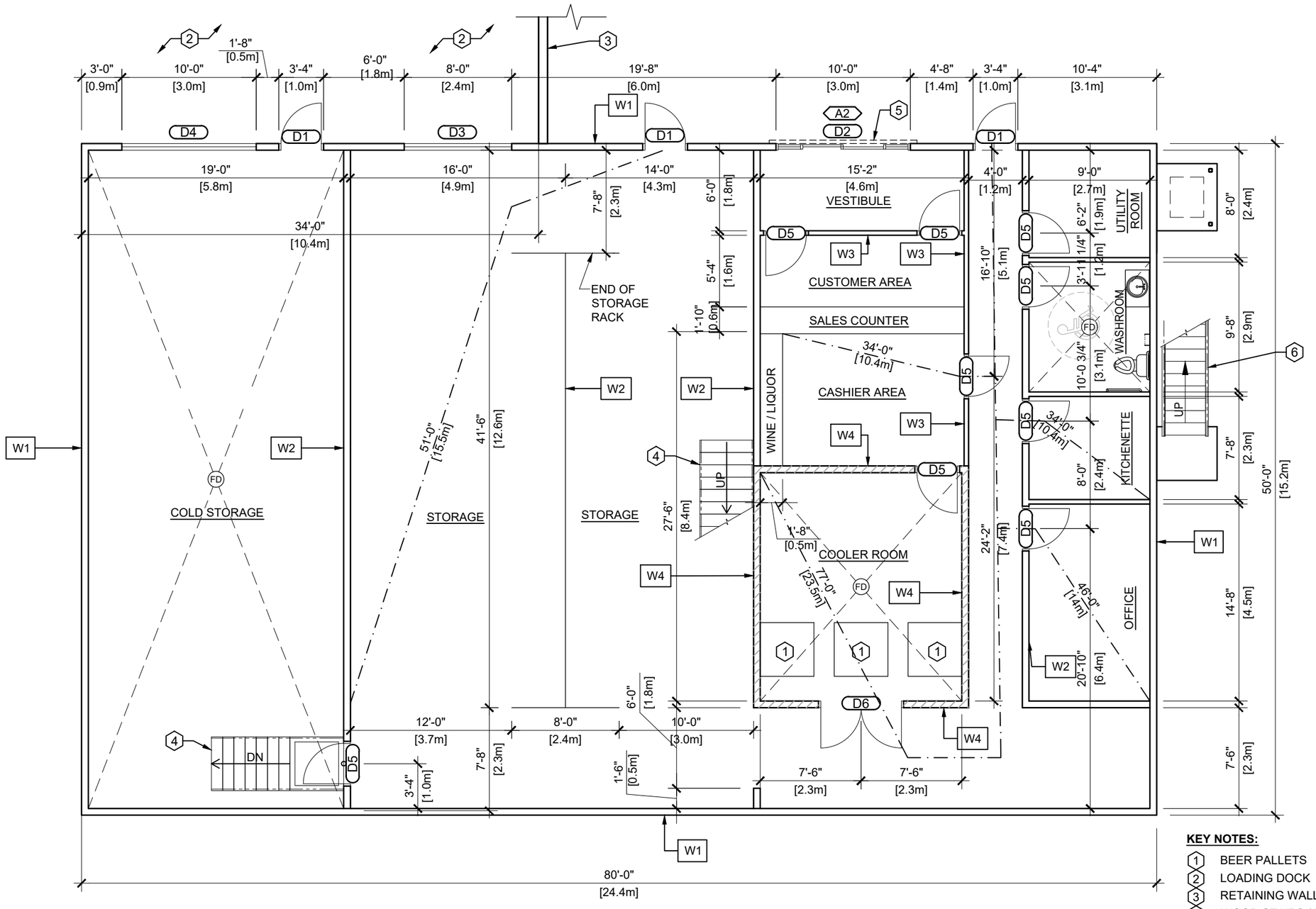
SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
PROJECT INFORMATION, CODE ANALYSIS, & SCHEDULES

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A1.4

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A1.4
PLOTTED BY: GREGORIO NISPEROS



MAIN FLOOR PLAN

SCALE: 1/8" = 1'-0"

NORTH

1. SEE WALL SCHEDULE ON DRAWING A1.4
2. SEE DOOR & WINDOW SCHEDULES ON DRAWING A1.4

KEY NOTES:

1. BEER PALLETS
2. LOADING DOCK
3. RETAINING WALL
4. WOOD STAIRS / LANDING WITH HANDRAIL / GUARDRAIL
5. SECURITY ROLL OVER AT FRONT ENTRANCE
6. EXTERIOR STEEL LADDER WITH STEEL FRAMING LANDING AND HANDRAIL / GUARDRAIL

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

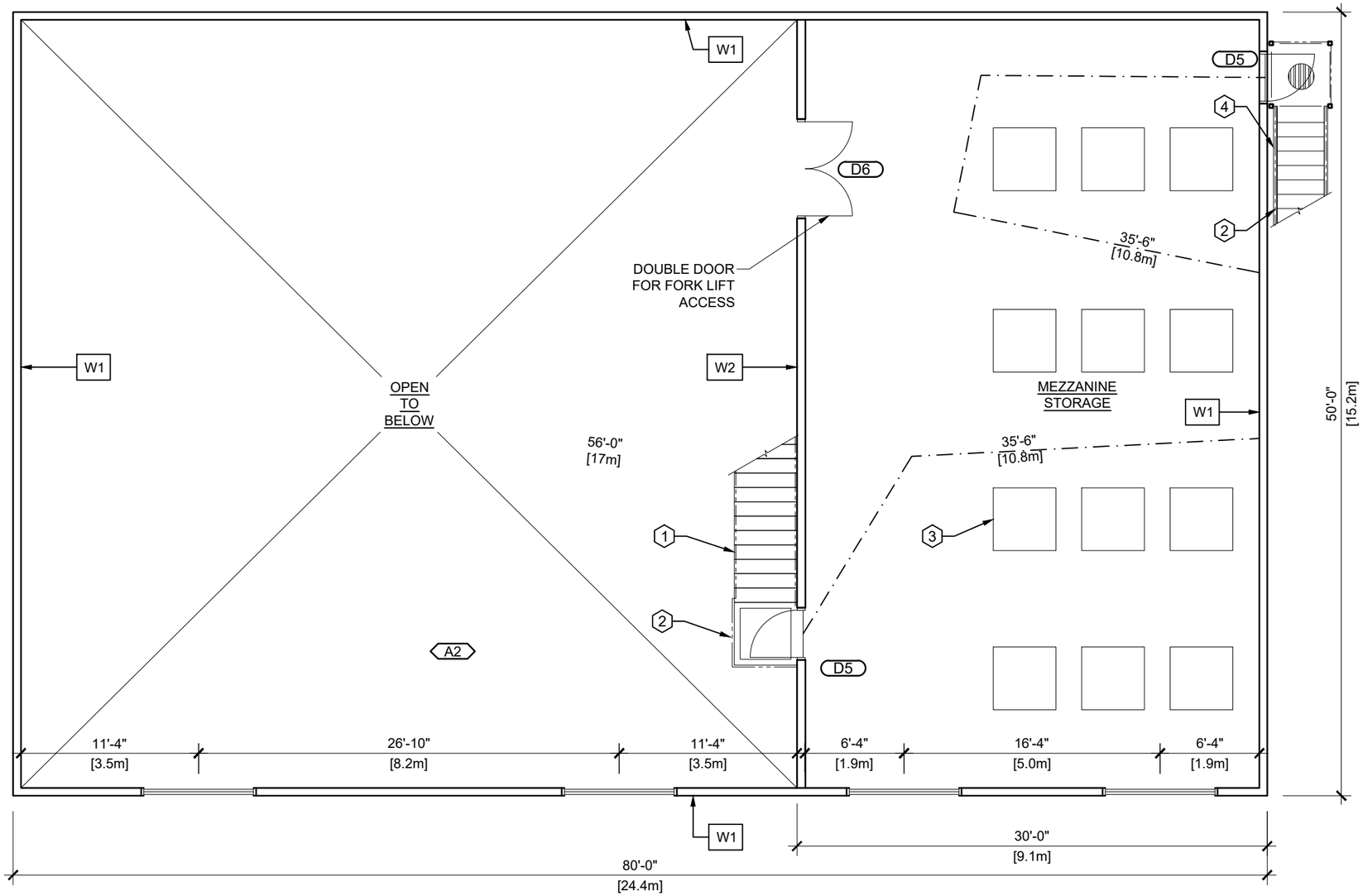
SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
MAIN FLOOR PLAN

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A2.1

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
LAYOUT: A2.1
PLOT DATE: February 2, 2024
PLOTTED BY: GREGORIO NISPEROS



KEY NOTES:

1. WOOD STAIR WITH WOOD FRAMING LANDING
2. GUARD RAIL / HANDRAIL
3. PALLETS STORAGE
4. STEEL STAIR WITH STEEL FRAMING LANDING

MEZZANINE PLAN

SCALE: 1/8" = 1'-0"

NORTH

1. REFER TO WALL SCHEDULE ON DRAWING A1.4
2. SEE DOOR & WINDOW SCHEDULES ON DRAWING A1.4

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

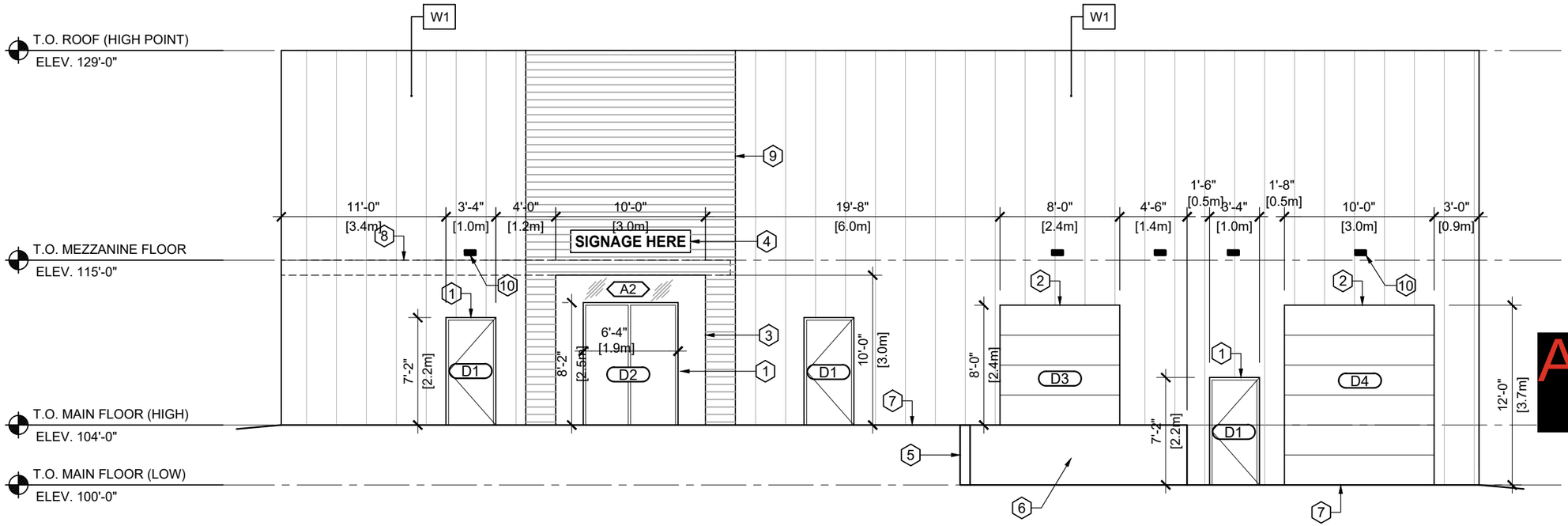
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

MEZZANINE PLAN

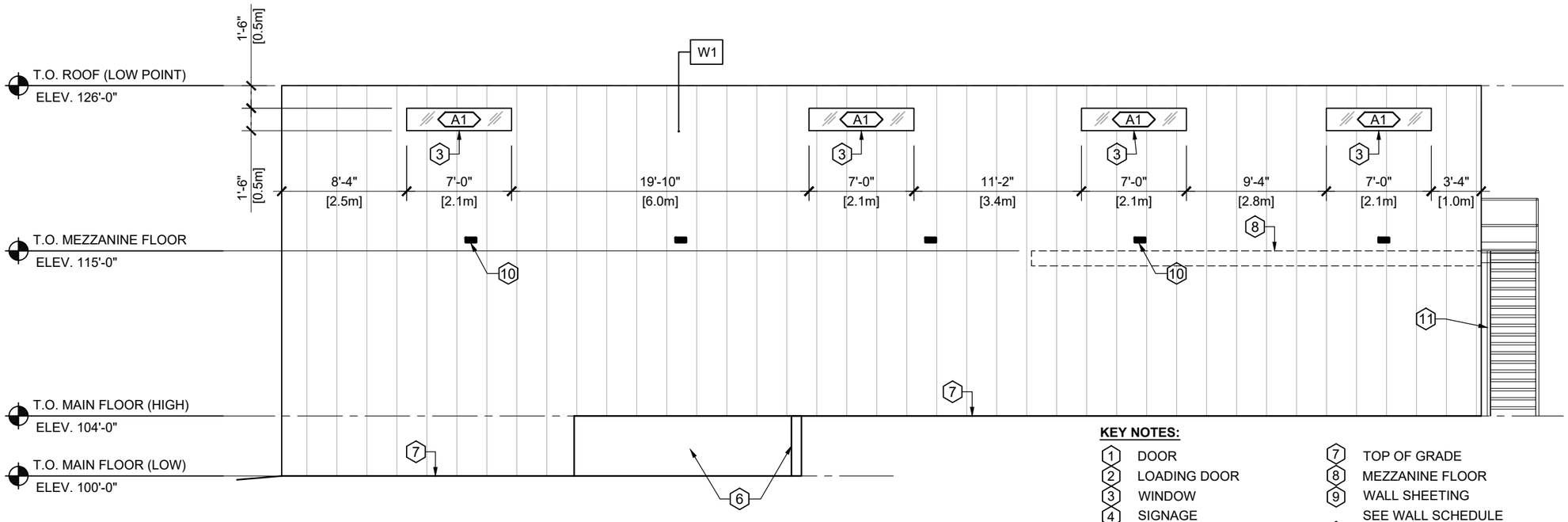
PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A2.2

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A2.2
PLOTTED BY: GREGORIO NISPEROS



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

KEY NOTES:

1. DOOR
2. LOADING DOOR
3. WINDOW
4. SIGNAGE
5. RETAINING WALL
6. CONCRETE WALL
7. TOP OF GRADE
8. MEZZANINE FLOOR
9. WALL SHEETING SEE WALL SCHEDULE
10. EXTERIOR LIGHTING
11. EXTERIOR STEEL STAIR WITH STEEL FRAMING LANDING AND STEEL GUARD RAIL

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

E	2023-11-06	ISSUED FOR REVIEW & COORDINATION

ATIA 20(1)

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

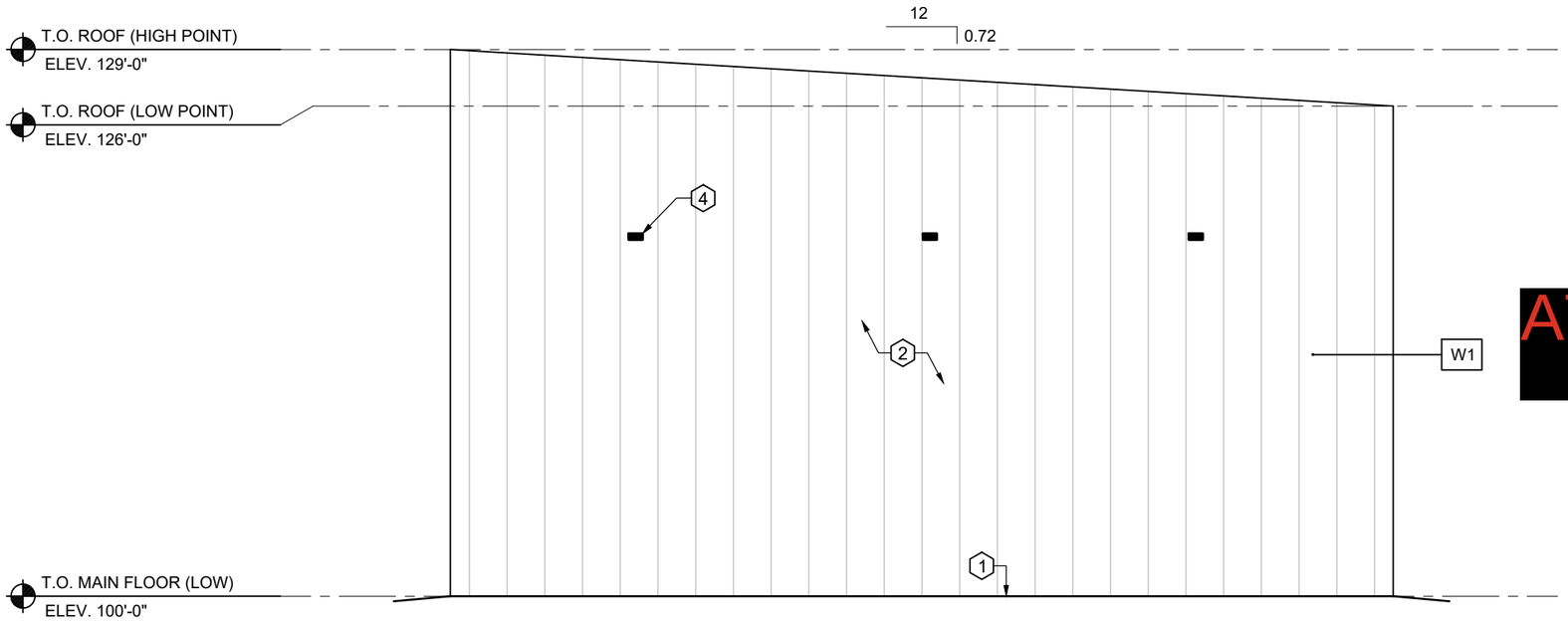
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

EXTERIOR ELEVATIONS

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A3.1

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A3.1
PLOTTED BY: GREGORIO NISPEROS

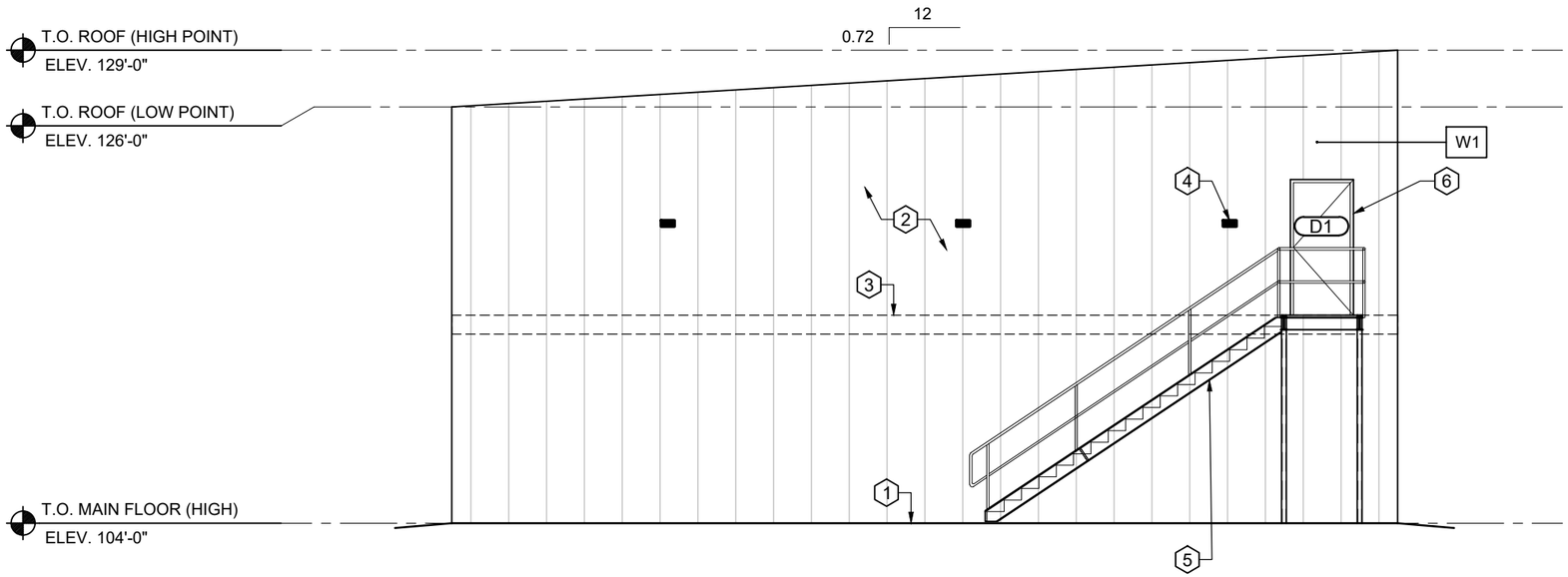


ATIA 20(1)

4 of 4

WEST ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"

KEY NOTES:

1. TOP OF GRADE
2. WALL SHEETING
3. MEZZANINE FLOOR
4. EXTERIOR LIGHTING
5. EXTERIOR STEEL STAIR WITH STEEL LANDING
6. EXTERIOR DOOR

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

EXTERIOR ELEVATIONS

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A3.2

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A3.2
PAPER SIZE: ANSI B
PLOTTED BY: GREGORIO NISPEROS
PLOT DATE: February 2, 2024

From: Orlagh O"Kelly
To: Subdivision and Development Appeal Board
Cc: Shelley Metera; chiefandcouncil@mikisewcree.ca; Subdivision and Development Appeal Board; ceo
Subject: Re: Notice of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169
Date: Sunday, October 26, 2025 4:30:44 PM
Attachments: image003.png
image005.png
SDAB Notice of Appeal with Appendix A.pdf

External Message - Please be cautious when opening links or attachments in email

Good afternoon Ms. Fredeen,

Please see attached which hopefully works with the Appendix. I am not sure what happened with the other form.

With regard to the Agent Authorization, I have asked the client to re-sign a newly dated form, same to the one that was submitted last year. I will share this with you ASAP.

Thank you,

Orlagh O'Kelly
Lawyer

O'Kelly Law

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
amiskwaciwâskahikan – Treaty 6
t : 587-525-8348 **direct** : 825-480-4542
e: orlagh.okelly@okellylaw.ca w : www.okellylaw.ca
This message, including attachments, is for the addressee(s) only. It may contain privileged, confidential or other information exempt from disclosure. If you received this email in error please notify the sender and delete this email message and all attachments.

From: Heather Fredeen <Heather.Fredeen@rmwb.ca> on behalf of Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Date: Monday, October 20, 2025 at 9:21 AM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>, chiefandcouncil@mikisewcree.ca <chiefandcouncil@mikisewcree.ca>, Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Subject: RE: Notice of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169

Good morning Ms. O'Kelly,

This will confirm receipt of your Notice of Appeal filed with the Subdivision and Development Appeal Board on October 17, 2025. To complete your application, I have attached an agent authorization form that will need to be filled out. Additionally, it appears some wording in Section 4 "Reasons for Appeal", has been cut off. You also refer to an appendix in this section, which we have not received. Please provide this information at your earliest convenience so that we can begin processing your application.

Warm regards,

Wood Buffalo TRIBUNALS

Heather Fredeen
Tribunal Clerk

T: 780-743-7001 |rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᔨᔮᐤ | Nistawâyâw | Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional
lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

From: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Sent: Friday, October 17, 2025 4:22 PM
To: Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>; Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>
Subject: Notice of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169
Importance: High

External Message - Please be cautious when opening links or attachments in email

Good afternoon:

Please find enclosed the Appeal filed on behalf of Mikisew Cree First Nation, Mistee Seepee Development Corporation and 1112958 Alberta Ltd in relation to 2025-DP-00169.

Sincerely

Orlagh O'Kelly
Lawyer

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
amiskwaciwâskahikan – Treaty 6
t : 587-525-8348 **direct** : 825-480-4542
e: orlagh.okelly@okellylaw.ca w : www.okellylaw.ca
This message, including attachments, is for the addressee(s) only. It may contain privileged, confidential or other information exempt from disclosure. If you received this email in error please notify the sender and delete this email message and all attachments.

From: Phyllis Agyemang <Phyllis.Agyemang@rmwb.ca>
Sent: Friday, October 3, 2025 12:25:23 PM
To: Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>
Cc: Shailesh Makwana <Shailesh.Makwana@rmwb.ca>
Subject: Notice of Decision - 193 MacKenzie Avenue

Hi Paul,

It was a pleasure talking with you over the phone this afternoon. As discussed, the development permit for 193 MacKenzie Avenue was approved on September 26, 2025.

As a resident of Fort Chipewyan, you have the right to appeal this decision to the Subdivision and Development Appeal Board. If you wish to exercise your right, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of the decision. Appeal Forms are available from the Planning and Development Services Division or the Fort Chipewyan municipal contact office and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

If you have questions regarding the application, please contact the undersigned. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email

SDAB@rmwb.ca.

Regards,

Phyllis Agyemang, BSc., MSc.
Planner I
Planning and Development Services

T: 780-743-7084 | rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᔨᐟᐤ | Nistawâyâw |
Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

How did we do? Provide anonymous feedback on your experience with RMWB Planning & Development Services to help us improve our services.

Planning & Development Services Customer Satisfaction Survey | Participate Wood Buffalo (rmwb.ca)

Please consider the environment before printing this email.

Received by the Subdivision and Development Appeal Board
October 26, 2025. File No. SDAB 2025-007

Wood Buffalo TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE OF APPEAL

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot	Block	Plan	ATS
3	10	5642NY	

Civic Address

193 Mackenzie Avenue, Fort Chipewyan, Alberta

Development Permit Number or type of Order
2025-DP-00169

Section 2 - Appellant Information

NB: At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form.

Appellant Name (If the Appellant is a company, enter the complete legal name of the company)
MIKISEW CREE FIRST NATION (CREE-ATIONS ENTERPRISES LIMITED, MISTEE SEEPEE DEVELOPMENT CORPORATION LTD. and 1112958 ALBERTA LTD.)

Agent[1] Name (if applicable)	Contact Name (if different) and position held
Orlagh O'Kelly	

Mailing Address	City/Town	Province	Postal Code
403, 10113 - 104 Street NW	Edmonton	Alberta	T5J 1A1

Telephone Number (Daytime)	Alternate Telephone Number	Email Address
587-525-8348		orlagh.okelly@okellylaw.ca

Section 3 – Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

Subdivision Application		Notice of Order
☐ Approval	☐ Approval	☐ Notice of Order
☐ Condition of Approval	☐ Condition of Approval	
☐ Refusal	☐ Refusal	

☐ I/We are the Applicant or Land Owner of the subject property

☐ I/We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings or plans for clarification.

I/We hereby appeal the decision of the Approval Authority for the following reason(s) as the RMWB did not consult with MCFN and did not

SEE APENDIXA

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

OCTOBER 17 2025

ATIA 20(1)

Date

Signature of Appellant/Agent

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner: I/We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property as necessary for the purpose of this Appeal.

Signature of Registered Owner

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@rmwb.ca

Protection of Privacy
The personal information you provide on this form is being collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer –SDAB , 7th Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4 ; or call 780.788.2222

For Office Use Only				
Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:

[1] Agent – A person who acts for a Property Owner, Applicant, Appellant, and/or Affected/Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.

MATTERS FOR AN APPEAL

- A decision of the Subdivision Authority concerning a subdivision application;
- A decision of the Development Authority concerning a development permit application;
- An enforcement order issued by the Development Authority.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

In accordance with the Municipal Government Act, once you file an appeal, it will be scheduled for a hearing. The appellant, applicant, owner of the property and anyone considered an affected person will receive written notification of the hearing date, a minimum of five days prior to the hearing. Hearing dates are advertised in the local papers and Municipal website www.rmwb.ca/sdab, the Friday prior to the hearing.

IMPORTANT NOTICES

Your completed form and any supporting attachments, the agent authorization form, and the prescribed filing fee must be submitted to the Clerk of the Subdivision and Development Appeal Board at the contact information provided below prior to the deadline indicated on the notice or decision issued:

Clerk of the Subdivision and Development Appeal Board,
7th Floor, Jubilee Center,
9909 Franklin Avenue,
Fort McMurray AB T9H 2K4

Telephone: 780-743-7001
Email: sdab@rmwb.ca

APPENDIX A

Mikisew Cree First Nation, Cree-Ations Enterprises Ltd., Mistee Seepee Development Corporation Ltd and 1112958 Alberta Ltd.

APPEAL OF PERMIT NUMBER 2025-DP-00169

1. This is an appeal of the permit number 2025-DP-00169 granted to Daniel Roy for a liquor store located at 193 Mackenzie Avenue, Lot: 3 Block: 10 Plan 5642NY in the hamlet of Fort Chipewyan in the municipality Regional Municipality of Wood Buffalo ("**RMWB**"). The discretionary permit was granted pursuant to the Land Use Bylaw No. 99/059.

2. The proposed Liquor Store will be located at the centre of the hamlet and looking out over the lakefront. The Liquor Store is approximately 1 kilometre from MCFN's Dog Head 218 Reserve and 12km from MCFN's Alison Bay Reserve 219.

STATEMENT OF FACTS

3. The Appellants, Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, are corporations registered under the *Business Corporations Act* RSA 2000, c B-9. (collectively referred to as the "**Corporations**"). The Corporations are wholly owned by Mikisew Cree First Nation and, in the case of Cree'Ations, their shares are held by Chief Billy-Joe Tuccaro in trust for Mikisew Cree First Nation ("**MCFN**"). MCFN cannot hold title to lands in fee simple except through such corporations.

4. The Appellant, Mikisew Cree First Nation, has nine (reserves) in what is now known as RWMB, including two reserves in close proximity to Fort Chipewyan (Dog Head and Allison Bay). MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred to as the Regional Municipality of Wood Buffalo. Neither RMWB nor the province of Alberta existed in 1899.

5. One of the Crown's primary motives for Treaty No. 8 was to impose law and order following the Klondike goldrush, and, as part of this, to control the "liquor trade" in MCFN's territory.

6. The Appellant submits that one of the Crown's oral promises in Treaty No. 8 was to control intoxicants in MCFN's territories ("**Promise**"). The Promise was consistent with the one provided, sometimes explicitly, in other numbered Treaties, such as Treaty No. 6. To break this Promises, is to breach the Treaty.

7. MCFN has an asserted Treaty right to protection from intoxicants, i.e. the liquor trade, and Treaty right to health ("**Treaty Right**").

8. The provincial Crown has delegated the management of municipal land use planning to municipalities under the *Municipal Government Act*, RSA 2000, c M-26 ("**MGA**"). The land-use planning is delegated Crown conduct. To manage objections to the land-use planning within municipalities, the provincial Crown created the subdivision and development appeal board ("**SDAB**"). Together, the land use planning and the

SDAB are delegated provincial Crown Conduct ("**Crown Conduct**"). In doing so, they have created a regulatory scheme that may trigger the duty to Consult.

9. The hamlet of Fort Chipewyan was part of a smaller northern district, Improvement District 18 ("I.D. 18"). Sometime before 1994, I.D. 18 was amalgamated into Improvement District 143 ("I.D. 143"). The Regional Municipality of Wood Bufalo was created by the Regional Municipality of Wood Buffalo Order in Council (O.C. 817.94) which amalgamated the City of Fort McMurray and Improvement District No, 143 as a specialized municipality under the MGA ("**Amalgamation**"). I.D. 143 was previously created to include Improvement District 18 of which was more local oversight, directly by the province of the northern and central parts of I.D. 143. This Amalgamation encompassed 63,000 square kilometres, all of which is within Treaty No. 8 territory. As a result of the Amalgamation, RWMB has received hundreds of millions of royalties and taxes from the oil sands; MCFN receives none.

10. This Amalgamation, through the MGA, vested jurisdiction and control over all municipal lands already administered municipally. RMWB lands can be expanded or appropriated by the provincial Crown at any time, under the MGA and the *Public Lands Act,* RSA 2000, c P-40, s 9.

11. RMWB, in engaging in land use planning in Fort Chipewyan, in particular in licensing a liquor store, engages in Crown Conduct that may adversely impact MCFN's Treaty, Treaty Rights and the Promise. As such, RMWB, acting as part of a provincial regulatory scheme, owed MCFN:
    a. a duty to consult;
    b. a duty to accommodate;
    c. obligations to honour the Treaty, the Promise and the Treaty Right pursuant to the Honour of the Crown.

12. RMWB owes common law duties to act reasonably (including having regard to the imperative of Reconciliation) and act procedurally fairly, including the duty to consult in administrative law.

13. MCFN, through the Corporations, owns at least 27 residential properties in the hamlet of Fort Chipewyan, including but not limited to the **Neighbouring Properties**:

    a. 5 units at 125 Mackenzie Avenue – Plan 5642NY, Block 9, Lot 9 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    b. Fourplex Units at 105 Loutit St – Plan 5642NY, Block 5, Lot 12 – Registered Owner: Cree-Ations Enterprises Limited
    c. House at 103 Logan Crescent – Plan 5642NY, Block 6, Lot 17 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    d. House at 100 Tourangeau Ave – Plan 5642NY, Block 1, Lot 7 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    e. Triplex Units at 112 MacKay Crescent
    f. House at 223 Delta Drive – Plan 9122991, Block 7, Lot 20 – Registered Owner: Her Majesty the Queen in Right of Canada as Represented by Department of Indian and Northern Affairs

g. House at 109 McDonald Street – Plan 8322365, Block 3, Lot 9B – Registered Owner: Cree-Ations Enterprises Limited
h. House at 105 McDonald Street – Plan 8322365, Block 3, Lot 12A – Registered Owner: Cree-Ations Enterprises Limited
i. House at 112 Mercredi Street – Plan 5642NY, Block 6, Lot 10 – Registered Owner: 1112958 Alberta Ltd.
j. Trailer at 109 Cardinal Avenue – Plan 8321682, Block 1, Lot 21
k. Eight plex units at 104 McDonald Steet – Plan 7520202, Block 5, Lot 18A – Registered Owner: Maureen Dale Hanson

14. The Neighbouring Properties house Mikisew Cree First Nation Members and/or staff and are in close proximity to the proposed Liquor Store.

15. Approximately 60 per cent of the population of Fort Chipewyan are MCFN members. The lack of housing on reserve makes it necessary for many of MCFN members to live in the nearby hamlet of Fort Chipewyan, including at the Neighbouring Properties.

16. MCFN members living on reserve or in Fort Chipewyan live in a remote community, accessible boat, plane and, between December and March, by winter road. MCFN has previously declared a State of Local Emergency, in April 2023, due to suicide, mental issues and addictions to intoxicants, including alcohol ("**SOLE**").

17. On July 16, 2025, RMWB sent a general "Notice to Adjacent Property Owners" to the Chief and Chief Executive Officer by email only from a previously unknown addres. As such the Notice was not found until August 20/21, 2025. At that time, MCFN made, once again, their submission, like they did on August 17, 2023 to the very same application. The MCFN Objection noted the
    a. the results of a Survey, which were overwhelmingly opposed to the Liquor Store;
    b. Submissions based on Treaty No. 8, the duty to consult, the Promise and Treaty Right;
    c. The SOLE;
    d. Incidents of crime so far in 2025, which were provided by the RCMP;
    e. Health statistics requested but not provided by Nunee Health.

18. No response to the MCFN Objection was received until the Decision was posted on or about October 3, 2025.

19. In re-issuing the same Decision that MCFN previously successfully appealed, the RMWB approved the Liquor Store ("**Decision**"). In making the Decision, RMWB:
    a. Did not consult MCFN;
    b. Did not accommodate MCFN;
    c. Did not respond to, nor consider the MCFN Objection;

20. The Decision did not contain reasons.

GROUNDS OF APPEAL

21. The Appellant appeals the Decision approving the Liquor Store on the following grounds.

    a. The Decision is unreasonable.

    b. The Decision-makers fettered their discretion to the by-law and failed to consider the decision of the previous SDAB revocation, including due to the unabated alcohol related crime in Fort Chipewyan.

    c. The Decision was made without consideration for the incompatibility of a liquor store with the surrounding properties in a remote community, predominantly made up of First Nations with Treaty status and where there is a known and documented history of alcohol related crime.

    d. The Decision is inconsistent with the public interest function of the MGA.

    e. The Decision was procedurally unfair in that no meaningful opportunity to respond was provided to MCFN and that the RMWB failed to fulfill the common law duty to consult owed to MCFN.

    f. The Decision-makers failed to comply with the constitutional duty to consult with MCFN based on asserted Treaty Rights and the Promise.

    g. The Decision-makers failed to comply with the duty to accommodate MCFN.

    h. The Decision was made in an unconscionable and dishonourable manner while RMWB provides no additional funding to the municipality for policing and has repeatedly failed to address the needs of the local predominantly First Nation population, all while receiving millions in federal/provincial funding and royalties.

    i. Such other grounds as MCFN may submit and the SDAB may permit.

22. Through the SDAB or the RWMB, discharging or recognizing the duty to consult and accommodate are not a "question of constitutional law" under section 10 of the *Administrative Procedures and Jurisdiction Act*, RSA 2000, c A-3, s 10. To hold otherwise, would be to allow the provincial Crown to evade its duties by subdelegating all regulatory processes to municipalities and immunizing any review of such processes from review.

From: Robert Homersham
To: Gwendolyn Stewart - Palmer; Heather Fredeen; Subdivision and Development Appeal Board; Orlagh O"Kelly; Shelley Metera
Subject: Re: appeal of DP 2025-DP-00169 By Mikisew Cree First Nation et al
Date: Wednesday, October 29, 2025 9:15:42 AM
Attachments: image001.png
image001.png

External Message - Please be cautious when opening links or attachments in email

Thanks for your email. I understand the deadline for filing a Notice of Appeal was October 23rd. The Notice of Appeal (without Appendix A) was, I am advised, filed prior to that date – October 17 or October 20. However, the Appendix A was, I am further advised, filed after the deadline – October 26. Accordingly, the Reasons for Appeal are to be confined to "the RMWB did not consult with MCFN" as stated in Section 4 of the Notice of Appeal filed prior to the deadline. I request that the Appellant agree to confine its appeal to this single reason, failing which I request that the scope of the appeal be the subject of a preliminary hearing before the SDAB. Once the scope of the appeal is determined, a hearing on the substantive matters can be scheduled.

I have limited availability for anything other than a scheduling hearing within the 30-day period. I am available on the following days: November 3, 4, 12, 18, 19. I will request at the scheduling hearing that the Board schedule the next hearing for the sole purpose of determining the scope of appeal unless of course the Appellant has agreed to limit its Reasons for Appeal, as described above.

Regards,

Bob

Robert Homersham
Barrister & Solicitor

TERRA LEGAL

terra-legal.com

Terra Legal is a trade name of Robert A. Homersham Professional Corporation

This email is confidential and may be subject to solicitor-client privilege. If you are not the intended recipient, dissemination or reproduction is prohibited. Please notify us and delete any copy immediately.

From: Gwendolyn J. Stewart-Palmer <Gwendolyn@shoresjardine.com>
Date: Wednesday, October 29, 2025 at 7:28 AM
To: Robert Homersham <robert.homersham@homersham.com>, Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>, Heather Fredeen <Heather.Fredeen@rmwb.ca>, Subdivision and Development Appeal Board <sdab@rmwb.ca>
Subject: RE: appeal of DP 2025-DP-00169 By Mikisew Cree First Nation et al

Hello everyone,
Bob, my apologies for the delay in responding.

I am enclosing the Notice of Appeal with Appendix A.

I am advised by the Clerk that the appeal was filed within the required deadline.
The Clerk received the form on October 17, and received the form again (with Appendix A) on October 26, 2025.

The Clerk accepted the appeal on October 17, 2025, noting the reason listed on the bottom of page 1. Should you have any concerns about the timing of the appeal, you are able to bring this to the Board's attention as a preliminary matter.

I note also that I had written to both Bob and Orlagh regarding the dates for the hearing of the matter, and have not heard back from either of you.
The Board must open the hearing within 30 days of receipt of the appeal notice. Due to the requirements for notification, it would be helpful if the Board had a firm hearing date. It is possible for the Board to convene a preliminary hearing to set dates and address any preliminary matters.

I will be on vacation as of October 30, 2025, but you may contact Heather Fredeen, Clerk to the SDAB, who is copied on this email.

I look forward to hearing from you.
Gwendolyn

SHORES JARDINE LLP

Gwendolyn J. Stewart-Palmer K.C. (pronouns: she/her/hers)
Partner
Suite 2250 Bell Tower | 10104-103 Avenue | Edmonton, Alberta T5J 0H8
Tel 780.448.9275 | Direct 780-702-4275 | Fax 780.423.0163 | Cell 780.914.4458 | www.shoresjardine.com

Recipient of the 2023 CBA Municipal Law Award of Excellence
This email is legally privileged and confidential. If you have received it in error, please reply and advise the author, and delete the message. Thank you. Copyright in this message and all attachments sent by our office belongs to Shores Jardine LLP, which reserves all rights.

From: Robert Homersham <robert.homersham@homersham.com>
Sent: October 25, 2025 10:19 AM
To: Gwendolyn J. Stewart-Palmer <Gwendolyn@shoresjardine.com>; Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>; Heather Fredeen <Heather.Fredeen@rmwb.ca>
Subject: Re: appeal of DP 2025-DP-00169 By Mikisew Cree First Nation et al

Gwendolyn,

Thanks for your email. My client and I have received an incomplete Notice of Appeal. That is, the reasons for appeal reference an Appendix with additional reasons or additional detail, which was not received. Please provide me with the complete Notice of Appeal and evidence that the complete Notice was received within the appeal period.

Regards,

Bob

Robert Homersham
Barrister & Solicitor

(403) 475-0246 (d)

(403) 830-5037 (c)

rhomersham@terra-legal.com
robert.homersham@homersham.com

terra-legal.com

Terra Legal is a trade name of Robert A. Homersham Professional Corporation

This email is confidential and may be subject to solicitor-client privilege. If you are not the intended recipient, dissemination or reproduction is prohibited. Please notify us and delete any copy immediately.

From: Gwendolyn J. Stewart-Palmer <Gwendolyn@shoresjardine.com>
Sent: Saturday, October 25, 2025 9:24:10 AM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>; Robert Homersham <robert.homersham@homersham.com>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>; Heather Fredeen <Heather.Fredeen@rmwb.ca>
Subject: appeal of DP 2025-DP-00169 By Mikisew Cree First Nation et al

Good morning Orlagh and Bob,

I act for the RMWB SDAB.
I have been advised that MCFN et al have filed an appeal of the above noted development permit.
At this time, I am not certain if there is counsel for the Development Authority.

Heather Fredeen is the clerk. I have looped her in, because she will be liaising with the DA until we know whether the DA has counsel.

The Board needs to schedule the hearing, I thought there might be value in hearing from you about your thoughts on dates and disclosure. We will need to loop in the DA once we know about whether they are represented.

If you think a quick call would work, please send a few times for the upcoming week that might work. Alternatively if you wanted to liaise with one another to propose a joint schedule, I believe the board would also be pleased with that, subject to their availability.

Thanks.
Gwendolyn

SHORES JARDINE LLP

Gwendolyn J. Stewart-Palmer K.C. (pronouns: she/her/hers)
Partner
Suite 2250 Bell Tower | 10104-103 Avenue | Edmonton, Alberta T5J 0H8
Tel 780.448.9275 | Direct 780-702-4275 | Fax 780.423.0163 | Cell 780.914.4458 | www.shoresjardine.com

Recipient of the 2023 CBA Municipal Law Award of Excellence

This email is legally privileged and confidential. If you have received it in error, please reply and advise the author, and delete the message. Thank you. Copyright in this message and all attachments sent by our office belongs to Shores Jardine LLP, which reserves all rights.

Wood Buffalo TRIBUNALS
Subdivision and Development Appeal Board

NOTICE OF PRELIMINARY HEARING DECISION

FILE NO.	**SDAB 2025-007**
APPLICATION No.:	**2025-DP-00169**
DEVELOPMENT:	**Permanent Liquor Store, Office and Warehouse Sales Building (with a temporary liquor store operating for up to one year while permanent building is completed)**
LEGAL DESCRIPTION:	**Lot 3, Block 10, Plan 5642NY**
CIVIC ADDRESS:	**193 Mackenzie Avenue, Fort Chipewyan, Alberta**

IN THE MATTER OF AN APPEAL filed with the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board ("the Board") pursuant to Sections 685 and 686 of the *Municipal Government Act*, R.S.A 2000, c. M-26 ("the Municipal Government Act"), the Preliminary Hearing was held via Microsoft Teams on Wednesday, November 12, 2025.

BETWEEN:

Mikisew Cree First Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises Limited; and Mistee Seepee Development Corporation Ltd. (collectively "the Appellant")

-and-

The Regional Municipality of Wood Buffalo ("the Municipality")

BEFORE:

D. Cleaver (Chair)
A. McKenzie
K. Carruthers
T. Salisbury

Administration:

H. Fredeen, Clerk for the Subdivision and Development Appeal Board
W. Collins, Clerk for the Subdivision and Development Appeal Board
A. Reid, Legal Counsel to the Subdivision and Development Appeal Board

[1] Following the introduction of the Board, the Chair confirmed with the participants in attendance that there were no objections to the constitution of the Board.

PRELIMINARY MATTERS

[2] Before the hearing, Robert Homersham, legal counsel for Daniel Roy, raised a preliminary matter with regard to the scope of the appeal. He requested a preliminary hearing to address the scope of the appeal before the Board.

[3] The Board opened the hearing on November 12, 2025. The following participants attended the hearing: the Appellant, represented by Orlagh O'Kelly; the Municipality, represented by Janice Agrios; and Mr. Roy, represented by Mr. Homersham.

[4] The purpose of the hearing was:

- to set a date for the preliminary hearing to address the preliminary matter brought forward by Mr. Roy,
- to set disclosure dates for the preliminary hearing,
- to set merit hearing dates, and
- to set disclosure dates for the merit hearing.

Preliminary Hearing

[5] Prior to the hearing, the Clerk circulated potential hearing dates for the preliminary matter (the "preliminary hearing") and for the merits.

[6] Ms. Agrios indicated that she was available on December 10, 11, and 15, 2025, and January 22, 28 and February 4 and 5, 2026 for the preliminary hearing.

[7] Ms. O'Kelly indicated that she was available for the preliminary hearing on December 10, 11, and 15, 2025 and on January 21, 22, and 28, and February 4 and 5, 2026.

[8] Mr. Homersham indicated he was available on all potential dates for the preliminary hearing. He requested that the preliminary hearing be scheduled as soon as possible.

[9] Ms. Agrios suggested a preliminary hearing date of December 15, 2025. All the participants confirmed that they were available for this date.

[10] The participants also provided their submissions on disclosure timelines. The participants agreed that Mr. Roy would provide his submission on the preliminary matter first; however, Mr. Homersham requested that the Municipality provide the development permit file materials, particularly the information submitted through the development permit approval process, in advance of his submissions. The Municipality agreed to provide these materials by November 24, 2025.

Merit Hearing

[11] The Chair canvassed the participants' availability for a merit hearing date of Monday, February 2, 2026, and an overflow date of Tuesday, February 3, 2026.

[12] Ms. O'Kelly and Ms. Agrios submitted that the dates of January 22, and 28, and February 2, 3, 4, 5, 25 and 26, and March 4 and 5, 2026 were suitable for them.

[13] Mr. Homersham submitted that the proposed dates were suitable for him but requested that the Board schedule the merit hearing in January 2026.

[14] The Chair canvassed disclosure timelines for the merit hearing after the hearing dates of February 2 and 3, 2026 were confirmed. Mr. Homersham, Ms. Agrios, and Ms. O'Kelly agreed to the following disclosure timelines:

January 15, 2026	Appellant Submission
January 22, 2026	Municipality Submission Mr. Roy's Submission

DECISION

[15] In accordance with section 686 of the *Municipal Government Act* the appeal hearings and relevant disclosure timelines are scheduled as follows:

Preliminary Hearing

Date: Monday, December 15, 2025

Format: Virtual via Microsoft Teams

Time: 6:00 p.m.

Disclosure: Municipality Disclosure: 12:00 p.m. Monday, November 24, 2025

Mr. Roy's Submission: 12:00 p.m. Monday, December 1, 2025

Appellant Submission: 12:00 p.m. Tuesday, December 9, 2025

Municipality Submission: 12:00 p.m. Tuesday, December 9, 2025

Merit Hearing

Date: Monday, February 2, 2026 (Tuesday, February 3, 2026 overflow)

Format: Virtual via Microsoft Teams

Time: 6:00 p.m.

Disclosure: Appellant Submission: 12:00 p.m. Thursday, January 15, 2026

Municipality Submission: 12:00 p.m. Thursday, January 22, 2026

Mr. Roy's Submission: 12:00 p.m. Thursday, January 22, 2026

[16] In addition to filing the evidence with the Clerk in accordance with the above-mentioned disclosure timelines, the Board orders the participants to ensure that all evidence is duly exchanged among the other parties as well as the Board's legal counsel.

[17] In accordance with section 686(3) of the *Municipal Government Act*, notice of the hearings will be sent out.

REASONS FOR THE DECISION

[18] The Board is aware that it must commence a hearing within 30 days of the appeal, and therefore, the Appeal hearing for SDAB 2025-007 is hereby opened and adjourned to December 15, 2025, which preserves the Board's jurisdiction relating to this appeal.

[19] The purpose of the hearing was to hear submissions in relation to preliminary dates, disclosure dates for the preliminary hearing, merit hearing dates, and disclosure dates related to the merit hearing. The Board noted Mr. Homersham's request to have the preliminary hearing and merit hearing scheduled in an expeditious manner.

[20] The Board selected December 15, 2025 for the preliminary hearing, as it is the earliest date mutually available for the participants and the Board that would also allow reasonable timelines for disclosure. The Board noted the participants' consent to the date.

[21] The disclosure dates for the preliminary hearing are set out above. The participants agreed that the disclosure dates are reasonable. As all participants are represented, the Board has provided for disclosure to be staged so that the Municipality and the Appellant can provide submissions and respond to Mr. Roy's submissions in advance of the preliminary hearing, preserving procedural fairness. There is also time to ensure that the Board can receive and review the materials in advance of the preliminary hearing.

[22] Similarly, the Board selected February 2, 2026, for the merit hearing date as it was the earliest date mutually available for the Parties and the Board. The Board directed that February 3, 2026, be held as an overflow date. The Board considered the participants' submissions and consent to the disclosure dates set out above. The disclosure dates are similarly staggered to ensure an opportunity to respond to the Appellant's submissions.

[23] The Board clarified during the hearing that the members sitting during this preliminary hearing on November 12, 2025 are not seized with the matter, since there were no submissions on the merits of the appeal.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 19 day of November 2025.

CHAI ATIA 20(1)

Dean Cleaver

APPENDIX "A"
REPRESENTATIONS

Person Appearing	Capacity
Janice Agrios	Legal Counsel, Regional Municipality of Wood Buffalo
Phyllis Agyemang	Development Officer, Regional Municipality of Wood Buffalo
Shailesh Makwana	Development Authority Supervisor, Regional Municipality of Wood Buffalo
Robert Homersham	Legal Counsel, Mr. Roy
Daniel Roy	Development Permit Applicant
Orlagh O'Kelly	Legal Counsel, Appellant

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Planning & Development Department
Regional Municipality of Wood Buffalo
Office: 309 Powder Drive, Fort McMurray, AB T9K 0M1
Mailing: 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4
T: 780-799-8695 F: 780-743-7874 E: current.planning@rmwb.ca

Development Permit Application Form

OFFICE USE ONLY
DP # 2025-DP-00169
Fee: $300
Receipt No: 41 20085

This Application Form shall be **complete** and include an attached Development Permit Checklist. Please Note:

- **NO DEVELOPMENT** shall commence without a valid Development Permit. Any work started prior shall be subject to a double fee penalty and further enforcement actions;
- An **Administrative Fee** will be withheld for any refunds. Please note that all applicable permit refunds will be issued by cheque only; and,
- Submission of a duly signed application form authorizes the Development Officer to enter the property to carry out inspections necessary for this development.

I/We hereby make application under the provisions of the Land Use Bylaw 99/059 for a Development Permit.

PLEASE PRINT

☑ **Applicant and Owner Information:**

Applicant Name: Daniel Roy (1261446 Ab Ltd.)
Mailing Address: ATIA 20(1) Postal Code: ATIA 20(1)
Daytime Phone: 7807473352 Alternate: — Fax: —
Email Address: ATIA 20(1)

Registered Owner(s): Same as above
Mailing Address: Postal Code:
Daytime Phone: Alternate: Fax:
Email Address:

☐ **Property Information**

Legal Land Description[1]: Lot: 3 Block: 10 Plan: 5642 NY
Alberta Township Grid System: LSD Sec TWP Range W4M
Civic Address: 193 Mackenzie Ave.
Project Description: Liquor Store

Has development commenced? ☐ Yes ☒ No
Existing Use of Land or Building: Vacant
Size of Proposed Development (m²): 550 sq.m (Including Fenced in Parking)
Estimated Construction Start Date: June 2025 End Date: July 1st 2025
Estimated Construction Cost: $ 40 000.00

[1] Civic Address Translator: https://apps2.rmwb.ca/electronicpermitting/CivicTranslator.aspx

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Planning & Development Department
Regional Municipality of Wood Buffalo
Office: 309 Powder Drive, Fort McMurray, AB T9K 0M3
Mailing: 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4
T: 780-799-8695 F: 780-743-7874 E: current.planning@rmwb.ca

☐ Detailed Property Information

Lot Area: 2660 Sq.m
Building Area[2]: 67 Sq.m
Accessory Coverage[3]: 0
Site Coverage[4]: 2.5%
Building Type: Atco trailer Part 10 Compliant
Number of Storeys: 1

☐ Credit Card Information

Credit Card #: [redacted]
Card Type: [redacted]
Card Holders Name: Daniel Roy
Expiry Date: [redacted]

☐ Registered Owner (or person acting on the registered owner's behalf)

I, Daniel Roy hereby certify that

☒ I am the registered owner, or

☐ I am the agent authorized to act on behalf of the registered owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a [redacted] relating to this application.

ATIA 20(1)

Signature

May 20, 2025
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 personal information will be used as contact information and to process your application. If you have any questions regarding the collection or use of this information contact the Supervisor, Support Services, Planning and Development, Timberlea Landing, 309 Powder Drive, T9K 0M3, or call (780) 793-1069.

[2] Total includes attached garages, cantilevers, decks, porches, and/or verandas
[3] If applicable, note the area of the shed or detached garage
[4] The percentage of the lot area covered by proposed and existing structures

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number 2025-DP-00169

September 26, 2025

Applicant

DANIEL ROY

ATIA 20(1)

Owner

DANIEL ROY

ATIA 20(1)

RE: Permanent Liquor Store, Office & Warehouse Sales building (with a temporary liquor store operating for up to one year while permanent building is completed)
193 MACKENZIE AVENUE
Lot: 3 Block: 10 Plan: 5642NY

Your application for a development permit at the above location has been approved by the Development Officer. This approval is subject to the conditions as outlined in the enclosed Development Permit.

PLEASE READ PERMIT CONDITIONS CAREFULLY.

This development permit shall expire and no longer be valid after one year from the date of decision of the permit if no construction has been initiated. Any other necessary permits shall be in place prior to commencement of any construction or occupancy. In the case of a change of use within an existing structure, where no significant construction of reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

IMPORTANT NOTE

1. Under the Municipal Government Amendment Act, this approval may be appealed within twenty one (21) days after the day of decision being posted. Should this decision be appealed within twenty one (21) days after the Date of Decision, this permit shall not become effective until the Subdivision and Development Appeal Board has determined the appeal and the Permit may be modified or nullified thereby. Commencement of the approved Development prior to expiry of the appeal period is at your own risk.
2. An appeal shall contain statement of the grounds of appeal and shall be delivered personally or by registered mail so as to reach the Secretary of the Subdivision and Development Appeal Board, 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4 within the prescribed time period of twenty one (21) days.
3. Upon delivery of Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a fee of $1000.00.

Compliance with other legislation - A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out development in accordance with:

a. the requirements of the Safety Codes Act, Environment Protection and Enhancement Act and Natural Resources Conservation Board Act;

b. the requirements of any other Federal, Provincial, or Municipal statue, regulation code or standard; and

c. the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

The Municipality is not responsible for not does the Municipality have any obligation whatsoever to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

REGIONAL MUNICIPALITY OF WOOD BUFFALO
Planning & Development Department
per:

September 26, 2025

Date

Phyllis Agyemang
Planner I
Planning and Development Dept.
Regional Municipality of Wood Buffalo
phyllis.agyemang@rmwb.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number
2025-DP-00169

Applicant: Daniel Roy **Issued :** September 26, 2025

Development Permit

193 MACKENZIE AVENUE

	Lot	Block	Plan		Section	Township	Range	
	3	10	5642NY		7	112	7	

New Commercial Industrial or Institutional Development

Permanent Liquor Store, Office & Warehouse Sales building (with a temporary liquor store operating for up to one year while permanent building is completed)

Advertisement Date: October 2, 2025

- **This development was approved by the Development Officer and is subject to the conditions attached to this permit.**
- **All conditions stated on this development permit must be complied with.**
- **You have one year from Date of Decision to commence construction. All appropriate building/mechanical permits must be applied for and issued. In the case of a change of use within an existing structure where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.**

Regional Municipality of Wood Buffalo
Planning & Development Department
per:

ATIA 20(1)

Issued : September 26, 2025
Date

Phyllis Agyemang
Planner I
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
phyllis.agyemang@rmwb.ca

Advisory Notes:

1. Any signage proposed for this development shall require a separate application and approval.
2. The sump shall be installed so that discharge is as per the requirements of the Sewage Bylaw.
3. The developer shall install all appropriate signage at access/egress locations in accordance with the requirements of the Engineering Department.
4. Site services shall be in accordance with the Engineering Standards of the Regional Municipality of Wood Buffalo – Fort McMurray Urban Service Area and the standards set by the Franchise Utilities operating within the Fort McMurray Urban Service Area.
5. A Utility Installation Permit is required from the developer and shall be obtained from Engineering Services Division prior to installing underground utilities.
6. It shall be the developer's responsibility and expense to terminate, at the main, all sanitary and water services which will not be utilized in this development.
7. If a route permit is required for this development, it shall be applied for through the Planning and Development Department.
8. Any damage to the streets, sidewalks, curbs or landscaped boulevards caused by this development shall be the full responsibility of the developer to restore.
9. A Health Certificate may be required for this development. Please contact the Health Inspector for the necessary information.
10. A Municipal Business License may be required for this development. Please contact the Licensing Enforcement Officer for information and an application, if required.
11. The Alberta Fire Code applies in and around buildings existing or being constructed on a site. Complete project plans and specifications, construction fire safety plans, and fire related activities requiring Fire Prevention Permits shall be reviewed by the Fire Authority prior to the commencement of any work related thereto. Inquiries and permit applications shall be submitted to the Fire Authority.
12. All Federal, Provincial and Municipal statutes and regulations shall be met, including the Alberta Building Code.

Conditions:

1 This development is classified as a Liquor Store, Office and Warehouse Sales and is a Discretionary Use in the HC- Hamlet Commercial District.
2 The business must have all valid licenses/approvals from the provincial government prior to starting operations and shall be in compliance with the provincial legislation.
3 The 18.3 meter x 3.7 meter temporary building shall be removed from the site no later than September 12, 2026.
4 The 18.3 meter x 3.7 meter temporary building shall be receive all required Safety Code Permits under the Safety Codes Act required for a commercial space.
5 Construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
6 Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to occupancy of the permanent structures.
7 The garbage and waste material shall be stored in weather-proof and animal-proof containers and shall be visually screened in a manner compatible with the design and external materials of the principal buildings on the site. If a wood screen fence is used, it shall be constructed in accordance with drawing 10-301 of the Engineering Servicing Standards.
8 The building location, orientation, capacity and/or use shall be as indicated on the approved drawings. Any changes to the approved plans shall be submitted to the Development Officer for further approval.
9 A minimum of 19 on-site parking stalls shall be provided as indicated on the approved plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material and shall be completed prior to the issuance of an Occupancy Permit. Should a seasonal allowance be required for paving the parking lot, the developer shall provide a written request for the seasonal allowance together with an automatically renewable and irrevocable letter of credit equal to 100 percent of the cost of paving the parking lot. A minimum of 2of the required stalls shall be accessible parking stalls.These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
10 A minimum of one loading space shall be provided for this development. Loading shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets or lands.
11 All parking stalls shall be graded such that no slope in any direction is less than 0.5% and not more than 4%, to the satisfaction of the Development Officer. All soft landscaped areas shall have a minimum slope of 2% away from buildings.
12 A final site grading plan shall be prepared to the satisfaction of the Engineering Department and shall be approved prior to occupancy of any buildings.
13 The applicant may need to enter into a Development Agreement with the Municipality to pay for the installation of public utilities, other than telecommunication systems or works, which are necessary to serve the development.
14 Any excess fill must be deposited on a site approved by the Municipality. Please contact the Engineering Department and/or the Environmental Branch of the Public Works Department.
15 Any and all easements required by the Municipality or any franchise utility as a result of this development shall be provided by the developer at no cost to the Municipality or any franchise utility and shall be registered on title by Utility Right-of-Way Plan.
16 Should it be necessary to alter any on site Municipal or franchise utilities, all cost shall be borne by the developer.
17 There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development construction. The developer may apply to the Development Officer to utilize these lands.
18 All on site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent residential properties.

19 Any required removal or modification of existing on-site underground storage tanks and the management of identified contaminants shall be undertaken to the satisfaction of the appropriate authorities prior to the construction of the approved development and all applicable permits received from the local Fire Authority.

20 Engineering securities of $40,000 in total [including (a) $10,000 for 1 approach, (b) $20,000 for service connections ($10,000/water + $10,000/sanitary each), and (c) $10,000 for a new storm outfall, shall be provided before issuance of the development permit. This is also a damage deposit for any damage to municipal property including roads, sidewalks, curb and gutter, underground infrastructure, boulevard, parks, URWs. All must be restored to original or better condition.

21 A Development Completion Certificate is required and shall be applied for by the applicant on completion of the conditions of development and prior to occupancy

22 Before any construction starts, the applicant shall ensure that the site is fully fenced, as per the approved fencing plan, in order to prevent any damage to Municipal infrastructure and landscaping surrounding the site, to ensure controlled and safe access and egress of the site, and to provide safe pedestrian access on and through any municipal lands adjacent to the site. The site access locations shall be established as per the fencing plan and will be maintained and operated to the satisfaction of the Development Authority. The fencing is to remain in place and in good working condition until all construction activities have ceased and a Full Development Completion Certificate has been issued

23 The applicant shall provide security in a form acceptable to the Municipality in the amount of $7,150.00 as a guarantee for the installation and maintenance of the construction fencing.

24 A water meter permit may be required. Please contact Underground Services Division for details at 780-799-7493. 780-788-1456 ext. 5832

25 A service connection permit may be required. Please apply at https://www.rmwb.ca/en/permits-and-development/applications-licences-and-permits.aspx.

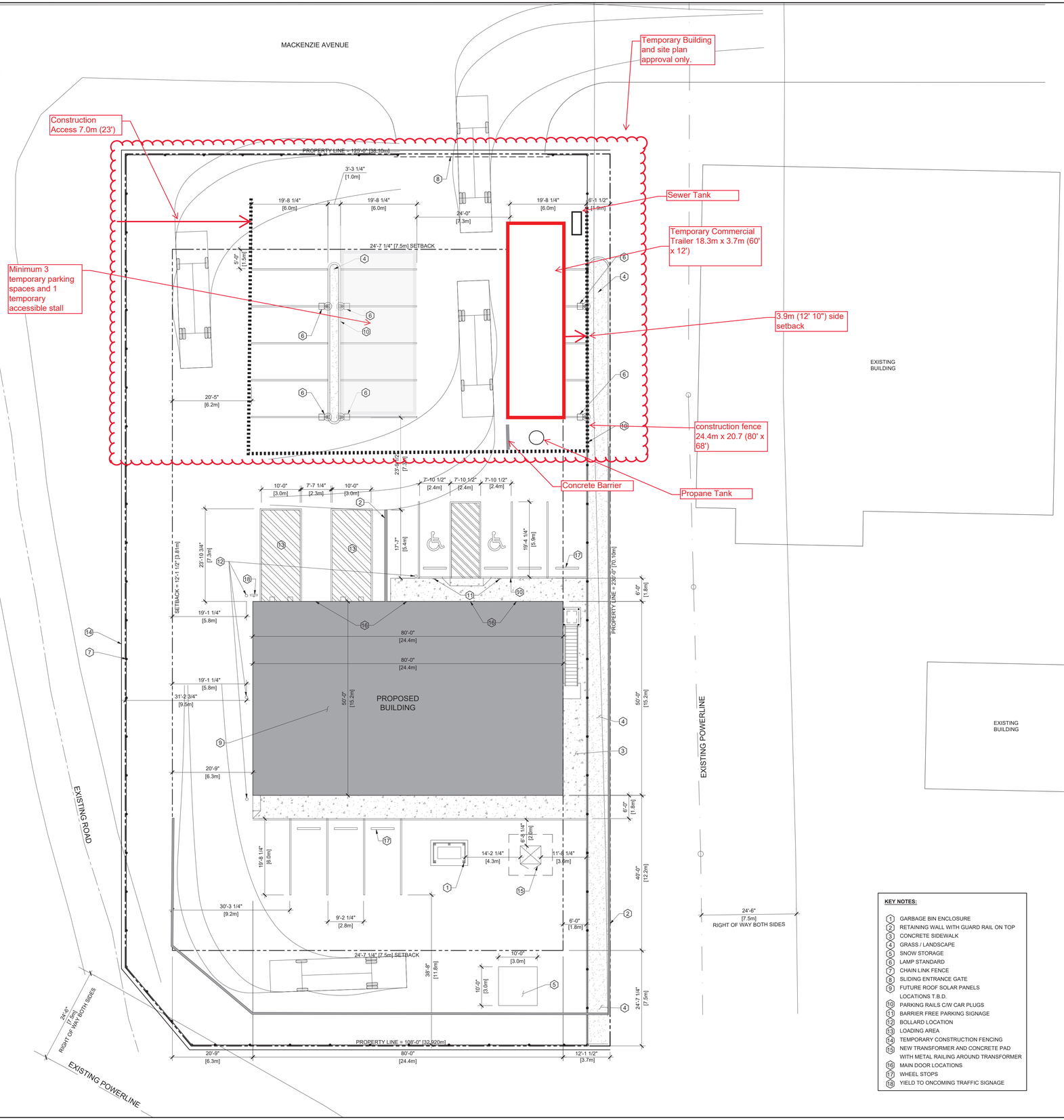
26 Construction activities will be completed in adherence to all environment and regulatory requirements which include, but are not limited to the Federal Fisheries Act and the Provincial Environmental Protection and Enhancement Act. Construction activities will implement effective sediment control measures at all stages of construction until disturbed soil has been addressed and the fish bearing water body is effectively protected from any impacts.

27 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695 or follow up on our permitting website: https://aca.woodbuffalo.ab.ca/citizenaccess/

Docusign Envelope ID: EE49C79D-4CAA-490E-ADCC-9B0842E7E430

Temporary Site Plan.
Valid for up to one year from approval.

ATIA 20(1)



LEGAL DESCRIPTION

LOT:	3
BLOCK:	10
PLAN:	5642NY
ADDRESS:	193 MACKENZIE AVENUE FORT CHIPEWYAN, AB T0P 1B0

SITE DATA

LUB ZONING:	HC - HAMLET COMMERCIAL
SITE AREA:	28577.792 ft² (2654.964 m²)
BUILDING FOOTPRINT:	4000 ft² (371.612 m²)

GROSS FLOOR AREAS

MAIN FLOOR:		4000 ft² (371.612 m²)
LIQUOR STORE	-	672 ft² (62.43 m²)
OFFICE	-	828 ft² (76.92 m²)
STORAGE	-	2500 ft² (232.26 m²)
MEZZANINE FLOOR:		1500 ft² (139.355m²)
STORAGE	-	1500 ft² (139.355m²)
TOTAL GROSS FLOOR AREA:		5500 ft² (510.967m²)

BUILDING HEIGHT
MAXIMUM HEIGHT: 26'-0" (7.925m)

PARKING INFORMATION

PARKING STALLS REQUIRED:		
LIQUOR STORE	-	6 (8.5 / 100 m²)
OFFICE	-	3 (2.8 /100 m²)
STORAGE	-	5 (1.1/100 m²)
TOTAL PARKING STALLS REQUIRED	-	14
PARKING STALLS PROVIDED	-	19

PAVED PARKING LOT WITH PAINTED LINES (NORTH & WEST SIDE OF PROPOSED BLDG.)
GRAVEL PARKING LOT (SOUTH SIDE OF THE PROPOSED BLDG.)
ALL PARKING ACCESS ROAD ARE ONE-WAY TRAFFIC

Accepted:

BIPUL BHOWMIK, M. Eng., P. Eng., PMP
Municipal Engineer, Development Engineering
Planning & Development Services

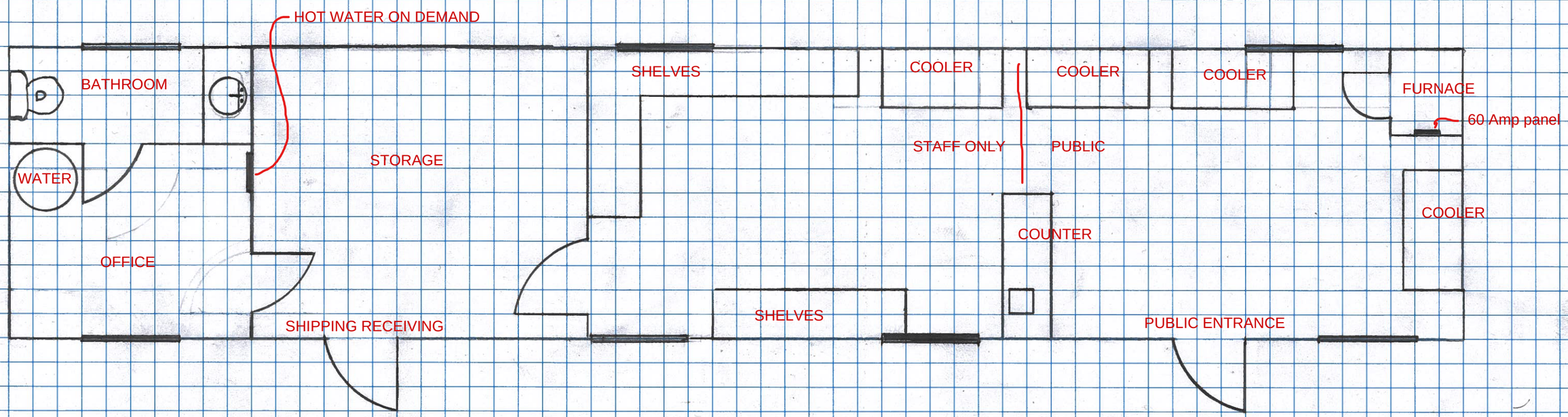
9/26/2025

KEY NOTES:

1. GARBAGE BIN ENCLOSURE
2. RETAINING WALL WITH GUARD RAIL ON TOP
3. CONCRETE SIDEWALK
4. GRASS / LANDSCAPE
5. SNOW STORAGE
6. LAMP STANDARD
7. CHAIN LINK FENCE
8. SLIDING ENTRANCE GATE
9. FUTURE ROOF SOLAR PANELS LOCATIONS T.B.D.
10. PARKING RAILS C/W CAR PLUGS
11. BARRIER FREE PARKING SIGNAGE
12. BOLLARD LOCATION
13. LOADING AREA
14. TEMPORARY CONSTRUCTION FENCING
15. NEW TRANSFORMER AND CONCRETE PAD WITH METAL RAILING AROUND TRANSFORMER
16. MAIN DOOR LOCATIONS
17. WHEEL STOPS
18. YIELD TO ONCOMING TRAFFIC SIGNAGE

G:\2022\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE_LIQUOR.DWG
LAYOUT: A1.1
PLOTTED BY: GREGORIO NISPEROS
PAPER SIZE: ARCH D
PLOT DATE: February 2, 2024

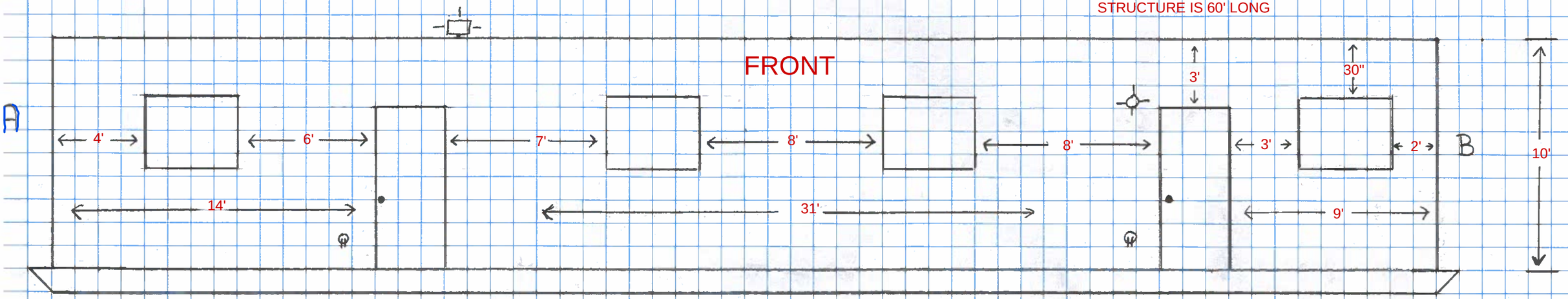
1261446 Alberta Ltd.
193 Mackenzie Blvd.
Fort Chipewyan, Ab
Stage 1, Temporary Liquor Store

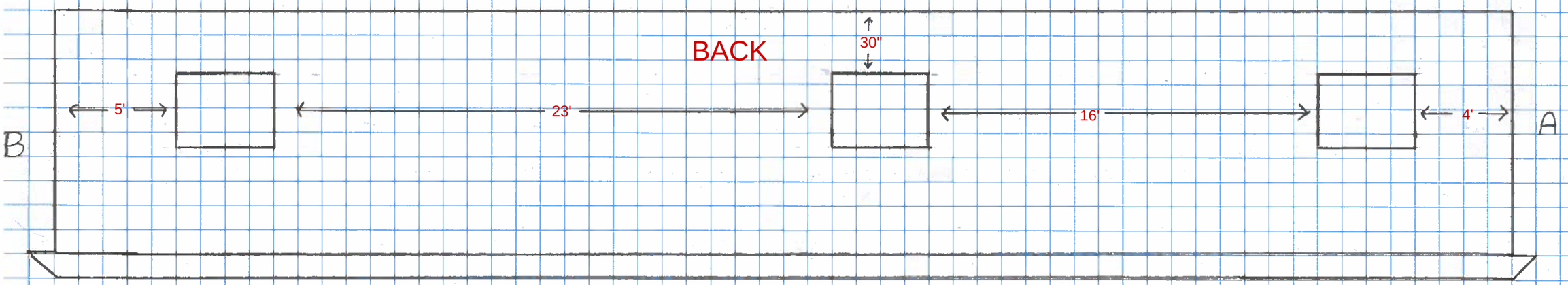


12' x 60'
720sqft
scale: 1square = 1'

193 MacKenzie Ave

STRUCTURE IS 60' LONG





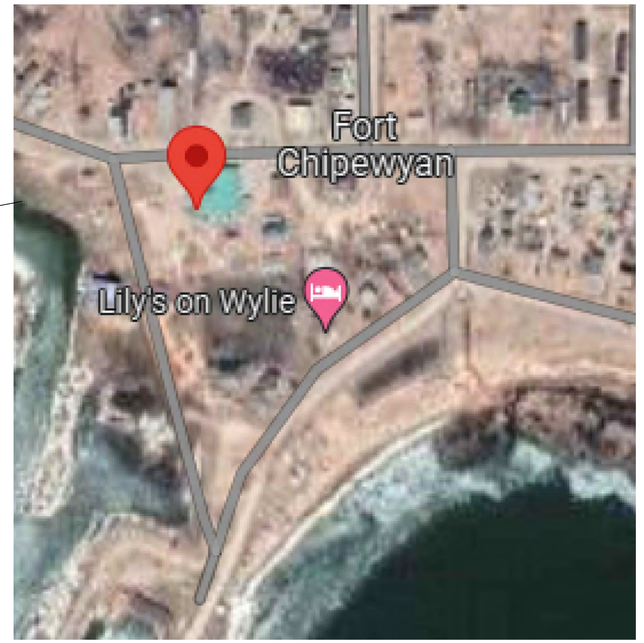
ALL WINDOW ARE 3' x 4'
ALL DOORS ARE 3' x 7'

SCALE IS 1 SQUARE = 1'

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

REGIONAL MUNICIPALITY OF WOOD BUFFALO

LOCATION



KEY PLAN

PROJECT :

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

CIVIL DRAWINGS

ISSUED FOR DEVELOPMENT PERMIT - 24 SEPT 2025

PROJECT NO.: 23-2279-003

DRAWING LIST	
SHEET NO.	**SHEET DESCRIPTION**
G-001	COVERSHEET & INDEX PAGE
V-101	SURVEY PLAN
C-101	GRADING PLAN
C-102	WATER SERVICE PLAN
C-103	SANITARY SEWER PLAN

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

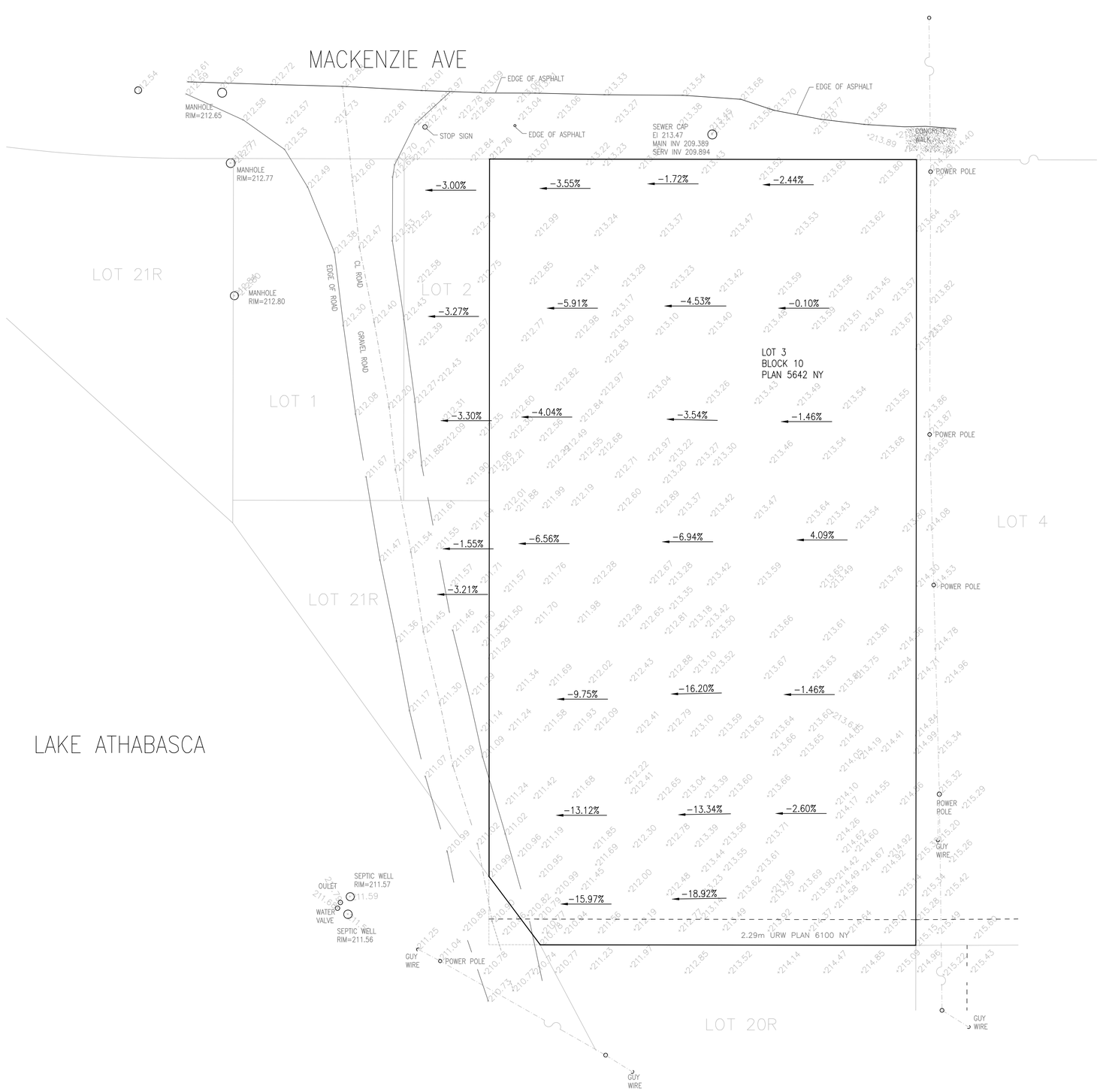
CONSULTANT

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
ELECTRICAL | CIVIL CONSULTING
9918 - 75 AVENUE Phone: (780) 468-5477
EDMONTON, AB. T6E 1J2
office@twsengineering.com www.twsengineering.com

G:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Des & CAD\23-2279-003C-20250924-EA.dwg G-001 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

NO.	DATE	DESCRIPTION
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign ATIA 20(1)
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
ELECTRICAL | CIVIL CONSULTING

PROJECT NAME
LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE
SURVEY PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

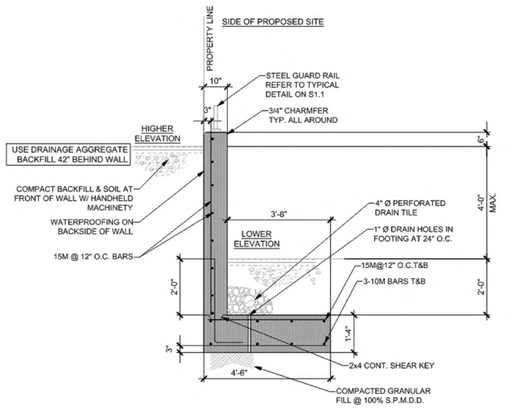
PROJECT NO.	DRAWING NO.
23-2279-003	V-101

TWS-CAD-DWG#

G:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\CV2 Working Des & CAD\23-2279-003C-20250924-EA.dwg V-101 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

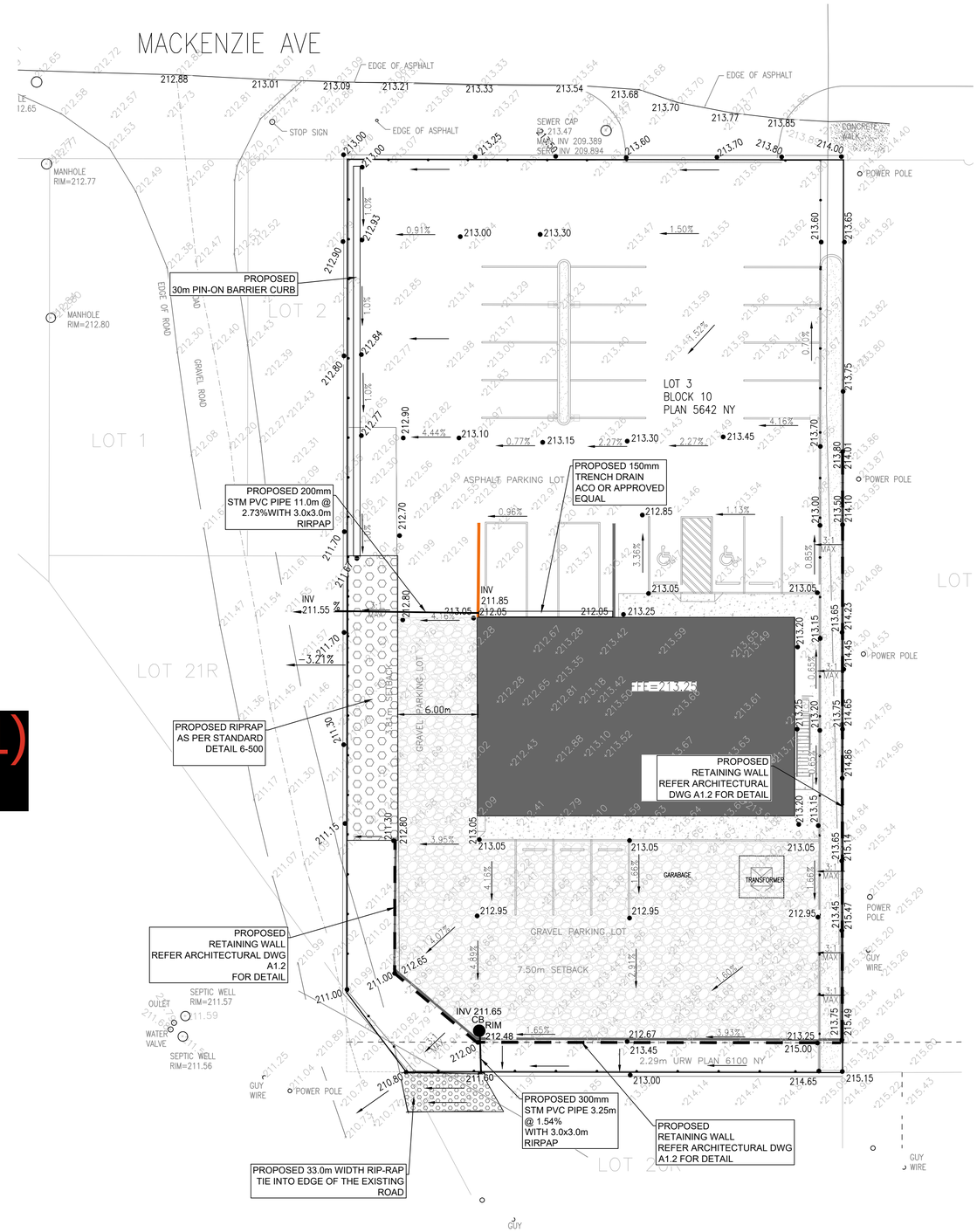
Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

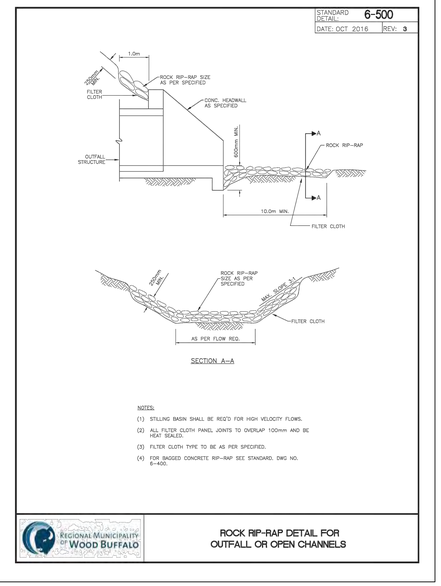


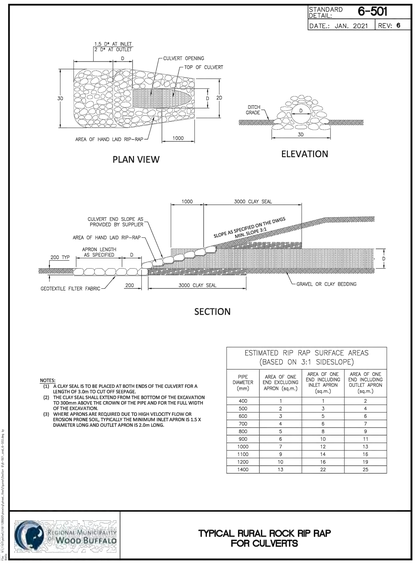
DETAIL - CONCRETE RETAINING WALL @ PROPERTY LINE

SCALE: 3/4" = 1'-0"

- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS







NOTES:

1. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
2. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- ●213.30 PROPOSED ELEVATION
- ×213.30 EXISTING ELEVATION
- 0.77% PROPOSED SLOPE
- GRAVEL
- CONCRETE
- RETAINING WALL
- PROPOSED STORM PIPE
- PROPOSED CATCHBASIN
- RIPRAP

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2024.08.29	ADDED RETAINING WALL,TRENCH DRAIN, STORM
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

ATIA 20(1)

Sign
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PROFESSIONAL ENGINEER ALBERTA MICHAEL HORNE EA
PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
MUNICIPAL | CIVIL CONSULTING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

GRADING PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

PROJECT NO.	DRAWING NO.
23-2279-003	C-101

106880
2025-09-24

ATIA 20(1)

2 of 4

ACCEPTED: 2025-DP-00169

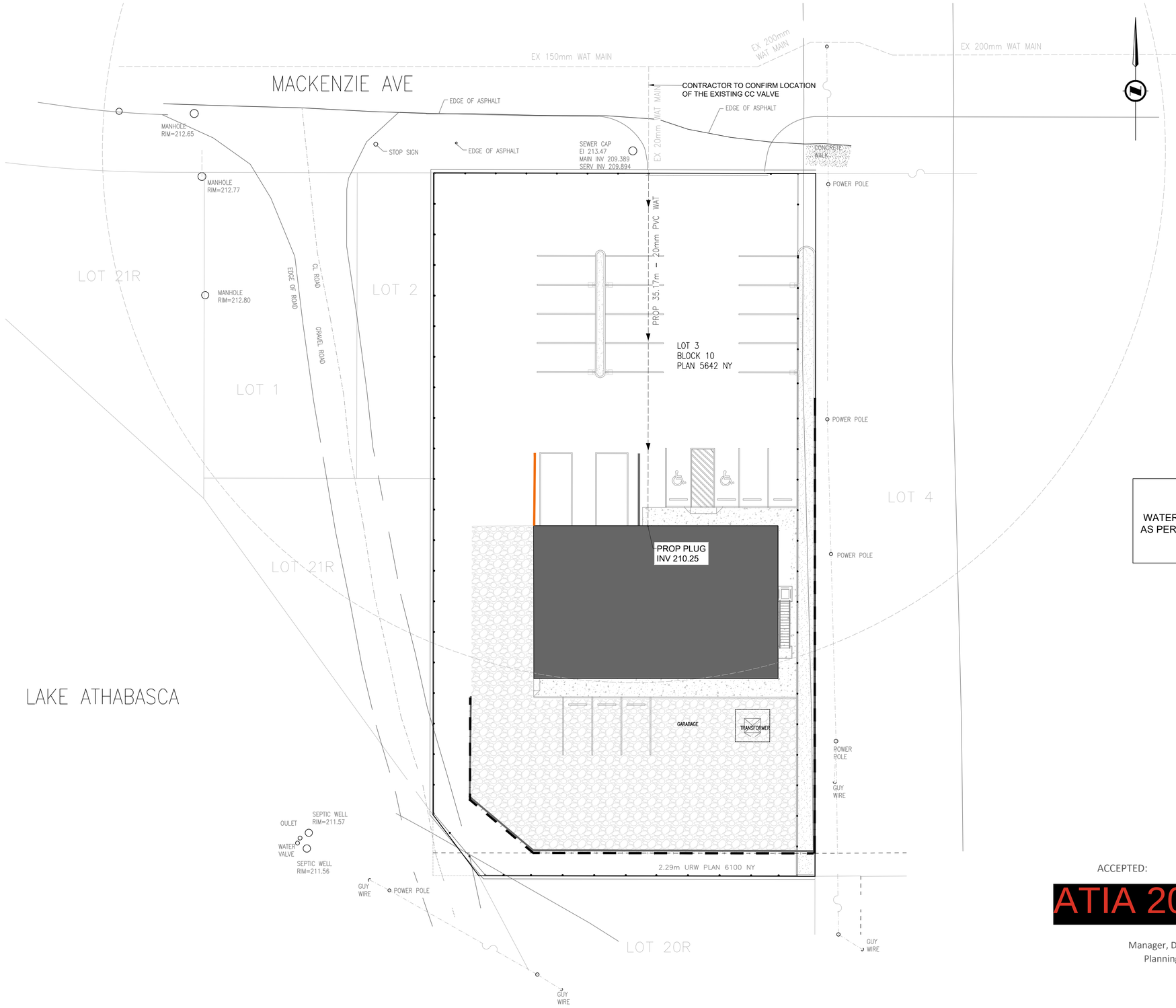
ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-101 Sep. 24, 2025 11:54 AM - Eugene Apetsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



WATER AND SANITARY LINES TO BE INSULATED AS PER RMWB ENGINEERING STANDARDS

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

Regional Municipality of Wood Buffalo

NOTES:

1. ALL PIPE SIZES ARE IN MILLIMETER AND ALL DIMENSIONS ARE IN METER UNLESS OTHERWISE NOTED.
2. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
3. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- PROP PW 20 PVC — WATER MAIN
- EX PW 150 TYPE — EXISTING WATER MAIN
- EXISTING MANHOLE
- EXISTING OVERHEAD POWER LINE
- GRAVEL
- CONCRETE
- RETAINING WALL

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2025.09.11	REVISED WATER MAIN SIZE
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign ATIA 20(1)
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL | ELECTRICAL | CIVIL CONSULTING

PROJECT NAME
LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE
WATER SERVICE PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

PROJECT NO.	DRAWING NO.
23-2279-003	C-102

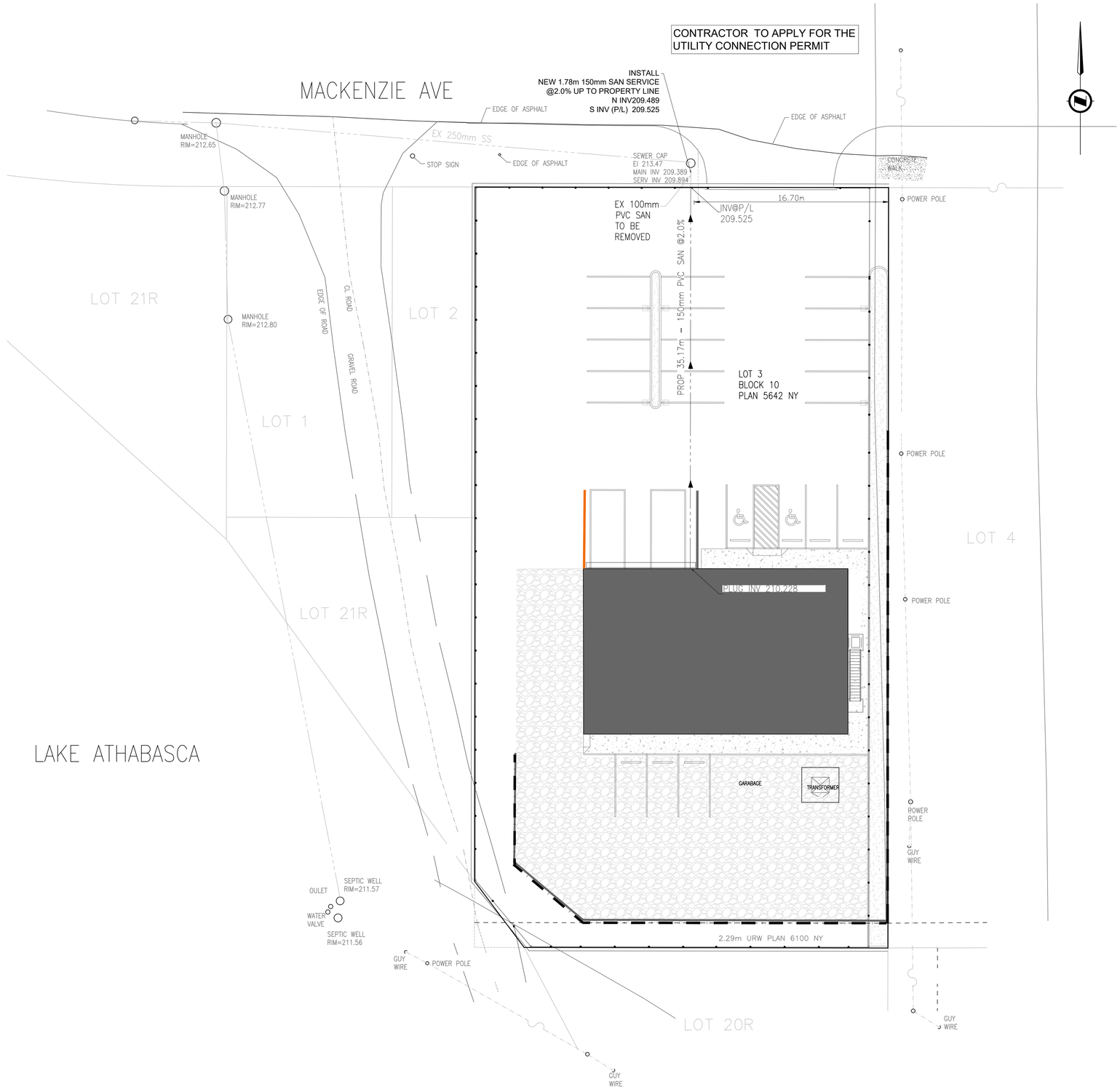
TWS-CAD-DWG#

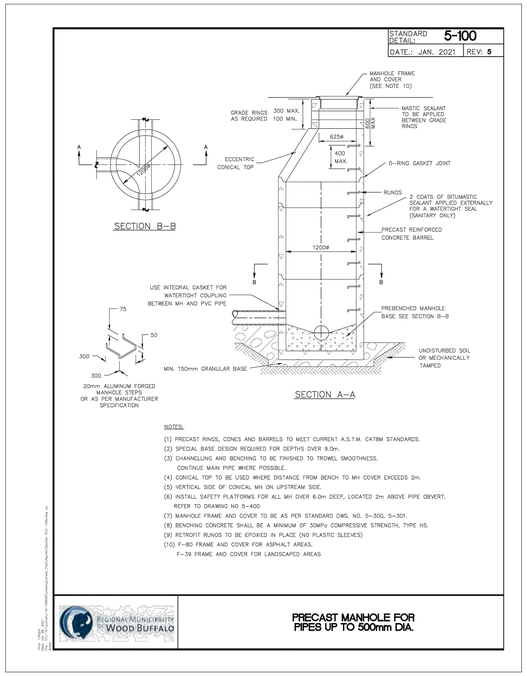
C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\CV2 Working Dwg & CAD\23-2279-003C-20250924-E4.dwg C-102 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

CONTRACTOR TO APPLY FOR THE UTILITY CONNECTION PERMIT





WATER AND SANITARY LINES TO BE INSULATED AS PER RMWB ENGINEERING STANDARDS

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

Regional Municipality of Wood Buffalo

NOTES:

1. ALL PIPE SIZES ARE IN MILLIMETER AND ALL DIMENSIONS ARE IN METER UNLESS OTHERWISE NOTED.
2. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
3. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- PROP SS 100 PVC — SAN SEWER
- EX SS 250 TYPE — EXISTING SAN SEWER
- EXISTING MANHOLE
- EXISTING OVERHEAD POWER LINE
- GRAVEL
- CONCRETE
- RETAINING WALL

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign ATIA 20(1)
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PROFESSIONAL ENGINEER PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL | ELECTRICAL | CIVIL CONSULTING

PROJECT NAME
LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE
SANITARY SEWER PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

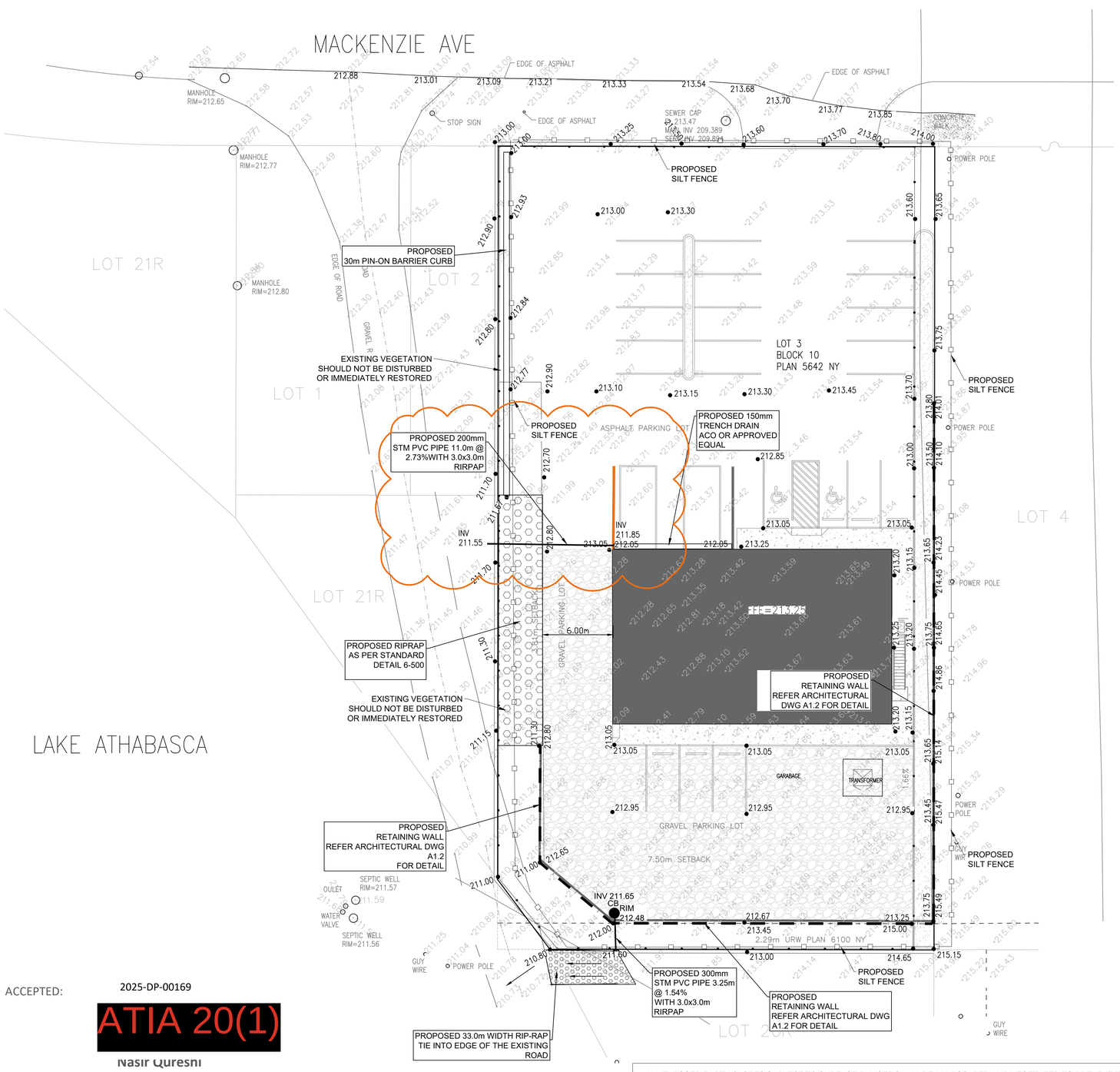
PROJECT NO.	DRAWING NO.
23-2279-003	C-103

C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-103 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

TWS-CAD-DWG#

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



LAKE ATHABASCA

ALL EXPOSED EARTH SLOPES SUBJECT TO SURFACE RUNOFF SHALL BE LANDSCAPED AND VEGETATED TO PREVENT THE MOBILIZATION AND EROSION OF SILTS AND MATERIALS FROM THE SLOPE. EROSION CONTROL BLANKETS OR STRAW / COCO-MATTING SHALL BE INSTALLED AT THE DEVELOPER'S COST AT THE DIRECTION AND DISCRETION OF THE MUNICIPALITY IF THERE IS AN IDENTIFIED RISK OF EROSION PRIOR TO THE ESTABLISHMENT OF VEGETATION ON SLOPES.

ACCEPTED: 2025-DP-00169

ATIA 20(1)

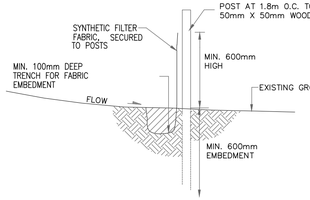
Nasir Quresni
Manager, Development Engineering |Engineering Planning & Development Services Division
9/25/2025

EROSION & SEDIMENT CONTROL GENERAL NOTES

1. THE OWNER/DEVELOPER MUST CONFORM TO THE REQUIREMENTS OF THE RMWB EROSION AND SEDIMENTATION CONTROL GUIDELINES AND FIELD MANUAL
2. FUTURE LOT DEVELOPERS/BUILDERS MUST PROVIDE AND IMPLEMENT A DETAILED EROSION AND SEDIMENTATION CONTROL PLAN AT THE TIME OF DEVELOPMENT OF EACH INDIVIDUAL LOT CONFORMING TO THE RMWB SECTION 6.25 EROSION AND SEDIMENT CONTROL AND SECTION 12 EROSION AND SEDIMENT CONTROL MEASURES.
3. THE CONTRACTOR ACKNOWLEDGES THAT SURFACE EROSION AND SEDIMENT RUNOFF RESULTING FROM THE CONSTRUCTION OPERATIONS HAS POTENTIAL TO CAUSE A DETRIMENTAL IMPACT TO ANY DOWNSTREAM WATERCOURSE OR SEWER, AND THAT ALL CONSTRUCTION OPERATIONS THAT MAY IMPACT UPON WATER QUALITY SHALL BE CARRIED OUT IN A MANNER THAT STRICTLY MEETS THE REQUIREMENTS OF ALL APPLICABLE LEGISLATION AND REGULATIONS.
4. AS SUCH THE CONTRACTOR SHALL BE RESPONSIBLE FOR CARRYING OUT THEIR OPERATIONS, AND SUPPLYING AND INSTALLING ANY APPROPRIATE CONTROL MEASURES, SO AS TO PREVENT SEDIMENT LADEN RUNOFF FROM ENTERING ANY SEWER OR WATERCOURSE WITHIN OR DOWNSTREAM OF THE WORKING AREA.
5. THE CONTRACTOR ACKNOWLEDGES THAT NO ONE MEASURE IS LIKELY TO BE 100% EFFECTIVE FOR EROSION PROTECTION AND CONTROLLING SEDIMENT RUNOFF AND DISCHARGES FROM THE SITE. THEREFORE, WHERE NECESSARY THE CONTRACTOR SHALL IMPLEMENT ADDITIONAL MEASURES ARRANGED IN SUCH A MANNER AS TO MITIGATE SEDIMENT RELEASE FROM THE CONSTRUCTION OPERATIONS AND ACHIEVE SPECIFIC MAXIMUM PERMITTED CRITERIA WHERE APPLICABLE. SUGGESTED ON-SITE MEASURES MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING METHODS: SEDIMENT PONDS, FILTER BAGS, PUMP FILTERS, SETTLING TANKS, SILT FENCES, STRAW BALES, FILTER CLOTHS, CATCH BASIN FILTERS, CHECK DAMS AND/OR BERMS, OR OTHER RECOGNIZED TECHNOLOGIES AND METHODS AVAILABLE AT THE TIME OF CONSTRUCTION. SPECIFIC MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF TOWN OF ST ALBERT CONTRACT SPECIFICATION SECTION 01 35 43 WHERE APPROPRIATE, OR IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
6. WHERE, IN THE OPINION OF THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY, THE INSTALLED CONTROL MEASURES FAIL TO PERFORM ADEQUATELY, THE CONTRACTOR SHALL SUPPLY AND INSTALL ADDITIONAL OR ALTERNATIVE MEASURES AS DIRECTED BY THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY. AS SUCH, THE CONTRACTOR SHALL HAVE ADDITIONAL CONTROL MATERIALS ON SITE AT ALL TIMES WHICH ARE EASILY ACCESSIBLE AND MAY BE IMPLEMENTED BY HIM AT A MOMENT'S NOTICE.
7. PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL SUBMIT TO THE CONTRACT ADMINISTRATOR SIX COPIES OF A DETAILED EROSION AND SEDIMENT CONTROL PLAN (ESCP). THE ESCP WILL CONSIST OF A WRITTEN DESCRIPTION AND DETAILED DRAWINGS INDICATING THE ON-SITE ACTIVITIES AND MEASURES TO BE USED TO CONTROL EROSION AND SEDIMENT MOVEMENT FOR EACH STEP OF THE WORK.

CONTRACTOR'S RESPONSIBILITIES FOR EROSION & SEDIMENT CONTROL

1. THE CONTRACTOR SHALL ENSURE THAT ALL WORKERS, INCLUDING SUB-CONTRACTORS, IN THE WORKING AREA ARE AWARE OF THE IMPORTANCE OF THE EROSION AND SEDIMENT CONTROL MEASURES AND INFORMED OF THE CONSEQUENCES OF THE FAILURE TO COMPLY WITH THE REQUIREMENTS OF ALL REGULATORY AGENCIES.
2. THE CONTRACTOR SHALL PERIODICALLY, AND WHEN REQUESTED BY THE CONTRACT ADMINISTRATOR, CLEAN OUT ACCUMULATED SEDIMENT DEPOSITS AS REQUIRED AT THE SEDIMENT CONTROL DEVICES, INCLUDING THOSE DEPOSITS THAT MAY ORIGINATE FROM OUTSIDE THE CONSTRUCTION AREA. ACCUMULATED SEDIMENT SHALL BE REMOVED IN SUCH A MANNER THAT PREVENTS THE DEPOSITION OF THIS MATERIAL INTO ANY SEWER OR WATERCOURSE AND AVOIDS DAMAGE TO THE CONTROL MEASURE. THE SEDIMENT SHALL BE REMOVED FROM THE SITE AT THE CONTRACTOR'S EXPENSE AND MANAGED IN COMPLIANCE WITH THE REQUIREMENTS FOR EXCESS EARTH MATERIAL AS SPECIFIED ELSEWHERE IN THE CONTRACT.
3. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO THE CONTRACT ADMINISTRATOR ANY ACCIDENTAL DISCHARGES OF SEDIMENT MATERIAL INTO EITHER THE WATERCOURSE OR THE STORM SEWER SYSTEM. FAILURE TO REPORT WILL CONSTITUTE A BREACH OF THIS SPECIFICATION AND THE CONTRACTOR MAY ALSO BE SUBJECT TO THE PENALTIES IMPOSED BY ANY APPLICABLE REGULATORY AGENCY. APPROPRIATE RESPONSE MEASURES, INCLUDING ANY REPAIRS TO EXISTING CONTROL MEASURES OR THE IMPLEMENTATION OF ADDITIONAL CONTROL MEASURES, SHALL BE CARRIED OUT BY THE CONTRACTOR WITHOUT DELAY.
4. THE SEDIMENT CONTROL MEASURES SHALL ONLY BE REMOVED WHEN, IN THE OPINION OF THE CONTRACT ADMINISTRATOR, THE MEASURE OR MEASURES, IS NO LONGER REQUIRED. NO CONTROL MEASURE MAY BE PERMANENTLY REMOVED WITHOUT PRIOR AUTHORIZATION FROM THE CONTRACT ADMINISTRATOR. ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE REMOVED IN A MANNER THAT AVOIDS THE ENTRY OF ANY EQUIPMENT, OTHER THAN HAND-HELD EQUIPMENT, INTO ANY WATERCOURSE, AND PREVENTS THE RELEASE OF ANY SEDIMENT OR DEBRIS INTO ANY SEWER OR WATERCOURSE WITHIN OR DOWNSTREAM OF THE WORKING AREA. ALL ACCUMULATED SEDIMENT SHALL BE REMOVED FROM THE WORKING AREA AT THE CONTRACTOR'S EXPENSE AND MANAGED IN COMPLIANCE WITH THE REQUIREMENTS FOR EXCESS EARTH MATERIAL.
5. WHERE, IN THE OPINION OF EITHER THE CONTRACT ADMINISTRATOR OR A REGULATORY AGENCY, ANY OF THE TERMS SPECIFIED HEREIN HAVE NOT BEEN COMPLIED WITH OR PERFORMED IN A SUITABLE MANNER, OR AT ALL, THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY HAS THE RIGHT TO IMMEDIATELY WITHDRAW ITS PERMISSION TO CONTINUE THE WORK BUT MAY RENEW ITS PERMISSION UPON BEING SATISFIED THAT THE DEFAULTS OR DEFICIENCIES IN THE PERFORMANCE OF THIS SPECIFICATION BY THE CONTRACTOR HAVE BEEN REMEDIED.



SILT FENCE

SILT FENCE NOTES

1. SILT FENCE TO BE INSPECTED WEEKLY (MIN) AND AFTER ANY RAIN EVENTS
2. FABRIC TO BE TRENCHED IN, TIGHT AND CONSISTENT BETWEEN ALL POSTS.
3. ADD ADDITIONAL POST AS REQUIRED.
4. OVERALL FENCE INSTALLATION TO BE INSTALLED IN STRATEGIC SEMI-CIRCLES, WITH THE CROWN OF THE CURVE TO BE IN DIRECTION OF THE WATER FLOW. THE INTENT IS TO INCREASE STABILIZATION AND EFFECTIVENESS OF THE FENCE.
5. AT FACE ALL POST TO BE REMOVED AND FABRIC TO BE CUT FLUSH WITH GROUND - DO NOT PULL FENCE FABRIC FROM TRENCH
6. SEDIMENT TO BE REMOVED WHEN ACCUMULATION REACHES ⅓ OF FENCE HEIGHT
7. SEDIMENT TO BE REMOVED TO AN OFFSITE LOCATION
8. SECURELY ATTACH FILTER FABRIC TO UPSTREAM SIDE POST.

Regional Municipality of Wood Buffalo

NOTES:

1. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
2. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- 213.30 — PROPOSED ELEVATION
- 213.30 — EXISTING ELEVATION
- 0.77% — PROPOSED SLOPE
- GRAVEL
- CONCRETE
- RETAINING WALL
- PROPOSED STORM PIPE
- PROPOSED CATCHBASIN
- RIPRAP

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2024.08.29	ADDED RETAINING WALL,TRENCH DRAIN, STORM
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

ATIA 20(1)

Sign
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL | ELECTRICAL | CIVIL CONSULTING

PROJECT NAME
LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE
EROSION CONTROL PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

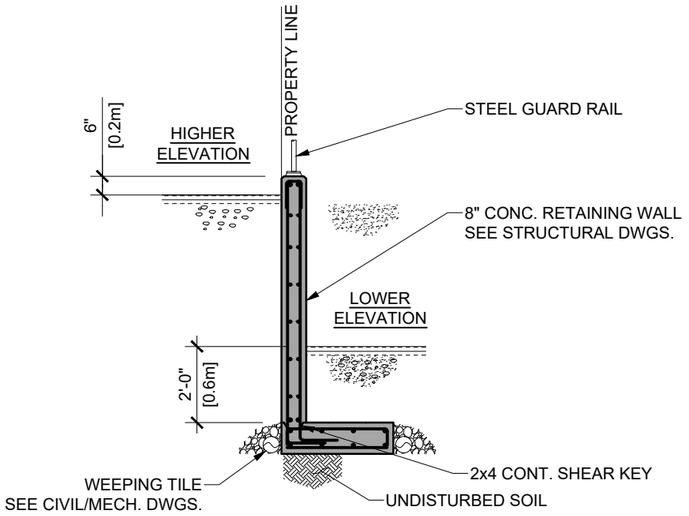
SCALE	DATE
1:200	SEP 24/25

PROJECT NO.	DRAWING NO.
23-2279-003	C-104

TWS-CAD-DWG#

C:\2023\2300 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-104 Sep. 24, 2025 11:55 AM - Eugene Apartain

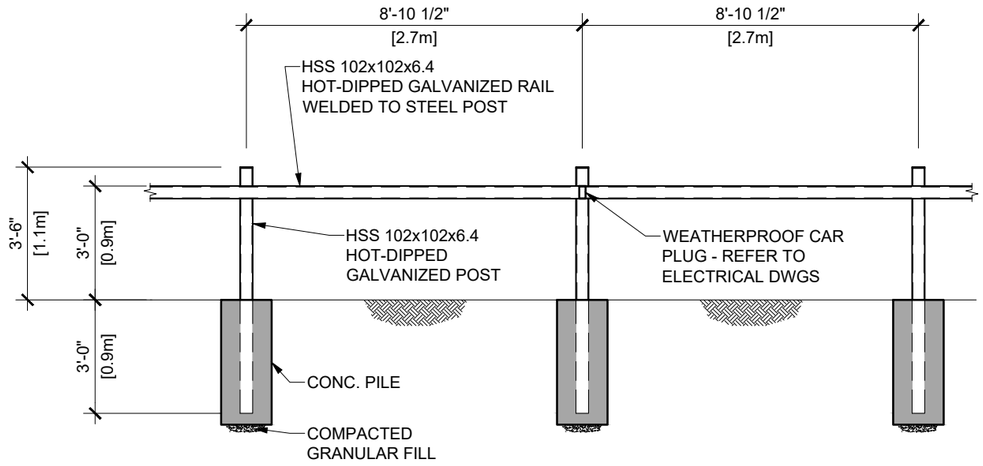
Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE



DETAIL - CONCRETE RETAINING WALL @ PROPERTY LINE

SCALE: 1/4" = 1'-0"

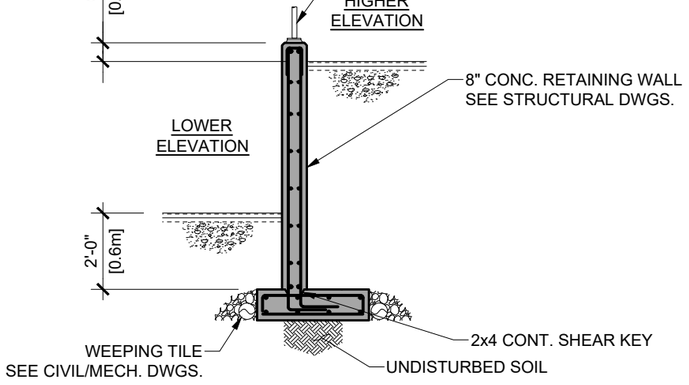
- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS



DETAIL - CAR PARK RAILING

SCALE: 1/4" = 1'-0"

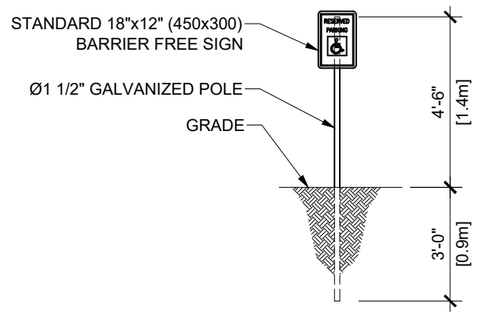
- SEE SITE PLAN FOR EXTENT AND LOCATIONS



DETAIL - CONCRETE RETAINING WALL

SCALE: 1/4" = 1'-0"

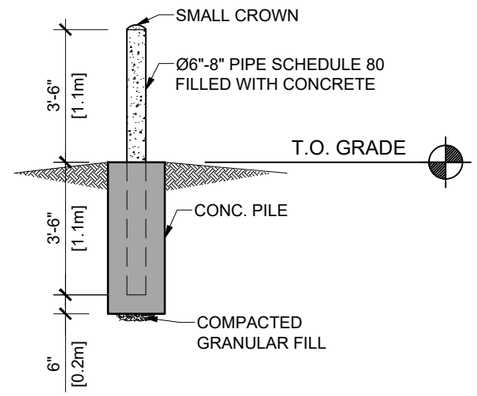
- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS



DETAIL - BARRIER FREE PARKING SIGNAGE

SCALE: 1/4" = 1'-0"

- SEE SITE PLAN FOR EXTENT AND LOCATIONS



DETAIL - BOLLARD CONSTRUCTION

SCALE: 3/4' = 1'-0"

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

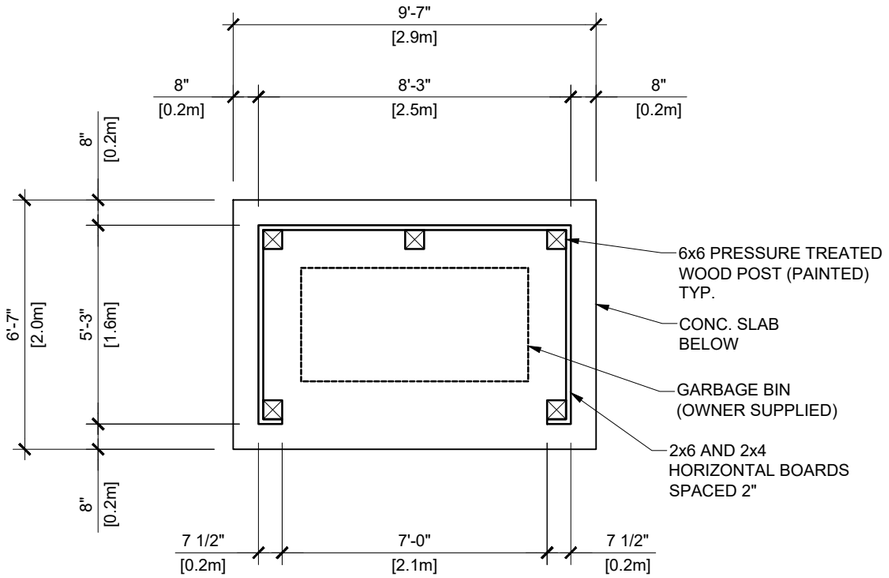
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

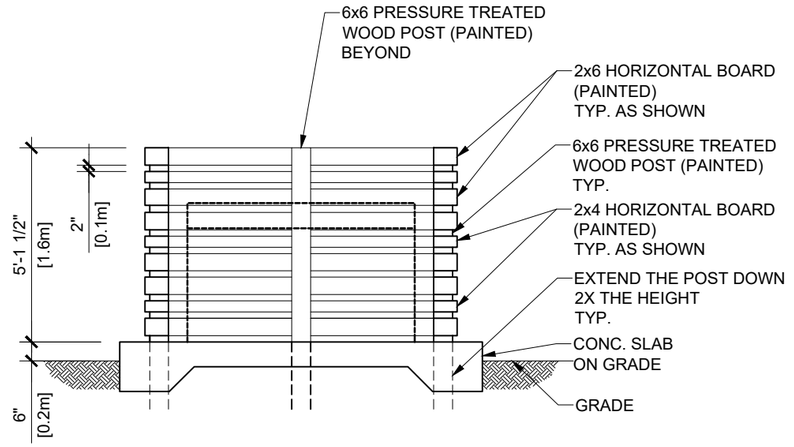
SITE PLAN DETAILS

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A1.2

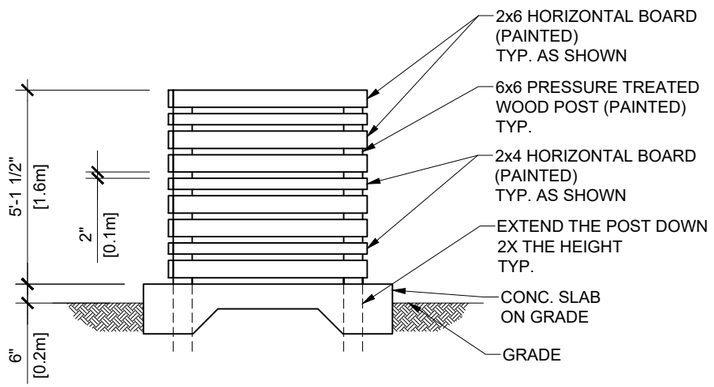
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A1.2
PLOTTED BY: GREGORIO NISPEROS



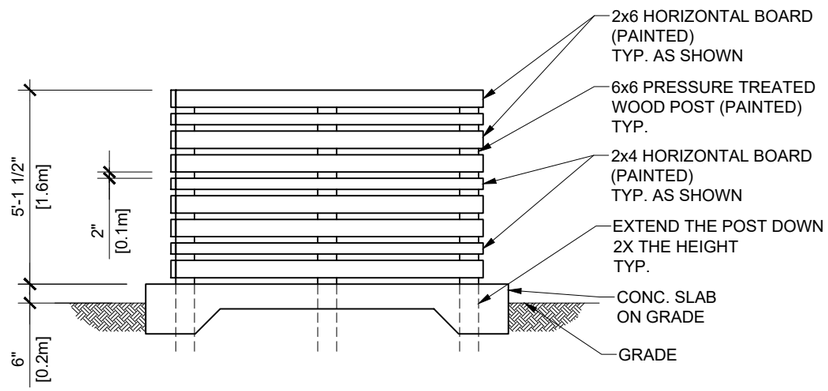
PLAN



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

DETAIL - GARBAGE BIN ENCLOSURE

SCALE: 1/4" = 1'-0"

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
SITE PLAN DETAILS

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A1.3

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A1.3
PLOTTED BY: GREGORIO NISPEROS
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG

BUILDING CONSTRUCTION

EXTERIOR WALLS
EIFS ON STEEL STUD WALLS

FLOOR
FINISHED FLOORING ON SLAB ON GRADE

ROOF
SPS ROOF SYSTEM ON METAL ROOF DECK

LIMITING DISTANCE CALCULATIONS

	E CLASSIFICATION (NORTH WALL)	E CLASSIFICATION (SOUTH WALL)	E CLASSIFICATION (EAST WALL)	E CLASSIFICATION (WEST WALL)
LIMITING DISTANCE:	115'-6" (35.3m)	64'-7" (19.7m)	6'-3" (1.9m)	32'-10" (10m)
WALL LENGTH:	80'-0" (24.4m)	80'-0" (24.4m)	50'-0" (15.2m)	50'-0" (15.2m)
WALL HEIGHT:	25'-0" (7.6m)	22'-0" (6.7m)	27'-6" (8.4m)	27'-6" (8.4m)
RATIO:	XXX	XXX	XXX	XXX
AREA OF UNPROTECTED	356 ft^2 (33.1m^2)	42 ft^2 (3.9 m^2)	0	0
OPENINGS CALCULATED	17.13%	2.30%	0%	0%
FROM TABLE				
FIRE RATING REQUIRED	2 HR	2 HR	2 HR	2 HR
COMBUSTIBLE CONSTRUCTION ALLOWED	Y	N	N	N
COMBUSTIBLE CLADDING ALLOWED	N	N	N	N

- CONSTRUCTION OF EXPOSED BUILDING FACE AS PER 2019 ABC 3.2.3.7.

WALL SCHEDULE

MARK	LOCATION	DESCRIPTION
W1	EXTERIOR WALL	EXTERIOR FINISH 2" EIFS INSULATION (RAIN SCREEN) ROLL ON AIR BARRIER (VP) 1/2" DENGLASS SHEATHING 6" x 20 Ga. STEEL STUDS @ 16" O.C. R22 BATT INSULATION 6 mil POLY VAPOUR BARRIER 2 LAYERS 5/8" GYPSUM BOARD WALL FINISH
W2	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 6" STEEL STUDS @ 16" O.C 5/8" GYPSUM BOARD WALL FINISH
W3	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 3 5/8" STEEL STUDS @ 16" O.C 5/8" GYPSUM BOARD WALL FINISH
W4	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 6" STEEL STUDS @ 16" O.C. 6" MINERAL FIBER INSULATION 5/8" GYPSUM BOARD WALL FINISH -OR- INSULATED METAL PANELS (IMP) FOR COLD STORAGE APPLICATION

WINDOW SCHEDULE

MARK	WIDTH	HEIGHT	COUNT	DESCRIPTION
A1	7'-0"	1'-6"	4	EXTERIOR WINDOW
A2	10'-0"	8'-0"	1	MAIN ENTRANCE WINDOW AROUND DOUBLE SLIDING DOOR

DOOR SCHEDULE

MARK	WIDTH	HEIGHT	COUNT	DESCRIPTION
D1	3'-4"	7'-0"	2	EXTERIOR MANDOOR
D2	6'-0"	8'-0"	1	MAIN ENTRANCE DOUBLE SLIDING DOOR
D3	8'-0"	8'-0"	1	STORAGE ROOM OVERHEAD DOOR
D4	10'-0"	12'-0"	1	COLD STORAGE ROOM OVERHEAD DOOR
D5	3'-4"	7'-0"	1	TYPICAL MANDOOR
D6	6'-0"	7'-0"	1	TYPICAL DOUBLE MANDOOR

FIRE RATINGS, ETC REQUIRED
- FLOOR ASSEMBLIES SHALL BE FIRE SEPARATIONS AND, IF OF COMBUSTIBLE CONSTRUCTION, SHALL HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
- MEZZANINES SHALL HAVE, IF OF COMBUSTIBLE CONSTRUCTION, A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
- ROOF ASSEMBLIES SHALL HAVE, IF OF COMBUSTIBLE CONSTRUCTION, A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN.
- LOADBEARING WALLS, COLUMNS AND ARCHES SUPPORTING AS ASSEMBLY REQUIRED TO HAVE A FIRE-RESISTANCE RATING SHALL
  i) HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
  OR
  ii) BE OF NONCOMBUSTIBLE CONSTRUCTION. - 1 HR 1 HR FRR/FIRE SEPARATION AND MECHANICAL UTILITY ROOMS.
- 2 HR FRR/FIRE SEPARATION BETWEEN SUITES.
- FIRE ALARM SYSTEM IS NOT REQUIRED.
- STANDPIPE & HOSE SYSTEM IS NOT REQUIRED.

SETBACK REQUIREMENTS

MINIMUM LOT AREA: 465m^2
MINIMUM LOT WIDTH: 16.0m
MINIMUM YARD SETBACKS
FRONT: AT THE DISCRETION OF THE DEVELOPMENT OFFICER
SIDE: 4.5m OR 10% OF THE LOT WIDTH, WHICHEVER IS LESS
REAR: 7.5m
MAXIMUM HEIGHT: 10.0m

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

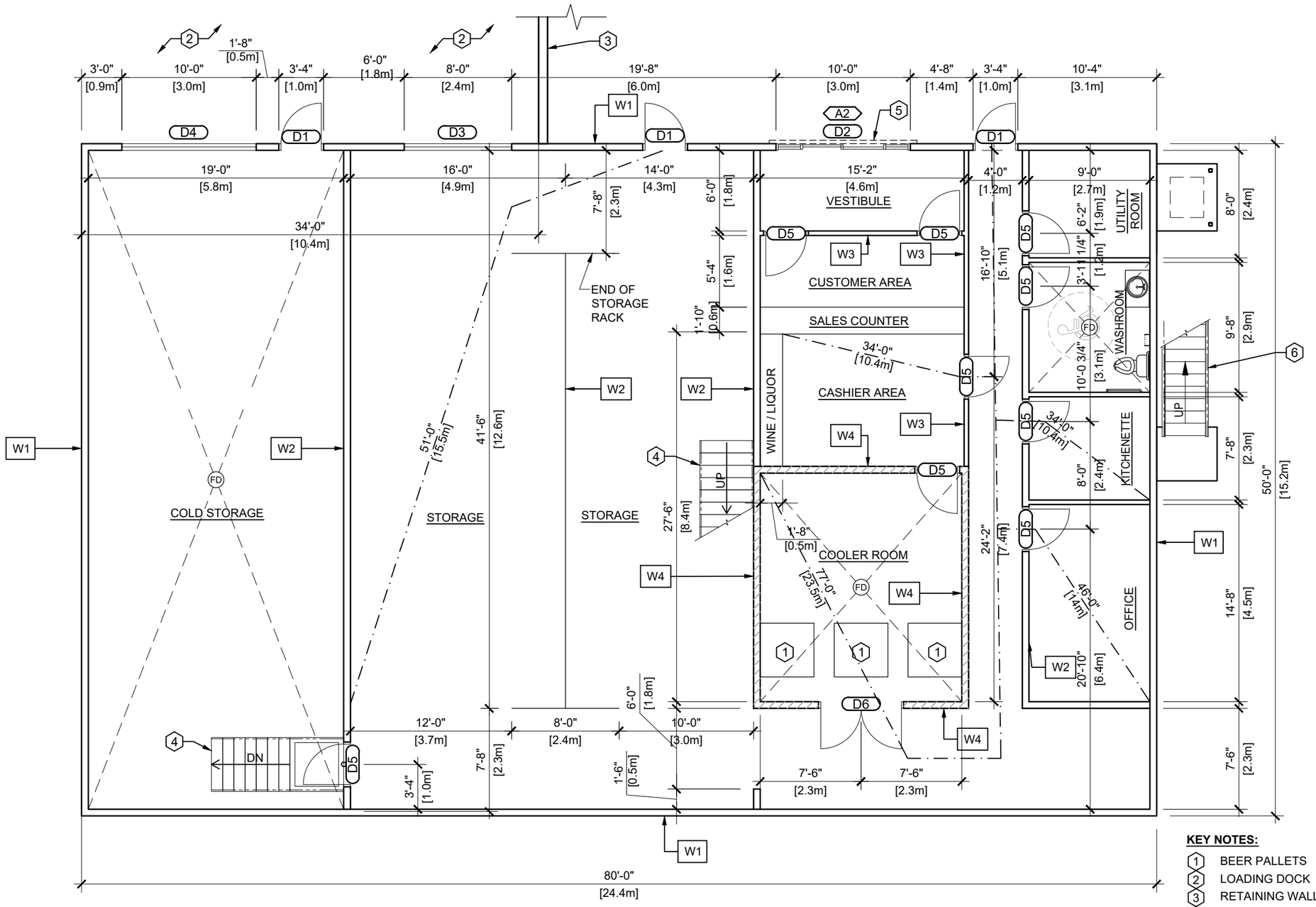
SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
PROJECT INFORMATION, CODE ANALYSIS, & SCHEDULES

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A1.4

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A1.4
PLOTTED BY: GREGORIO NISPEROS



MAIN FLOOR PLAN

SCALE: 1/8" = 1'-0"

NORTH

1. SEE WALL SCHEDULE ON DRAWING A1.4
2. SEE DOOR & WINDOW SCHEDULES ON DRAWING A1.4

KEY NOTES:

1. BEER PALLETS
2. LOADING DOCK
3. RETAINING WALL
4. WOOD STAIRS / LANDING WITH HANDRAIL / GUARDRAIL
5. SECURITY ROLL OVER AT FRONT ENTRANCE
6. EXTERIOR STEEL LADDER WITH STEEL FRAMING LANDING AND HANDRAIL / GUARDRAIL

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

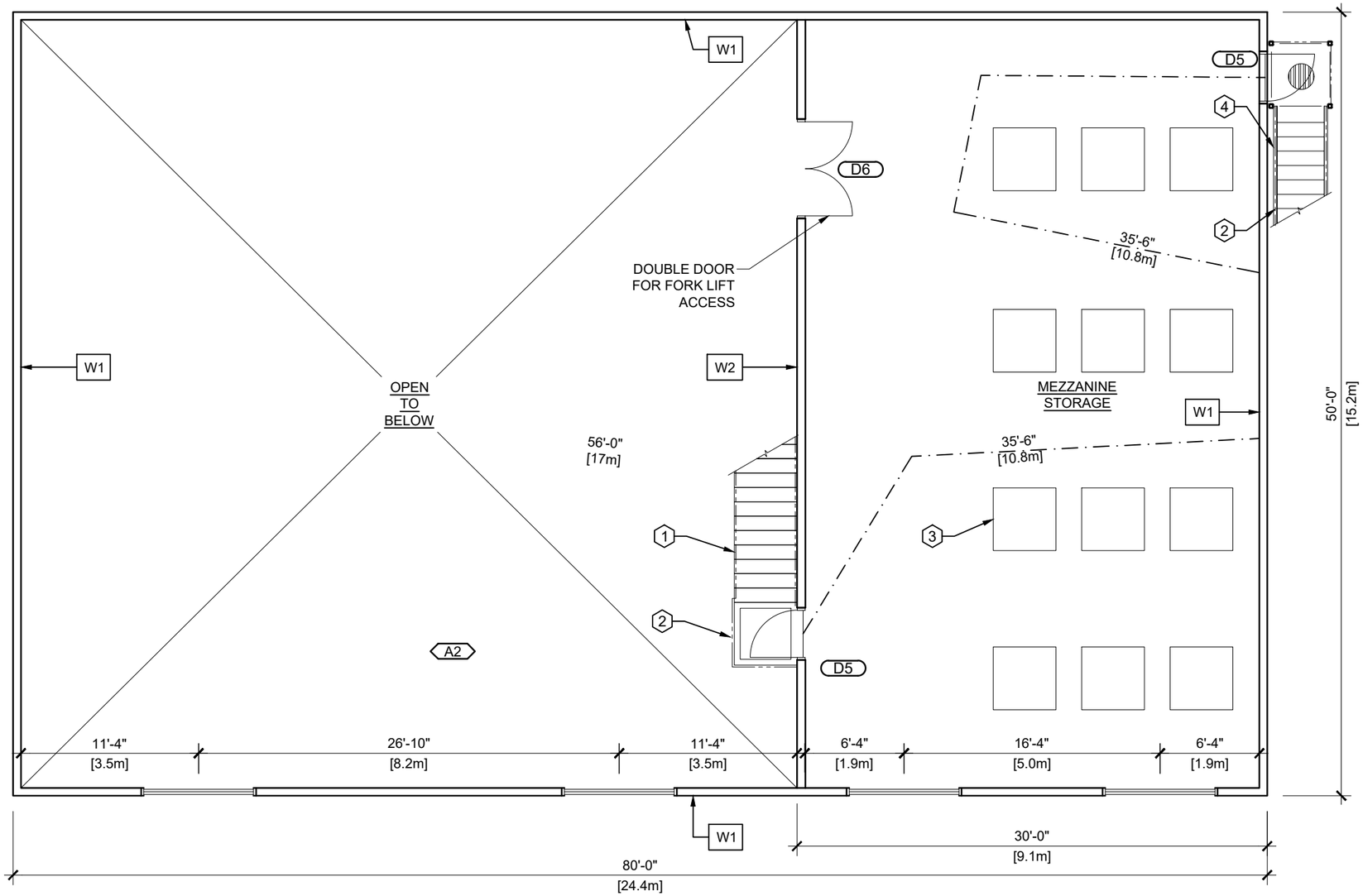
SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
MAIN FLOOR PLAN

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A2.1

G:\2023\2200 - 22991\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A2.1
PLOTTED BY: GREGORIO NISPEROS



KEY NOTES:

1. WOOD STAIR WITH WOOD FRAMING LANDING
2. GUARD RAIL / HANDRAIL
3. PALLETS STORAGE
4. STEEL STAIR WITH STEEL FRAMING LANDING

MEZZANINE PLAN

SCALE: 1/8" = 1'-0"

NORTH

1. REFER TO WALL SCHEDULE ON DRAWING A1.4
2. SEE DOOR & WINDOW SCHEDULES ON DRAWING A1.4

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

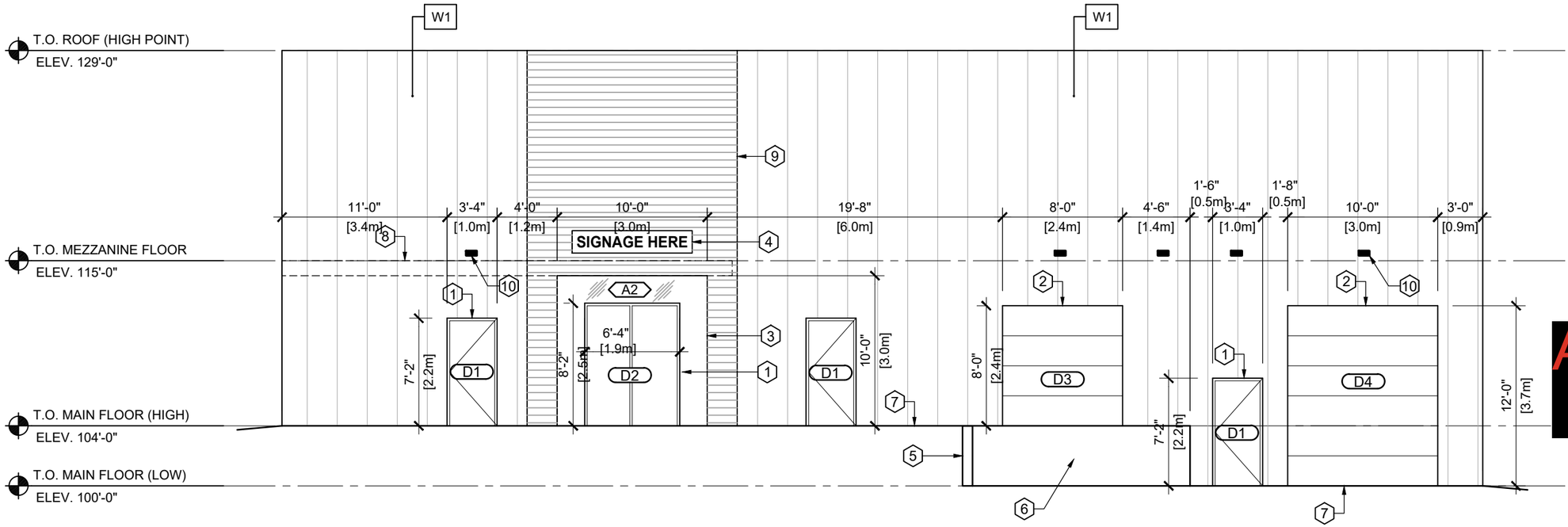
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

MEZZANINE PLAN

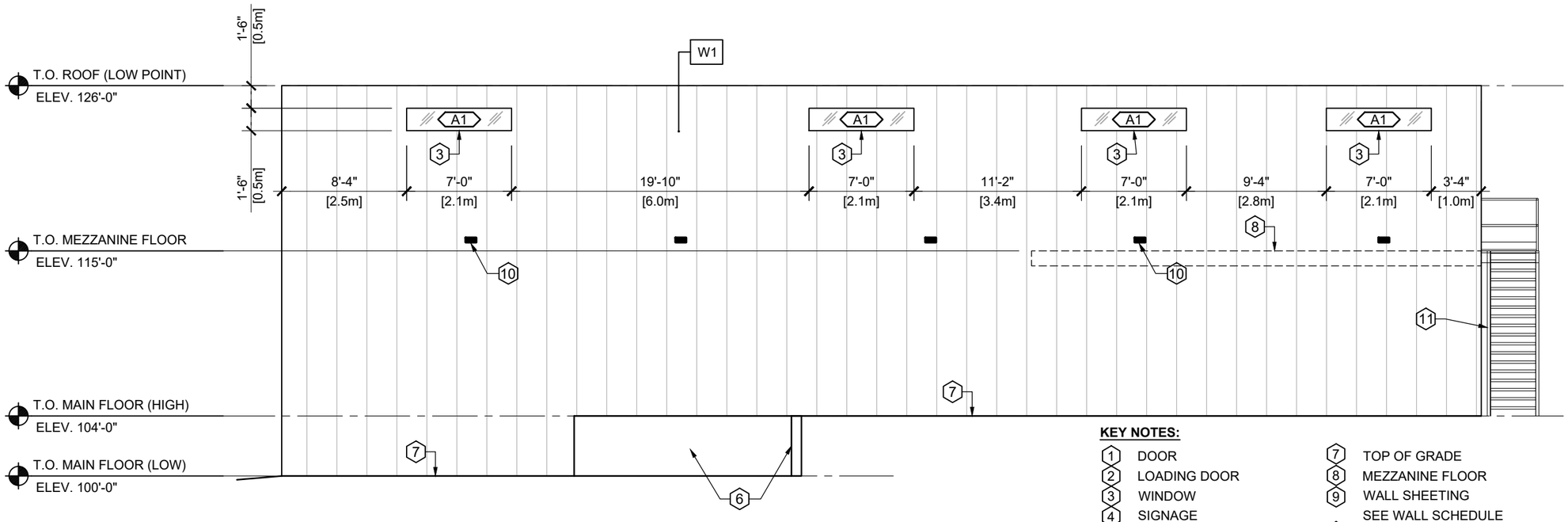
PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A2.2

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A2.2
PLOTTED BY: GREGORIO NISPEROS



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

KEY NOTES:

1. DOOR
2. LOADING DOOR
3. WINDOW
4. SIGNAGE
5. RETAINING WALL
6. CONCRETE WALL
7. TOP OF GRADE
8. MEZZANINE FLOOR
9. WALL SHEETING SEE WALL SCHEDULE
10. EXTERIOR LIGHTING
11. EXTERIOR STEEL STAIR WITH STEEL FRAMING LANDING AND STEEL GUARD RAIL

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

ATIA 20(1)

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

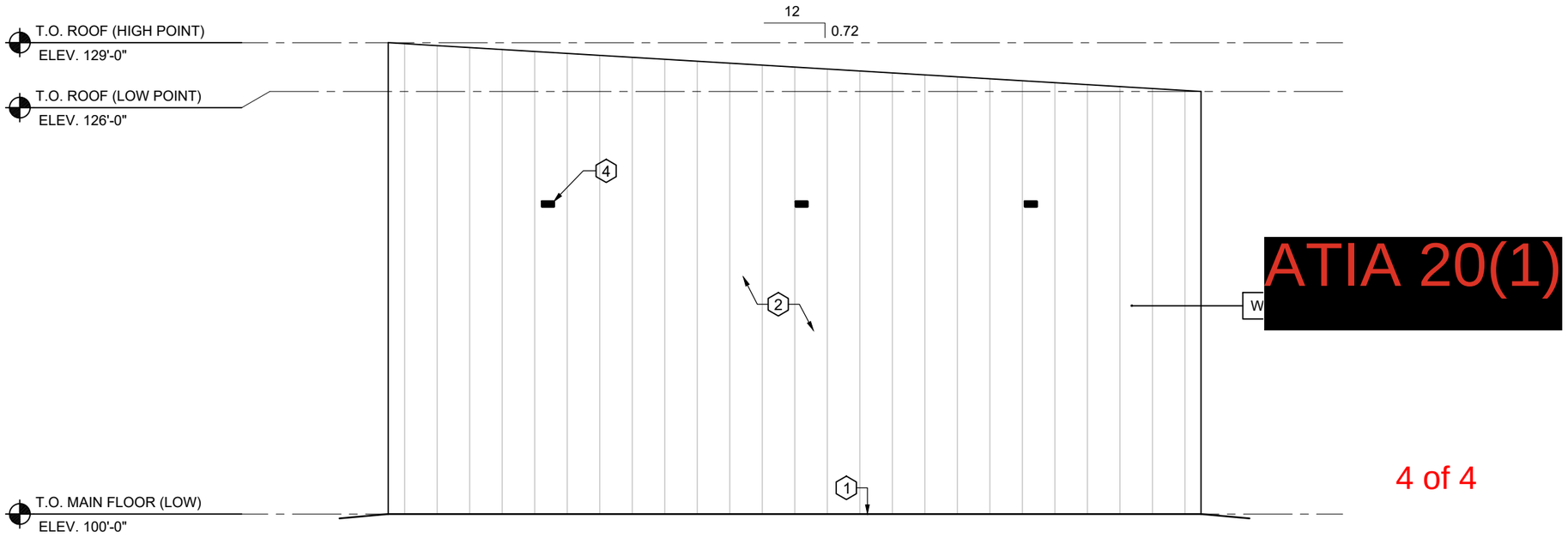
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

EXTERIOR ELEVATIONS

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A3.1

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A3.1
PLOTTED BY: GREGORIO NISPEROS

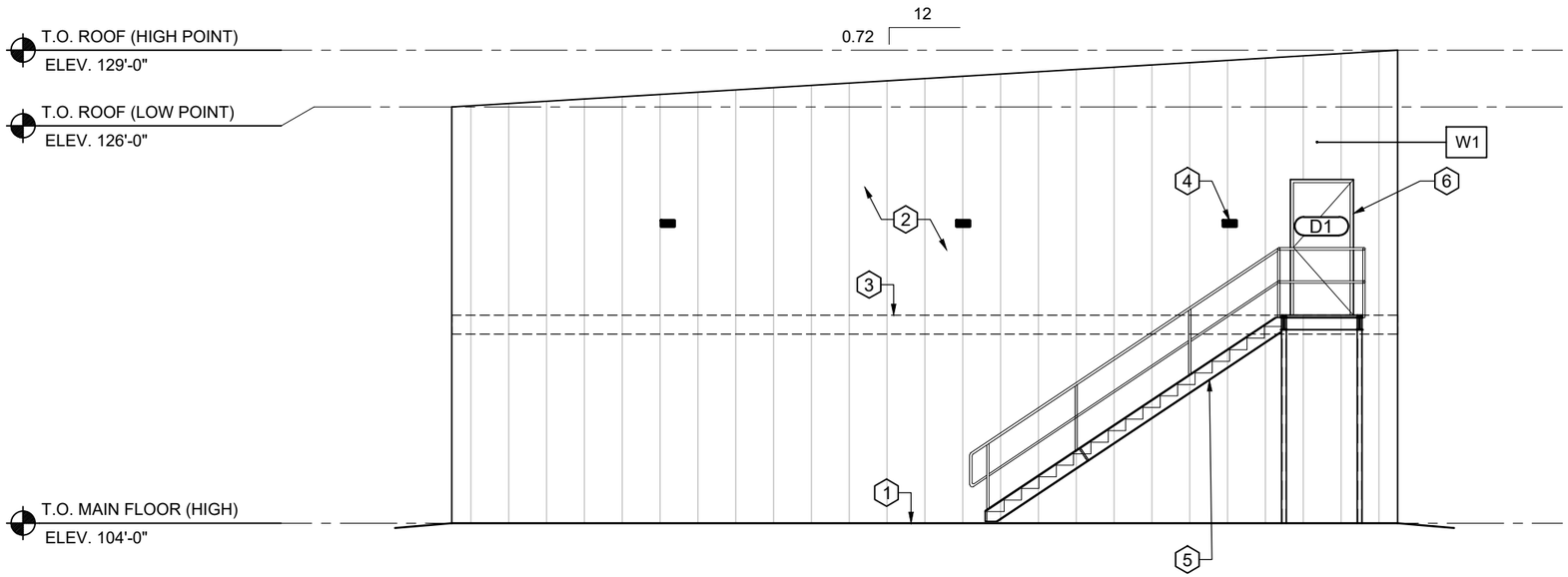


ATIA 20(1)

4 of 4

WEST ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"

KEY NOTES:

1. TOP OF GRADE
2. WALL SHEETING
3. MEZZANINE FLOOR
4. EXTERIOR LIGHTING
5. EXTERIOR STEEL STAIR WITH STEEL LANDING
6. EXTERIOR DOOR

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
EXTERIOR ELEVATIONS

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A3.2

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A3.2
PLOTTED BY: GREGORIO NISPEROS
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG

REGIONAL MUNICIPALITY OF WOOD BUFFALO

September 26, 2025

NOTICE TO FORT CHIPEWYAN RESIDENTS

Application for Development Permit 2025-DP-00169
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue
FORT CHIPEWYAN, ALBERTA

It was the decision of the Development Officer to approve Development Permit **2025-DP-00169** which allows the Applicant to develop a **Liquor Store, Office and Warehouse** at the above-named site. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

You are being informed of this development because you are a resident of Fort Chipewyan. You have the right to appeal this decision to the Subdivision and Development Appeal Board. If you wish to exercise this right, written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division or the Fort Chipewyan municipal contact office and must be forwarded to:

By mail: The Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

If you have questions regarding the application, please contact the undersigned. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Phyllis Agyemang, Planner I
Planning & Development Services
Phyllis.Agyemang@rmwb.ca | *780-743-7084*

October 3, 2025

Notice of Development Permit Approval 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Adam,

I am writing to inform you that the Regional Municipality of Wood Buffalo has approved a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposed development includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development on the decision made.

If you wish to exercise your right to appeal this decision to the Subdivision and Development Appeal Board, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division, the Fort Chipewyan municipal contact office, or online at www.rmwb.ca and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

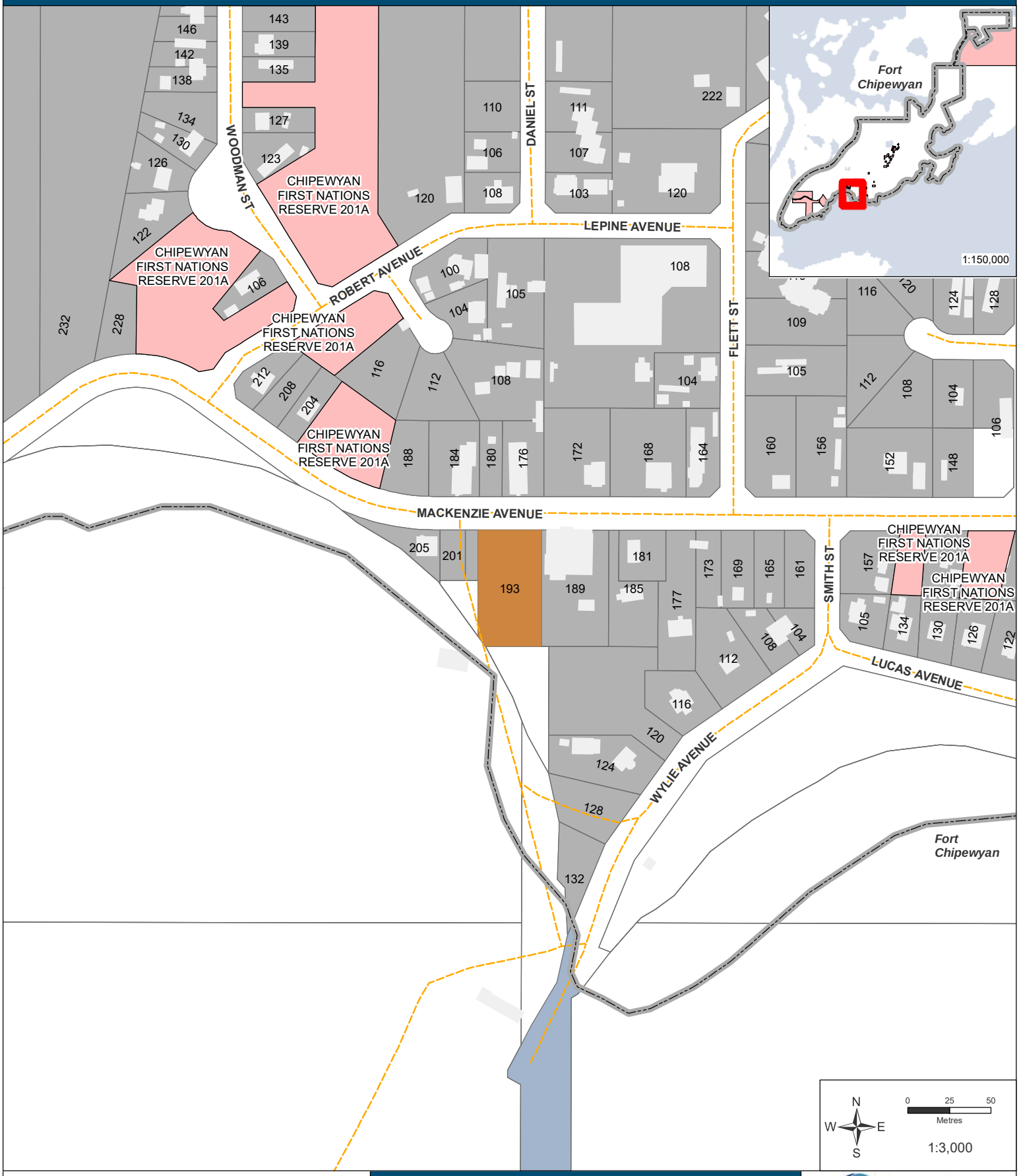
If you have questions regarding the application, please contact **Phyllis Agyemang**, Planner I, Development Officer, via email at **Phyllis.Agyemang@rmwb.ca** or by phone at 780-743-7084. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Regional Municipality of Wood Buffalo

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

October 3, 2025

Notice of Development Permit Approval 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear President Cardinal,

I am writing to inform you that the Regional Municipality of Wood Buffalo has approved a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposed development includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development on the decision made.

If you wish to exercise your right to appeal this decision to the Subdivision and Development Appeal Board, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division, the Fort Chipewyan municipal contact office, or online at www.rmwb.ca and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

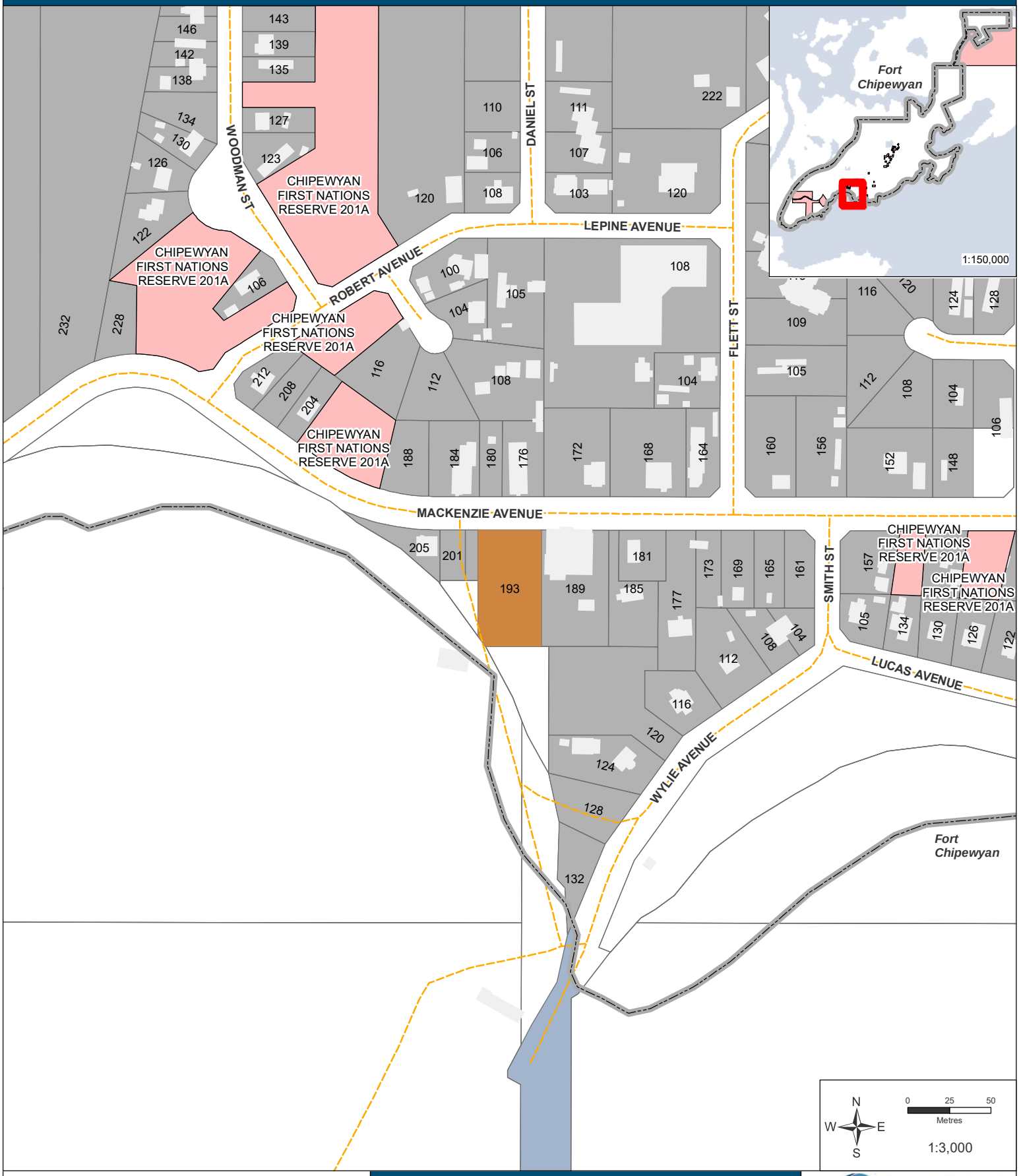
If you have questions regarding the application, please contact **Phyllis Agyemang**, Planner I, Development Officer, via email at **Phyllis.Agyemang@rmwb.ca** or by phone at 780-743-7084. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Regional Municipality of Wood Buffalo

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

REGIONAL MUNICIPALITY OF WOOD BUFFALO

October 3, 2025

Notice of Development Permit Approval 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Tuccaro

I am writing to inform you that the Regional Municipality of Wood Buffalo has approved a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposed development includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development on the decision made.

If you wish to exercise your right to appeal this decision to the Subdivision and Development Appeal Board, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division, the Fort Chipewyan municipal contact office, or online at www.rmwb.ca and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

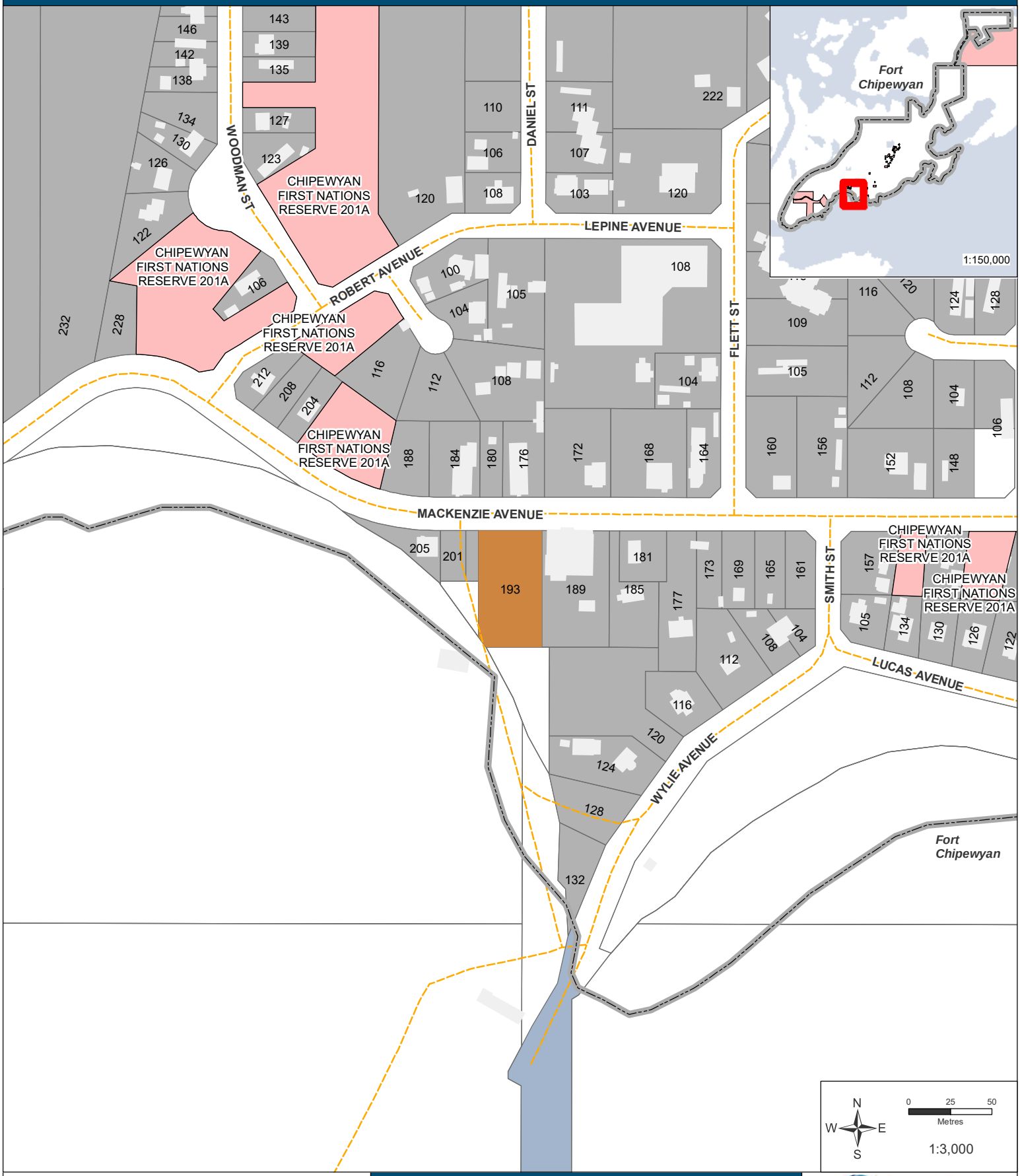
If you have questions regarding the application, please contact **Phyllis Agyemang**, Planner I, Development Officer, via email at **Phyllis.Agyemang@rmwb.ca** or by phone at 780-743-7084. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Regional Municipality of Wood Buffalo

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

MIKISEW CREE
FIRST NATION

August 21, 2025

Regional Municipality of Wood Buffalo

Dear Sir/Madam:

Re: Mikisew Objection to Liquor Store Permit
Notice of Development Application 2025-DP-00169 – Liquor Store

---

Please consider the enclosed Mikisew Cree First Nation's objection – again – to the resubmission of an application for the same revoked permit for a liquor store in the heart of our community, Fort Chipewyan.

Mikisew was successful at the Court of Appeal in challenging the municipality's first attempt [redacted] unity at this location (193 Mackenzie Avenue, Lot 3; Block [redacted] Appeal, citing the Board's decision, stated:

> [redacted] those safety considerations [concerning alcohol use in the community] The Board concludes that the proposed development is not compatible with the adjacent uses. . . .
>
> 138. As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses . . . The development permit is revoked.[1]

Having been successful all the way to the Court of Appeal, Mikisew did not receive proper notice of the re-submitted application from the Regional Municipality of Wood Buffalo (RMWB). **Tab 1** is a copy of the email from our member where our Nation became aware of this resubmissions when, on August 12, 2025.

---

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board),* 2025 ABCA 69 (CanLII), at para 7.

MIKISEW CREE
FIRST NATION

After receiving this email and upon review of emails, it appeared that the generic email (from a previously unknown sender and not indicating RMWB in the subject line) went undetected as junk in the chief and ceo emails only. Please send all notices to our band office and also to chiefandcouncil@mikisewcree.ca with a read receipt to ensure this does not happen again.
It also does not appear that our legitimate expectations regarding notice, throughout the community, were met this time around. For example, some of our Council live in the immediate vicinity of 193 Mackenzie Avenue, and did not receive a notice regarding this application.

Moreover, this will be the second time the notice period is condensed in the middle of summer - a time when our members and Nation are exercising their Treaty and inherent rights, but also precisely on the day (July 16, 2025) when we were in Ottawa meeting with Prime Minster Carney at the widely advertised First Nations Summit.

Notwithstanding our objections to the adequacy, manner and timing of notice, we are [redacted] days of becoming aware of this application. Given this time [redacted]esults of an updated member survey when they become [redacted]

We submit as follows and enclosed:

Mikisew reiterates the safety considerations with a liquor store in community, with easy access for members with substance abuse issues but most importantly easy access for our youth. At the hearing before the SDAB Board, Mikisew advised the board of youth suicides that occurred under the influence of alcohol. Moreover, it is obvious that alcohol relates to serious safety issues in our small community. Enclosed at **Tab 2** is a copy of the incidents this year alone, until August 14, 2025, that are alcohol related. There are 241 incidents for a community of approximately 1000. This is extraordinary given the limited policing resources in our community.

MIKISEW CREE
FIRST NATION

Indeed, our Nation's employees and officials have noticed a decline in youth drinking in the community since the closure of the illegal liquor store (HEP). This has been a welcome improvement.

We also remind RMWB that under Treaty 8 the Crown promised us they would control the sale of liquor in our territory. Fort Chipewyan is predominantly Mikisew members. We enclose therefore at **Tab 3** the expert opinion of Dr. Darcy Lindberg in this regard. The Crown cannot evade its obligations by delegating permitting powers to the municipality.

Granting this licence has at least the *potential* to impact our Treaty relationship and Treaty rights, if not infringe them. Our claim to protection from liquor sales under Treaty 8 is credible as evidenced in Dr. Lindbergh's report. As such there is a duty to consult that arises. Since at least 2017, it is now clear that administrative bodies, such as municipalities, can and must discharge the duty to consult. Recognition of a duty to consult owing to Mikisew is evident in the consultation policy.

[redacted]indfall in resource revenue sharing from the impacts to our [redacted]ands development. By contrast, despite our constitutional [redacted] nothing in the way of revenue sharing. In February, 2024, [redacted]unding that was provided to RMWB by the federal public safety department for addictions and prevention measures, which our community was not made aware of. Instead, RMWB has proposed to contribute to the problem by approving a liquor permit in our community.

In addition, we know from research conducted following the Imperial Kearl spill that the land dispossession caused by industrial disturbance caused mental health harm to our members and, therefore, by extension, potential for further substance abuse issues in our community. RMWB has done nothing to assist in mitigating this real problem. By contrast, Mikisew has called a State of Emergency.

MIKISEW CREE
FIRST NATION

Even if RMWB maintains they are exempt from the duty to consult, please be advised that RMWB is not exempt from considering whether an application is in the public interest[2] and whether it is compatible with the surrounding use.[3] It is not in the public interest nor is it compatible with the surrounding use, as already found by the municipality's own board, to contribute to substance abuse and intergenerational trauma in a predominantly First Nation community like Fort Chipewyan through the sale of liquor at 193 Mackenzie Avenue.

In closing, given the short and dishonourable window of time to respond, again, we are enclosing and relying on our previous submissions, **Tab 4,** also submitted in haste, in response to RMWB's proposal to approve this permit again.

We trust this is sufficient to put this issue to rest and join us in protecting our community.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

Encl (4)

cc. *Chiefandcouncil@mikisewcree.ca*
ceo@mikisewcree.ca
RMWB via email

[2] *Municipal Government Act*, RSA 2000, c M-26, s 617; *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 43.
[3] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 14.

Thursday, August 21, 2025 at 10:15:34 Mountain Daylight Time

Subject: Re: Liquor Store
Date: Thursday, August 21, 2025 at 10:15:33 AM Mountain Daylight Saving Time
From: Orlagh O'Kelly

From: Danny Mercredi <danmercredi@icloud.com>
Sent: Tuesday, August 12, 2025 9:42:43 PM
To: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>
Cc: Councillor Bonnie Fraser <bonnie.fraser@mikisewcree.ca>; Councillor Sherri McKenzie <sherri.mckenzie@mikisewcree.ca>; Councillor Tammie Tuccaro <tammie.tuccaro@mikisewcree.ca>; Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>; Councillor Dillon Whitehead <dillon.whitehead@mikisewcree.ca>; Councillor Roxanne Marcel <roxanne.marcel@mikisewcree.ca>
Subject: Fwd: Liquor Store

Sent from my iPhone

Begin forwarded message:

> **From:** Danny Mercredi <danmercredi@icloud.com>
> **Date:** August 12, 2025 at 9:41:12 PM MDT
> **To:** permit.inquiries@rmwb.ca
> **Subject: Liquor Store**
>
> ALERT ! ‼️
>
> Sharing;
>
> The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss.

It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.🪶🪶🪶🪶🪶🪶🪶🪶

Sent from my iPhone

	Occ #	Unit	Type
1)	20241023280	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
2)	20241036543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
3)	20241054768	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
4)	20241059007	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
5)	20241069343	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
6)	20241075514	G DIV FORT SMITH DETACHMENT	Wellbeing Check (FIP)
7)	20241091533	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
8)	20241099092	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
9)	20241099707 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
10)	2024110974 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
11)	20241119125	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
12)	20241139722	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

13)	2024114313	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
14)	2024114599 0	K DIV FORT CHIPEWYAN DETACHMENT	Moving Traffic - Speeding Violations - Provincial/Territorial
15)	2024115236 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
16)	2024116787 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
17)	2024117002 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
18)	2024117174 9	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
19)	2024119280 1	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
20)	2024121993 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
21)	2024122141 9 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
22)	2024123322 4	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
23)	2024123370 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
24)	2024124015	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
25)	2024125020 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
26)	2024126662 5	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)

27)	2024126751 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
28)	2024128139 9	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
29)	2024128766	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
30)	2024131840 4	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
31)	2024135376 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
32)	20241367	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
33)	2024138466 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
34)	2024138606 1	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
35)	2024139775 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
36)	2024140251 9	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
37)	2024142406 6	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
38)	2024143177 3 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
39)	2024143578 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
40)	2024146241 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

41)	2024146632 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
42)	2024146763 7	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
43)	2024147676 8	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
44)	2024148892 5	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
45)	2024154366 1	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
46)	2024154930 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
47)	2024155316 4 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
48)	2024157424 8	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
49)	2024158145 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
50)	2024158380 7	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
51)	2024158735 0	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
52)	2024158991 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
53)	2024159939 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
54)	2024160442 7	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)

55)	20241616415	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
56)	20241622022	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
57)	20241622419 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
58)	20241622685	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
59)	20241622922	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
60)	20241623091	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
61)	20241623092	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
62)	20241658284	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
63)	20241690459	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
64)	20241691259	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
65)	2024169140	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
66)	20241704295	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
67)	20241705467	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)
68)	20241713189	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities

69)	2024172216 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
70)	2024175155 1	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
71)	2024178404 0	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
72)	2024179644 2	K DIV FORT CHIPEWYAN DETACHMENT	Discharge firearm with intent 244 CC (FIP)
73)	2024179666 6	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
74)	2024179884 9	K DIV FORT CHIPEWYAN DETACHMENT	Harassing communications 372(3) CC (FIP)
75)	2024180090 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
76)	2024183733 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
77)	2024183827 2	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
78)	2024184563 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
79)	2024186837 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
80)	2024186966 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
81)	2024188708 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
82)	2024193208	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)

83)	2024194219	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
84)	2024203767	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
85)	2024208841	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
86)	2024211397	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
87)	2024240605	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
88)	2024251908	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
89)	202425940	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
90)	2024261551	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
91)	2024269059	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
92)	2024300733	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
93)	2024310987	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
94)	2024321251	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
95)	2024332052	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
96)	2024348366	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

97)	2024353525 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
98)	2024379617	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
99)	2024392612	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
100)	202444740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
101)	202445084	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
102)	2024462788	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
103)	20244736	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
104)	2024481133	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
105)	2024487768	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
106)	2024490598	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
107)	2024502124	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
108)	2024518740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
109)	2024519114	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
110)	2024520788	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial

111)	2024520867	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
112)	20245327	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
113)	2024538558	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
114)	2024549440	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
115)	2024556047	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
116)	2024562648	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
117)	2024574278	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
118)	2024574938	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
119)	2024580844	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
120)	2024581200	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
121)	2024592833	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
122)	2024600378	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
123)	2024601552	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
124)	2024645716	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)

125)	2024669230	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
126)	2024672954	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
127)	2024674935	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
128)	2024706941	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
129)	2024712379	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
130)	2024712380	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
131)	2024713044	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
132)	2024714943	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
133)	2024720054	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
134)	2024721174	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
135)	2024727281	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
136)	2024727378	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
137)	2024731966	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
138)	2024732763	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities

139)	2024733800 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
140)	2024733897	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
141)	2024759119	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
142)	2024767401	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
143)	2024772115	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
144)	2024778655	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
145)	2024817368	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
146)	2024824782	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
147)	2024827924	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
148)	202482871 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
149)	202484914	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
150)	2024851590	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
151)	2024862040	K DIV FORT CHIPEWYAN DETACHMENT	Operation While Impaired (Alcohol And Drug) / Over 80mg% Of Vessel / Aircraft / Railway 320.14(1)(a)/(d) CC
152)	202487584	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

153)	202487906	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
154)	2024879593	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
155)	2024897855	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
156)	2024909110	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
157)	202491967	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
158)	2024927289	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
159)	2024981470 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
160)	2024993773	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
161)	2024998728	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
162)	2024999150	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
163)	2025102724 6	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
164)	2025103532 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
165)	2025103540 3	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
166)	2025103659 8	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)

167)	20251037882	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
168)	2025106946	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
169)	20251101181	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
170)	20251106890	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
171)	20251114593	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
172)	2025111498	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
173)	20251120669	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
174)	2025112977	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
175)	2025114679	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
176)	2025114806	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
177)	2025114927	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
178)	2025115744	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
179)	202511669	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
180)	2025117208	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC

181)	2025118023 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
182)	2025118515 2	K DIV FORT CHIPEWYAN DETACHMENT	Unwanted person
183)	2025118672	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
184)	2025128736	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
185)	202513337	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
186)	2025142963	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
187)	2025145353	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
188)	2025160447	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
189)	2025204227	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
190)	2025209553	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
191)	2025222597	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial
192)	2025233500	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
193)	2025239986	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
194)	2025240695	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial

195)	2025252833	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
196)	202526476	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
197)	202526543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
198)	2025269588	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
199)	2025288103 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
200)	2025308025	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
201)	2025326580	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
202)	2025340119	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)
203)	2025373011	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
204)	2025376486	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
205)	2025380331	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
206)	2025395438	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
207)	2025407036	K DIV FORT CHIPEWYAN DETACHMENT	Mischief to motor vehicle 430(3)&(4) CC
208)	2025408535	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency

209)	2025410932 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
210)	2025414298	K DIV FORT CHIPEWYAN DETACHMENT	Possession for the Purpose of Trafficking - Schedule I: Cocaine 5(2) CDSA (FIP)
211)	2025419309	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
212)	2025445959	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
213)	2025483085 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
214)	202551716	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
215)	2025529443	K DIV FORT CHIPEWYAN DETACHMENT	Dangerous Driving - Provincial/Territorial
216)	202553174	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
217)	2025547037	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
218)	2025604106	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
219)	2025628925	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
220)	2025727571	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
221)	2025727828	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
222)	202572818	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

223)	2025728647	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
224)	2025729034	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
225)	2025729110	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
226)	2025731578	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
227)	2025732080	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
228)	2025745441	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
229)	2025748970	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
230)	2025749226 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
231)	2025762178	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
232)	2025765390	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
233)	2025771753	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
234)	2025775922	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
235)	2025776272	G DIV FORT SMITH DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
236)	2025832834	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

237)	2025907409	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
238)	2025909649	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
239)	2025915907	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
240)	2025937711	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
241)	2025974050	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 21, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

---

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Cree Law Informs Treaty 8:

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It

---

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

6. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

MIKISEW CREE FIRST NATION
ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

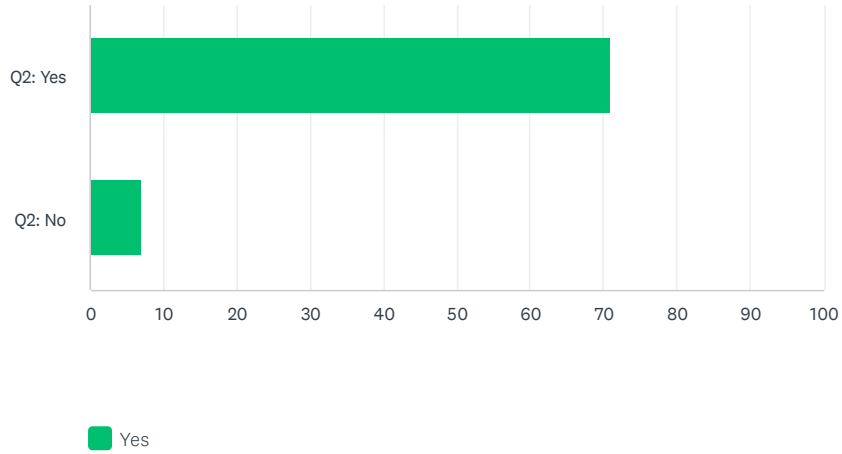
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

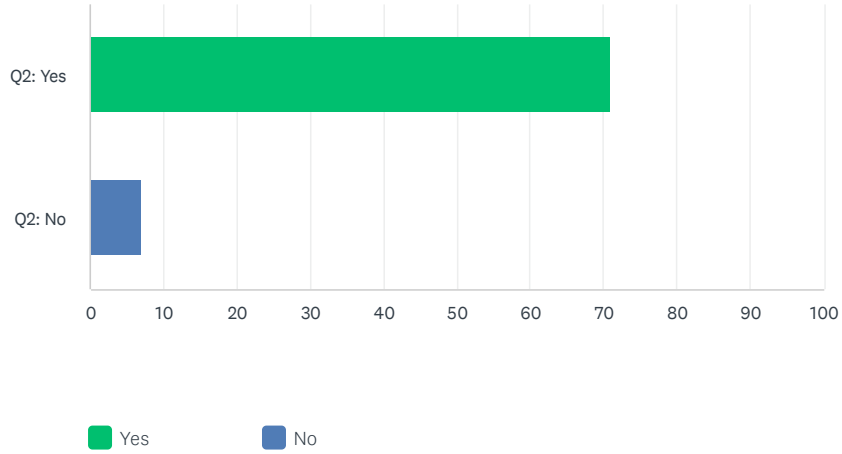


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

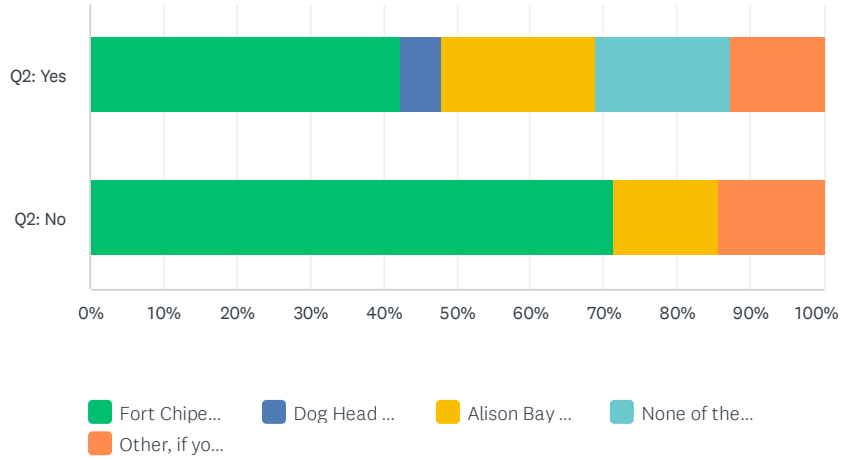
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

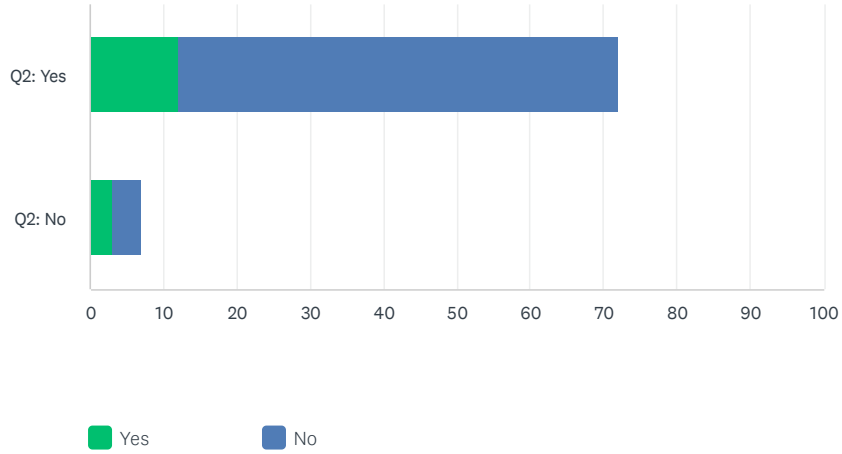
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

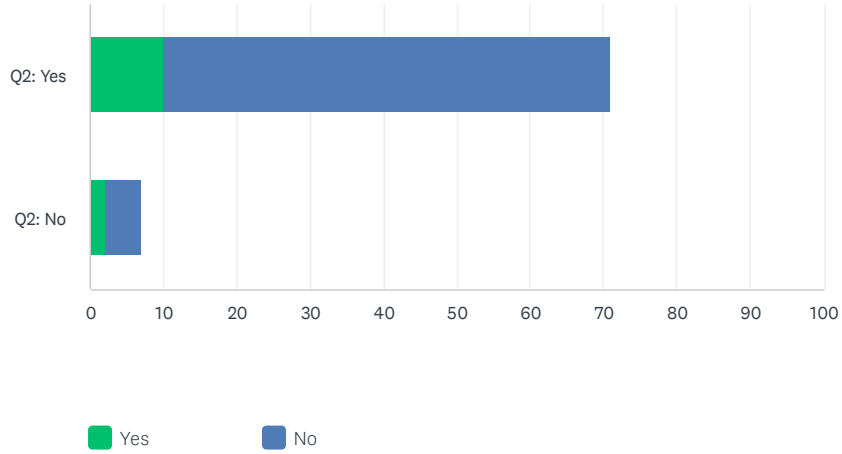
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

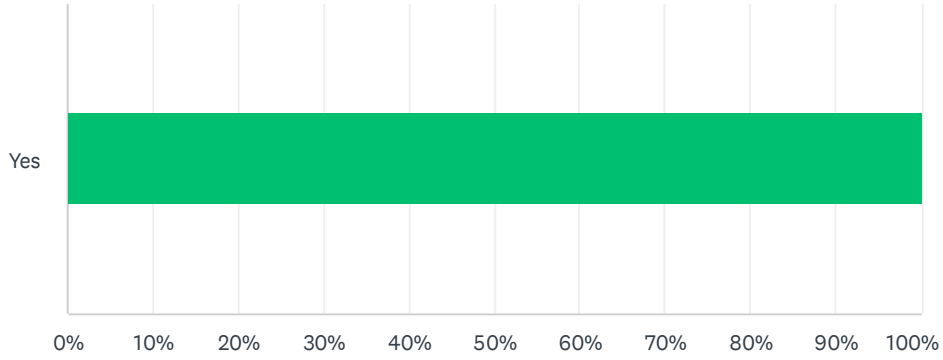
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

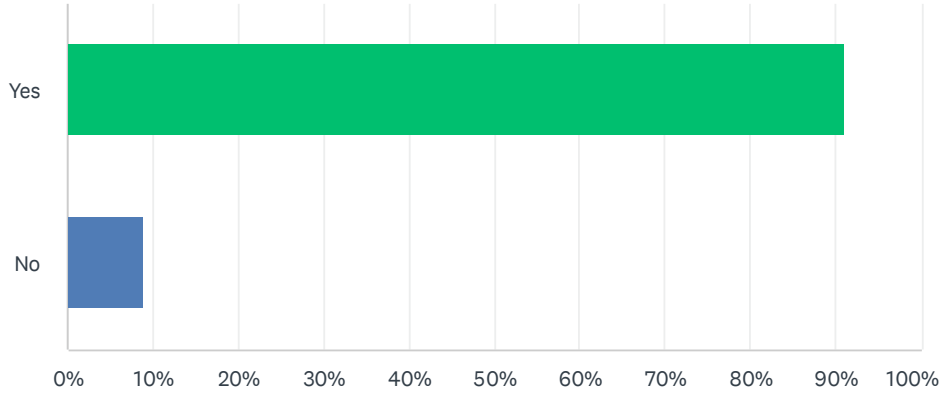
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

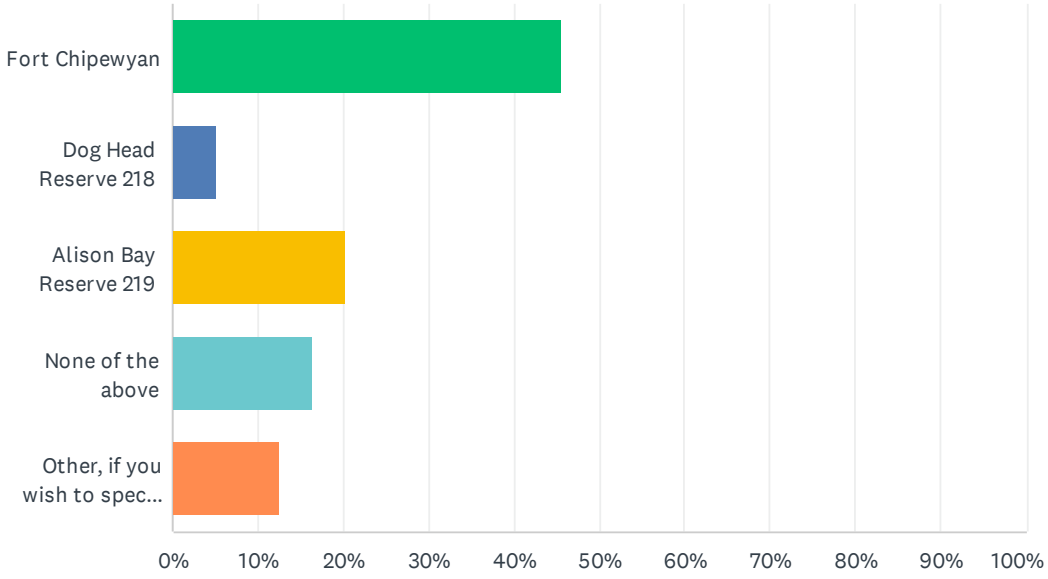
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

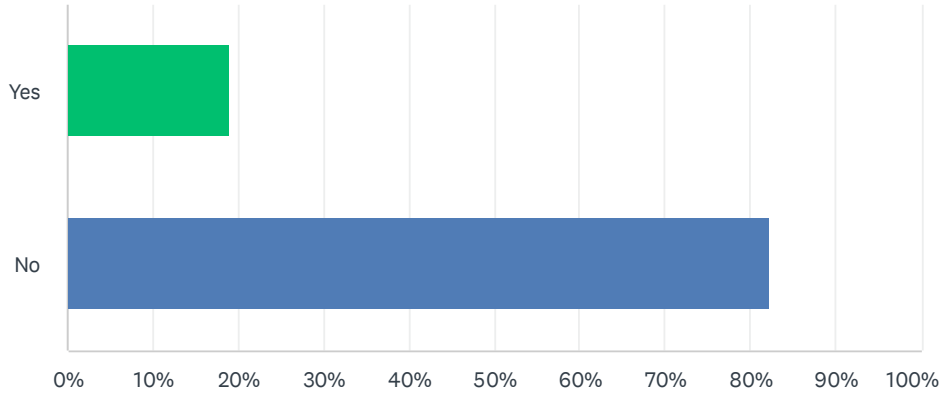
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

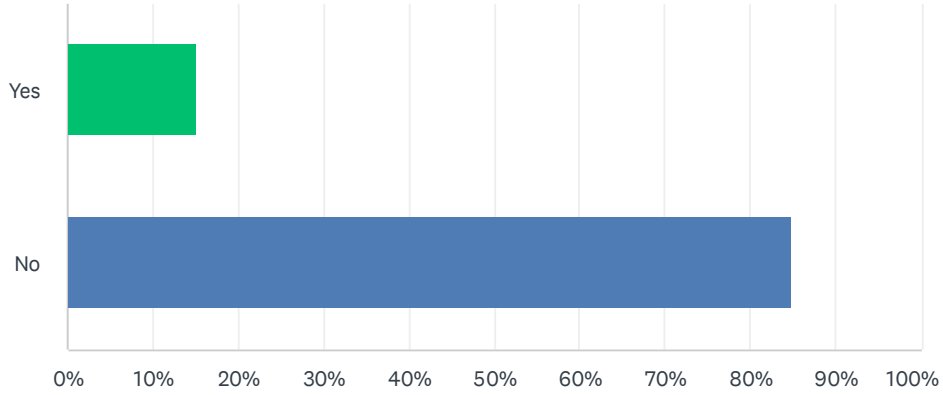
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:		TOTAL
Q2: Yes		100.00% 40	97.56% 40
Q2: No		100.00% 1	2.44% 1
Total Respondents	41		41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

From: Phyllis Agyemang
To: ATIA 20(1)
Cc: Jesse Tjepkema
Subject: RE: Liquor Store
Date: Wednesday, August 13, 2025 9:42:00 AM
Attachments: image001.jpg
image002.jpg

Good morning,
Thank you for your email.
My colleague, Jesse Tjepkema, is the lead on this application and will provide you with a response upon his return to the office on Monday.
In the meantime, if there is anything else I can assist you with, please do not hesitate to reach out.
Cheers,

Phyllis Agyemang, BSc., MSc.
Planner I |Planning and Development Services|
T: 780-743-7084

How did we do? Provide anonymous feedback on your experience with RMWB Planning & Development Services to help us improve our services.

Planning & Development Services Customer Satisfaction Survey | Participate Wood Buffalo (rmwb.ca)

Please consider the environment before printing this email.

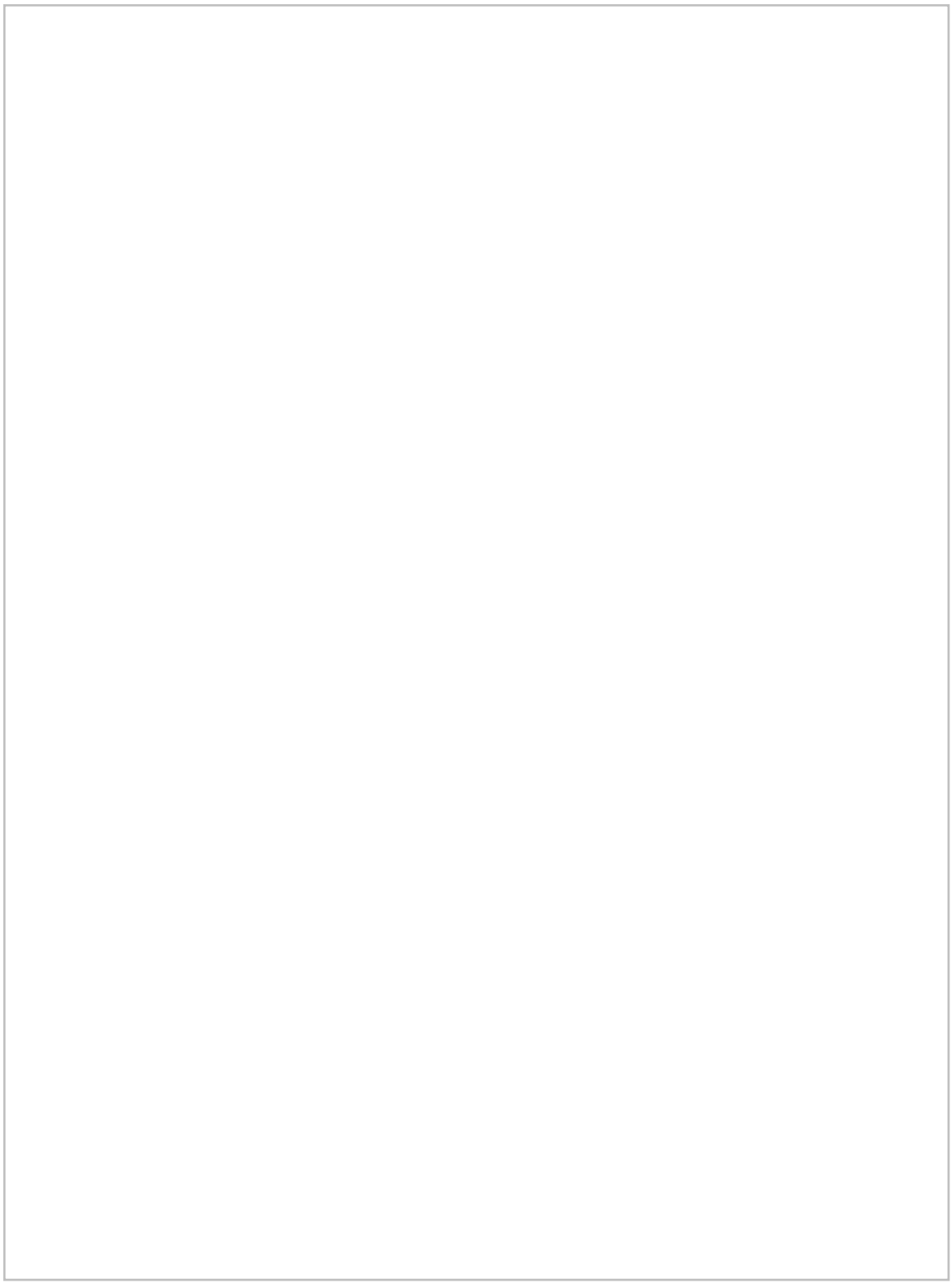
From: Danny Mercred ATIA 20(1)
Sent: Tuesday, August 12, 2025 9:39 PM
To: Jesse Tjepkema <Jesse.Tjepkema@rmwb.ca>
Cc: Phyllis Agyemang <Phyllis.Agyemang@rmwb.ca>
Subject: Liquor Store

External Message - Please be cautious when opening links or attachments in email

ALERT ! ‼

Sharing;

The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss. It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.



Sent from my iPhone

Outlook

File number 2025-dp-00169

From Scott Flett <ATIA 20(1)
Date Thu 8/7/2025 1:55 PM
To Jesse Tjepkema <Jesse.Tjepkema@rmwb.ca>

External Message - Please be cautious when opening links or attachments in email

Hello Jesse,
I have concerns about the planned location of the liquor store in Fort Chipewyan as it is in close proximity to a residential and beach area.

My present experience with residing across from the beach is the partying that takes place now which will only get worse with this proposed liquor store.

Scott Flett

July 17, 2025

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2025-DP-00169 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by Planning & Development Services to develop a **Liquor Store, Office, and Warehouse development** at the property listed above.

The intent is to have a temporary Liquor Store for up to one year, to be replaced with a **permanent Liquor Store, Office, and Warehouse development**.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

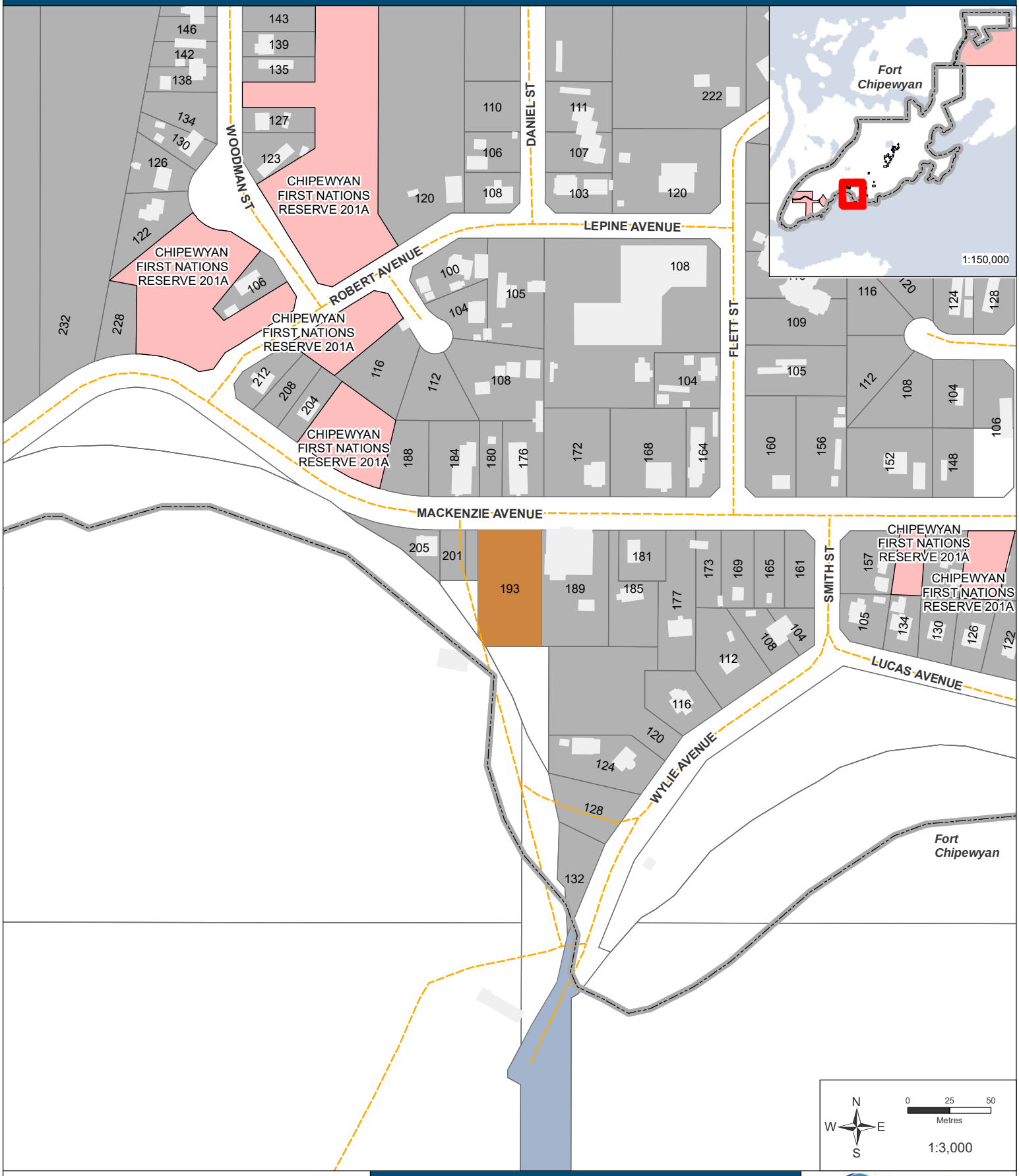
We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 7, 2025**. All comments received will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Jesse.Tjepkema@rmwb.ca
Mail: Jesse.Tjepkema, Planner II
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Phyllis.Agyemang@rmwb.ca
Mail: Phyllis Agyemang, Planner I
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Adam,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear President Cardinal,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Tuccaro

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

REGIONAL MUNICIPALITY OF WOOD BUFFALO
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

IN THE MATTER OF THE APPEAL OF DEVELOPMENT PERMIT 2025-DP-00169

BETWEEN:

Mikisew Cree First Nation
(Cree-ations Enterprises Limited, Mistee Seepee Development Corporation Ltd., and 1112958 Alberta Ltd.

Appellants

- AND –

Regional Municipality of Wood Buffalo

Respondent

DOCUMENT: **MEMORANDUM OF ARGUMENT OF THE APPLICANT, DANIEL ROY, REGARDING JURISIDCTIONAL MATTERS**

Prepared by Terra Legal[1]

Attn: Robert Homersham

Counsel for the Applicant, Daniel Roy

[1] Terra Legal is a registered trade name of Robert A. Homersham Professional Corporation

I. Introduction:

1. On May 1, 2023, the Applicant, Daniel Roy, submitted a development permit application to the Regional Municipality of Wood Buffalo ("RMWB") Development Authority (the "Development Authority") for a liquor store at 193 Mackenzie Avenue, Fort Chipewyan (the "Development").

2. The Applicant is the registered owner of 193 Mackenzie Avenue.

3. On July 19, 2023, the Development Authority informed the Applicant that it was in receipt of a complete application.[2]

4. On July 21, 2023, the Development Authority informed the Applicant that it was extending its review of the development permit application to address alcohol-related concerns expressed by the community.[3]

5. On July 25, 2023, the Development Authority circulated notice of the development permit application to all property owners within the Fort Chipewyan hamlet boundary, as well as to the offices of Athabasca Chipewyan First Nation, Fort Chipewyan First Nation, and Mikisew Cree First Nation ("MCFN").[4]

6. The deadline for providing comments to the Development Authority was August 25, 2023. The Development Authority received ten (10) letters from Fort Chipewyan residents and one (1) letter from MCFN opposing the Development.[5]

7. The letters from residents focused on the deleterious effects of alcohol in Fort Chipewyan and expressed concern that having a second liquor store in the hamlet would exacerbate this problem.

8. The letter from MCFN, with attachments including a survey of its members, totaled twenty-two (22) pages. It included comments on the deleterious effects of alcohol in its community and, additionally, alleged lack of notice and consultation with MCFN in contravention of RMWB's constitutional duty to consult.

9. On August 16, 2024, almost a year after it conducted its extended review, the Development Authority approved Development Permit No. 2023–DP-00125 for a liquor store at 193 Mackenzie Avenue (the "Development"), in the Hamlet of Fort Chipewyan, and issued a Notice of Decision and Conditions of Approval on August 16, 2024 (the "Approval").[6]

---

[2] Exhibit List prepared for the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board ("2024-003 SDAB Report"), September 13, 2024, re: Appeal No. 2024-003, Ex. 5, p. 110, para. 10 (2024-003 SDAB Report)
[3] 2024-003 SDAB Report, Ex. 5, p. 110, para. 11 (2024-003 SDAB Report)
[4] 2024-003 SDAB Report, Ex. 5, p. 111, para. 14 (2024-003 SDAB Report)
[5] 2024-003 SDAB Report, Ex. 5, p. 111, para. 17 (2024-003 SDAB Report)
[6] 2024-003 SDAB Report, Exhibit 2, p. 5 (2024-003 SDAB Report)

10. The Appellants filed a Notice of Appeal (the "First Appeal"), on September 19, 2024, to the RMWB Subdivision and Development and Appeal Board (the "SDAB"), seeking to overturn the Approval.[7]

II. Issues Raised on the First Appeal by MCFN

11. The Appellants raised, among other grounds, the following grounds of appeal:[8]

i. the Development Authority had a common law duty to consult with MCFN and failed to comply with that duty; and

ii. the Development Authority had a constitutional duty to consult with MCFN and failed to comply with that duty.

III. Arguments of the Applicant and Counsel for RMWB on the First Appeal

12. SDAB has no Jurisdiction on Matters of Constitutional Law. It is settled law that the SDAB does not have jurisdiction to decide questions of constitutional law.[9] Accordingly, the issues raised by the Appellant on appeal to the SDAB described in paragraphs 11 i. and ii. above are not properly before the SDAB.

13. No Duty of Consultation on the Crown Regarding Private Lands. Notwithstanding that the SDAB has no jurisdiction to decide questions of constitutional law, the Alberta Court of Appeal ("ABCA") has opined that "there is no duty of consultation on the Crown or landowners on privately owned lands."[10] The ABCA distinguished the British Columbia Supreme Court decision in *Hupacasath First Nation v British Columbia (Minister of Forests)*, which found that a duty to consult can arise in some instances involving private lands, on the basis that the facts in *Hupacasath* that the federal government was extensively involved in the transfer of private lands into a publicly funded government program.[11] Subsequent decisions in 2017 by the Supreme Court of Canada in *Clyde River (Hamlet) v Petroleum Geo-Services Inc.*[12] and *Chippewas of the Thames First Nation v Enbridge Pipelines Inc.*[13] may have expanded the duty to consult but, in any event, the SDAB has no jurisdiction to decide such constitutional matters. Section 636(c)(ii) of the *Municipal Government Act* ("MGA") does have a duty of municipalities to consult

---

[7] 2024-003 SDAB Report, Ex. 6 (2024-003 SDAB Report)
[8] 2024-003 SDAB Report, Ex. 6 (2024-003 SDAB Report)
[9] Boll v. Woodlands County Municipal Planning Commission, 2016 ABCA 344 (CanLII), para. 8 (Boll v Woodlands County); Paul First Nation v Parkland (County), 2006 ABCA 128 (CanLII), para. 12 (Paul First Nation v Parkland County); Kappo v. Subdivision and Development Appeal Board (Municipal District of Greenview No. 16), 2003 ABCA 146 (CanLII) para. 12, (Kappo v MD of Greenview); Designation of Constitutional Decision Makers Regulation, Alberta Regulation 69/2006 (Designation of Constitutional Decision Makers Regulation).
[10] Paul First Nation v Parkland County, para. 14
[11] Paul First Nation v Parkland County, para. 14
[12] *Clyde River (Hamlet) v Petroleum Geo-Services Inc.*, 2017 SCC 40 (CanLII), (Clyde River)
[13] *Chippewas of the Thames First Nation v Enbridge Pipelines Inc.*, 2017 SCC 41 (CanLII), (CTFN v Enbridge)

"the Indian band of any adjacent Indian reserve" with respect to preparing a municipal development plan, but this statutory duty does not extend to consultation on development permit applications.[14]

IV. Decision of the SDAB on the First Appeal

14. The SDAB accepted the arguments of the Applicant and RMWB counsel described in paragraphs 12 and 13 above but overturned the Approval on the First Appeal on the basis that an increase in liquor sales would exacerbate safety concerns in the community and, as a result, the Development "is not compatible with adjacent (or other) uses in the community.[15]

V. The Applicant's Reapplication for a Development Permit for a Liquor Store

15. The Applicant reapplied for a development permit for a liquor store at 193 Mackenzie Avenue on May 20, 2025 (20205-DP-00169 or the "Second Development Permit Application").

16. The Development Authority issued a Notice to Adjacent Property Owners on July 17, 2025, delivering this Notice to all addresses in the hamlet of Fort Chipewyan and to the neighboring First Nation Reserves, including MCFN. Attached as Schedule "A" to this Memorandum is the RMWB's Notice to Adjacent Property Owners of the Second Development Permit Application, which includes a letter to Chief Tuccaro of MCFN.

17. and received the Approval of the Development Authority on September 26, 2025. The Notice of Approval was advertised on October 2, 2025, thereby commencing the 21-day appeal period, which expired October 23, 2025.

VI. Issues Raised on the Second Appeal by the Appellants

18. The Appellants filed a Notice of Appeal (the "Second Appeal") on October 17, 2025, and raised the following ground of appeal:

i. The Development Authority did not consult with MCFN;

ii. Specifically, the Reasons for Appeal section of the Notice of Appeal stated as follows:

> I/We hereby appeal the decision of the Approval Authority for the following reason(s) as the RMWB did not consult with MCFN and did not
>
> SEE APPENDIX A.

[14] *Municipal Government Act*, RSA 2000, c. M-26 (CanLII), (MGA)
[15] Notice of Decision of the SDAB, dated November 19, 2024, at paras. 129 and 138 (2024-003 Notice of Decision)

19. The "Appendix A" referred to above, apparently containing additional reasons for appeal, was not filed with the SDAB until October 26, 2025, outside the 21-day appeal period.[16]

VII. Arguments of the Applicant Regarding Jurisdictional Issues Affecting the Second Appeal

20. Section 686(1) of the MGA requires that a notice of appeal, by which an appeal of a development permit decision is commenced, must contain reasons.[17]

21. A Subdivision and Development Appeal Board has *de novo* jurisdiction[18] and may consider reasons for appeal not raised in the notice of appeal.[19]

22. However, *Landry v Rocky View County* states that this *de novo* jurisdiction is not without limits – an SDAB "is not relived of ensuring procedural fairness"[20] and "whether there has been a prejudicial effect on a party is a key consideration in determining whether a breach of procedural fairness is established."[21]

23. If no justiciable issue is raised in the Notice of Appeal, it would have a prejudicial effect on the Applicant to allow this Appeal to continue. Sec. 686(1) of the MGA requires that a notice of appeal contain reasons. The Notice of Appeal filed with the SDAB prior to the 21-day deadline claims only that "the RMWB did not consult with MCFN." This can mean only two things – either the RMWB did not give notice to the Appellants of the Second Development Permit Application or RMWB owed the Appellants a broader common law or constitutional duty to consult.

24. In its November 2024 Notice of Decision regarding the First Appeal, the SDAB affirmed that "the Board does not have a duty to consult."[22] So if the Appellants' reason for appeal is to be interpreted as the broader duty to consult, it is *res judicata* and the Appellants are estopped from raising the issue again.[23] The same issue involving the same parties was already determined by the SDAB.

25. Also in the November 2024 Notice of Decision regarding the First Appeal, the SDAB affirmed that:

> [t]he LUB obligation is only notification, and does not require the Development Authority to do more, such as take into account any comments received. The evidence here was that the notices were sent to each address in the hamlet, which the Board interprets as well beyond the

---

[16] Emails from G Stewart-Palmer, counsel for the SDAB, dated October 25 and October 29, 2025, a copy of which (with attachment) is attached as Schedule "B" to the Memorandum.
[17] *Municipal Government Act*, RSA 2000, c. M-26 (CanLII), (MGA), sec. 686(1)
[18] *Municipal Government Act*, RSA 2000, c. M-26 (CanLII), (MGA), sec. 687(3)(c)
[19] Landry v Rocky View County, 2025 ABCA 34 (CanLII), (Landry v Rocky View County), paras. 31 and 36
[20] Landry v Rocky View County, 2025 ABCA 34 (CanLII), (Landry v Rocky View County), para. 36
[21] Landry v Rocky View County, 2025 ABCA 34 (CanLII), (Landry v Rocky View County), para. 34
[22] Notice of Decision of the SDAB, dated November 19, 2024, at paras. 129 and 138 (2024-003 Notice of Decision), paras. 102 and 103
[23] Sihota v Edmonton (City), 2013 ABCA 43 (CanLII), paras. 14 and 17 (Sihota v City of Edmonton)

100 m of the LUB. Since the LUB only requires notification of 100 m and the Development Authority provided notices to the whole hamlet, the Board finds that that Development Authority met its statutory obligations for notices.[24]

26. So if the Appellants' reason for appeal is to be interpreted as the narrower duty of the Development Authority to give notice to the Appellants of the Second Development Permit Application, the SDAB already decided this issue in its November 2024 Notice of Decision. The Development Authority's statutory obligation to give notice of a development permit application is to those addresses within 100 metres of the development site. Notwithstanding this limited obligation, the Development Authority did give notice to MCFN, and MCFN did respond in writing. Attached as Schedule "C" to this Memorandum is the Appellants' written objection to the Second Development Permit Application, dated August 21, 2025.

27. It is "plain and obvious"[25] that the Appellants received notice of the Second Development Permit Application, so if its reason for appeal is that it did not receive notice, then it discloses no reasonable justiciable issue and should be struck.

28. The Notice of Appeal discloses no justiciable issue so should be struck. The additional reasons for appeal in the Appendix "A", filed late, therefore have no initial reason for appeal to hang onto, to be allowed in under the SDAB's broad *de novo* jurisdiction. Therefore, these additional reasons for appeal were simply filed late. The SDAB has no jurisdiction to extend the 21-day deadline for filing a notice of appeal.[26]

29. Relief Requested. The Applicant respectfully requests that for the foregoing reasons the SDAB dismiss this Second Appeal for want of jurisdiction.

[24] Notice of Decision of the SDAB, dated November 19, 2024, at paras. 129 and 138 (2024-003 Notice of Decision), para. 112
[25] Hunt v Carey Canada Inc., 1990 Can LII 90 (SCC), p. 960 (Hunt v Carey)
[26] Coventry Homes Inc. v Beaumont (Town of) Subdivision and Development Appeal Board, 2000 ABCA 63 (CanLII), paras. 28 - 34 (Coventry Homes v Beaumont SDAB)

Schedule "A"
RMWB's Notice to Adjacent Property Owners

July 17, 2025

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2025-DP-00169 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by Planning & Development Services to develop a **Liquor Store, Office, and Warehouse development** at the property listed above.

The intent is to have a temporary Liquor Store for up to one year, to be replaced with a **permanent Liquor Store, Office, and Warehouse development**.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

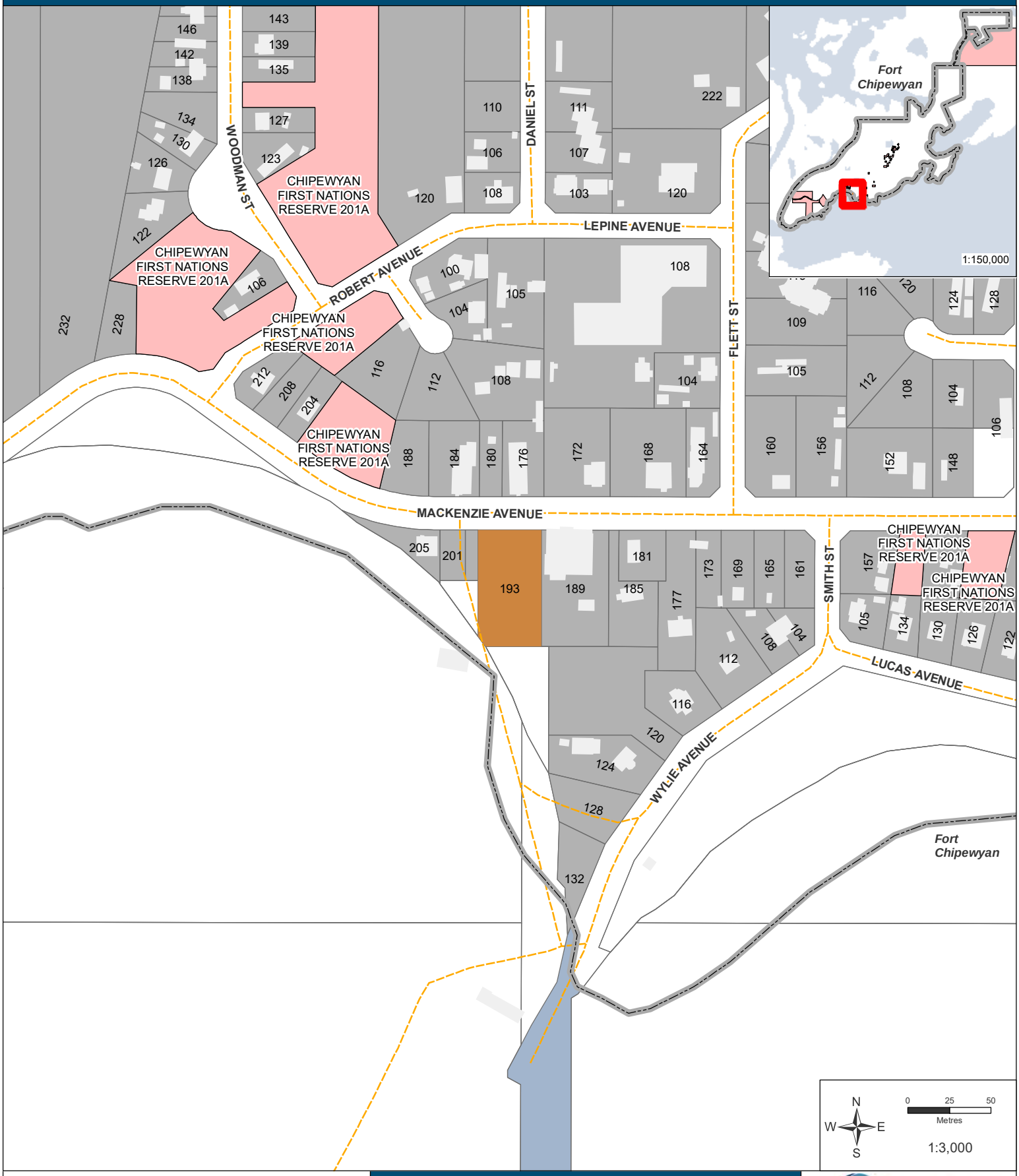
We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 7, 2025**. All comments received will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Jesse.Tjepkema@rmwb.ca
Mail: Jesse.Tjepkema, Planner II
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Phyllis.Agyemang@rmwb.ca
Mail: Phyllis Agyemang, Planner I
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Adam,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear President Cardinal,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Tuccaro

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

Schedule "B"
Emails from G Stewart-Palmer, Counsel for the SDAB

Subject: RE: appeal of DP 2025-DP-00169 By Mikisew Cree First Nation et al
Date: Wednesday, October 29, 2025 at 7:28:48 AM Mountain Daylight Time
From: Gwendolyn J. Stewart-Palmer
To: Robert Homersham, Orlagh O'Kelly
CC: Shelley Metera, Heather Fredeen, Subdivision and Development Appeal Board
Attachments: image001.png, image002.jpg, 2025-10-17 SDAB Notice of Appeal with Appendix A.pdf

Hello everyone,
Bob, my apologies for the delay in responding.

I am enclosing the Notice of Appeal with Appendix A.
I am advised by the Clerk that the appeal was filed within the required deadline.
The Clerk received the form on October 17, and received the form again (with Appendix A) on October 26, 2025.

The Clerk accepted the appeal on October 17, 2025, noting the reason listed on the bottom of page 1.
Should you have any concerns about the timing of the appeal, you are able to bring this to the Board's attention as a preliminary matter.

I note also that I had written to both Bob and Orlagh regarding the dates for the hearing of the matter, and have not heard back from either of you.
The Board must open the hearing within 30 days of receipt of the appeal notice. Due to the requirements for notification, it would be helpful if the Board had a firm hearing date. It is possible for the Board to convene a preliminary hearing to set dates and address any preliminary matters.

I will be on vacation as of October 30, 2025, but you may contact Heather Fredeen, Clerk to the SDAB, who is copied on this email.

I look forward to hearing from you.
Gwendolyn

SHORES JARDINE LLP

Gwendolyn J. Stewart-Palmer K.C. (pronouns: she/her/hers)
Partner
Suite 2250 Bell Tower | 10104-103 Avenue | Edmonton, Alberta T5J 0H8
Tel 780.448.9275 | Direct 780-702-4275 | Fax 780.423.0163 | Cell 780.914.4458 | www.shoresjardine.com

Recipient of the 2023 CBA Municipal Law Award of Excellence
This email is legally privileged and confidential. If you have received it in error, please reply and advise the author, and delete the message. Thank you. Copyright in this message and all attachments sent by our office belongs to Shores Jardine LLP, which reserves all rights.

From: Robert Homersham <robert.homersham@homersham.com>
Sent: October 25, 2025 10:19 AM
To: Gwendolyn J. Stewart-Palmer <Gwendolyn@shoresjardine.com>; Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>; Heather Fredeen <Heather.Fredeen@rmwb.ca>
Subject: Re: appeal of DP 2025-DP-00169 By Mikisew Cree First Nation et al

Gwendolyn,

Thanks for your email. My client and I have received an incomplete Notice of Appeal. That is, the reasons for appeal reference an Appendix with additional reasons or additional detail, which was not received. Please provide me with the complete Notice of Appeal and evidence that the complete Notice was received within the appeal period.

Regards,

Bob

Robert Homersham
Barrister & Solicitor

(403) 475-0246 (d)

(403) 830-5037 (c)

rhomersham@terra-legal.com
robert.homersham@homersham.com

TERRA LEGAL

terra-legal.com

Terra Legal is a trade name of Robert A. Homersham Professional Corporation

This email is confidential and may be subject to solicitor-client privilege. If you are not the intended recipient, dissemination or reproduction is prohibited. Please notify us and delete any copy immediately.

From: Gwendolyn J. Stewart-Palmer <Gwendolyn@shoresjardine.com>
Sent: Saturday, October 25, 2025 9:24:10 AM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>; Robert Homersham

<robert.homersham@homersham.com>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>; Heather Fredeen <Heather.Fredeen@rmwb.ca>
Subject: appeal of DP 2025-DP-00169 By Mikisew Cree First Nation et al

Good morning Orlagh and Bob,

I act for the RMWB SDAB.
I have been advised that MCFN et al have filed an appeal of the above noted development permit.
At this time, I am not certain if there is counsel for the Development Authority.

Heather Fredeen is the clerk. I have looped her in, because she will be liaising with the DA until we know whether the DA has counsel.

The Board needs to schedule the hearing, I thought there might be value in hearing from you about your thoughts on dates and disclosure. We will need to loop in the DA once we know about whether they are represented.

If you think a quick call would work, please send a few times for the upcoming week that might work.
Alternatively if you wanted to liaise with one another to propose a joint schedule, I believe the board would also be pleased with that, subject to their availability.

Thanks.
Gwendolyn

SHORES JARDINE LLP

Gwendolyn J. Stewart-Palmer K.C. (pronouns: she/her/hers)
Partner
Suite 2250 Bell Tower | 10104-103 Avenue | Edmonton, Alberta T5J 0H8
Tel 780.448.9275 | Direct 780-702-4275 | Fax 780.423.0163 | Cell 780.914.4458 | www.shoresjardine.com

Recipient of the 2023 CBA Municipal Law Award of Excellence
This email is legally privileged and confidential. If you have received it in error, please reply and advise the author, and delete the message. Thank you. Copyright in this message and all attachments sent by our office belongs to Shores Jardine LLP, which reserves all rights.

Wood Buffalo TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE OF APPEAL

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot	Block	Plan	ATS
3	10	5642NY	

Civic Address

193 Mackenzie Avenue, Fort Chipewyan, Alberta

Development Permit Number or type of Order

2025-DP-00169

Section 2 - Appellant Information

NB: At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form.

Appellant Name (If the Appellant is a company, enter the complete legal name of the company)

MIKISEW CREE FIRST NATION (CREE-ATIONS ENTERPRISES LIMITED, MISTEE SEEPEE DEVELOPMENT CORPORATION LTD. and 1112958 ALBERTA LTD.)

Agent[1] Name (if applicable)	Contact Name (if different) and position held
Orlagh O'Kelly	

Mailing Address	City/Town	Province	Postal Code
403, 10113 - 104 Street NW	Edmonton	Alberta	T5J 1A1

Telephone Number (Daytime)	Alternate Telephone Number	Email Address
587-525-8348		orlagh.okelly@okellylaw.ca

Section 3 – Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

Subdivision Application		Notice of Order
☐ Approval	☐ Approval	☐ Notice of Order
☐ Condition of Approval	☐ Condition of Approval	
☐ Refusal	☐ Refusal	

☐ I/We are the Applicant or Land Owner of the subject property

☐ I/We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings or plans for clarification.

I/We hereby appeal the decision of the Approval Authority for the following reason(s) as the RMWB did not consult with MCFN and did not

SEE APENDIXA

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

ATIA 20(1)

OCTOBER 17 2025

Date

Signature of Appellant/Agent

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner: I/We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property as necessary for the purpose of this Appeal.

Signature of Registered Owner

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@rmwb.ca

Protection of Privacy

The personal information you provide on this form is being collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer –SDAB , 7th Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4 ; or call 780.788.2222

For Office Use Only				
Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:

[1] Agent – A person who acts for a Property Owner, Applicant, Appellant, and/or Affected/Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.

MATTERS FOR AN APPEAL

- A decision of the Subdivision Authority concerning a subdivision application;
- A decision of the Development Authority concerning a development permit application;
- An enforcement order issued by the Development Authority.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

In accordance with the Municipal Government Act, once you file an appeal, it will be scheduled for a hearing. The appellant, applicant, owner of the property and anyone considered an affected person will receive written notification of the hearing date, a minimum of five days prior to the hearing. Hearing dates are advertised in the local papers and Municipal website www.rmwb.ca/sdab, the Friday prior to the hearing.

IMPORTANT NOTICES

Your completed form and any supporting attachments, the agent authorization form, and the prescribed filing fee must be submitted to the Clerk of the Subdivision and Development Appeal Board at the contact information provided below prior to the deadline indicated on the notice or decision issued:

Clerk of the Subdivision and Development Appeal Board,
7th Floor, Jubilee Center,
9909 Franklin Avenue,
Fort McMurray AB T9H 2K4

Telephone: 780-743-7001
Email: sdab@rmwb.ca

APPENDIX A

Mikisew Cree First Nation, Cree-Ations Enterprises Ltd., Mistee Seepee Development Corporation Ltd and 1112958 Alberta Ltd.

APPEAL OF PERMIT NUMBER 2025-DP-00169

1. This is an appeal of the permit number 2025-DP-00169 granted to Daniel Roy for a liquor store located at 193 Mackenzie Avenue, Lot: 3 Block: 10 Plan 5642NY in the hamlet of Fort Chipewyan in the municipality Regional Municipality of Wood Buffalo ("**RMWB**"). The discretionary permit was granted pursuant to the Land Use Bylaw No. 99/059.

2. The proposed Liquor Store will be located at the centre of the hamlet and looking out over the lakefront. The Liquor Store is approximately 1 kilometre from MCFN's Dog Head 218 Reserve and 12km from MCFN's Alison Bay Reserve 219.

STATEMENT OF FACTS

3. The Appellants, Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, are corporations registered under the *Business Corporations Act* RSA 2000, c B-9. (collectively referred to as the "**Corporations**"). The Corporations are wholly owned by Mikisew Cree First Nation and, in the case of Cree'Ations, their shares are held by Chief Billy-Joe Tuccaro in trust for Mikisew Cree First Nation ("**MCFN**"). MCFN cannot hold title to lands in fee simple except through such corporations.

4. The Appellant, Mikisew Cree First Nation, has nine (reserves) in what is now known as RWMB, including two reserves in close proximity to Fort Chipewyan (Dog Head and Allison Bay). MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred to as the Regional Municipality of Wood Buffalo. Neither RMWB nor the province of Alberta existed in 1899.

5. One of the Crown's primary motives for Treaty No. 8 was to impose law and order following the Klondike goldrush, and, as part of this, to control the "liquor trade" in MCFN's territory.

6. The Appellant submits that one of the Crown's oral promises in Treaty No. 8 was to control intoxicants in MCFN's territories ("**Promise**"). The Promise was consistent with the one provided, sometimes explicitly, in other numbered Treaties, such as Treaty No. 6. To break this Promises, is to breach the Treaty.

7. MCFN has an asserted Treaty right to protection from intoxicants, i.e. the liquor trade, and Treaty right to health ("**Treaty Right**").

8. The provincial Crown has delegated the management of municipal land use planning to municipalities under the *Municipal Government Act*, RSA 2000, c M-26 ("**MGA**"). The land-use planning is delegated Crown conduct. To manage objections to the land-use planning within municipalities, the provincial Crown created the subdivision and development appeal board ("**SDAB**"). Together, the land use planning and the

SDAB are delegated provincial Crown Conduct ("**Crown Conduct**"). In doing so, they have created a regulatory scheme that may trigger the duty to Consult.

9. The hamlet of Fort Chipewyan was part of a smaller northern district, Improvement District 18 ("I.D. 18"). Sometime before 1994, I.D. 18 was amalgamated into Improvement District 143 ("I.D. 143"). The Regional Municipality of Wood Bufalo was created by the Regional Municipality of Wood Buffalo Order in Council (O.C. 817.94) which amalgamated the City of Fort McMurray and Improvement District No, 143 as a specialized municipality under the MGA ("**Amalgamation**"). I.D. 143 was previously created to include Improvement District 18 of which was more local oversight, directly by the province of the northern and central parts of I.D. 143. This Amalgamation encompassed 63,000 square kilometres, all of which is within Treaty No. 8 territory. As a result of the Amalgamation, RWMB has received hundreds of millions of royalties and taxes from the oil sands; MCFN receives none.

10. This Amalgamation, through the MGA, vested jurisdiction and control over all municipal lands already administered municipally. RMWB lands can be expanded or appropriated by the provincial Crown at any time, under the MGA and the *Public Lands Act,* RSA 2000, c P-40, s 9.

11. RMWB, in engaging in land use planning in Fort Chipewyan, in particular in licensing a liquor store, engages in Crown Conduct that may adversely impact MCFN's Treaty, Treaty Rights and the Promise. As such, RMWB, acting as part of a provincial regulatory scheme, owed MCFN:
    a. a duty to consult;
    b. a duty to accommodate;
    c. obligations to honour the Treaty, the Promise and the Treaty Right pursuant to the Honour of the Crown.

12. RMWB owes common law duties to act reasonably (including having regard to the imperative of Reconciliation) and act procedurally fairly, including the duty to consult in administrative law.

13. MCFN, through the Corporations, owns at least 27 residential properties in the hamlet of Fort Chipewyan, including but not limited to the **Neighbouring Properties**:

    a. 5 units at 125 Mackenzie Avenue – Plan 5642NY, Block 9, Lot 9 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    b. Fourplex Units at 105 Loutit St – Plan 5642NY, Block 5, Lot 12 – Registered Owner: Cree-Ations Enterprises Limited
    c. House at 103 Logan Crescent – Plan 5642NY, Block 6, Lot 17 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    d. House at 100 Tourangeau Ave – Plan 5642NY, Block 1, Lot 7 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    e. Triplex Units at 112 MacKay Crescent
    f. House at 223 Delta Drive – Plan 9122991, Block 7, Lot 20 – Registered Owner: Her Majesty the Queen in Right of Canada as Represented by Department of Indian and Northern Affairs

g. House at 109 McDonald Street – Plan 8322365, Block 3, Lot 9B – Registered Owner: Cree-Ations Enterprises Limited
h. House at 105 McDonald Street – Plan 8322365, Block 3, Lot 12A – Registered Owner: Cree-Ations Enterprises Limited
i. House at 112 Mercredi Street – Plan 5642NY, Block 6, Lot 10 – Registered Owner: 1112958 Alberta Ltd.
j. Trailer at 109 Cardinal Avenue – Plan 8321682, Block 1, Lot 21
k. Eight plex units at 104 McDonald Steet – Plan 7520202, Block 5, Lot 18A – Registered Owner: Maureen Dale Hanson

14. The Neighbouring Properties house Mikisew Cree First Nation Members and/or staff and are in close proximity to the proposed Liquor Store.

15. Approximately 60 per cent of the population of Fort Chipewyan are MCFN members. The lack of housing on reserve makes it necessary for many of MCFN members to live in the nearby hamlet of Fort Chipewyan, including at the Neighbouring Properties.

16. MCFN members living on reserve or in Fort Chipewyan live in a remote community, accessible boat, plane and, between December and March, by winter road. MCFN has previously declared a State of Local Emergency, in April 2023, due to suicide, mental issues and addictions to intoxicants, including alcohol ("**SOLE**").

17. On July 16, 2025, RMWB sent a general "Notice to Adjacent Property Owners" to the Chief and Chief Executive Officer by email only from a previously unknown addres. As such the Notice was not found until August 20/21, 2025. At that time, MCFN made, once again, their submission, like they did on August 17, 2023 to the very same application. The MCFN Objection noted the
    a. the results of a Survey, which were overwhelmingly opposed to the Liquor Store;
    b. Submissions based on Treaty No. 8, the duty to consult, the Promise and Treaty Right;
    c. The SOLE;
    d. Incidents of crime so far in 2025, which were provided by the RCMP;
    e. Health statistics requested but not provided by Nunee Health.

18. No response to the MCFN Objection was received until the Decision was posted on or about October 3, 2025.

19. In re-issuing the same Decision that MCFN previously successfully appealed, the RMWB approved the Liquor Store ("**Decision**"). In making the Decision, RMWB:
    a. Did not consult MCFN;
    b. Did not accommodate MCFN;
    c. Did not respond to, nor consider the MCFN Objection;

20. The Decision did not contain reasons.

GROUNDS OF APPEAL

21. The Appellant appeals the Decision approving the Liquor Store on the following grounds.

    a. The Decision is unreasonable.

    b. The Decision-makers fettered their discretion to the by-law and failed to consider the decision of the previous SDAB revocation, including due to the unabated alcohol related crime in Fort Chipewyan.

    c. The Decision was made without consideration for the incompatibility of a liquor store with the surrounding properties in a remote community, predominantly made up of First Nations with Treaty status and where there is a known and documented history of alcohol related crime.

    d. The Decision is inconsistent with the public interest function of the MGA.

    e. The Decision was procedurally unfair in that no meaningful opportunity to respond was provided to MCFN and that the RMWB failed to fulfill the common law duty to consult owed to MCFN.

    f. The Decision-makers failed to comply with the constitutional duty to consult with MCFN based on asserted Treaty Rights and the Promise.

    g. The Decision-makers failed to comply with the duty to accommodate MCFN.

    h. The Decision was made in an unconscionable and dishonourable manner while RMWB provides no additional funding to the municipality for policing and has repeatedly failed to address the needs of the local predominantly First Nation population, all while receiving millions in federal/provincial funding and royalties.

    i. Such other grounds as MCFN may submit and the SDAB may permit.

22. Through the SDAB or the RWMB, discharging or recognizing the duty to consult and accommodate are not a "question of constitutional law" under section 10 of the *Administrative Procedures and Jurisdiction Act*, RSA 2000, c A-3, s 10. To hold otherwise, would be to allow the provincial Crown to evade its duties by subdelegating all regulatory processes to municipalities and immunizing any review of such processes from review.

Schedule "C"
Appellants' Response to the Notice to Adjacent Property Owners

MIKISEW CREE
FIRST NATION

August 21, 2025

Regional Municipality of Wood Buffalo

Dear Sir/Madam:

Re: Mikisew Objection to Liquor Store Permit
Notice of Development Application 2025-DP-00169 – Liquor Store

---

Please consider the enclosed Mikisew Cree First Nation's objection – again – to the resubmission of an application for the same revoked permit for a liquor store in the heart of our community, Fort Chipewyan.

Mikisew was successful at the Court of Appeal in challenging the municipality's first attempt [redacted] unity at this location (193 Mackenzie Avenue, Lot 3; Block [redacted] Appeal, citing the Board's decision, stated:

> [redacted] those safety considerations [concerning alcohol use in the community] The Board concludes that the proposed development is not compatible with the adjacent uses. . . .
>
> 138. As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses . . . The development permit is revoked.[1]

Having been successful all the way to the Court of Appeal, Mikisew did not receive proper notice of the re-submitted application from the Regional Municipality of Wood Buffalo (RMWB). **Tab 1** is a copy of the email from our member where our Nation became aware of this resubmissions when, on August 12, 2025.

---

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board),* 2025 ABCA 69 (CanLII), at para 7.

MIKISEW CREE
FIRST NATION

After receiving this email and upon review of emails, it appeared that the generic email (from a previously unknown sender and not indicating RMWB in the subject line) went undetected as junk in the chief and ceo emails only. Please send all notices to our band office and also to chiefandcouncil@mikisewcree.ca with a read receipt to ensure this does not happen again.
It also does not appear that our legitimate expectations regarding notice, throughout the community, were met this time around. For example, some of our Council live in the immediate vicinity of 193 Mackenzie Avenue, and did not receive a notice regarding this application.

Moreover, this will be the second time the notice period is condensed in the middle of summer - a time when our members and Nation are exercising their Treaty and inherent rights, but also precisely on the day (July 16, 2025) when we were in Ottawa meeting with Prime Minster Carney at the widely advertised First Nations Summit.

Notwithstanding our objections to the adequacy, manner and timing of notice, we are [redacted] days of becoming aware of this application. Given this time [redacted]esults of an updated member survey when they become [redacted]

We submit as follows and enclosed:

Mikisew reiterates the safety considerations with a liquor store in community, with easy access for members with substance abuse issues but most importantly easy access for our youth. At the hearing before the SDAB Board, Mikisew advised the board of youth suicides that occurred under the influence of alcohol. Moreover, it is obvious that alcohol relates to serious safety issues in our small community. Enclosed at **Tab 2** is a copy of the incidents this year alone, until August 14, 2025, that are alcohol related. There are 241 incidents for a community of approximately 1000. This is extraordinary given the limited policing resources in our community.

MIKISEW CREE
FIRST NATION

Indeed, our Nation's employees and officials have noticed a decline in youth drinking in the community since the closure of the illegal liquor store (HEP). This has been a welcome improvement.

We also remind RMWB that under Treaty 8 the Crown promised us they would control the sale of liquor in our territory. Fort Chipewyan is predominantly Mikisew members. We enclose therefore at **Tab 3** the expert opinion of Dr. Darcy Lindberg in this regard. The Crown cannot evade its obligations by delegating permitting powers to the municipality.

Granting this licence has at least the *potential* to impact our Treaty relationship and Treaty rights, if not infringe them. Our claim to protection from liquor sales under Treaty 8 is credible as evidenced in Dr. Lindbergh's report. As such there is a duty to consult that arises. Since at least 2017, it is now clear that administrative bodies, such as municipalities, can and must discharge the duty to consult. Recognition of a duty to consult owing to Mikisew is evident in the consultation policy.

[redacted]indfall in resource revenue sharing from the impacts to our [redacted]ands development. By contrast, despite our constitutional [redacted] nothing in the way of revenue sharing. In February, 2024, [redacted]unding that was provided to RMWB by the federal public safety department for addictions and prevention measures, which our community was not made aware of. Instead, RMWB has proposed to contribute to the problem by approving a liquor permit in our community.

In addition, we know from research conducted following the Imperial Kearl spill that the land dispossession caused by industrial disturbance caused mental health harm to our members and, therefore, by extension, potential for further substance abuse issues in our community. RMWB has done nothing to assist in mitigating this real problem. By contrast, Mikisew has called a State of Emergency.

MIKISEW CREE
FIRST NATION

Even if RMWB maintains they are exempt from the duty to consult, please be advised that RMWB is not exempt from considering whether an application is in the public interest[2] and whether it is compatible with the surrounding use.[3] It is not in the public interest nor is it compatible with the surrounding use, as already found by the municipality's own board, to contribute to substance abuse and intergenerational trauma in a predominantly First Nation community like Fort Chipewyan through the sale of liquor at 193 Mackenzie Avenue.

In closing, given the short and dishonourable window of time to respond, again, we are enclosing and relying on our previous submissions, **Tab 4,** also submitted in haste, in response to RMWB's proposal to approve this permit again.

We trust this is sufficient to put this issue to rest and join us in protecting our community.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

Encl (4)

cc. *Chiefandcouncil@mikisewcree.ca*
ceo@mikisewcree.ca
RMWB via email

[2] *Municipal Government Act*, RSA 2000, c M-26, s 617; *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 43.
[3] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 14.

Thursday, August 21, 2025 at 10:15:34 Mountain Daylight Time

Subject: Re: Liquor Store
Date: Thursday, August 21, 2025 at 10:15:33 AM Mountain Daylight Saving Time
From: Orlagh O'Kelly

From: Danny Mercredi <ATIA 20(1) >
Sent: Tuesday, August 12, 2025 9:42:43 PM
To: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>
Cc: Councillor Bonnie Fraser <bonnie.fraser@mikisewcree.ca>; Councillor Sherri McKenzie <sherri.mckenzie@mikisewcree.ca>; Councillor Tammie Tuccaro <tammie.tuccaro@mikisewcree.ca>; Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>; Councillor Dillon Whitehead <dillon.whitehead@mikisewcree.ca>; Councillor Roxanne Marcel <roxanne.marcel@mikisewcree.ca>
Subject: Fwd: Liquor Store

Sent from my iPhone

Begin forwarded message:

> **From:** Danny Mercredi <ATIA 20(1) >
> **Date:** August 12, 2025 at 9:41:12 PM MDT
> **To:** permit.inquiries@rmwb.ca
> **Subject: Liquor Store**
>
> ALERT ! ‼️
>
> Sharing;
>
> The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss.

It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.🪶🪶🪶🪶🪶🪶🪶🪶

Sent from my iPhone

	Occ #	Unit	Type
1)	20241023280	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
2)	20241036543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
3)	20241054768	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
4)	20241059007	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
5)	20241069343	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
6)	20241075514	G DIV FORT SMITH DETACHMENT	Wellbeing Check (FIP)
7)	20241091533	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
8)	20241099092	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
9)	20241099707 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
10)	2024110974 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
11)	20241119125	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
12)	20241139722	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

13)	2024114313	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
14)	2024114599 0	K DIV FORT CHIPEWYAN DETACHMENT	Moving Traffic - Speeding Violations - Provincial/Territorial
15)	2024115236 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
16)	2024116787 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
17)	2024117002 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
18)	2024117174 9	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
19)	2024119280 1	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
20)	2024121993 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
21)	2024122141 9 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
22)	2024123322 4	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
23)	2024123370 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
24)	2024124015	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
25)	2024125020 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
26)	2024126662 5	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)

27)	2024126751 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
28)	2024128139 9	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
29)	2024128766	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
30)	2024131840 4	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
31)	2024135376 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
32)	20241367	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
33)	2024138466 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
34)	2024138606 1	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
35)	2024139775 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
36)	2024140251 9	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
37)	2024142406 6	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
38)	2024143177 3 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
39)	2024143578 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
40)	2024146241 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

41)	2024146632 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
42)	2024146763 7	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
43)	2024147676 8	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
44)	2024148892 5	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
45)	2024154366 1	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
46)	2024154930 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
47)	2024155316 4 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
48)	2024157424 8	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
49)	2024158145 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
50)	2024158380 7	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
51)	2024158735 0	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
52)	2024158991 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
53)	2024159939 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
54)	2024160442 7	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)

55)	20241616415	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
56)	20241622022	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
57)	20241622419 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
58)	20241622685	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
59)	20241622922	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
60)	20241623091	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
61)	20241623092	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
62)	20241658284	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
63)	20241690459	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
64)	20241691259	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
65)	2024169140	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
66)	20241704295	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
67)	20241705467	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)
68)	20241713189	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities

69)	2024172216 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
70)	2024175155 1	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
71)	2024178404 0	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
72)	2024179644 2	K DIV FORT CHIPEWYAN DETACHMENT	Discharge firearm with intent 244 CC (FIP)
73)	2024179666 6	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
74)	2024179884 9	K DIV FORT CHIPEWYAN DETACHMENT	Harassing communications 372(3) CC (FIP)
75)	2024180090 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
76)	2024183733 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
77)	2024183827 2	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
78)	2024184563 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
79)	2024186837 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
80)	2024186966 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
81)	2024188708 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
82)	2024193208	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)

83)	2024194219	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
84)	2024203767	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
85)	2024208841	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
86)	2024211397	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
87)	2024240605	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
88)	2024251908	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
89)	202425940	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
90)	2024261551	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
91)	2024269059	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
92)	2024300733	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
93)	2024310987	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
94)	2024321251	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
95)	2024332052	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
96)	2024348366	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

97)	2024353525 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
98)	2024379617	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
99)	2024392612	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
100)	202444740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
101)	202445084	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
102)	2024462788	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
103)	20244736	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
104)	2024481133	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
105)	2024487768	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
106)	2024490598	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
107)	2024502124	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
108)	2024518740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
109)	2024519114	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
110)	2024520788	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial

111)	2024520867	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
112)	20245327	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
113)	2024538558	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
114)	2024549440	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
115)	2024556047	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
116)	2024562648	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
117)	2024574278	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
118)	2024574938	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
119)	2024580844	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
120)	2024581200	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
121)	2024592833	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
122)	2024600378	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
123)	2024601552	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
124)	2024645716	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)

125)	2024669230	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
126)	2024672954	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
127)	2024674935	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
128)	2024706941	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
129)	2024712379	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
130)	2024712380	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
131)	2024713044	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
132)	2024714943	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
133)	2024720054	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
134)	2024721174	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
135)	2024727281	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
136)	2024727378	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
137)	2024731966	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
138)	2024732763	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities

139)	2024733800 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
140)	2024733897	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
141)	2024759119	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
142)	2024767401	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
143)	2024772115	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
144)	2024778655	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
145)	2024817368	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
146)	2024824782	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
147)	2024827924	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
148)	202482871 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
149)	202484914	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
150)	2024851590	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
151)	2024862040	K DIV FORT CHIPEWYAN DETACHMENT	Operation While Impaired (Alcohol And Drug) / Over 80mg% Of Vessel / Aircraft / Railway 320.14(1)(a)/(d) CC
152)	202487584	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

153)	202487906	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
154)	2024879593	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
155)	2024897855	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
156)	2024909110	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
157)	202491967	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
158)	2024927289	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
159)	2024981470 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
160)	2024993773	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
161)	2024998728	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
162)	2024999150	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
163)	2025102724 6	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
164)	2025103532 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
165)	2025103540 3	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
166)	2025103659 8	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)

167)	20251037882	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
168)	2025106946	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
169)	20251101181	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
170)	20251106890	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
171)	20251114593	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
172)	2025111498	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
173)	20251120669	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
174)	2025112977	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
175)	2025114679	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
176)	2025114806	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
177)	2025114927	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
178)	2025115744	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
179)	202511669	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
180)	2025117208	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC

181)	2025118023 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
182)	2025118515 2	K DIV FORT CHIPEWYAN DETACHMENT	Unwanted person
183)	2025118672	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
184)	2025128736	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
185)	202513337	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
186)	2025142963	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
187)	2025145353	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
188)	2025160447	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
189)	2025204227	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
190)	2025209553	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
191)	2025222597	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial
192)	2025233500	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
193)	2025239986	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
194)	2025240695	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial

195)	2025252833	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
196)	202526476	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
197)	202526543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
198)	2025269588	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
199)	2025288103 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
200)	2025308025	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
201)	2025326580	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
202)	2025340119	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)
203)	2025373011	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
204)	2025376486	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
205)	2025380331	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
206)	2025395438	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
207)	2025407036	K DIV FORT CHIPEWYAN DETACHMENT	Mischief to motor vehicle 430(3)&(4) CC
208)	2025408535	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency

209)	2025410932 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
210)	2025414298	K DIV FORT CHIPEWYAN DETACHMENT	Possession for the Purpose of Trafficking - Schedule I: Cocaine 5(2) CDSA (FIP)
211)	2025419309	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
212)	2025445959	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
213)	2025483085 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
214)	202551716	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
215)	2025529443	K DIV FORT CHIPEWYAN DETACHMENT	Dangerous Driving - Provincial/Territorial
216)	202553174	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
217)	2025547037	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
218)	2025604106	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
219)	2025628925	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
220)	2025727571	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
221)	2025727828	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
222)	202572818	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

223)	2025728647	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
224)	2025729034	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
225)	2025729110	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
226)	2025731578	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
227)	2025732080	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
228)	2025745441	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
229)	2025748970	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
230)	2025749226 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
231)	2025762178	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
232)	2025765390	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
233)	2025771753	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
234)	2025775922	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
235)	2025776272	G DIV FORT SMITH DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
236)	2025832834	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

237)	2025907409	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
238)	2025909649	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
239)	2025915907	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
240)	2025937711	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
241)	2025974050	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 21, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Cree Law Informs Treaty 8:

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It

---

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

6. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

MIKISEW CREE FIRST NATION

ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

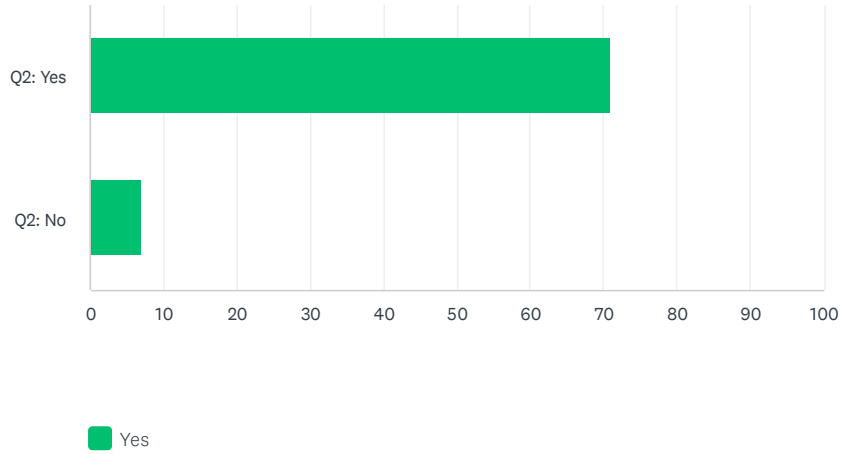
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

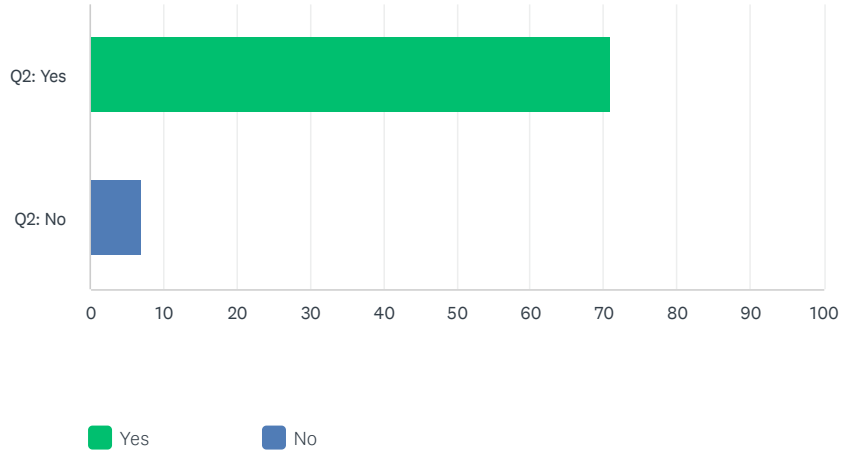


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

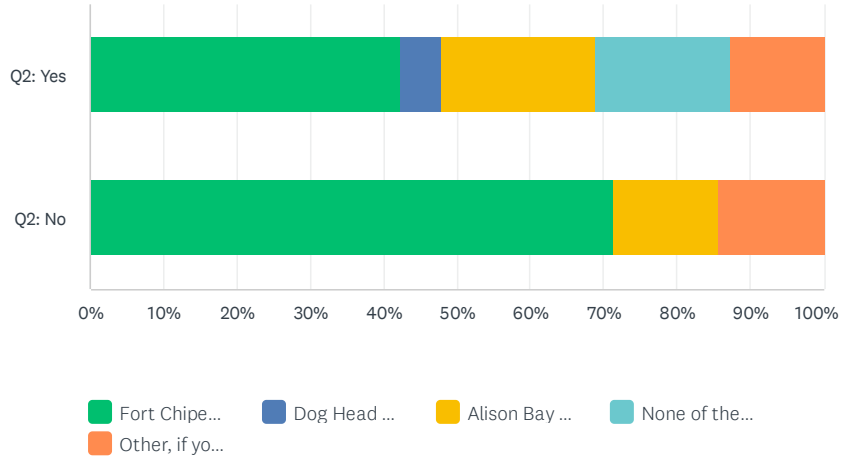
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

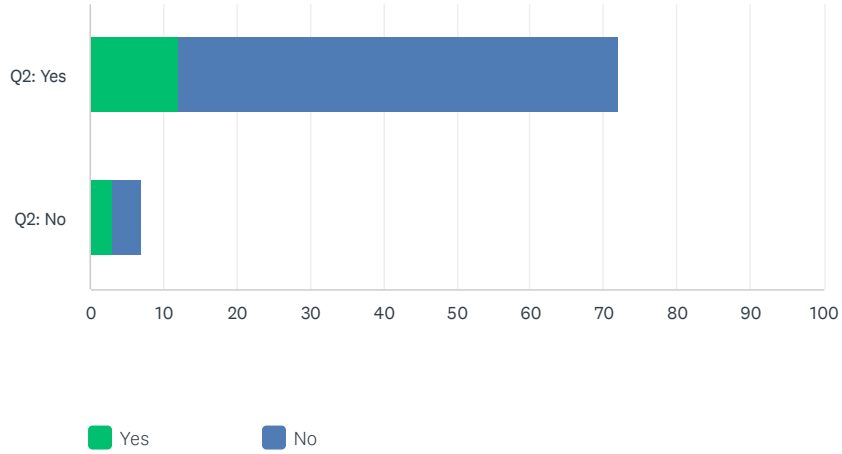
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

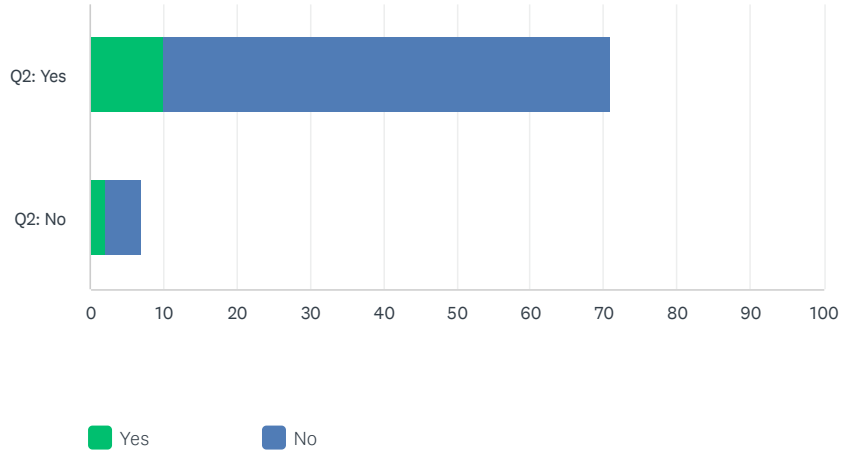
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

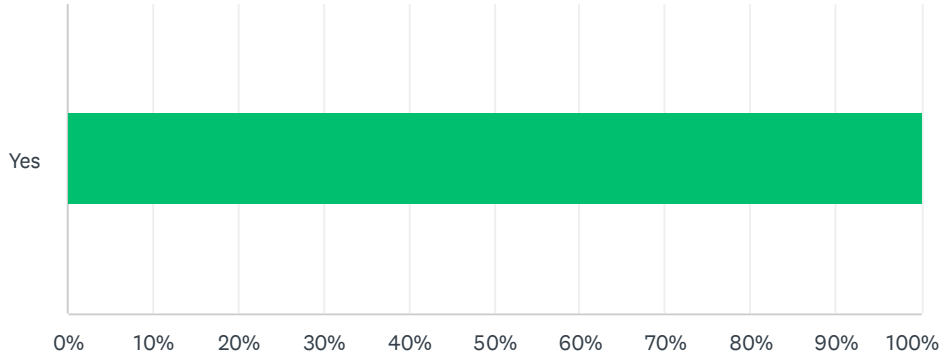
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

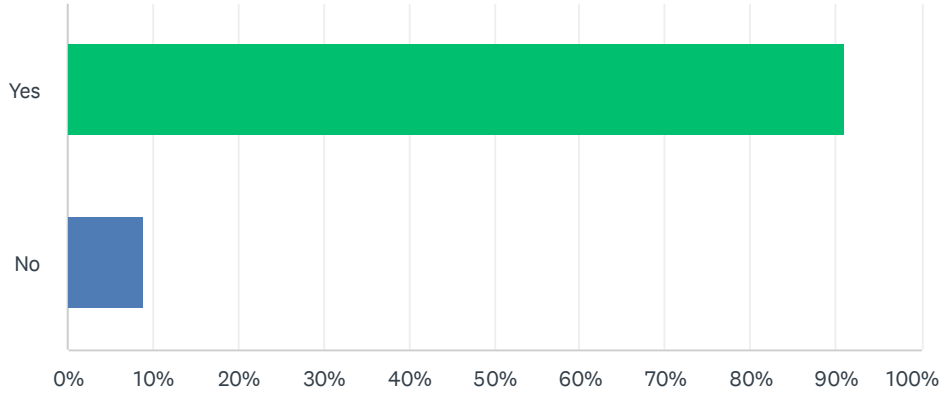
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

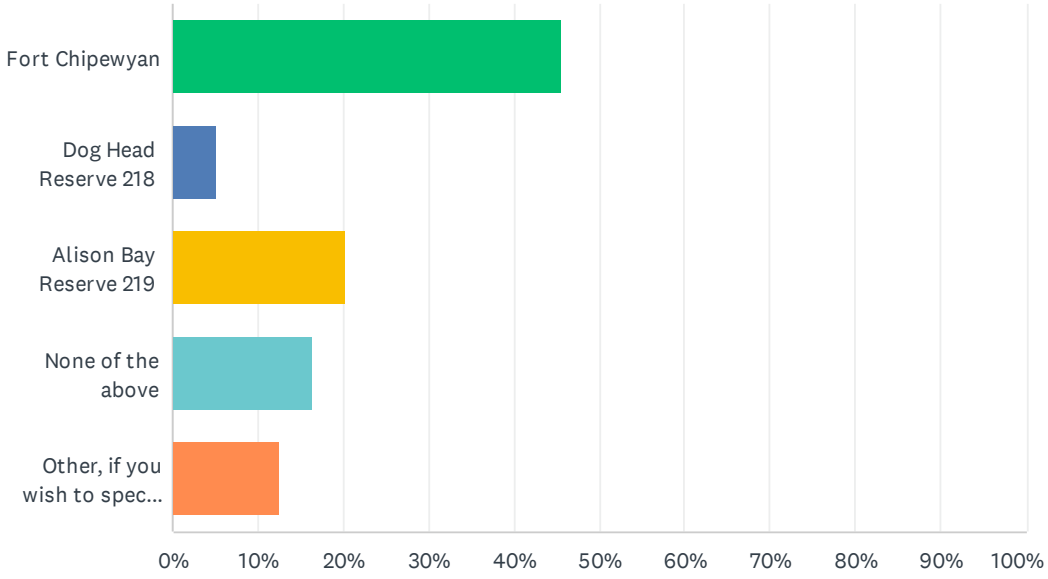
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

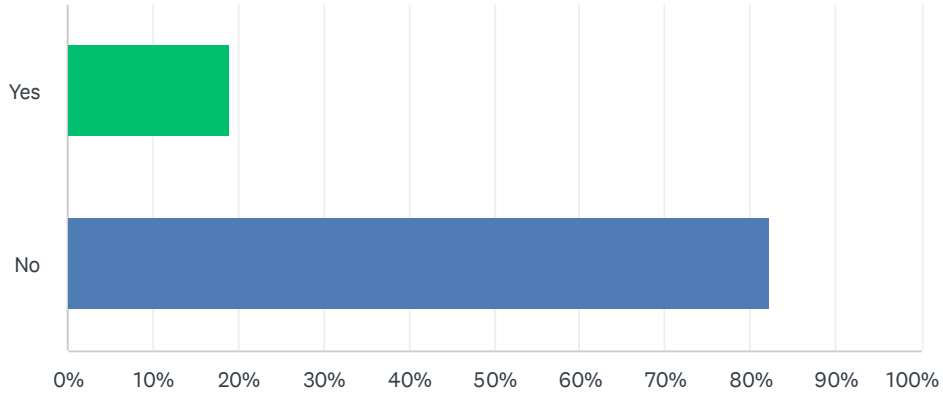
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

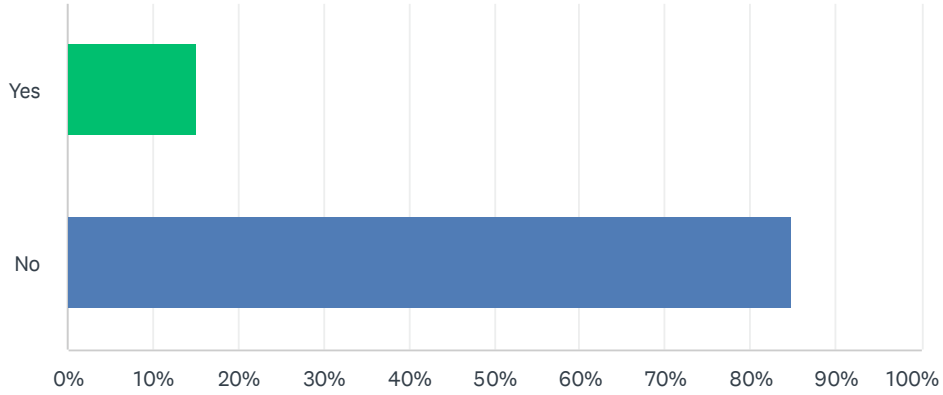
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:		TOTAL
Q2: Yes		100.00% 40	97.56% 40
Q2: No		100.00% 1	2.44% 1
Total Respondents	41		41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

File: SDAB 2025-007
Appeal re: Development Permit
Legal Description: Lot 3, Block 10, Plan 5624 NY

MIKISEW CREE FIRST NATION,
CREE-ATIONS ENTERPRISES LTD., MISTEE SEEPEE DEVELOPMENT CORPORATION LTD and 1112958 ALBERTA LTD.

(Appellants)

And

DANIEL ROY

(Appellant)

And

REGIONAL MUNICIPALITY OF WOOD BUFFALO

MEMORANDUM OF ARGUMENT OF MIKISEW APPELLANTS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

OVERVIEW

1. The Appellants are Mikisew Cree First Nation and three Mikisew owned corporations with fee simple land in their traditional territory, which is now known as the hamlet of Fort Chipewyan in the Regional Municipality of Wood Buffalo (RMWB) (hereinafter collectively referred to as "**Appellant**" or "**Mikisew**"). Mikisew members make up the majority of Fort Chipewyan residents.

2. The Appellant objects to the development of a liquor store in the heart of Fort Chipewyan. Between 2023 and 2025, Mikisew has repeatedly communicated their Objections to RMWB on the existence of liquor sales in their territory, contrary to Treaty No. 8, but also contrary to the public interest, the compatibility with their neighbourhood and the addictions and crimes in Fort Chipewyan. This case isa bout the balancing of the largest First Nation and its members in Fort Chipewyan and one individual's request to have a business that, based on the RCMP statistics, will have harm on the community.

3. The RMWB Development Officer in exercising their discretion to award effectively the exact same discretionary liquor store "**Permit**" failed to discharge the duty to consult and accommodate ("**DTCA**") Mikisew, including in the officer's failing to determine why, this time, the liquor store was compatible with adjacent uses.

4. Further and/or in the alternative, if the Development Officer was not responsible for discharging the duty to consult and accommodate; the Subdivision and Development Appeal Board has the authority to discharge this duty to consult and accommodate through this appeal.

5. The "**Liquor Store Developer**", Daniel Roy, brings a preliminary issue, marshalling significant resources of the parties and the SDAB that will only delay a determination on the merits of this appeal. This preliminary issue is wholly without merit and the SDAB should proceed to a merit hearing.

6. In particular, without any authority, Mr. Roy claims that the scope of the appeal is limited to the ground on the Notice of Appeal form and that no further issues can be raised thereafter. Second, Mr. Roy claims that this is "res judicata". It is not. Indeed, if there is any such argument available it would be "issue estoppel" as against Mr. Roy and the RMWB for putting forward and approving the exact same liquor store Permit which this Board revoked and which was upheld by the Alberta Court of Appeal.

STATEMENT OF FACTS

7. The Appellants ("**Appellant**"), Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, are corporations registered under the *Business Corporations Act* RSA 2000, c B-9. (collectively referred to as the "**Corporations**"). The Corporations are wholly owned by Mikisew Cree First Nation and, in the case of Cree'Ations, their shares are held by Chief Billy-Joe Tuccaro in trust for Mikisew Cree First Nation ("**Mikisew**"). Mikisew cannot hold title to lands in fee simple except through such corporations.[1]

[1] Corporate Records of the Appellant, Evidence of Mikisew.

8. As promised under Treaty No. 8[2], the Appellant, Mikisew, has nine (reserves) in what is now known as RWMB, including two reserves near Fort Chipewyan (Dog Head[3] and Allison Bay[4]

9. Mikisew's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred to as RMWB.[5] Neither RMWB nor the province of Alberta existed in 1899. Today, according to Canadian law, the Crown's obligations are fulfilled according to the division of powers, meaning Alberta has jurisdiction over land use planning which it has chosen to fulfil through municipalities.[6]

Crown's Statutory Discretion over Land-Use Planning delegated to RMWB

10. RMWB is a creature of provincial statute and a local emanation of the Crown. RMWB was established as the result of an amalgamation and renaming into a "Specialized Municipality" effective August 14, 1996, by *Order in Council 354/96* (Amalgamated Improvement District No. 143 and City of Fort McMurray). Prior to that date, local First Nations, including MCFN, were in control of the ID 17 as it was then known. Should this unmitigated lack of consultation, planning and developing, while collecting millions in royalties continue, MCFN intends to seek to de-amalgamate RWMB.

11. Through the *Municipal Government Act* ("**MGA**"), RSA 2000, c. M-26, the provincial Crown has delegated control and management of land use planning over municipal lands to RMWB, including over a vast area in Northeastern Alberta, all of which is Treaty 8 territory and most of which MCFN considers to be its territory, private lands and also provincial Crown land. The land over which RMWB administers is bisected by reserve land and federal Crown land, including the Wood Buffalo National Park. Through the

---

[2] Treaty No. 8 and Report of Commissioners, available: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572
[3] Reserves, Dog Head 218, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/RVDetail.aspx?RESERVE_NUMBER=08495&lang=eng
[4]: Reserves, Allison Bay 219, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/RVDetail.aspx?RESERVE_NUMBER=06734&lang=eng; Reserves, Mikisew Cree First Nation, Number 461, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/FNReserves.aspx?BAND_NUMBER=461&lang=eng.
[5] MCFN About Us, available at: https://www.mikisewcree.ca/about-us/
[6] See for example: *Chief Electoral Officer of Alberta v Sylvestre*, 2025 ABKB 712 (CanLII), at para 187.

Alberta Consultation Office, for example MCFN is consulted in much of RMWB. Mikisew also has a consultation agreement with RMWB.[7]

12. By the MGA, the provincial Crown has delegated statutory authority to RMWB over Fort Chipewyan's land use planning. The rules are outlined in a 500-page by-law developed by RMWB.[8] For the purposes of this appeal, the Crown's delegated statutory discretion includes the following:

    a. By Section 640 of the MGA, the provincial Crown requires RMWB to pass a land use bylaw.[9]

    b. Section 110 of RMWB's Land Use By-law No. 99/059 mandates that liquor stores are discretionary permits.

    c. Section 642 of the MGA delegates the authority to grant discretionary permits to RMWB.[10]

    d. Section s. 687(3)(c) of the MGA delegates the power to SDAB to confirm, revoke or vary discretionary permits.[11]

13. The Crown's delegated discretionary powers are "Crown Actions" regardless of whether they relate to private or public land.

Treaty No. 8 Right

14. One of the Crown's primary motives for Treaty No. 8 was to impose law and order following the Klondike goldrush, and, as part of this, to control the "liquor trade" in MCFN's territory.

15. Dr. Darcy Lindberg, a Cree (*nêhiyaw*) professor of law at the University of Victoria, is a judicially recognized expert[12] in Treaty law making principles and Cree laws. He has provided opinion evidence on the Promise in Treaty No. 8, as follows:

---

[7] 2022 Agreement, Mikisew Evidence.
[8] Land Use Bylaw No. 99/059.
[9] *Municipal Government Act*, RSA 2000, c M-26, s 640.
[10] *Municipal Government Act*, RSA 2000, c M-26, s 642.
[11] *Municipal Government Act*, RSA 2000, c M-26, s 687.
[12] *Chief Electoral Officer of Alberta v Sylvestre*, 2025 ABKB 712 (CanLII), at para 199.

> *…. the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law.*

16. Therefore, MCFN submits that they have a *recognized* Treaty right and nothing less than an *asserted* Treaty right to protection from intoxicants, i.e. the liquor trade ("**Treaty Right**").[13]

Adverse Impacts to Treaty Right and/or MCFN

17. Granting the Discretionary Permit could and will have adverse impacts on MCFN, including on its Treaty Right.

18. First, MCFN, through the Corporations, owns at least 27 neighbouring residential properties in the hamlet of Fort Chipewyan, including but not limited to the **Neighbouring Properties**:

    a. 5 units at 125 Mackenzie Avenue – Plan 5642NY, Block 9, Lot 9 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    b. Fourplex Units at 105 Loutit St – Plan 5642NY, Block 5, Lot 12 – Registered Owner: Cree-Ations Enterprises Limited
    c. House at 103 Logan Crescent – Plan 5642NY, Block 6, Lot 17 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    d. House at 100 Tourangeau Ave – Plan 5642NY, Block 1, Lot 7 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    e. Triplex Units at 112 MacKay Crescent
    f. House at 109 McDonald Street – Plan 8322365, Block 3, Lot 9B – Registered Owner: Cree-Ations Enterprises Limited

---

Dr. Lindberg Report, October 21, 2024, Mikisew Evidence.

g. House at 105 McDonald Street – Plan 8322365, Block 3, Lot 12A – Registered Owner: Cree-Ations Enterprises Limited
h. House at 112 Mercredi Street – Plan 5642NY, Block 6, Lot 10 – Registered Owner: 1112958 Alberta Ltd.

19. The Neighbouring Properties house Mikisew Cree First Nation Members and/or staff and are in close proximity to the proposed Liquor Store.[14]

20. Approximately 60 per cent of the population of Fort Chipewyan are MCFN members. The lack of housing on reserve makes it necessary for many of MCFN members to live in the nearby hamlet of Fort Chipewyan, including at the Neighbouring Properties.[15]

21. MCFN members living on reserve or in Fort Chipewyan live in a remote community, accessible boat, plane and, between December and March, by winter road. MCFN has recently declared a State of Local Emergency, in April 2023, due to suicide, mental issues and addictions to intoxicants, including alcohol ("**SOLE**").[16]

22. MCFN members have suffered intergenerational trauma. Alcohol is the source of much violence, abuse and trauma for MCFN members. Creating another liquor store, especially as the community is searching the residential school grounds (Holy Angels), is triggering.[17]

RCMP Statistics

23. The RCMP data for occurrences confirms the adverse and collective impacts of alcohol in MCFN's community. In 2024, as of October 21, 2024, there were 697 occurrences reported to RCMP, **328** (47%) are reported as alcohol related. In 2025, as of August 21, 2025, there already **241** incidents, in a community of approximately 1000 people. [18]

[14] Testimony
[15] Testimony
[16] CBC News Article on Sole April 2023.
[17] Testimony
[18] RCMP Data as of August 21, 2025, Mikisew Evidence.

MCFN First Objection to Liquor Store

24. On July 28, 2023, a general "Notice to Adjacent Property Owners" was posted ("**Notice**"). MCFN did not receive this directly, nor were members living on MCFN reserves provided this notice.

25. Despite having just had an election, on or about August 17, 2023, MCFN submitted an extensive and evidenced submissions pursuant to this Notice and objecting to the Liquor Store ("**MCFN Objection**"). The MCFN Objection included:

    a. Including the results of a Survey, which were overwhelmingly opposed to the Liquor Store;
    b. Submissions based on Treaty No. 8, the duty to consult, the Promise and Treaty Right;
    c. The SOLE;
    d. Anecdotal incidents of crime and indication that RCMP should have this data.[19]

26. RMWB consults with MCFN on other land-use planning (for example the use of the Winter Road for industrial activities, such as hauling gravel[20]). RMWB has a public engagement framework and a reconciliation strategy.[21]

27. The Fort Chipewyan Royal Canadian Mounted Police ("**RCMP**") is a contract police force through RMWB and Alberta and, as such, the RMWB ought to have known or sought these occurrence statistics before making a decision on the Liquor Store.

28. RWMB never responded to the MCFN Objection, despite two MCFN follow-ups on September 1 and 11, 2023.

29. No response was received until the Decision was posted on August 29, 2024.

30. So far as the Appellants know, there was no engagement nor consultation with MCFN other than the receipt of the MCFN Objection.

---

[19] **2023** MCFN Objection and enclosures, Mikisew Evidence Package.
[20] Testimony
[21] https://www.rmwb.ca/en/community-events-and-involvement/resources/Engagement/RMWB-Public-Engagement-Framework-2021.pdf

31. Almost a year later, the RMWB approved the Liquor Store ("**Decision**"). In making the Decision, RMWB:

    a. Provided MCFN with no prior notice of the Decision;
    b. Did not consult MCFN;
    c. Did not accommodate MCFN;
    d. Did not respond to, nor consider the MCFN Objection.

32. The Decision did not contain reasons. For the first time on October 20, 2024, MCFN learned that RMWB did consult and consider the MCFN Objection but only with Daniel Roy and in the context of nevertheless permitting the Liquor Store.

Continued Objection

33. Following the first Decision, MCFN led a protest where many community members participated, on or about August 30, 2024. At that protest, a RMWB Councillor and local Métis president, Kendrick Cardinal, drove by on a quad yelling at protestors. He was subsequently charged for impaired driving for this very incident.[22] So far as MCFN knows, RMWB has not disciplined Mr. Cardinal.

34. The Athabasca Tribal Council, on September 9, 2024, wrote to the RMWB Mayor Sandy Bowman in support of this protest.[23]

35. On September 10, 2024, Mayor Bowman asserted that the municipality had conducted "community engagement"[24]. MCFN was not involved in any community engagement with MCFN or its representatives.

Second Objection

36. The process for the second 2025 Permit under appeal was even less inclusive of MCFN.

---

[22] Article re: RWMB Councillor Kendrick Cardinal, available at: https://www.fortmcmurraytoday.com/news/councillor-kendrick-cardinal-charged-with-impaired-driving-fleeing-peace-officer
[23] Testimony
[24] Testimony

37. After the Permit was overturned by this Board[25] and leave to appeal denied on February 27, 2025[26], the Appellant appears to have resubmitted the same application for the same liquor store permit that was revoked by the SDAB and uphold by the Court of Appeal.

38. The RMWB then approved the exact same application, again, without any regard to the compatibility in the community. In doing so, they did not post the notice in the community for all residents to see this time. Instead, it was sent by an unknown RMWB sender to the MCFN Chief and the CEO emails only, in the middle of the summer, and at an address that went to junk mail. Rather than be notified by RMWB, MCFN found out through a member, Danny Mercredi, that this very same process was playing out again.

39. Therefore, within 10 days of being notified by a member, on August 21, 2025, MCFN submitted their Second Objection.

40. This Objection, unlike the new Permit, considered the findings of this Board, including on the public interest and compatibility components.

41. Despite the SDAB decision, the Court of Appeal Decision and the Second Objection, RMWB re-issued the almost identical permit to the Liquor Store Developer.

42. In preparing for this appeal, Mr. Roy is soliciting comments on Facebook in exchange for liquor and prizes. By contrast, MCFN, as the lawful representation of Mikisew and its members, has consulted its members and elders who were delighted about the first SDAB decision and very troubled that the same process is going forward, again.[27]

Witnesses

43. MCFN will provide 3-5 witnesses to speak about the impacts to the community, including a member of Chief and Council, an Elder/member and possibly staff.

ISSUE

44. The Appellant submits that the issue is whether the SDAB should hear this appeal.

[25] SDAB 2024-003.
[26] *Roy v Wood Buffalo (Subdivision and Development Appeal Board*), 2025 ABCA 69.
[27] Testimony.

LEGAL ARGUMENT

The Scope of Appeal

45. On October 21, 2025, the SDAB accepted the Notice of Appeal submitted October 19, 2024, which, inadvertently, did not attach the grounds for appeal. The Appellant was notified of this error in transmission on October 21, 2025, after the Notice of Appeal was accepted. Following the Appellant's counsel being in a hearing the week of October 21, 2025, the Appellant attended to this issue on the weekend of October 25/26, 2025 and the Appendix A was resubmitted.[28]

46. The Notice of Appeal and the Appendix A are the issues the Appellant seeks to advance. They are more than the DTCA.

47. The Liquor Store Developer's opposition to the Notice of Appeal, as outlined in Appendix A, which at most, was delivered a week late to the Notice of Appeal form, is without merit

48. First, there is no breach of procedural fairness. Having known of these issues since at least October 27, 2025, the Liquor Store Developer has had several weeks' notice and now a fair process for two hearings on these issues, all of which accommodated his and his counsel's schedule and requests.

49. Second, the reliance on *Rocky View* is misplaced. This case confirmed that a hearing before the SDAB is a *de novo* hearing, but that the parties much have notice of the issues raised so that they can respond.[29] It cannot be said that the Liquor Store Developer did not have notice of the issues raised in Appendix A, which were communicated to him on or before October 27, 2025 and well in advance of the scheduling hearing.

50. Third, in the prior SDAB 2024 hearing, the Board itself raised the issue of incompatibility and asked the parties to address this. The appeal having been properly filed, can address any issues, so long as there is proper notice. Indeed, the SDAB's first decision was upheld by the Court of Appeal.

51. Fourth, if any party is "re-litigating" the very same issues that were addressed already by the SDAB, it is the Liquor Store Developer and the municipality. They have done exactly

---

[28] Evidence Package.
[29] L*andry v Rocky View County (Subdivision and Development Appeal Board),* 2025 ABCA 34 (CanLII), at para 7.

what they did last time; the same landowner has applied for the same area, adjacent to several Mikisew properties, for the same discretionary permit to operate a liquor store and the Municipality has granted the same permit, all of which was denied largely on the basis of RCMP statistics (which were *not* sought by the Municipality but instead by Mikisew, again). In doing so, Mr. Roy and RMWB have ignored the SDAB decision, for which leave to appeal was denied. If they are allowed to proceed with this re-issuance of the same permit, then Mikisew should be allowed to proceed in opposition, as it already did before, including on the ground that it could not appeal, the DTCA Finding. In this regard, the *Sihota v. Edmonton (City),* is also of no assistance to the Liquor Store Developer. As noted, if anything, it is the landowner and the municipality who are abusing the SDAB process by simply re-issuing a permit that was revoked by this SDAB for reasons that remain today; a liquor store is still incompatible with the surrounding community.

> [14] The issue here is not whether the SDAB is bound by its previous decisions, nor whether it is bound by the decisions of the development officer. Issue estoppel does not arise because the prior decision is "binding on the tribunal", although that is the effect. Issue estoppel means the prior decision is "binding on the parties"; issue estoppel prevents them from re-litigating what has already been decided. So the issue is whether the municipality and the developer are bound by previous decisions relating to the use of the subject land.
>
> [15] In planning matters, it is generally fair for the doctrine of issue estoppel to be applied against both owners and municipalities. Owners cannot simply ignore limitations on permits, or complete denials of permission to develop (subject to the ability to reapply for a refused permit after a waiting period has passed: s. 640(5)). Likewise, once a municipality has authorized a development, it cannot later revoke or ignore that permission. As noted, the planning provisions of the statute involve a balancing of the rights of the public and landowners. It would be unfair, and economically untenable, to permit significant investments in one year, and then allow the municipality to declare the intended use unlawful in a later year.[30]

52. Finally, this preliminary hearing is an unnecessary bifurcation of the hearing. If the issue was the timing of the Appendix A delivery, then the Liquor Store Developer should have raised this at the scheduling hearing, and Mr. Roy has had ample notice to respond to the

[30] *Sihota v Edmonton (City),* 2013 ABCA 43 (CanLII), at para 14.

particularized issues raised in the Appendix A. The Liquor Store Developer has pointed to no case law that would impose a pleadings standard on an appeal before this board.

Duty to Consult and Accommodate (DTCA) is not Res Judicata

53. The Duty to Consult issue is not *res judicata*. If it was, then every issue in this appeal, including the incompatibility, is *res judicata* or, more aptly, subject to issue estoppel. Of course, taking this argument to its logical conclusion would mean that there could be no challenge by the issuance of the new, identical, Liquor Store Permit, because, the first appeal was successful and then ignored by the landowner and municipality.

54. Moreover, Mikisew urges the SDAB consider the context and the implications of these decisions. Carving out the municipality from any DTCA is absurd and since the adequate remedy is before the SDAB, Mikisew could not apply to judicially review these Permit decisions. If they did, the municipality would likely apply to strike such an application.

55. Just last week, the Alberta Court of King's Bench recently confirmed the status of Treaties and Cree law in Canada's jurisprudence. In *Chief Electoral Officer of Alberta v. Sylvestre*, Justice Feasby confirmed that **Treaty 8 was "formed prior to the existence of Alberta**." The Treaties are to last in perpetuity, which includes the promises made – according to Dr. Lindberg, a now judicially recognized expert in Cree law – to protect the way of life of Mikisew and to control the trade of liquor. [31] The *Sylvestre* decision is a significant advancement in Treaty law that requires a re-evaluation of the DTCA issue in this case.

56. The MGA is the provincial Crown's statutory framework to set out land use in Alberta. This framework "is designed to give effect to the public interest in private land use decisions but not at the undue expense of private rights".[32]

57. It would be absurd to carve out, by delegating the implementation of MGA to municipalities, any land development within a municipality from the obligations of Treaty; the very constitutional document that gives Alberta, thus the municipalities and thus Mr. Roy to own land in Fort Chipewyan.

---

[31] *Chief Electoral Officer of Alberta v Sylvestre*, 2025 ABKB 712 (CanLII), at para 189,see also para 213.
[32] L*andry v Rocky View County (Subdivision and Development Appeal Board),* 2025 ABCA 34 (CanLII), at para 25.

58. At worst, Mikisew raising DTCA issue *could* be characterized as an abuse of process. This, however, would only be the case if the Appellant and sought and been denied leave to appeal.[33] In fact, the right to appeal did not arise until and if the Liquor Store Developer had been granted leave to appeal.[34] The Appellant has always maintained its intention to challenge the Duty to Consult finding, but they were successful in the first SDAB decision and could not appeal a decision based on *obiter*; this finding was not appealable in and of itself.[35]

59. Should the SDAB decide the Duty to Consult issue again Mikisew in this preliminary hearing, the Appellant respectfully asks for a finding, a decision, so that they may seek leave to appeal. To deny consideration of this issue and to dismiss the appeal, would be a great unfairness to Mikisew.

60. The Appellant made this intention known – to cross-appeal this finding - if leave was granted. In such circumstances, having not had a right of appeal, raising this argument again is not an abuse of process and is properly dealt with at the merits hearing where, if unsuccessful, the Appellant's right to seek leave of appeal will be preserved.

61. As noted above, however, anyone is abusing the process, it is the Liquor Store Developer and the Municipality; putting forward and approving the same Permit that was squashed by this Board for incompatibility and which decision was upheld by the Court of Appeal, only with less consultation with and notice to Mikisew Cree First Nation, as an adjacent property owner and a constitutional rights holder in favour of a private individual.

DTCA not a constitutional question

62. As preliminary matter, the DTAC applies in this case, following the Supreme Court's binding decision in *Clyde River*.

63. The DTCA is not a constitutional question. A constitutional question is one relating to legislation, not government actions. This is why the Charter applies to tribunals through

---

[33] *Canada (Attorney General) v. Bri-Chem Supply Ltd.,* 2016 FCA 257 (CanLII), [2017] 3 FCR 123,
[34] Memorandum (Filed) Leave to Appeal, Evidence Package.
[35] See for example what can be appealed: *R v. Spence*, 2005 ABCA 363; *Park Avenue Furniture v. Alberta (Workers' Compensation Board),* 2016 ABCA 147; *R v. R.R.*, 2019 ABCA 130.

Charter Values (in applying the law), but not in striking down legislation. The same is true of section 35. The SDAB is not a lacuna where section 35 does not exist as a legal framework.

64. While the Alberta government has sought, to limit the decision-makers who can consider constitutional questions[36], including SDAB[37], they have not done the same for the DTAC except as they have done explicitly in the *Responsible Energy Development Act* ("**REDA**").[38] Section 21 of the REDA makes it clear that the adequacy of consultation is distinct from a constitutional question, by specifically carving it out as follows:

> **Crown consultation with aboriginal peoples**
>
> 21 The Regulator has no jurisdiction with respect to assessing the adequacy of Crown consultation associated with the rights of aboriginal peoples as recognized and affirmed under Part II of the *Constitution Act, 1982*.[39]

65. Even in considering REDA's carve out of DTCA issues from the Alberta Energy Regulator's jurisdiction, the Alberta Court of Appeal has confirmed that the Honour of the Crown is always at stake. Mikisew is now challenging the province for creating a circular and unconstitutional Consultation Regime when it comes to resource development issues.[40]

66. The same carve out – of consultation – does not exist for the SDAB or under the MGA. The Honour of the Crown is always at stake where there is Crown conduct (The implementation of the MGA through municipalities, included).

67. Even if the SDAB is right that they have no role to play in the DTCA and the Honour of the Crown, as the chosen entity the provincial Crown has considered, there must be somewhere to raise these issues. This was confirmed by the Supreme Court of Canada in *Carrier Sekani*:

---

[36] *Fort McKay First Nation v Prosper Petroleum Ltd,* 2020 ABCA 163 (CanLII), at para 39; *Designation of Constitutional Decision Makers Regulation*, Alta Reg 69/2006, <https://canlii.ca/t/55mh7>
[37] Responsible Energy Development Act, SA 2012.
[38] "Janna Promislow, "Irreconcilable? The Duty to Consult and Administrative Decision Makers", 2013 22-1 *Constitutional Forum* 63, 2013 CanLIIDocs 726, "In Alberta, the legislature has allowed for specification of tribunals that have jurisdiction to decide constitutional questions under section 16 of the *APJA*.74 But legislatures have not yet responded to the duty to consult law in the same way."
[39] *Fort McKay First Nation v Prosper Petroleum Ltd,* 2020 ABCA 163 (CanLII), at para 39
[40] *Mikisew Cree First Nation v Alberta*, 2024 ABKB 578 (CanLII), <https://canlii.ca/t/k729q>

> [62] The fact that administrative tribunals are confined to the powers conferred on them by the legislature, and must confine their analysis and orders to the ambit of the questions before them on a particular application, admittedly raises the concern that governments may effectively avoid their duty to consult by limiting a tribunal's statutory mandate. The fear is that if a tribunal is denied the power to consider consultation issues, or if the power to rule on consultation is split between tribunals so as to prevent any one from effectively dealing with consultation arising from particular government actions, the government might effectively be able to avoid its duty to consult.
>
> [63] As the B.C. Court of Appeal rightly found, the duty to consult with Aboriginal groups, triggered when government decisions have the potential to adversely affect Aboriginal interests, is a constitutional duty invoking the honour of the Crown. It must be met. If the tribunal structure set up by the legislature is incapable of dealing with a decision's potential adverse impacts on Aboriginal interests, then the Aboriginal peoples affected must seek appropriate remedies in the courts: *Haida Nation*, at para. 51.[41]

68. Alberta and its created municipalities, including RMWB, would have Mikisew be without any remedy to consider the DTCA where the Crown uses municipalities to fulfil its legislation, the MGA. For example, if the consideration of the DTCA is a constitutional question, then the SDAB will say and has said Mikisew have no right to raise these issues in the proper forum for challenge land use planning: the SDAB. If this is the case, they must have some remedy for enforcing the DTCA and ensuring that the Crown, including through the operation of MGA, upholds Treaty. Thus, they could seek judicial review. However, if and when they seek such remedies, it is argued by the Crown and municipalities that there is an "adequate alternative" remedy before a board.

69. Respectfully, this hamster wheel of access to justice, which ends nowhere, is offensive to Treaty. There must be a remedy. Mikisew submits that the remedy to challenge the permit is here: the SDAB and to consider any ancillary issues that emanate from Canada's constitutional question.

[41] *Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council,* 2010 SCC 43 (CanLII), [2010] 2 SCR 650, at para 62,.

RMWB and/or Board must engage DTAC

70. In this proverbial game of hot potato (being the DTCA), someone eventually must hold the potato. There is Crown authorized conduct (the MGA by-law authorizing the liquor store) that may adversely affect the Treaty promise to protect Mikisew's way of life and to control the trade of liquor. In this respect, if the Board insists on considering this issue as a preliminary issue, the Appellant relies on its submissions from the previous appeal, enclosed for ease of reference and to be updated at the oral hearing.

ALL OF WHICH IS RESPECTFULLY SUBMITTED ON BEHALF OF THE MIKISEW APPELLANT, this 9th day of December, 2025,

ATIA 20(1)

ORLAGH J. O'KELLY

O'KELLY LAW

MIKISEW CREE FIRST NATION

OBJECTION TO LIQUOR STORE PERMIT

Application for Development Permit 2025-DP-00169

Lot 3 Block 10 Plan 5642NY; 193 Mackenzie Avenue

Fort Chipewyan, Alberta

EVIDENCE PACKAGE

Orlagh O'Kelly
O'Kelly Law
403, 10113 – 104 Street NW
Edmonton, Alberta T5J 1A1
Tel: 587-525-8348
orlagh.okelly@okellylaw.ca

TABLE OF CONTENTS

	DESCRIPTION	PAGE NUMBER
1	Email Chain re Notice of Appeal - October 26, 2025	3
2	SDAB Notice of Appeal	7
3	Daniel Roy – Facebook Screenshot	13
4	Protocol Agreement between Mikisew Cree First Nation and the Regional Municipality of Wood Buffalo	14
5	Correspondence from Mikisew Cree First Nation to Regional Municipality of Wood Buffao dated August 21, 2025	25
6	Corporate Records	77
7	Court of Appeal of Alberta 2403 0284 AC – Memorandum of Argument	199

Tuesday, December 9, 2025 at 07:31:17 Mountain Standard Time

Subject: Re: Notice of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169
Date: Sunday, October 26, 2025 at 4:29:58 PM Mountain Daylight Saving Time
From: Orlagh O'Kelly
To: Subdivision and Development Appeal Board
CC: Shelley Metera, chiefandcouncil@mikisewcree.ca, Subdivision and Development Appeal Board, ceo
Attachments: image003.png, image004.jpg, image005.png, image001.jpg, SDAB Notice of Appeal with Appendix A.pdf

Good afternoon Ms. Fredeen,

Please see attached which hopefully works with the Appendix. I am not sure what happened with the other form.

With regard to the Agent Authorization, I have asked the client to re-sign a newly dated form, same to the one that was submitted last year. I will share this with you ASAP.

Thank you,

Orlagh O'Kelly
Lawyer

O'Kelly Law

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
amiskwaciwâskahikan – Treaty 6
t : 587-525-8348 **direct** : 825-480-4542
e: orlagh.okelly@okellylaw.ca w : www.okellylaw.ca
This message, including aQachments, is for the addressee(s) only. It may contain privileged, confidenYal or other informaYon exempt from disclosure. If you received this email in error please noYfy the sender and delete this email message and all aQachments.

From: Heather Fredeen <Heather.Fredeen@rmwb.ca> on behalf of Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Date: Monday, October 20, 2025 at 9:21 AM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>, chiefandcouncil@mikisewcree.ca <chiefandcouncil@mikisewcree.ca>, Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Subject: RE: Notice of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169

Good morning Ms. O'Kelly,

This will confirm receipt of your Notice of Appeal filed with the Subdivision and Development Appeal Board on October 17, 2025. To complete your application, I have attached an agent authorization form that will need to be filled out. Additionally, it appears some wording in Section 4 “Reasons for Appeal”, has been cut off. You also refer to an appendix in this section, which we have not received. Please provide this information at your earliest convenience so that we can begin processing your application.

Warm regards,

Wood Buffalo TRIBUNALS

Heather Fredeen
Tribunal Clerk

T: 780-743-7001 | rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐦᑕᐊᔨᔪᐤ | Nistawâyâw | Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

From: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Sent: Friday, October 17, 2025 4:22 PM
To: Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>; Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>
Subject: NoYce of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169
Importance: High

External Message - Please be cautious when opening links or attachments in email

Good afternoon:

Please find enclosed the Appeal filed on behalf of Mikisew Cree First Nation, Mistee Seepee Development Corporation and 1112958 Alberta Ltd in relation to 2025-DP-00169.

Sincerely

O’Kelly Law

Orlagh O’Kelly
Lawyer

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
amiskwaciwâskahikan – Treaty 6
t : 587-525-8348 **direct** : 825-480-4542
e: orlagh.okelly@okellylaw.ca w : www.okellylaw.ca
This message, including aQachments, is for the addressee(s) only. It may contain privileged, confidenYal or other informaYon exempt from disclosure. If you received this email in error please noYfy the sender and delete this email message and all aQachments.

From: Phyllis Agyemang <Phyllis.Agyemang@rmwb.ca>
Sent: Friday, October 3, 2025 12:25:23 PM
To: Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>
Cc: Shailesh Makwana <Shailesh.Makwana@rmwb.ca>
Subject: NoYce of Decision - 193 MacKenzie Avenue

Hi Paul,

It was a pleasure talking with you over the phone this afternoon. As discussed, the development permit for 193 MacKenzie Avenue was approved on September 26, 2025.

As a resident of Fort Chipewyan, you have the right to appeal this decision to the Subdivision and Development Appeal Board. If you wish to exercise your right, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of the decision. Appeal Forms are available from the Planning and Development Services Division or the Fort Chipewyan municipal contact office and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

If you have questions regarding the application, please contact the undersigned. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Regards,

Phyllis Agyemang, BSc., MSc.

Planner I
Planning and Development Services

T: 780-743-7084 | rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᓱᐤ | Nistawâyâw | Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

How did we do? Provide anonymous feedback on your experience with RMWB Planning & Development Services to help us improve our services.

Planning & Development Services Customer Satisfaction Survey | Participate Wood Buffalo (rmwb.ca)

Please consider the environment before printing this email.

Wood Buffalo TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE OF APPEAL

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot	Block	Plan	ATS
3	10	5642NY	

Civic Address

193 Mackenzie Avenue, Fort Chipewyan, Alberta

Development Permit Number or type of Order
2025-DP-00169

Section 2 - Appellant Information

NB: At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form.

Appellant Name (If the Appellant is a company, enter the complete legal name of the company)
MIKISEW CREE FIRST NATION (CREE-ATIONS ENTERPRISES LIMITED, MISTEE SEEPEE DEVELOPMENT CORPORATION LTD. and 1112958 ALBERTA LTD.)

Agent[1] Name (if applicable)	Contact Name (if different) and position held
Orlagh O'Kelly	

Mailing Address	City/Town	Province	Postal Code
403, 10113 - 104 Street NW	Edmonton	Alberta	T5J 1A1

Telephone Number (Daytime)	Alternate Telephone Number	Email Address
587-525-8348		orlagh.okelly@okellylaw.ca

Section 3 – Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

Subdivision Application		Notice of Order
☐ Approval	☐ Approval	☐ Notice of Order
☐ Condition of Approval	☐ Condition of Approval	
☐ Refusal	☐ Refusal	

☐ I/We are the Applicant or Land Owner of the subject property

☐ I/We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings or plans for clarification.

I/We hereby appeal the decision of the Approval Authority for the following reason(s) as the RMWB did not consult with MCFN and did not

SEE APENDIXA

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

OCTOBER 17 2025

ATIA 20(1)

Date

Signature of Appellant/Agent

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner: I/We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property as necessary for the purpose of this Appeal.

Signature of Registered Owner

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@rmwb.ca

Protection of Privacy
The personal information you provide on this form is being collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer –SDAB , 7th Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4 ; or call 780.788.2222

For Office Use Only				
Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:

[1] Agent – A person who acts for a Property Owner, Applicant, Appellant, and/or Affected/Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.

MATTERS FOR AN APPEAL

- A decision of the Subdivision Authority concerning a subdivision application;
- A decision of the Development Authority concerning a development permit application;
- An enforcement order issued by the Development Authority.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

In accordance with the Municipal Government Act, once you file an appeal, it will be scheduled for a hearing. The appellant, applicant, owner of the property and anyone considered an affected person will receive written notification of the hearing date, a minimum of five days prior to the hearing. Hearing dates are advertised in the local papers and Municipal website www.rmwb.ca/sdab, the Friday prior to the hearing.

IMPORTANT NOTICES

Your completed form and any supporting attachments, the agent authorization form, and the prescribed filing fee must be submitted to the Clerk of the Subdivision and Development Appeal Board at the contact information provided below prior to the deadline indicated on the notice or decision issued:

Clerk of the Subdivision and Development Appeal Board,
7th Floor, Jubilee Center,
9909 Franklin Avenue,
Fort McMurray AB T9H 2K4

Telephone: 780-743-7001
Email: sdab@rmwb.ca

APPENDIX A

Mikisew Cree First Nation, Cree-Ations Enterprises Ltd., Mistee Seepee Development Corporation Ltd and 1112958 Alberta Ltd.

APPEAL OF PERMIT NUMBER 2025-DP-00169

1. This is an appeal of the permit number 2025-DP-00169 granted to Daniel Roy for a liquor store located at 193 Mackenzie Avenue, Lot: 3 Block: 10 Plan 5642NY in the hamlet of Fort Chipewyan in the municipality Regional Municipality of Wood Buffalo ("**RMWB**"). The discretionary permit was granted pursuant to the Land Use Bylaw No. 99/059.

2. The proposed Liquor Store will be located at the centre of the hamlet and looking out over the lakefront. The Liquor Store is approximately 1 kilometre from MCFN's Dog Head 218 Reserve and 12km from MCFN's Alison Bay Reserve 219.

STATEMENT OF FACTS

3. The Appellants, Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, are corporations registered under the *Business Corporations Act* RSA 2000, c B-9. (collectively referred to as the "**Corporations**"). The Corporations are wholly owned by Mikisew Cree First Nation and, in the case of Cree'Ations, their shares are held by Chief Billy-Joe Tuccaro in trust for Mikisew Cree First Nation ("**MCFN**"). MCFN cannot hold title to lands in fee simple except through such corporations.

4. The Appellant, Mikisew Cree First Nation, has nine (reserves) in what is now known as RWMB, including two reserves in close proximity to Fort Chipewyan (Dog Head and Allison Bay). MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred to as the Regional Municipality of Wood Buffalo. Neither RMWB nor the province of Alberta existed in 1899.

5. One of the Crown's primary motives for Treaty No. 8 was to impose law and order following the Klondike goldrush, and, as part of this, to control the "liquor trade" in MCFN's territory.

6. The Appellant submits that one of the Crown's oral promises in Treaty No. 8 was to control intoxicants in MCFN's territories ("**Promise**"). The Promise was consistent with the one provided, sometimes explicitly, in other numbered Treaties, such as Treaty No. 6. To break this Promises, is to breach the Treaty.

7. MCFN has an asserted Treaty right to protection from intoxicants, i.e. the liquor trade, and Treaty right to health ("**Treaty Right**").

8. The provincial Crown has delegated the management of municipal land use planning to municipalities under the *Municipal Government Act*, RSA 2000, c M-26 ("**MGA**"). The land-use planning is delegated Crown conduct. To manage objections to the land-use planning within municipalities, the provincial Crown created the subdivision and development appeal board ("**SDAB**"). Together, the land use planning and the

SDAB are delegated provincial Crown Conduct ("**Crown Conduct**"). In doing so, they have created a regulatory scheme that may trigger the duty to Consult.

9. The hamlet of Fort Chipewyan was part of a smaller northern district, Improvement District 18 ("I.D. 18"). Sometime before 1994, I.D. 18 was amalgamated into Improvement District 143 ("I.D. 143"). The Regional Municipality of Wood Bufalo was created by the Regional Municipality of Wood Buffalo Order in Council (O.C. 817.94) which amalgamated the City of Fort McMurray and Improvement District No, 143 as a specialized municipality under the MGA ("**Amalgamation**"). I.D. 143 was previously created to include Improvement District 18 of which was more local oversight, directly by the province of the northern and central parts of I.D. 143. This Amalgamation encompassed 63,000 square kilometres, all of which is within Treaty No. 8 territory. As a result of the Amalgamation, RWMB has received hundreds of millions of royalties and taxes from the oil sands; MCFN receives none.

10. This Amalgamation, through the MGA, vested jurisdiction and control over all municipal lands already administered municipally. RMWB lands can be expanded or appropriated by the provincial Crown at any time, under the MGA and the *Public Lands Act,* RSA 2000, c P-40, s 9.

11. RMWB, in engaging in land use planning in Fort Chipewyan, in particular in licensing a liquor store, engages in Crown Conduct that may adversely impact MCFN's Treaty, Treaty Rights and the Promise. As such, RMWB, acting as part of a provincial regulatory scheme, owed MCFN:
    a. a duty to consult;
    b. a duty to accommodate;
    c. obligations to honour the Treaty, the Promise and the Treaty Right pursuant to the Honour of the Crown.

12. RMWB owes common law duties to act reasonably (including having regard to the imperative of Reconciliation) and act procedurally fairly, including the duty to consult in administrative law.

13. MCFN, through the Corporations, owns at least 27 residential properties in the hamlet of Fort Chipewyan, including but not limited to the **Neighbouring Properties**:

    a. 5 units at 125 Mackenzie Avenue – Plan 5642NY, Block 9, Lot 9 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    b. Fourplex Units at 105 Loutit St – Plan 5642NY, Block 5, Lot 12 – Registered Owner: Cree-Ations Enterprises Limited
    c. House at 103 Logan Crescent – Plan 5642NY, Block 6, Lot 17 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    d. House at 100 Tourangeau Ave – Plan 5642NY, Block 1, Lot 7 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    e. Triplex Units at 112 MacKay Crescent
    f. House at 223 Delta Drive – Plan 9122991, Block 7, Lot 20 – Registered Owner: Her Majesty the Queen in Right of Canada as Represented by Department of Indian and Northern Affairs

g. House at 109 McDonald Street – Plan 8322365, Block 3, Lot 9B – Registered Owner: Cree-Ations Enterprises Limited
h. House at 105 McDonald Street – Plan 8322365, Block 3, Lot 12A – Registered Owner: Cree-Ations Enterprises Limited
i. House at 112 Mercredi Street – Plan 5642NY, Block 6, Lot 10 – Registered Owner: 1112958 Alberta Ltd.
j. Trailer at 109 Cardinal Avenue – Plan 8321682, Block 1, Lot 21
k. Eight plex units at 104 McDonald Steet – Plan 7520202, Block 5, Lot 18A – Registered Owner: Maureen Dale Hanson

14. The Neighbouring Properties house Mikisew Cree First Nation Members and/or staff and are in close proximity to the proposed Liquor Store.

15. Approximately 60 per cent of the population of Fort Chipewyan are MCFN members. The lack of housing on reserve makes it necessary for many of MCFN members to live in the nearby hamlet of Fort Chipewyan, including at the Neighbouring Properties.

16. MCFN members living on reserve or in Fort Chipewyan live in a remote community, accessible boat, plane and, between December and March, by winter road. MCFN has previously declared a State of Local Emergency, in April 2023, due to suicide, mental issues and addictions to intoxicants, including alcohol ("**SOLE**").

17. On July 16, 2025, RMWB sent a general "Notice to Adjacent Property Owners" to the Chief and Chief Executive Officer by email only from a previously unknown addres. As such the Notice was not found until August 20/21, 2025. At that time, MCFN made, once again, their submission, like they did on August 17, 2023 to the very same application. The MCFN Objection noted the
    a. the results of a Survey, which were overwhelmingly opposed to the Liquor Store;
    b. Submissions based on Treaty No. 8, the duty to consult, the Promise and Treaty Right;
    c. The SOLE;
    d. Incidents of crime so far in 2025, which were provided by the RCMP;
    e. Health statistics requested but not provided by Nunee Health.

18. No response to the MCFN Objection was received until the Decision was posted on or about October 3, 2025.

19. In re-issuing the same Decision that MCFN previously successfully appealed, the RMWB approved the Liquor Store ("**Decision**"). In making the Decision, RMWB:
    a. Did not consult MCFN;
    b. Did not accommodate MCFN;
    c. Did not respond to, nor consider the MCFN Objection;

20. The Decision did not contain reasons.

GROUNDS OF APPEAL

21. The Appellant appeals the Decision approving the Liquor Store on the following grounds.

    a. The Decision is unreasonable.

    b. The Decision-makers fettered their discretion to the by-law and failed to consider the decision of the previous SDAB revocation, including due to the unabated alcohol related crime in Fort Chipewyan.

    c. The Decision was made without consideration for the incompatibility of a liquor store with the surrounding properties in a remote community, predominantly made up of First Nations with Treaty status and where there is a known and documented history of alcohol related crime.

    d. The Decision is inconsistent with the public interest function of the MGA.

    e. The Decision was procedurally unfair in that no meaningful opportunity to respond was provided to MCFN and that the RMWB failed to fulfill the common law duty to consult owed to MCFN.

    f. The Decision-makers failed to comply with the constitutional duty to consult with MCFN based on asserted Treaty Rights and the Promise.

    g. The Decision-makers failed to comply with the duty to accommodate MCFN.

    h. The Decision was made in an unconscionable and dishonourable manner while RMWB provides no additional funding to the municipality for policing and has repeatedly failed to address the needs of the local predominantly First Nation population, all while receiving millions in federal/provincial funding and royalties.

    i. Such other grounds as MCFN may submit and the SDAB may permit.

22. Through the SDAB or the RWMB, discharging or recognizing the duty to consult and accommodate are not a "question of constitutional law" under section 10 of the *Administrative Procedures and Jurisdiction Act*, RSA 2000, c A-3, s 10. To hold otherwise, would be to allow the provincial Crown to evade its duties by subdelegating all regulatory processes to municipalities and immunizing any review of such processes from review.

9:09
5G
Daniel Roy
All
Photos
Reels
Daniel Roy
3d
Hello everyone,
Thank you so much for all the screen shots, some sharing actual email, some showing me their read receipts
I was thinking, I'll take all those and put them in a hat and have a draw...depending where this goes could be a nice prize or maybe just a bag of Bannok from Francis .
Keep those comments flowing, if you haven't done so yet:
Add friend
Message

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

PROTOCOL AGREEMENT

An Agreement for Collaboration and a Renewed Relationship Between the Mikisew Cree First Nation and the Regional Municipality of Wood Buffalo

BETWEEN:

Mikisew Cree First Nation
(the "**MCFN**")

AND

Regional Municipality of Wood Buffalo
(the "**Municipality**")

1.0 PREAMBLE

A. The history of Turtle Island, now known as Canada, Alberta, and the Regional Municipality of Wood Buffalo (RMWB) has been shaped and greatly influenced by Indigenous Peoples with their own languages, cultures, traditions, and government structures.

B. Section 35 of the Constitution Act, 1982 explicitly recognizes and affirms the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada and indicates that the term "Aboriginal peoples of Canada" includes the First Nation, Inuit and Métis people of Canada, including the Mikisew Cree First Nation (MCFN), are recognized and affirmed.

C. The Municipality recognizes that the MCFN holds Aboriginal rights, Treaty rights and MCFN reserve land exists within or inside of the physical limits of the Municipal boundaries.

D. It is in the mutual interests of both Parties to foster a stronger and more defined collaborative government-to-government relationship.

E. The Municipality and the MCFN have the mutual objective of taking significant steps towards advancing truth and reconciliation through action and dialogue.

F. The Municipality and the MCFN wish to define their mutual relationship and establish and detail how the two Parties will collaboratively work together.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

G. The Parties recognize that the commitment to discussions and processes provided for in this Agreement are steps towards truth and reconciliation and are expected to provide clarity and predictability for the MCFN, the Municipality, members of the MCFN and citizens of the Region.

H. The Parties are committed to truth and reconciliation, as defined by the Truth and Reconciliation Commission of Canada, through establishing and maintaining a mutually respectful relationship.

NOW THEREFORE the Parties enter into this Agreement with the intention and desire to establish a collaborative government-to-government protocol and relationship, in the spirit of taking action to achieve truth and reconciliation, for the shared benefit of the MCFN and the Municipality. The Parties agree as follows:

2.0 DEFINITIONS

2.1 For the purposes of this Agreement, the following definitions apply:

(a) "**Agreement**" means this Protocol Agreement between the Regional Municipality of Wood Buffalo and the MCFN

(b) **Capacity Support**" means funding provided by the Municipality through the *Indigenous Community Capacity Grant Program FIN-250* to the MCFN to assist the MCFN with implementing the commitments and responsibilities outlined in this Agreement

(c) "**Effective Date**" means the date this Agreement is fully executed by both Parties

(d) **"Indigenous"** means the original peoples of the land (First Nations (status and non-status), Métis and Inuit), distinct social and cultural groups sharing collective ancestral ties to the lands and natural resources within (and beyond) the boundaries of the Municipality

(e) "**Joint Committee**" means appointed staff or administration appointed by both Parties to fulfill the roles identified in Section 7.2

(f) "**Municipality**" or "**RMWB**" means the Regional Municipality of Wood Buffalo

(g) **"Parties"** collectively means the MCFN and the Municipality and individually either the MCFN or the Municipality, as the case requires

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(h) **"Principles of Reconciliation"** means the ten guiding principles respecting the Government of Canada's relationship with Indigenous peoples published in 2018

(i) **"UN Declaration"** means the UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples: resolution adopted by the General Assembly*, 2 October 2007, A/RES/61/295

(j) **"Work Plan"** means an annual aspirational exercise involving both Parties where anticipated engagement work will be reviewed, considered and structured for the following year.

3.0 PURPOSE

3.1 The purpose of this Agreement is to:

(a) establish agreed processes for a renewed government-to-government relationship between the Municipality and the MCFN

(b) agree and confirm the responsibilities, processes and actions pursuant to which the two Parties will address matters of mutual interest

(c) establish a "Joint Committee" through which the Municipality and the MCFN will manage and collaborate on joint priorities

(d) formalize an engagement process with the MCFN on municipal projects, programs, policies or decisions that are of interest to, or may have impact on the MCFN.

4.0 PROTOCOL PRINCIPLES

4.1 The Parties recognize that the successful implementation of this Agreement will require systematic, timely and disciplined efforts by both Parties. The Parties agree to the following principles:

(a) acting in an open, good faith and transparent manner toward one another in dealing with the matters set out in this Agreement and when implementing this Agreement

(b) continuous education, knowledge and understanding of the Parties' mutual interests

(c) applying a results-driven approach to all discussions, negotiations and the implementation of this Agreement

(d) building a relationship based on trust and collaboration between the MCFN and the Municipality, applying the Principles of Reconciliation

(e) expanding the Municipality's knowledge of, and appreciation for, the MCFN history, culture and way of life.

5.0 ENGAGEMENT PROTOCOL

5.1 All high-level policies and initiatives undertaken by the Municipality with the MCFN will be on a government-to-government basis and not be viewed as public or stakeholder engagement.

5.2 Despite section 5.1, the Municipality will use its best efforts to engage with the MCFN on projects, programs, policies and decisions that may have an impact on the MCFN or its membership, in accordance with its current public engagement policies, including but not limited to:

(a) the *Public Engagement Administrative Procedure PRC-130-P01*; and

(b) the *Public Engagement Policy PRC-130*

as amended or as replaced from time to time.

5.3 The Parties agree to the following principles for engagement:

(a) sufficient prior notification and engagement by the Municipality with the MCFN where the Municipality reasonably believes that a municipal project, program, or policy may affect the interests of the MCFN

(b) at the request of the MCFN, further detailed information on any municipal project, program, or policy will be provided to the MCFN to allow the MCFN to assess their interest in or potential impact from such project, program, or policy and to meaningfully participate in any municipal engagement process

(c) reporting back to the MCFN on how the input from the MCFN has been considered and incorporated into any municipal decision.

5.4 The Parties agree to the following process for engagement undertaken by the Municipality:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(a) the Municipality will annually provide to the Joint Committee a list of projects, programs, policies and decisions to the MCFN that may impact the MCFN or its members

(b) The MCFN will advise the Municipality of the recommended level of engagement through the Joint Committee

(c) the Municipality will use its best efforts to follow the preferred engagement process recommended by the MCFN, considering time and resource constraints.

5.5 If a project, program, policy or decision is contemplated or initiated by the Municipality after the provision of the annual list to the MCFN through the Joint Committee, the proposed project, program, policy or decision will be submitted to the Joint Committee as soon as possible and the process outlined in Sections 8.2 (b) and (c) of this Agreement will be followed.

5.6 Nothing in this Agreement diminishes any engagement or notification requirements required by the Municipality under the *Municipal Government Act* RSA 2000 c-M-26 or any other enactment.

5.7 Nothing in this Agreement diminishes any "duty to consult" with the MCFN required by the Municipality under the *Indian Act*, RSC 1985, c. I-5, as amended, any other enactment or at common law.

6.0 MUTUAL INTEREST

6.1 The following areas of mutual interest have been identified and agreed upon by the Parties for collaboration. Where appropriate, separate agreements may be entered into by the Parties bi-laterally or with other appropriate partners:

(a) intergovernmental coordination

(b) partnerships and to lobby provincial and federal governments on priorities of mutual interest

(c) cultural and tourism development

(d) regional economic development

(e) land planning, zoning, and land-use

(f) employment

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(g) emergency preparedness and management

(h) infrastructure

(i) municipal service agreements

(j) procurement and contracts

(k) property and other taxation issues

(l) social services

(m) housing initiatives

(n) policing

(o) transportation initiatives

(p) additional issues of interest that the Parties may identify from time to time.

7.0 JOINT COMMITTEE

7.1 To accomplish the objectives of this Agreement, the Parties will establish a Joint Committee as soon as practicable following the Effective Date of this Agreement.

7.2 The Joint Committee will:

(a) develop and submit an annual Work Plan based on the areas of mutual interest identified in Section 6.1

(b) collaboratively implement the annual Work Plan

(c) address any urgent issues that may arise

(d) establish sub-committees or working groups to undertake specific projects as required

(e) address any other issues that may arise during the implementation and term of this Agreement

(f) undertake other duties as may be agreed to by the Joint Committee.

7.3 The Joint Committee shall meet at least twice a year to undertake collaborative discussions related to the items identified under section 6.1.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

7.4 The Joint Committee may refer disputes to the leadership of their governments for resolution through the established communication protocol outlined in section 8.0.

7.5 The Joint Committee membership will:

(a) consist of two representatives appointed from the RMWB's Indigenous and Rural Relations Department and two representatives appointed by the MCFN

(b) meetings will be chaired alternatively by one representative from the Municipality and one representative from the MCFN

(c) operate on the basis of consensus, to the greatest extent reasonably possible.

(d) establish procedures including but not limited to:

a. meeting frequency and locations

b. the process for involvement of other departments and representatives

7.6 The Joint Committee membership is appointed for each calendar year by the Parties and the membership shall be as identified in **Schedule "A"**.

8.0 COLLABORATIVE LEADERSHIP COMMUNICATION PROTOCOL

8.1 The Parties will establish a Collaborative Leadership Communication Protocol to provide a process for elected leadership of both Parties to provide direction on the implementation of this Agreement.

8.2 The purpose of the Collaborative Leadership Communication Protocol is to:

(a) act as an avenue through which elected leadership of the MCFN and the Municipality provide input on approaches to addressing mutual areas of interest and the annual Work Plans

(b) review the progress of the Joint Committee and other aspects of the Agreement

(c) strengthen the working relationship with elected leadership, manage issues and potential areas of conflict, and increase collaboration.

8.3 Discussions or conversations that occur as part of this established protocol are required to be reported back to their respective Councils on any discussions and/or recommendations.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

9.0 IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UN Declaration)

9.1 The MCFN agrees to participate in collaborative discussions with the Municipality on the proposed municipal implementation of the UN Declaration as a framework for advancing truth and reconciliation, including but not limited to the following:

(a) providing input on any municipal policies concerning the UN Declaration

(b) providing input on any documents, plans or strategies for implementing the UN Declaration as a framework for advancing truth and reconciliation

(c) providing any other input or advice on the proposed implementation of the UN Declaration as a framework for advancing truth and reconciliation in Wood Buffalo.

10.0 FUNDING

10.1 The Municipality will provide Capacity Support to the MCFN through the *Indigenous Community Capacity Grant Program FIN-250*.

11.0 TERM AND TERMINATION

11.1 The term of this Agreement will commence on the Effective Date.

11.2 The Agreement will be reviewed on or before the third anniversary date of the Effective Date and every three years thereafter.

11.3 Either Party may terminate this Agreement upon:

(a) 90 days written notice to the other Party with a detailed explanation of the reason for termination; or

(b) upon the terms of this Agreement being incorporated by the Parties into a successor agreement or modified by mutual agreement of the Parties.

11.4 Upon written notice of termination being given by either Party, the Parties will meet within 30 days to seek to achieve an understanding for the reason(s) for termination and to discuss potential amendments to the Agreement or other solutions to avoid termination.

12.0 REPRESENTATIONS

12.1 The MCFN confirms that by entering into this Agreement:

(a) it has the authority and capacity to enter into this Agreement on its own behalf and on behalf of its members

(b) it has taken all necessary actions and has obtained all necessary approvals to enter into this Agreement for and on behalf of its members

(c) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

12.2 The Municipality confirms that by entering into this Agreement:

(a) it has the authority to enter into this Agreement

(b) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

13.0 GENERAL TERMS

13.1 This Agreement is a non-binding instrument which is intended to express the will of the Parties to collaborate on a range of matters of mutual interest but is not intended to be actionable pursuant to legal proceedings.

13.2 This Agreement, including the Forum, does not affect the jurisdiction or discretion of any decision-making authority of the Municipality or the MCFN.

13.3 Any notice, document or communication required or permitted to be given shall be in writing and delivered by hand, by registered mail or by email to the Party to which it is to be given as follows:

To: Regional Municipality of Wood Buffalo
Jubilee Building
6th Floor, 9909 Franklin Avenue
Fort McMurray, AB T9H 2K4

Attention: Director Indigenous and Rural Relations
E-mail: Director.IRR@RMWB.ca

To: Mikisew Cree First Nation
P.O. Box 90
Fort Chipewyan, AB T0P 1B0

Attention:
E-mail:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

13.4 This Agreement may be amended from time to time by the Parties in writing.

13.5 If any part of this Agreement is deemed or found to be void or invalid:

(a) the invalidity of that part will not affect the validity of other parts of the Agreement; and

(b) the Parties will negotiate and attempt to reach agreement on a replacement for the part declared void or invalid.

IN WITNESS WHEREOF this Agreement is effective this ___ day of _____, 20___ and in making their best efforts to adhere to the terms established in this Agreement, the Parties have signed and executed this Agreement by their authorized representatives.

MIKISEW CREE FIRST NATION

ATIA 20(1)

Chief

Melody Lepine, Acting Chief Executive Officer

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Sandy Bowman, Mayor

Linda Ollivier, Interim Chief Administrative Officer

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

SCHEDULE "A" – JOINT COMMITTEE

At the signing of this Agreement, the following representatives have been appointed to the initial Joint Committee:

Joint Committee Membership Representatives		
Mikisew Cree First Nation	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		
Municipality	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		

MIKISEW CREE
FIRST NATION

August 21, 2025

Regional Municipality of Wood Buffalo

Dear Sir/Madam:

Re: Mikisew Objection to Liquor Store Permit
Notice of Development Application 2025-DP-00169 – Liquor Store

---

Please consider the enclosed Mikisew Cree First Nation's objection – again – to the resubmission of an application for the same revoked permit for a liquor store in the heart of our community, Fort Chipewyan.

Mikisew was successful at the Court of Appeal in challenging the municipality's first attempt [redacted] unity at this location (193 Mackenzie Avenue, Lot 3; Block [redacted] Appeal, citing the Board's decision, stated:

> [redacted] those safety considerations [concerning alcohol use in the community] The Board concludes that the proposed development is not compatible with the adjacent uses. . . .
>
> 138. As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses . . . The development permit is revoked.[1]

Having been successful all the way to the Court of Appeal, Mikisew did not receive proper notice of the re-submitted application from the Regional Municipality of Wood Buffalo (RMWB). **Tab 1** is a copy of the email from our member where our Nation became aware of this resubmissions when, on August 12, 2025.

---

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board),* 2025 ABCA 69 (CanLII), at para 7.

MIKISEW CREE
FIRST NATION

After receiving this email and upon review of emails, it appeared that the generic email (from a previously unknown sender and not indicating RMWB in the subject line) went undetected as junk in the chief and ceo emails only. Please send all notices to our band office and also to chiefandcouncil@mikisewcree.ca with a read receipt to ensure this does not happen again.
It also does not appear that our legitimate expectations regarding notice, throughout the community, were met this time around. For example, some of our Council live in the immediate vicinity of 193 Mackenzie Avenue, and did not receive a notice regarding this application.

Moreover, this will be the second time the notice period is condensed in the middle of summer - a time when our members and Nation are exercising their Treaty and inherent rights, but also precisely on the day (July 16, 2025) when we were in Ottawa meeting with Prime Minster Carney at the widely advertised First Nations Summit.

Notwithstanding our objections to the adequacy, manner and timing of notice, we are [redacted] days of becoming aware of this application. Given this time [redacted]esults of an updated member survey when they become [redacted]

We submit as follows and enclosed:

Mikisew reiterates the safety considerations with a liquor store in community, with easy access for members with substance abuse issues but most importantly easy access for our youth. At the hearing before the SDAB Board, Mikisew advised the board of youth suicides that occurred under the influence of alcohol. Moreover, it is obvious that alcohol relates to serious safety issues in our small community. Enclosed at **Tab 2** is a copy of the incidents this year alone, until August 14, 2025, that are alcohol related. There are 241 incidents for a community of approximately 1000. This is extraordinary given the limited policing resources in our community.

MIKISEW CREE
FIRST NATION

Indeed, our Nation's employees and officials have noticed a decline in youth drinking in the community since the closure of the illegal liquor store (HEP). This has been a welcome improvement.

We also remind RMWB that under Treaty 8 the Crown promised us they would control the sale of liquor in our territory. Fort Chipewyan is predominantly Mikisew members. We enclose therefore at **Tab 3** the expert opinion of Dr. Darcy Lindberg in this regard. The Crown cannot evade its obligations by delegating permitting powers to the municipality.

Granting this licence has at least the *potential* to impact our Treaty relationship and Treaty rights, if not infringe them. Our claim to protection from liquor sales under Treaty 8 is credible as evidenced in Dr. Lindbergh's report. As such there is a duty to consult that arises. Since at least 2017, it is now clear that administrative bodies, such as municipalities, can and must discharge the duty to consult. Recognition of a duty to consult owing to Mikisew is evident in the consultation policy.

[redacted]indfall in resource revenue sharing from the impacts to our [redacted]ands development. By contrast, despite our constitutional [redacted] nothing in the way of revenue sharing. In February, 2024, [redacted]unding that was provided to RMWB by the federal public safety department for addictions and prevention measures, which our community was not made aware of. Instead, RMWB has proposed to contribute to the problem by approving a liquor permit in our community.

In addition, we know from research conducted following the Imperial Kearl spill that the land dispossession caused by industrial disturbance caused mental health harm to our members and, therefore, by extension, potential for further substance abuse issues in our community. RMWB has done nothing to assist in mitigating this real problem. By contrast, Mikisew has called a State of Emergency.

MIKISEW CREE
FIRST NATION

Even if RMWB maintains they are exempt from the duty to consult, please be advised that RMWB is not exempt from considering whether an application is in the public interest[2] and whether it is compatible with the surrounding use.[3] It is not in the public interest nor is it compatible with the surrounding use, as already found by the municipality's own board, to contribute to substance abuse and intergenerational trauma in a predominantly First Nation community like Fort Chipewyan through the sale of liquor at 193 Mackenzie Avenue.

In closing, given the short and dishonourable window of time to respond, again, we are enclosing and relying on our previous submissions, **Tab 4,** also submitted in haste, in response to RMWB's proposal to approve this permit again.

We trust this is sufficient to put this issue to rest and join us in protecting our community.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

Encl (4)

cc. *Chiefandcouncil@mikisewcree.ca*
ceo@mikisewcree.ca
RMWB via email

[2] *Municipal Government Act*, RSA 2000, c M-26, s 617; *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 43.
[3] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 14.

Thursday, August 21, 2025 at 10:15:34 Mountain Daylight Time

Subject: Re: Liquor Store
Date: Thursday, August 21, 2025 at 10:15:33 AM Mountain Daylight Saving Time
From: Orlagh O'Kelly

From: Danny Mercredi ATIA 20(1)
Sent: Tuesday, August 12, 2025 9:42:43 PM
To: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>
Cc: Councillor Bonnie Fraser <bonnie.fraser@mikisewcree.ca>; Councillor Sherri McKenzie <sherri.mckenzie@mikisewcree.ca>; Councillor Tammie Tuccaro <tammie.tuccaro@mikisewcree.ca>; Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>; Councillor Dillon Whitehead <dillon.whitehead@mikisewcree.ca>; Councillor Roxanne Marcel <roxanne.marcel@mikisewcree.ca>
Subject: Fwd: Liquor Store

Sent from my iPhone

Begin forwarded message:

> **From:** Danny Mercredi <ATIA 20(1)>
> **Date:** August 12, 2025 at 9:41:12 PM MDT
> **To:** permit.inquiries@rmwb.ca
> **Subject: Liquor Store**
>
> ALERT ! ‼️
>
> Sharing;
>
> The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss.

It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.🪶🪶🪶🪶🪶🪶🪶🪶

Sent from my iPhone

	Occ #	Unit	Type
1)	2024102328 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
2)	2024103654 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
3)	2024105476 8	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
4)	2024105900 7	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
5)	2024106934 3	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
6)	2024107551 4	G DIV FORT SMITH DETACHMENT	Wellbeing Check (FIP)
7)	2024109153 3	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
8)	2024109909 2	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
9)	2024109970 7 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
10)	2024110974 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
11)	2024111912 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
12)	2024113972 2	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

13)	2024114313	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
14)	2024114599 0	K DIV FORT CHIPEWYAN DETACHMENT	Moving Traffic - Speeding Violations - Provincial/Territorial
15)	2024115236 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
16)	2024116787 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
17)	2024117002 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
18)	2024117174 9	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
19)	2024119280 1	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
20)	2024121993 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
21)	2024122141 9 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
22)	2024123322 4	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
23)	2024123370 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
24)	2024124015	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
25)	2024125020 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
26)	2024126662 5	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)

27)	2024126751 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
28)	2024128139 9	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
29)	2024128766	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
30)	2024131840 4	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
31)	2024135376 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
32)	20241367	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
33)	2024138466 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
34)	2024138606 1	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
35)	2024139775 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
36)	2024140251 9	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
37)	2024142406 6	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
38)	2024143177 3 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
39)	2024143578 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
40)	2024146241 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

41)	2024146632 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
42)	2024146763 7	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
43)	2024147676 8	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
44)	2024148892 5	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
45)	2024154366 1	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
46)	2024154930 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
47)	2024155316 4 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
48)	2024157424 8	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
49)	2024158145 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
50)	2024158380 7	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
51)	2024158735 0	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
52)	2024158991 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
53)	2024159939 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
54)	2024160442 7	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)

55)	20241616415	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
56)	20241622022	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
57)	20241622419 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
58)	20241622685	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
59)	20241622922	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
60)	20241623091	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
61)	20241623092	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
62)	20241658284	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
63)	20241690459	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
64)	20241691259	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
65)	2024169140	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
66)	20241704295	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
67)	20241705467	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)
68)	20241713189	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities

69)	2024172216 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
70)	2024175155 1	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
71)	2024178404 0	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
72)	2024179644 2	K DIV FORT CHIPEWYAN DETACHMENT	Discharge firearm with intent 244 CC (FIP)
73)	2024179666 6	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
74)	2024179884 9	K DIV FORT CHIPEWYAN DETACHMENT	Harassing communications 372(3) CC (FIP)
75)	2024180090 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
76)	2024183733 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
77)	2024183827 2	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
78)	2024184563 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
79)	2024186837 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
80)	2024186966 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
81)	2024188708 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
82)	2024193208	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)

83)	2024194219	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
84)	2024203767	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
85)	2024208841	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
86)	2024211397	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
87)	2024240605	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
88)	2024251908	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
89)	202425940	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
90)	2024261551	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
91)	2024269059	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
92)	2024300733	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
93)	2024310987	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
94)	2024321251	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
95)	2024332052	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
96)	2024348366	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

97)	2024353525 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
98)	2024379617	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
99)	2024392612	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
100)	202444740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
101)	202445084	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
102)	2024462788	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
103)	20244736	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
104)	2024481133	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
105)	2024487768	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
106)	2024490598	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
107)	2024502124	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
108)	2024518740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
109)	2024519114	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
110)	2024520788	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial

111)	2024520867	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
112)	20245327	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
113)	2024538558	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
114)	2024549440	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
115)	2024556047	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
116)	2024562648	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
117)	2024574278	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
118)	2024574938	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
119)	2024580844	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
120)	2024581200	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
121)	2024592833	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
122)	2024600378	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
123)	2024601552	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
124)	2024645716	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)

125)	2024669230	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
126)	2024672954	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
127)	2024674935	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
128)	2024706941	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
129)	2024712379	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
130)	2024712380	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
131)	2024713044	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
132)	2024714943	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
133)	2024720054	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
134)	2024721174	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
135)	2024727281	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
136)	2024727378	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
137)	2024731966	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
138)	2024732763	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities

139)	2024733800 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
140)	2024733897	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
141)	2024759119	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
142)	2024767401	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
143)	2024772115	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
144)	2024778655	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
145)	2024817368	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
146)	2024824782	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
147)	2024827924	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
148)	202482871 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
149)	202484914	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
150)	2024851590	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
151)	2024862040	K DIV FORT CHIPEWYAN DETACHMENT	Operation While Impaired (Alcohol And Drug) / Over 80mg% Of Vessel / Aircraft / Railway 320.14(1)(a)/(d) CC
152)	202487584	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

153)	202487906	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
154)	2024879593	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
155)	2024897855	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
156)	2024909110	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
157)	202491967	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
158)	2024927289	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
159)	2024981470 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
160)	2024993773	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
161)	2024998728	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
162)	2024999150	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
163)	2025102724 6	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
164)	2025103532 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
165)	2025103540 3	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
166)	2025103659 8	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)

167)	20251037882	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
168)	2025106946	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
169)	20251101181	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
170)	20251106890	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
171)	20251114593	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
172)	2025111498	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
173)	20251120669	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
174)	2025112977	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
175)	2025114679	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
176)	2025114806	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
177)	2025114927	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
178)	2025115744	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
179)	202511669	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
180)	2025117208	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC

181)	2025118023 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
182)	2025118515 2	K DIV FORT CHIPEWYAN DETACHMENT	Unwanted person
183)	2025118672	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
184)	2025128736	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
185)	202513337	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
186)	2025142963	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
187)	2025145353	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
188)	2025160447	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
189)	2025204227	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
190)	2025209553	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
191)	2025222597	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial
192)	2025233500	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
193)	2025239986	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
194)	2025240695	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial

195)	2025252833	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
196)	202526476	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
197)	202526543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
198)	2025269588	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
199)	2025288103 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
200)	2025308025	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
201)	2025326580	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
202)	2025340119	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)
203)	2025373011	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
204)	2025376486	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
205)	2025380331	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
206)	2025395438	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
207)	2025407036	K DIV FORT CHIPEWYAN DETACHMENT	Mischief to motor vehicle 430(3)&(4) CC
208)	2025408535	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency

209)	2025410932 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
210)	2025414298	K DIV FORT CHIPEWYAN DETACHMENT	Possession for the Purpose of Trafficking - Schedule I: Cocaine 5(2) CDSA (FIP)
211)	2025419309	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
212)	2025445959	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
213)	2025483085 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
214)	202551716	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
215)	2025529443	K DIV FORT CHIPEWYAN DETACHMENT	Dangerous Driving - Provincial/Territorial
216)	202553174	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
217)	2025547037	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
218)	2025604106	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
219)	2025628925	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
220)	2025727571	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
221)	2025727828	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
222)	202572818	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

223)	2025728647	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
224)	2025729034	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
225)	2025729110	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
226)	2025731578	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
227)	2025732080	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
228)	2025745441	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
229)	2025748970	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
230)	2025749226 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
231)	2025762178	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
232)	2025765390	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
233)	2025771753	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
234)	2025775922	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
235)	2025776272	G DIV FORT SMITH DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
236)	2025832834	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

237)	2025907409	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
238)	2025909649	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
239)	2025915907	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
240)	2025937711	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
241)	2025974050	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 21, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Cree Law Informs Treaty 8:

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It

---

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

6. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

MIKISEW CREE FIRST NATION

MIKISEW CREE FIRST NATION
ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

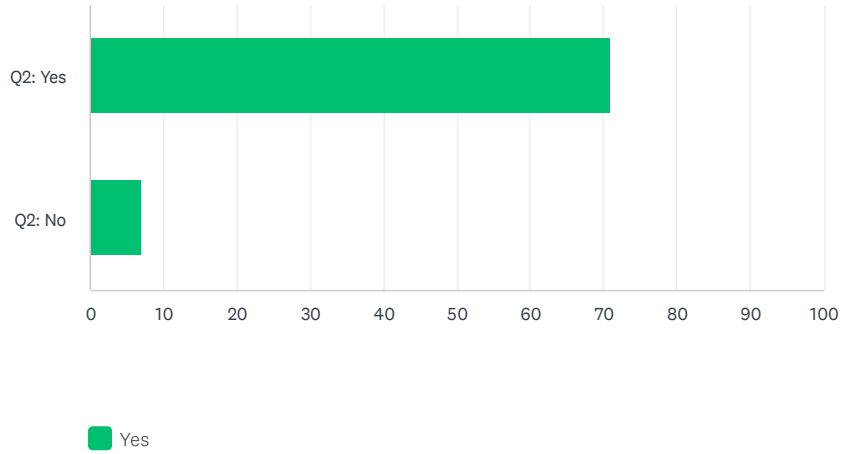
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

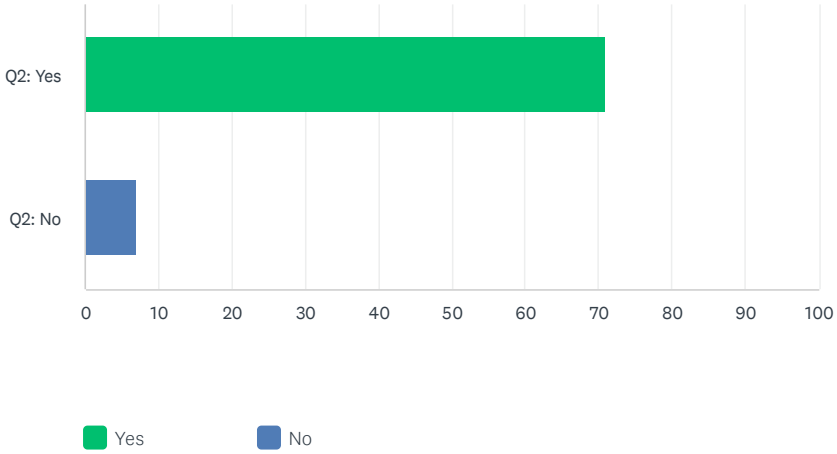


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

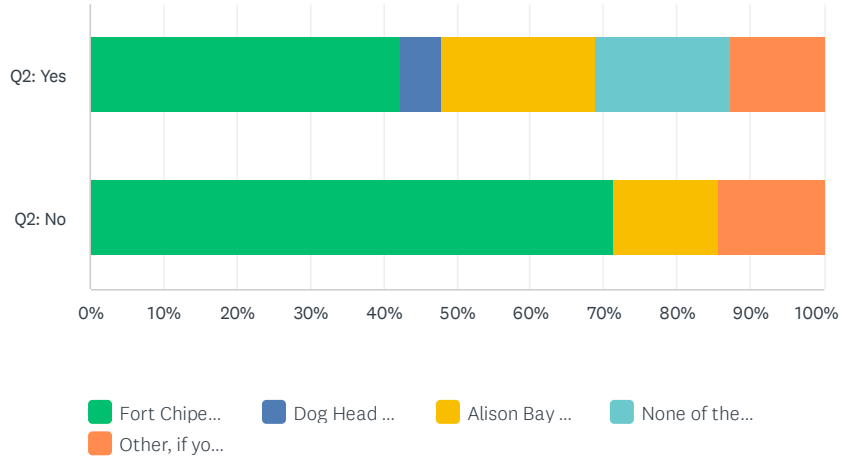
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

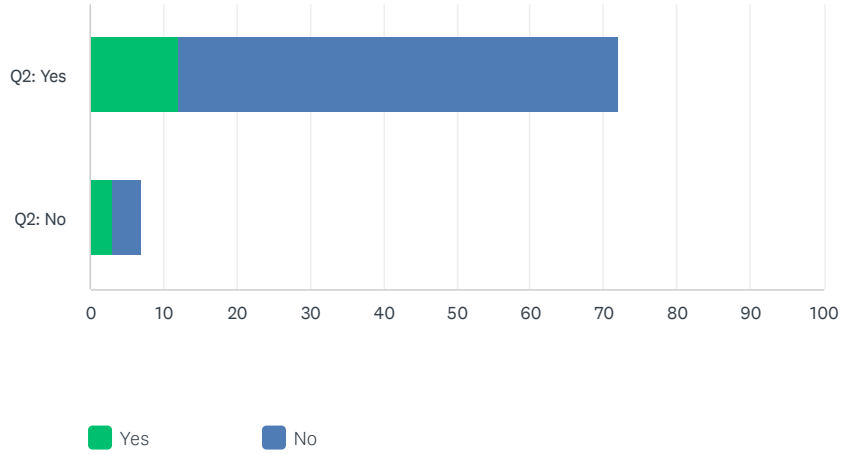
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

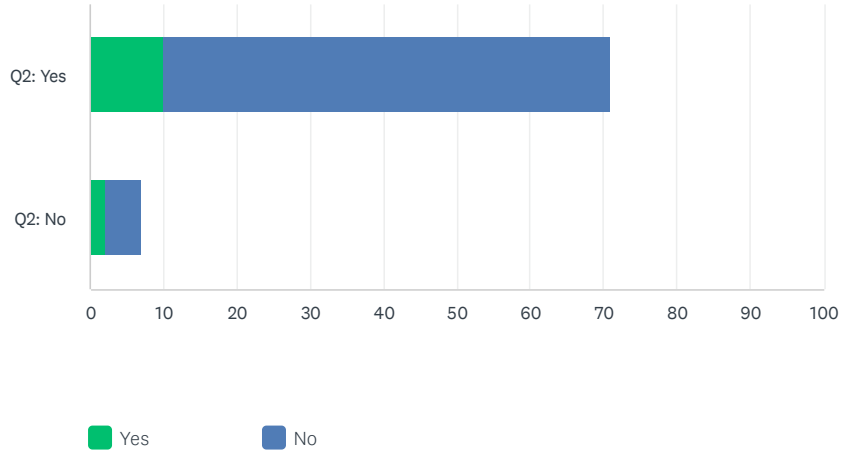
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

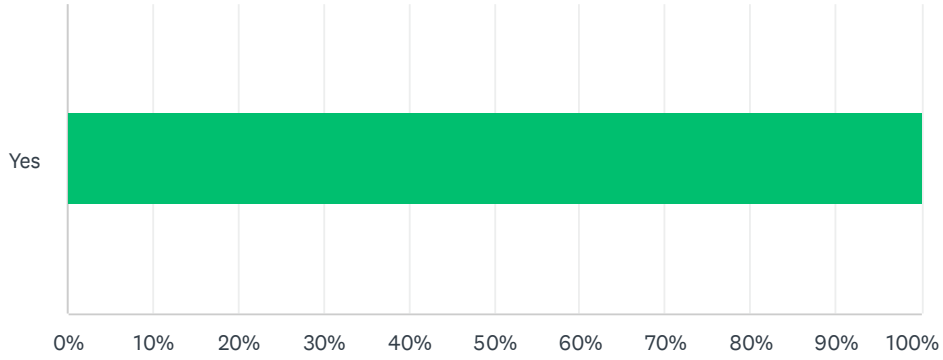
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

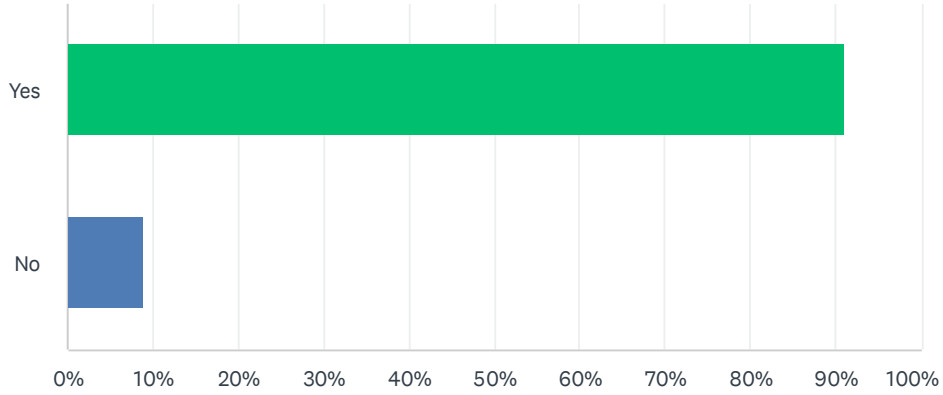
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

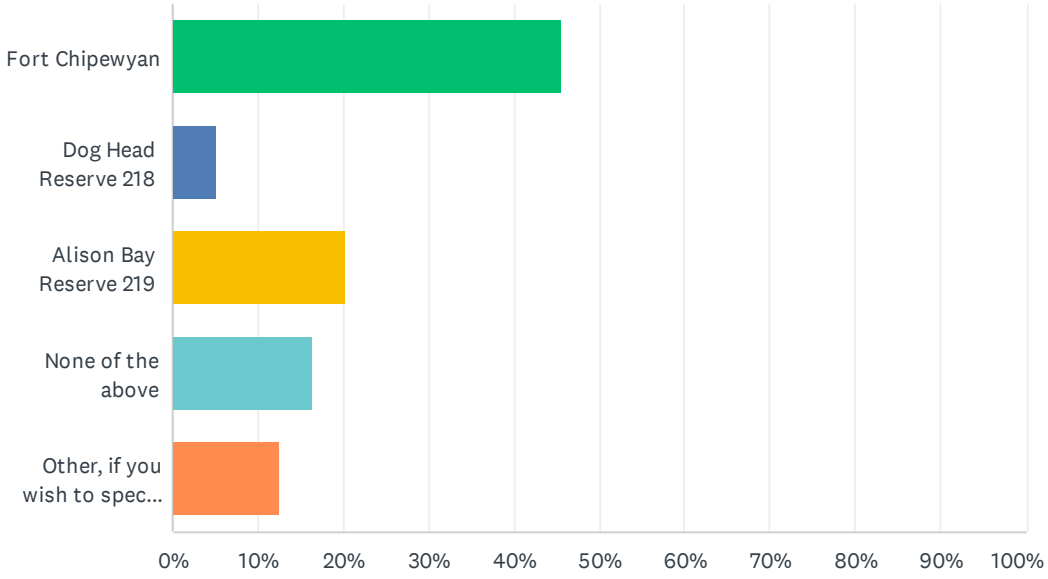
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

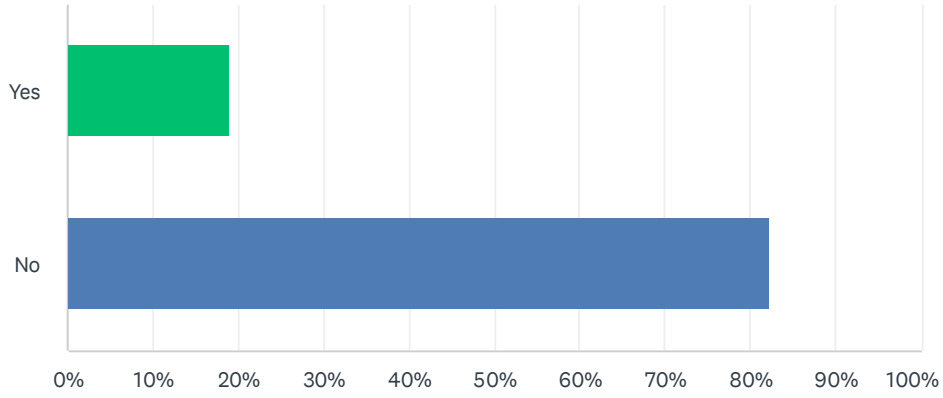
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

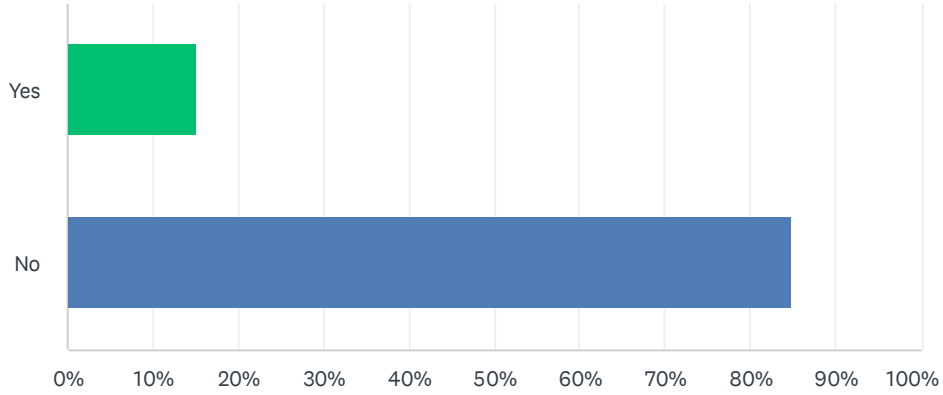
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:		TOTAL
Q2: Yes		100.00% 40	97.56% 40
Q2: No		100.00% 1	2.44% 1
Total Respondents	41		41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

File: 2024-003
Appeal re: Development Permit 2023-DP-00125
Legal Description: Lot 3, Block 10, Plan 5624 NY

**MIKISEW CREE FIRST NATION,
CREE-ATIONS ENTERPRISES LTD., MISTEE SEEPEE DEVELOPMENT CORPORATION LTD and 1112958 ALBERTA LTD.**

(Appellants)

And

DANIEL ROY

(Appellant)

And

REGIONAL MUNICIPALITY OF WOOD BUFFALO

MIKISEW APPELLANTS

LEGAL ARGUMENT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD

OVERVIEW

1. The Appellants are Mikisew Cree First Nation and three Mikisew owned corporations with fee simple land in their traditional territory, which is now known as the hamlet of Fort Chipewyan in the Regional Municipality of Wood Buffalo. Mikisew members make up the majority of Fort Chipewyan residents.

2. The Appellants object to the development of a liquor store in the heart of Fort Chipewyan. They communicated their Objection to RMWB on August 17, 2023, and received no response nor engagement until the notification of the Discretionary Permit ("**Permit**"or "**Discretionary Permit**") on August 29, 2024.

3. The Development Officer in exercising its discretion to award this Permit failed to discharge the duty to consult and accommodate MCFN, failed in the duty of fairness owed to MCFN and failed to reasonably explain why the Development Officer rejected MCFN's Objection, notwithstanding almost unanimous community opposition to the Permit. In fact,

the Mayor of RMWB stated, in error, that the municipality had in engaged in extensive community engagement. They did not. In fact, the record before the SDAB indicates that RMWB engaged with the Appellant Daniel Roy on how to grant the Discretionary Permit notwithstanding the Objection.

4. Further and/or in the alternative, if the Development Officer was not responsible for discharging the duty to consult and accommodate; the Subdivision and Development Appeal Board has the authority to discharge this duty to consult and accommodate through this appeal.

5. If the duty to consult and accommodate has not been satisfied, the grant of the Permit must be set aside.

STATEMENT OF FACTS

6. The Appellants, Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, are corporations registered under the *Business Corporations Act* RSA 2000, c B-9. (collectively referred to as the "**Corporations**"). The Corporations are wholly owned by Mikisew Cree First Nation and, in the case of Cree'Ations, their shares are held by Chief Billy-Joe Tuccaro in trust for Mikisew Cree First Nation ("**MCFN**"). MCFN cannot hold title to lands in fee simple except through such corporations.[1]

7. As promised under Treaty No. 8[2], the Appellant, MCFN, has nine (reserves) in what is now known as RWMB, including two reserves near Fort Chipewyan (Dog Head[3] and Allison Bay[4]).[5]

8. MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred

[1] **TAB 1:** Corporate Records of the Appellants.
[2] Treaty No. 8, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.
[3] **TAB 2:** Reserves, Dog Head 218, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/RVDetail.aspx?RESERVE_NUMBER=08495&lang=eng
[4] **TAB 3** : Reserves, Allison Bay 219, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/RVDetail.aspx?RESERVE_NUMBER=06734&lang=eng
[5] **TAB 4** : Reserves, Mikisew Cree First Nation, Number 461, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/FNReserves.aspx?BAND_NUMBER=461&lang=eng.

to as RMWB.[6] Neither RMWB nor the province of Alberta existed in 1899. Over time, the Crown in right of Canada devolved, unilaterally, many of the Crown obligations to the province of Alberta. MCFN has objected to this devolution.[7]

A. Crown's Statutory Discretion over Land-Use Planning delegated to RMWB

9. RMWB is a creature of provincial statute and a local emanation of the Crown. RMWB is a creature of provincial statute. RMWB was established as the result of an amalgamation and renaming into a "Specialized Municipality" effective August 14, 1996, by *Order in Council 354/96* (Amalgamated Improvement District No. 143 and City of Fort McMurray).

10. Through the *Municipal Governments Act* ("**MGA**"), the provincial Crown has delegated control and management of land use planning over municipal lands to RMWB, including over a vast area in Northeastern Alberta, all of which is Treaty 8 territory and most of which MCFN considers to be its traditional territory. Through the Aboriginal Consultation Office, for example MCFN is consulted in much of RMWB.[8]

11. By the MGA, the provincial Crown has delegated statutory authority to RMWB over Fort Chipewyan's land use planning. The rules are outlined in a 500-page by-law developed by RMWB.[9] For the purposes of this appeal, the Crown's delegated statutory discretion includes the following:

    a. By Section 640 of the MGA, the provincial Crown requires RMWB to pass a land use bylaw.[10]

    b. Section 110 of RMWB's Land Use By-law No. 99/059 mandates that liquor stores are discretionary permits.

    c. Section 642 of the MGA delegates the authority to grant discretionary permits to RMWB.[11]

---

[6] **TAB 5**: MCFN About Us, available at: https://www.mikisewcree.ca/about-us/
[7] NRTA 1930.
[8] Statement on October 28, 2024.
[9] Land Use Bylaw No. 99/059, section 110, see also: Generalized Land Use Concept from the Fort Chipewyan Area Structure Plan (ASP), https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/AreaStructurePlans/Fort-Chipewyan-Area-Structure-Plan.pdf
[10] *Municipal Government Act*, RSA 2000, c M-26, s 640.
[11] *Municipal Government Act*, RSA 2000, c M-26, s 642.

d. Section s. 687(3)(c) of the MGA delegates the power to SDAB to confirm, revoke or vary discretionary permits.[12]\

e. Section 617 provides that purpose of Part 17 of the MGA – Planning and Development – is to provide for land use planning "without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest."[13]

B. Treaty No. 8 Right

12. Treaty No. 8 is the foundation of Canada.

13. One of the Crown's primary motives for Treaty No. 8 was to impose law and order following the Klondike goldrush, and, as part of this, to control the "liquor trade" in MCFN's territory.[14]

14. Dr. Darcy Lindberg, a Cree (*nêhiyaw*) professor of law at the University of Victoria, is an expert in Treaty law making principles and Cree laws. He has provided opinion evidence on the Promise in Treaty No. 8, as follows:

> *…. the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law.*

[12] *Municipal Government Act*, RSA 2000, c M-26, s 687.
[13] *Municipal Government Act*, RSA 2000, c M-26, s 617.
[14] **TAB 6:** Dr. Lindberg Report, October 21, 2024.

15. Therefore, MCFN submits that they have a *recognized* Treaty right and nothing less than an *asserted* Treaty right to protection from intoxicants, i.e. the liquor trade ("**Treaty Right**").[15]

C. Adverse Impacts to Treaty Right and/or MCFN

16. Granting the Discretionary Permit could and will have adverse impacts on MCFN, including on its Treaty Right.

17. First, MCFN, through the Corporations, owns at least 27 neighbouring residential properties in the hamlet of Fort Chipewyan, including but not limited to the **Neighbouring Properties**:

    a. 5 units at 125 Mackenzie Avenue – Plan 5642NY, Block 9, Lot 9 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    b. Fourplex Units at 105 Loutit St – Plan 5642NY, Block 5, Lot 12 – Registered Owner: Cree-Ations Enterprises Limited
    c. House at 103 Logan Crescent – Plan 5642NY, Block 6, Lot 17 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    d. House at 100 Tourangeau Ave – Plan 5642NY, Block 1, Lot 7 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    e. Triplex Units at 112 MacKay Crescent
    f. House at 109 McDonald Street – Plan 8322365, Block 3, Lot 9B – Registered Owner: Cree-Ations Enterprises Limited
    g. House at 105 McDonald Street – Plan 8322365, Block 3, Lot 12A – Registered Owner: Cree-Ations Enterprises Limited
    h. House at 112 Mercredi Street – Plan 5642NY, Block 6, Lot 10 – Registered Owner: 1112958 Alberta Ltd.[16]

18. The Neighbouring Properties house Mikisew Cree First Nation Members and/or staff and are in close proximity to the proposed Liquor Store.[17]

---

[15] **TAB 6:** Dr. Lindberg Report, October 21, 2024.
[16] **TAB 7**: Land Title Documents.
[17] Statement to be provided on October 28, 2024.

19. Approximately 60 per cent of the population of Fort Chipewyan are MCFN members. The lack of housing on reserve makes it necessary for many of MCFN members to live in the nearby hamlet of Fort Chipewyan, including at the Neighbouring Properties.[18]

20. MCFN members living on reserve or in Fort Chipewyan live in a remote community, accessible boat, plane and, between December and March, by winter road. MCFN has recently declared a State of Local Emergency, in April 2023, due to suicide, mental issues and addictions to intoxicants, including alcohol ("**SOLE**").[19]

21. MCFN members have suffered intergenerational trauma. Alcohol is the source of much violence, abuse and trauma for MCFN members. Creating another liquor store, especially as the community is searching the residential school grounds (Holy Angels), is triggering.[20]

22. The RCMP data for occurrences confirms the adverse and collective impacts of alcohol in MCFN's community. For example, of the 697 occurrences reported to RCMP so far in 2024, as of October 21, 328 (47%) are reported as alcohol related. Of the 89 Prisoners at the detachment, detained in cells in 2024, 69 (79%) were intoxicated by alcohol. [21]

D. MCFN Objection to Liquor Store

23. On July 28, 2023, a general "Notice to Adjacent Property Owners" was posted ("**Notice**"). MCFN did not receive this directly, nor were members living on MCFN reserves provided this notice.

24. Despite having just had an election, on or about August 17, 2023, MCFN submitted an extensive and evidenced submissions pursuant to this Notice and objecting to the Liquor Store ("**MCFN Objection**"). The MCFN Objection included:

    a. Including the results of a Survey, which were overwhelmingly opposed to the Liquor Store;

---

[18] Statement to be provided on October 28, 2024.
[19] **TAB 8:** W. Snowdon, CBC News, *Mikisew Cree First Nation declares state of local emergency following multiple suicides*, April 25, 2023, available at: https://www.cbc.ca/news/canada/edmonton/mikisew-cree-first-nation-suicide-mental-health-emergency-1.6821877.
[20] Statement to be provided on October 28, 2024.
[21] **TAB 9:** RCMP Data Summary, October 21, 2024.

b. Submissions based on Treaty No. 8, the duty to consult, the Promise and Treaty Right;
c. The MCFN State of Local Emergency relating to suicide and addictions;
d. Anecdotal incidents of crime and indication that RCMP should have this data.[22]

25. RMWB consults with MCFN on other land-use planning (for example the use of the Winter Road for industrial activities, such as hauling gravel.[23] RMWB has a public engagement framework and a reconciliation strategy.[24] Moreover, RMWB and MCFN have a Consultation protocol, which created legitimate expectations. The Consultation protocol and past practice, which will be addressed before the SDAB by Mitchel Bowers of the Government Industry Relations department, contained a clear, unambiguous and unqualified guarantee of "collaboration" about land-use issues.[25]

26. The Fort Chipewyan Royal Canadian Mounted Police ("**RCMP**") is a contract police force through RMWB and Alberta and, as such, the RMWB ought to have known or sought these occurrence statistics before issuing the Permit, in light of the concerns raised by MCFN.

27. RWMB never responded to the MCFN Objection, despite two MCFN follow-ups on September 1 and 11, 2023.[26]

28. No response was received until the Decision was posted on August 29, 2024.

29. So far as the Appellants know, there was no engagement nor consultation with MCFN other than the receipt of the MCFN Objection.

30. Almost a year later, the RMWB approved the Liquor Store ("**Decision**"). In making the Decision, RMWB:

a. Provided MCFN with no prior notice of the Decision;
b. Did not consult MCFN;
c. Did not accommodate MCFN;

---

[22] **TAB 10:** MCFN Objection and enclosures.
[23] Statement to be provided on October 28, 2024.
[24] https://www.rmwb.ca/en/community-events-and-involvement/resources/Engagement/RMWB-Public-Engagement-Framework-2021.pdf
[25] **TAB 11** Consultation Protocol.
[26] **TAB 12**: MCFN Follow-up (September 1 and 11, 2023).

d. Did not respond to, nor consider the MCFN Objection.

31. The Decision did not contain reasons. For the first time on October 20, 2024, MCFN learned that RMWB did consult and consider the MCFN Objection but only with Daniel Roy and in the context of nevertheless permitting the Liquor Store.[27]

E. Continued Objection

32. Following the Decision, MCFN led a protest where many community members participated, on or about August 30, 2024. At that protest, a RMWB Councillor and local Métis president, Kendrick Cardinal, drove by on a quad yelling at protestors. He was subsequently charged for impaired driving for this very incident.[28] So far as MCFN knows, RMWB has not disciplined Mr. Cardinal.

33. The Athabasca Tribal Council, on September 9, 2024, wrote to the RMWB Mayor Sandy Bowman in support of this protest.[29]

34. On September 10, 2024, Mayor Bowman asserted that the municipality had conducted "community engagement"[30]. MCFN was not involved in any community engagement with MCFN or its representatives.

F. Witnesses

35. MCFN will provide 3-5 witnesses to speak about the impacts to the community, including a member of Chief and Council, an Elder and possibly staff, including at the Government Industry Relationship department.

ISSUES

36. The Appellants submit that the issue is whether the SDAB should revoke the Discretionary Permit, on any of the following grounds:
    a. The Decision to grant the Discretionary Permit was unreasonable.

---

[27] RMWB Submissions.
[28] **TAB 13:** Article re: RWMB Councillor Kendrick Cardinal, available at: https://www.fortmcmurraytoday.com/news/councillor-kendrick-cardinal-charged-with-impaired-driving-fleeing-peace-officer
[29] RMWB Submissions: Letter to Mayor Bowman (Athabasca Tribal Council).
[30] **TAB 14:** Response from Mayor Bowman.

b. The Decision to grant the Discretionary Permit was unfair and/or in violation of the common law duty to consult.
c. The Decision did not discharge the duty to consult and accommodate ("**DTCA**") and/or the SDAB has the obligation to discharge the DTCA.

LEGAL ARGUMENT

37. RMWB owes common law duties to act reasonably (including having regard to reconciliation) and act procedurally fairly, including the duty to consult in administrative law. These duties are squarely before this Board and must be considered. The Appellants also submit that the

A. Reasonableness

38. Granting of the liquor store Permit was not a mandatory decision, it was a discretionary one.[31] The Development Officer, in this case, had a broad discretion to approve or deny discretionary uses.[32]

39. The Development Officer unreasonably exercised his discretion under the MGA (s. 642) and the Land-Use Bylaw (s. 110) to grant the permit. In doing so, the Decision does not reveal why the MCFN Objection was almost entirely ignored and only considered in the opening hours. (not consider RCMP or request RCMP; not explain etc).

B. Common Law Duty to consult/Procedural fairness

40. RMWB owed a duty of procedural fairness to members of the community affected by the discretionary decision to grant the Permit. This requirement and legitimate expectation of consultation exist independent of any constitutional law question. They are basic and foundational tenets of administration of law which this Board has unequivocal jurisdiction to determine.

41. The extent of the duty of procedural fairness owed to MCFN in this case is determined by reference to five factors:[33]

---

[31] Land-use By-law, section 110.
[32] *Baron Real Estate Investments Ltd. v. Edmonton (Subdivision and Development Appeal Board),* 2018 ABCA 67 at para 16; contrast with: *Liquor Stores Limited Partnership v. Edmonton (City),* 2017 ABCA 435 at para 5.
[33] *Baker v. Canada (Minister of Citizenship and Immigration),* 1999 CanLII 699 (SCC), [1999] 2 SCR 817.

a. The nature of the decision: the discretionary decision to grant the Permit was an individualized decision taken after a formal notice-and-comment period. It was not a "legislative" decision and is therefore subject to a high degree of fairness.
b. The nature of the statutory scheme: the grant of the Permit is a final decision, which triggers a higher degree of fairness.
c. The impact on affected individuals: as set out in the RCMP data, in Professor Lindberg's expert opinion and as will be set out by witnesses at the hearing, the impact on the MCFN is highly significant, which means more procedural fairness is required.
d. The existence of legitimate expectations given that RMWB engaged in a consultation process, MCFN had a legitimate expectation that it would be entitled to more procedural fairness, including the opportunity to engage meaningfully with RMWB. Moreover, the Consultation Protocol and past practice created legitimate expectations that RMWB would engage in collaboration and consultation on land-use issues.[34]
e. The discretion of the decision-maker: RMWB had discretion to structure its consultation process and had ample scope to include meaningful engagement with MCFN.[35]

C. Duty to Consult and Accommodate

42. Here, on the record before the Board, the consultation was inadequate, which means the Board has to remedy it, or invalidate the municipality's decision. The adequacy of consultation is not a question of constitutional law and, therefore, the Board has jurisdiction.

i. Jurisdiction: DTAC is not a constitutional question

43. As preliminary matter, the duty to consult and accommodate ("**DTCA**") applies in this case, following the Supreme Court's binding decision in *Clyde River*.[36]

44. Consideration of the DTCA is not consideration of a constitutional question. While the Alberta government has sought, to limit the decision-makers who can consider

[34] *Canada (Attorney General) v. Mavi*, 2011 SCC 30 (CanLII), [2011] 2 SCR 504, at para 68.
[35] See also *R. (Moseley) v. London Borough of Haringey*, [2014] UKSC 56, at paras. 23-28.
[36] *Clyde River (Hamlet) v. Petroleum Geo-Services Inc.*, 2017 SCC 40 (CanLII), [2017] 1 SCR 1069.

constitutional questions[37], including the SDAB, they have not done the same for the DTCA.[38] And where the provincial Crown has sought to limit consideration of section 35 constitutional issues, the Alberta Court of Appeal has confirmed that the Honour of the Crown is always at stake[39] and/or the province is being challenged for creating a circular and unconstitutional Consultation Regime.[40]

45. The Supreme Court has warned that tribunals should not take a narrow approach to respecting the Honour of the Crown: "if a tribunal is denied the power to consider consultation issues, or if the power to rule on consultation is split between tribunals so as to prevent anyone from effectively dealing with consultation arising from particular government actions, the government might effectively be able to avoid its duty to consult."[41] That warning is particularly apt here, where there is a serious risk that the duty to consult and accommodate will be unfulfilled, and the Honour of the Crown badly damaged.

ii. DTCA triggered

46. The Supreme Court has explained that the duty to consult and accommodate arises "when the Crown has knowledge, real or constructive, of the *potential* existence of the Aboriginal right or title and contemplates conduct that might adversely affect it".[42]

47. As Professor Lindberg explains in his expert opinion, Treaty 8 contains a clear Crown commitment to limiting trade in intoxicating liquors in order to safeguard the interests of First Nations. It is clear that granting the Permit, in the circumstances of this case, would adversely affect the rights and interests guaranteed by Treaty 8.

48. Here, RMWB had knowledge of the rights and interests in limiting the sale of intoxicating liquors well before it exercised its discretion to grant the Permit through the MCFN Objection on August 17, 2023.

---

[37] *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163, at para 39; *Designation of Constitutional Decision Makers Regulation*, Alta Reg 69/2006.
[38] "Janna Promislow, "Irreconcilable? The Duty to Consult and Administrative Decision Makers", 2013 22-1 *Constitutional Forum* 63, 2013 CanLIIDocs 726, "**In Alberta, the legislature has allowed for specification of tribunals that have jurisdiction to decide constitutional questions under section 16 of the *APJA*.74 But legislatures have not yet responded to the duty to consult law in the same way**."
[39] *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163, at para 47.
[40] *Mikisew Cree First Nation v Alberta*, 2024 ABKB 578.
[41] *Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council,* 2010 SCC 43, at para. 62.
[42] *Haida Nation v. British Columbia (Minister of Forests),* 2004 SCC 73, at para. 35.

49. Moreover, the Board also has knowledge, from the Disclosure and Professor Lindberg's expert opinion (to be further supported by witnesses), of the Indigenous rights and interests at issue and that they would be adversely affected by the grant of the Permit.

iii. RMWB and Board must engage DTAC

50. The RMWB Development Officer's decision to grant the liquor Permit is a final decision. As such, it is Crown action as both the Board and the municipality are statutory bodies holding responsibility delegated by the Crown in right of Alberta. They are acting on behalf of the Crown in determining who can hold a liquor licence and on what terms.

51. The Board falls within the scope of the principles set out by the Supreme Court in *Clyde River*:

> By this understanding, the NEB is not, strictly speaking, "the Crown". Nor is it, strictly speaking, an agent of the Crown, since — as the NEB operates independently of the Crown's ministers — no relationship of control exists between them (Hogg, Monahan and Wright, at p. 465). As a statutory body holding responsibility under s. 5(1)(b) of *COGOA*, however, the NEB acts on behalf of the Crown when making a final decision on a project application. Put plainly, once it is accepted that a regulatory agency exists to exercise executive power as authorized by legislatures, any distinction between its actions and Crown action quickly falls away. In this context, the NEB is the vehicle through which the Crown acts. Hence this Court's interchangeable references in *Carrier Sekani* to "government action" and "Crown conduct" (paras. 42-44). It therefore does not matter whether the final decision maker on a resource project is Cabinet or the NEB. In either case, the decision constitutes Crown action that may trigger the duty to consult. As Rennie J.A. said in dissent at the Federal Court of Appeal in *Chippewas of the Thames*, "[t]he duty, like the honour of the Crown, does not evaporate simply because a final decision has been made by a tribunal established by Parliament, as opposed to Cabinet" (para. 105). The action of the NEB, taken in furtherance of its statutory powers under s. 5(1)(b) of *COGOA* to make final decisions respecting such testing as was proposed here, clearly constitutes Crown action.[43]

[43] *Clyde River (Hamlet) v. Petroleum Geo-Services Inc.*, 2017 SCC 40, at para. 29.

52. Given they are both engaging in Crown action, the next question is whether the municipality or the Board is able to provide "an appropriate level of consultation". .[44]

53. There is little doubt that a municipality *can* provide an appropriate level of consultation. In fact, the Consultation Protocol and past practice shows there are many instances of this. Indeed, municipalities, are governments in miniature, democratically elected with law-making and tax-raising capacity[45] to give voice to the interests of the community.[46] Just as the Crown cannot avoid *Charter* compliance by delegating powers to municipalities, it cannot avoid compliance with the duty to consult either .[47] .

    a. Here, the municipality had notice of a strong claim of interference with s. 35 and Treaty rights and was thus required to engage in meaningful consultation and accommodation.

    b. The municipality also has a "a significant array of powers that permit extensive consultation" .[48]

    c. Here, the municipality did not discharge the DTCA.

54. After that, the next question is the role of the Board in this consultation process: Can the Board itself discharge the DTCA? The Board has the procedural and remedial powers necessary to discharge the DTCA and the former jurisprudence is no longer good law given recent developments in the Supreme Court:

    a. In remedial terms, under s. 687(3)(c) of the MGA, the Board may "confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own", which clearly gives it the authority to set aside the municipality's decision and to impose any conditions it deems appropriate. It therefore has the power to ensure compliance with the DTCA.

    b. In procedural terms, under s. 687(1)(d), the Board "must hear… any other person who claims to be affected by the order, decision or permit and that the subdivision

---

[44] *Clyde River*, at para. 30.
[45] *Godbout v. Longueuil (City),* [1997] 3 SCR 844, at para. 51.
[46] *114957 Canada Ltée (Spraytech, Société d'arrosage) v. Hudson (Town),* 2001 SCC 40 (CanLII), [2001] 2 SCR 241, at para. 23.
[47] *Dickson v. Vuntut Gwitchin First Nation*, 2024 SCC 10, at para. 63; Hoehn and Stevens, "Local Governments and the Crown's Duty to Consult" (2018) 55 Alta LR 971, at p. 975; see also. P. Daly, Doré Duty, https://cbr.cba.org/index.php/cbr/article/view/4854/4548.
[48] *Clyde River*, at para. 31; Hoehn and Stevens, p. 985-986.

and development appeal board agrees to hear, or a person acting on behalf of that person", which clearly gives it the authority to hear from an "affected" Indigenous community. Beyond that, and subject to the requirement of producing written reasons in 15 days after the end of a hearing, the Board is "master in its own house". .[49] It can have as many hearing days as a matter requires, subject only to the requirement of producing reasons 15 days after the hearings end.

55. The Appellants note that the decision in *Paul First Nation v. Parkland (County)*,[50] has clearly been overtaken by subsequent jurisprudence, such as *Clyde River*, as outlined above.

56. The decision in *Kappo v. Subdivision and Development Appeal Board (Municipal District of Greenview No. 16)*,[51] has also clearly been overtaken by subsequent jurisprudence, namely the Supreme Court decisions in *Nova Scotia (Workers' Compensation Board) v. Martin; Nova Scotia (Workers' Compensation Board) v. Laseur*,[52] and *Paul v. British Columbia (Forest Appeals Commission)*.[53] Together, these decisions establish broad jurisdiction in administrative tribunals to consider questions of *Charter* compliance (*Martin*) and constitutional compliance (*Paul*) and to grant constitutional remedies (*Conway*):

    a. In *Martin*, at para. 36 the Supreme Court restated the test: "one must ask whether the empowering legislation implicitly or explicitly grants to the tribunal the jurisdiction to interpret or decide *any* question of law" (emphasis added; *Paul*, at para. 8 adopts the same test). That is clearly the case here, as the Board must consider various legal instruments and interpret their scope to determine whether it should exercise its extensive remedial powers.

    b. In *Alberta Environment and Parks v Summer Village of South View (Subdivision Authority)*,[54] , the Municipal Government Board noted "A further consideration is that although the MGB has no power to declare bylaws invalid, it is well established that courts and tribunals with the power to decide questions of law should not give effect to legislation created that is ultra vires or otherwise unconstitutional".

---

[49] *Prassad v. Canada (Minister of Employment and Immigration)*, [1989] 1 SCR 560.
[50] 2006 ABCA 128, at para. 11.
[51] 2003 ABCA 146.
[52] 2003 SCC 54, [2003] 2 SCR 504.
[53] 2003 SCC 55, [2003] 2 SCR 585. See also R. v. Conway, 2010 SCC 22, [2010] 1 SCR 765
[54] 2021 ABMGB 15, at para. 58.

iv. The Board must discharge the DTCA

57. If the Board itself cannot discharge the DTCA, then the Board is nonetheless competent to determine if there was adequate consultation by the RMWB. The Honour of the Crown is fundamental, especially in a field where the very purpose of Part 17 of the MGA involves upholding the "public interest".[55] As the Board can decide questions of law, it "must determine whether such consultation was constitutionally sufficient if the issue is properly raised".[56]Again, it has the procedural and remedial powers required: it can hear relevant evidence and legal submissions and make appropriate modifications to the municipality's decision in view of what is raised at the hearing. Indeed, the requirement to give written reasons allows the Board to "foster reconciliation by showing affected Indigenous peoples that their rights were considered and addressed"[57] (*Clyde River*, at para. 41). This jurisdiction has not been clearly excluded by statute. Indeed, because Part 17 of the MGA involves consideration of the public interest, respecting the Honour of the Crown is part and parcel of the Board's role.

58. Determining whether there was adequate consultation to ensure that the Honour of the Crown has been fulfilled is not a "constitutional question" within the meaning of s. 10(d) of the *Administrative Procedures and Jurisdiction Act.*[58] There is no challenge to any legislation (s. 10(d)(i)) and MCFN is not seeking to assert a "right" under the Constitution of Canada (s. 10(d)(ii)). MCFN is simply seeking to ensure respect for the *duty* to consult, fulfilling the Honour of the Crown.[59]

59. The Supreme Court explained in *Rio Tinto Alcan Inc v Carrier Sekani Tribal Council* that it is important to take a narrow view of statutes that may be interpreted to exclude consideration of the duty to consult and accommodate required to fulfill the Honour of the Crown:

> The application to the Commission by the CSTC for a rescoping order to address consultation issues does not fall within this definition. *It is not a challenge to the constitutional validity or applicability of a law, nor a claim for a constitutional remedy under s. 24 of the Charter or s. 52 of the Constitution Act, 1982*. In broad terms, consultation under s. 35 of the

[55] *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 41.
[56] *Clyde River*, at para. 36.
[57] *Clyde River* at para 41-44.
[58] *Administrative Procedures and Jurisdiction Act*, RSA 2000, c A-3.
[59] *Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council*, 2010 SCC 43, at para. 32.

> Constitution Act, 1982 is a constitutional question: Paul, para. 38. However, the provisions of the Administrative Tribunals Act and the Constitutional Question Act do not indicate a clear intention on the part of the legislature to exclude from the Commission's jurisdiction the duty to consider whether the Crown has discharged its duty to consult with holders of relevant Aboriginal interests.[60]

60. In all events, it is necessary to avoid a situation where there is "a gap in the regulatory scheme"[61]. It would plainly be nonsensical – and entirely undermining the autonomy of municipalities and the Board – if an Indigenous group had to go directly to cabinet to ensure that the DTCA could be discharged. Indeed, in view of the autonomy of municipalities, it is not even clear what the province could otherwise do to remedy a breach of the DTCA.

61. Similarly, it would be absurd, in an age of so-called "Reconciliation", to disallow MCFN any power to be consulted on and accommodated on a discretionary use of its traditional territory to allow for the sale of liquor contrary to Treaty No. 8 and in manner that has created harm in the community, as evidenced by the RCMP data alone.

CONCLUSION

62. For the any or all of the reasons outlined above, the Appellants respectfully request that the SDAB respect MCFN and revoke the Permit.

ALL OF WHICH IS RESPECTFULLY SUBMITTED ON OCTOBER 22, 2024

Orlagh O'Kelly

O'KELLY LAW on behalf of the MCFN Appellants

[60] 2010 SCC 43, at para. 72. See also Fort McKay First Nation v Prosper Petroleum Ltd, 2020 ABCA 163, at para. 39.
[61] *McCauley Community League v Edmonton (City)*, 2012 ABCA 86, at para. 23.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/06
Time of Search: 11:30 AM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42885570
Customer Reference Number:

Corporate Access Number: 205120660
Business Number:
Legal Entity Name: CREE-ATIONS ENTERPRISES LIMITED

Name History:

Previous Legal Entity Name	Date of Name Change (YYYY/MM/DD)
512066 ALBERTA LTD.	1992/01/27

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Registration Date: 1991/11/29 YYYY/MM/DD
Date of Last Status Change: 2013/04/30 YYYY/MM/DD

Revival/Restoration Date: 2008/10/06 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL

First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE
First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: AS PER SCHEDULE ATTACHED HERETO
Share Transfers Restrictions: AS PER SCHEDULE ATTACHED HERETO
Min Number Of Directors: 1
Max Number Of Directors: 11
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: AS PER SCHEDULE "A" ATTACHED HERETO

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2023	2024/05/29

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2004/05/02	Status Changed to Struck for Failure to File Annual Returns
2008/10/06	Initiate Revival of Alberta Corporation
2008/10/06	Complete Revival of Alberta Corporation
2013/01/02	Status Changed to Start for Failure to File Annual Returns
2017/08/31	Service Provider Correct Legal Entity
2019/06/22	Change Address
2024/04/11	Change Director / Shareholder
2024/05/29	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2008/10/06
Restrictions on Share Transfers	ELECTRONIC	2008/10/06
Other Rules or Provisions	ELECTRONIC	2008/10/06
Letter - Spelling Error	10000807119434914	2014/10/16

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/06
Time of Search: 11:29 AM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42885534
Customer Reference Number:

Corporate Access Number: 203178280
Business Number:
Legal Entity Name: MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Registration Date: 1984/09/06 YYYY/MM/DD
Date of Last Status Change: 2015/01/22 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL
First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE
First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Legal Entity Name: MIKISEW CAPITAL CORPORATION
Corporate Access Number: 206304669
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2023	2024/02/16

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2014/11/02	Status Changed to Start for Failure to File Annual Returns
2019/06/22	Change Address
2024/02/16	Enter Annual Returns for Alberta and Extra-Provincial Corp.
2024/05/28	Change Director / Shareholder

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

REGISTRAR OF
CORPORATIONS

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/11
Time of Search: 11:12 AM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42912847
Customer Reference Number:

Corporate Access Number: 2011129588
Business Number: 855566873
Legal Entity Name: 1112958 ALBERTA LTD.

Legal Entity Status: Active
Alberta Corporation Type: Numbered Alberta Corporation
Registration Date: 2004/06/11 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL
First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE

First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE ATTACHED SCHEDULE A
Share Transfers Restrictions: SEE ATTACHED SCHEDULE B
Min Number Of Directors: 1
Max Number Of Directors: 7
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: SEE ATTACHED SCHEDULE C

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2024	2024/08/21

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2004/06/11	Incorporate Alberta Corporation
2019/06/22	Change Address
2020/02/18	Update BN

2024/05/28	Change Director / Shareholder
2024/08/21	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2004/06/11
Restrictions on Share Transfers	ELECTRONIC	2004/06/11
Other Rules or Provisions	ELECTRONIC	2004/06/11
Letter - Spelling Error	10000407119434911	2014/10/15

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/19
Time of Search: 02:01 PM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42970321
Customer Reference Number:

Corporate Access Number: 2011129588
Business Number: 855566873
Legal Entity Name: 1112958 ALBERTA LTD.

Legal Entity Status: Active
Alberta Corporation Type: Numbered Alberta Corporation
Registration Date: 2004/06/11 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL
First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE

First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE ATTACHED SCHEDULE A
Share Transfers Restrictions: SEE ATTACHED SCHEDULE B
Min Number Of Directors: 1
Max Number Of Directors: 7
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: SEE ATTACHED SCHEDULE C

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2024	2024/08/21

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2004/06/11	Incorporate Alberta Corporation
2019/06/22	Change Address
2020/02/18	Update BN

2024/05/28	Change Director / Shareholder
2024/08/21	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2004/06/11
Restrictions on Share Transfers	ELECTRONIC	2004/06/11
Other Rules or Provisions	ELECTRONIC	2004/06/11
Letter - Spelling Error	10000407119434911	2014/10/15

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/19
Time of Search: 02:01 PM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42970338
Customer Reference Number:

Corporate Access Number: 206304669
Business Number: 896057296
Legal Entity Name: MIKISEW CAPITAL CORPORATION

Name History:

Previous Legal Entity Name	Date of Name Change (YYYY/MM/DD)
630466 ALBERTA LTD.	1995/01/10

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Registration Date: 1994/11/01 YYYY/MM/DD
Date of Last Status Change: 2014/04/03 YYYY/MM/DD

Revival/Restoration Date: 2014/04/03 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL

First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE
First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE SCHEDULE ATTACHED.
Share Transfers Restrictions: NO SHARES IN THE CAPITAL OF THE CORPORATION SHALL BE TRANSFERRED WITHOUT THE SANCTION OF A MAJORITY OF THE DIRECTORS OF THE CORPORATION.
Min Number Of Directors: 1
Max Number Of Directors: 15
Business Restricted To: NONE.
Business Restricted From: NONE.
Other Provisions: SEE SCHEDULE ATTACHED.

Holding Shares In:

Legal Entity Name
MIKISEW MANUFACTURING LIMITED
MIKISEW MAINTENANCE LTD.

MIKISEW TOURISM CORP.
FORT PETROLEUM CORPORATION
BOREALIS AIR SERVICES LTD.
MIKISEW COMMERCIAL PROPERTIES LTD.
MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
2000 PLUS LTD.

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2023	2024/05/29

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2013/01/02	Status Changed to Start for Failure to File Annual Returns
2013/05/02	Status Changed to Struck for Failure to File Annual Returns
2014/04/03	Initiate Revival of Alberta Corporation
2014/04/03	Complete Revival of Alberta Corporation
2019/06/22	Change Address
2020/02/17	Update BN
2024/05/28	Change Director / Shareholder
2024/05/29	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2014/04/03
Other Rules or Provisions	ELECTRONIC	2014/04/03
Letter - Spelling Error	10000907119434923	2015/01/21

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Reserve/Settlement/Village Detail

Official Name DOG HEAD 218
Number 08495
Location LOCATED WITHIN THE FORT CHIPEWYAN SETTLEMENT
Hectares 34.8

List of First Nations on this Reserve

461	Mikisew Cree First Nation	PO BOX 90, FORT CHIPEWYAN, AB, T0P 1B0

Date modified:
2024-05-03

Reserve/Settlement/Village Detail

Official Name ALLISON BAY 219
Number 06734
Location 3 MILES NORTHEAST OF FORT CHIPEWYAN, ALBERTA, ON THE SHORES OF LAKE ATHABASCA
Hectares 1861.0

List of First Nations on this Reserve

461	Mikisew Cree First Nation	PO BOX 90, FORT CHIPEWYAN, AB, T0P 1B0

Date modified:
2024-05-03

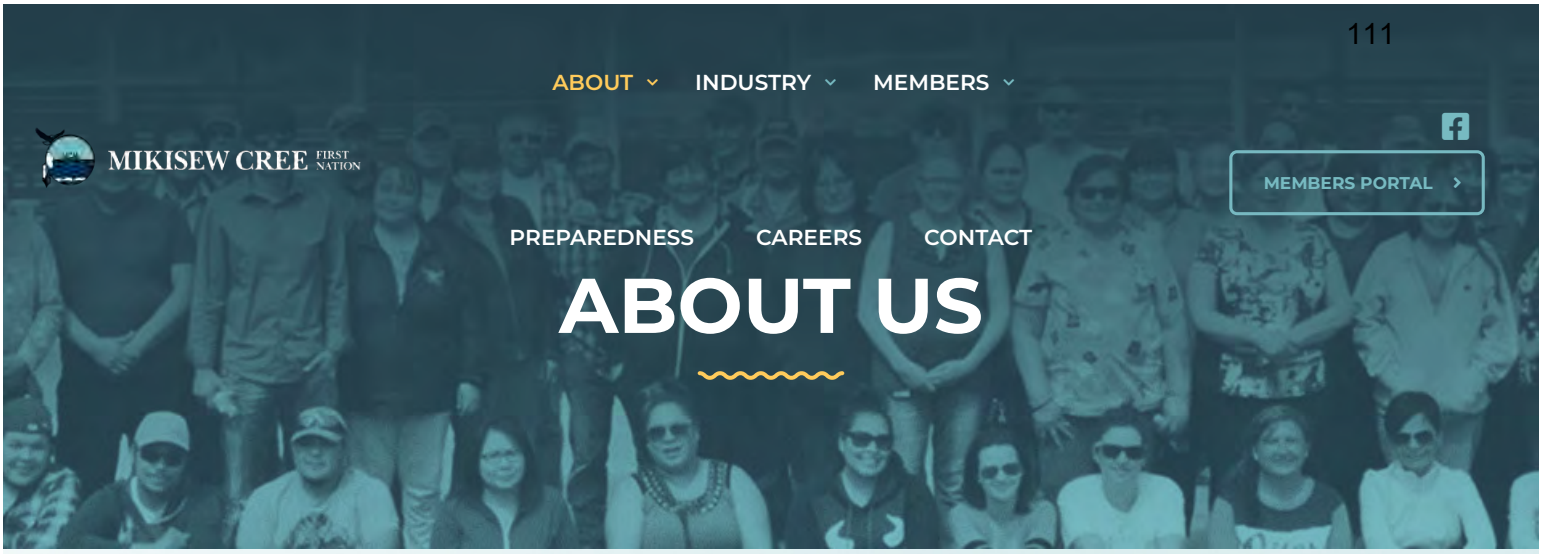
Reserves/Settlements/Villages

Official Name Mikisew Cree First Nation

Number 461

No.	Name	Location	Hectares
06734	ALLISON BAY 219	3 MILES NORTHEAST OF FORT CHIPEWYAN, ALBERTA, ON THE SHORES OF LAKE ATHABASCA	1861
06747	CHARLES LAKE 225	ISLAND ON CHARLES LAKE, IN NE CORNER OF ALBERTA, INCLUDES PARTS OF SEC 26, 27, 34 & 35 TWP 125 RGE 4 W4M	64.50
06745	COLLIN LAKE 223	ON NORTH SHORE OF COLIN LAKE IN NE CORNER OF ALBERTA, IN PART OF SEC 7 TWP 122 RGE 1 & PART OF SEC 12 TWP 122 RGE 2	36.40
06746	CORNWALL LAKE 224	PART OF UNNAMED ISLAND IN CORNWALL LAKE, IN NE CORNER OF ALBERTA, IN PARTS OF SEC 15 & 22 TWP 122 RGE 4 W4M	69.30
06729	DEVIL'S GATE 220	10 KM NORTH OF FORT CHIPEWYAN	819.10
08495	DOG HEAD 218	LOCATED WITHIN THE FORT CHIPEWYAN SETTLEMENT	34.80
06733	OLD FORT 217	NEAR THE SE CORNER OF WOOD BUFFALO NATIONAL PARK ON E BANK OF ATHABASCA RIVER IN TWP 108 RGE 9 & 10 & TWP 109 RGE 9 W4M	1509
09136	PEACE POINT 222	WITHIN WOOD BUFFALO NATIONAL PARK AT PEACE POINT, ALBERTA	518
06735	SANDY POINT 221	ON NORTH SHORE OF LAKE ATHABASCA IN PART OF TWP 114 RGE 5 W4M 17 MILES EAST OF WOOD BUFFALO NATIONAL PARK	204

Date modified:
2024-05-03



The Mikisew Cree First Nation (Mikisew) has lived on the ancestral lands of the Athabasca Delta and Wood Buffalo National Park in northeastern Alberta since time immemorial. The lives of our members are linked to the land and to a close understanding of traditions, history and a natural way of life. Many of our members live in the hamlet of Fort Chipewyan, and our traditional lands range over a large portion of Athabasca oil sands deposits.

For nearly 30 years, Mikisew Group, our wholly owned business arm, has worked toward the long-term, sustainable economic progress of our Nation and its members through employment and significant investments in education, training, social programs and infrastructure.

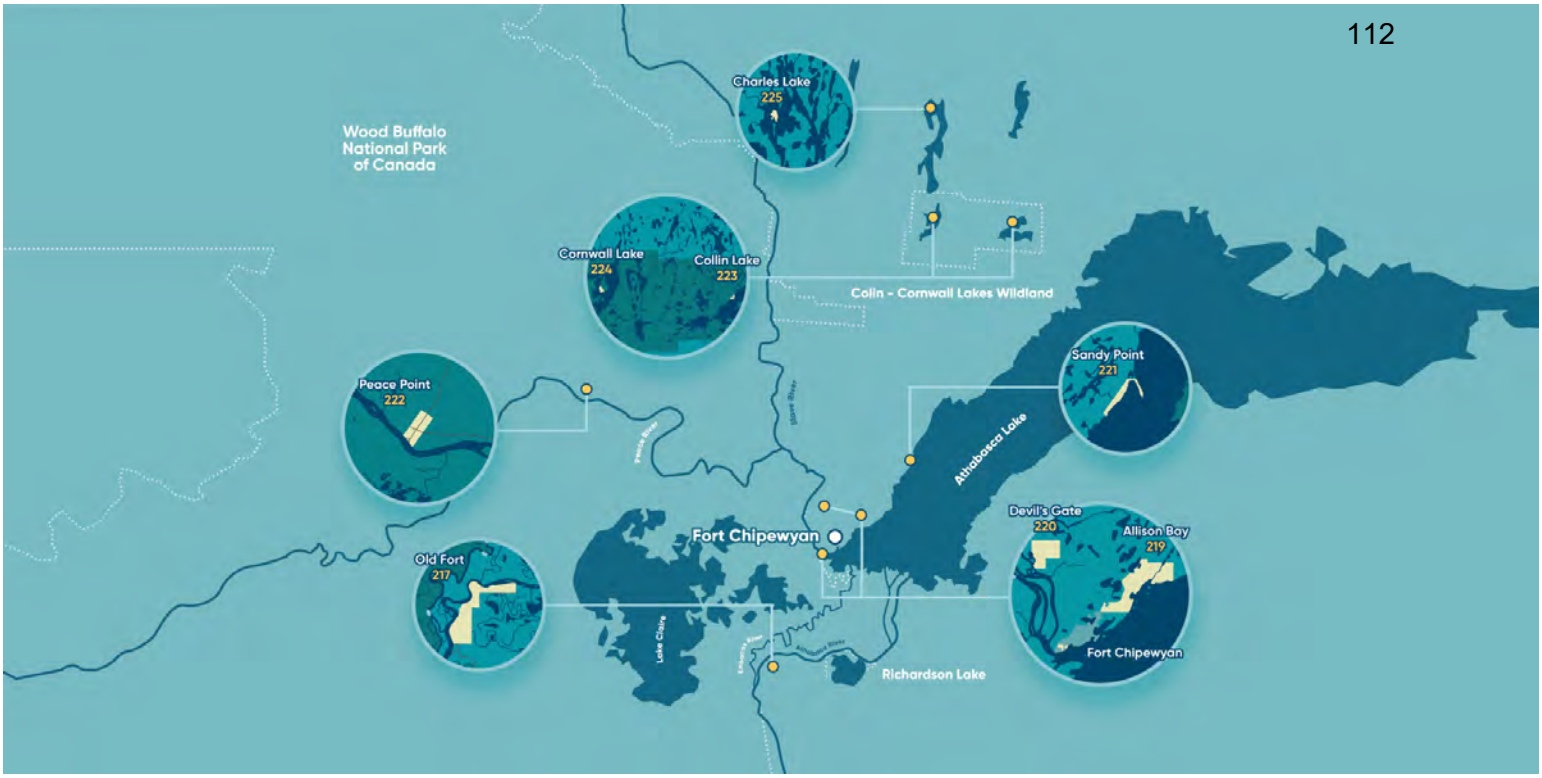
Our second major entity, the Mikisew Cree First Nation Government Industry Relations (GIR), was formed in 2001 to act as a liaison between resource developers, operators, government agencies and the community.

Highlights of our Nation

About
2,800 members

Most live in Fort McMurray, Edmonton, Fort Smith, the Northwest Territories and Fort Chipewyan

Language:
Woodlands Cree



Mikisew Entities

MIKISEW CREE FIRST NATION GIR

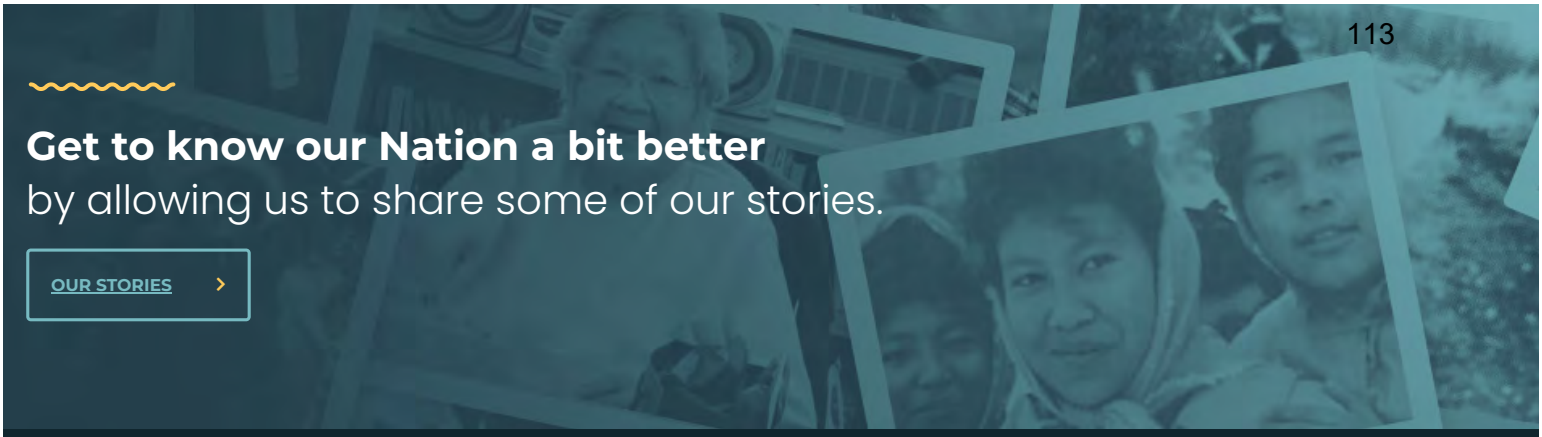
Government and Industry Relations (GIR)

As a department of the Mikisew Cree First Nation, GIR was established in January 2001. It is directed by Chief and Council, and is a liaison between resource developers, operators, governments and the community. GIR is the primary vehicle to bring the Mikisew Nation to the table as an equal participant in resource development, and ensures the Nation is meaningfully consulted. Learn more at mikisewgir.com.

MIKISEW GROUP OF COMPANIES

Mikisew Group

Mikisew Group is the distinct business entity of the Mikisew Cree First Nation. It was created in 1991 to separate our business and political branches, and has become a leading oil sands partner specializing in site services, maintenance, logistics and construction. Learn more at mikisewgroup.com.



Get to know our Nation a bit better
by allowing us to share some of our stories.

OUR STORIES ›

Departments Directory

Forms

Careers

Members Portal

Like to stay in the loop? **Join our email list and follow us on social media.**

SIGN ME UP

FOLLOW US

© 2024 Mikisew Cree First Nation | Terms and Conditions | Privacy Policy | Crafted by **Trait Marketing**

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 22, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Alcohol Regulation in Treaty 8 Territory:

Although not as well-known as the campaign to end the whiskey trade in Treaty 7 territory, the Northwest Mounted Police had a similar and perhaps even longer engagement in Treaty 8 territory to address problems in liquor trading. As Richard Price notes:

> "In order to enforce the prohibition of poison traps as well as to look into the problems of destructive forest fires and the liquor trade, the Mounted Police, beginning in January 1897, made annual winter patrols to Lake Athabasca, Great Slave Lake, and parts of the Peace River region. Most of this law enforcement (under the Northwest Territories Act) was

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

> directed against whites and half-breeds rather than Indians, and in fact the Indians were apparently pleased with the action taken to reduce the use of poison."[9]

Price notes that this was a primary reason for NWMP presence in Treaty 8 territory for a period prior to the treaty. Price states:

> "Until 1897, the Mounted Police had restricted their role in the District of Athabasca to maintaining outposts at three locations on the Athabasca River for the purpose of controlling trade (particularly the liquor trade) into the region."[10]

In the years preceding Treaty 8, the Crown began to increase NWMP presence in the territory in order to, in part, address increased liquor trading. As Pat McCormack notes:

> "In 1892 or 1893, the federal government removed the prohibition on liquor from southern districts but maintained it in the district of Athabasca. It established a seasonal NWMP detachment at Athabasca Landing to intercept liquor headed for northern posts." [11]

As more non-Indigenous people travelled through or attempted to habituate on the territory prior to Treaty 8, the NWMP role in control of intoxicants only increased. As McCormack notes:

> In the fall of 1896, the NWMP made plans to send an officer on a winter trip from Edmonton to Lake Athabasca "to prepare the way for the extension northward of general Police supervision" (Comptroller to the Commissioner, NWMP, 18 Dec. 1896, LAC, RG 18, v. 128). In addition to enforcing the law, the goal of this survey was "to collect information likely to be useful to the Government in their future dealings with that Territory," paying particular attention to the liquor trade and abuses of alcohol, the use of poison, fires, fisheries, fur, game (especially bison), lumber, hay supplies, and possibilities for settlement (LAC, RG 18, v. 128, L.W. Herchmer, Commissioner, to Inspector Routledge, 21 Dec. 1896.)"[12]

It is clear that the control of intoxicants was an issue between the Cree peoples and the Crown in Treaty 8 territory. Although it does not result in a written clause in the treaty, it is a clear term in the relations between the Crown and Cree signatories and can be implied as an oral term.

6. Cree Law Informs Treaty 8:

---

[9] Richard Price, The Spirit of the Alberta Indian Treaties (3rd Ed) (University of Alberta Press: Edmonton, 1999) at 63.
[10] Ibid at 62.
[11] Patricia McCormack, Fort Chipewyan and the Shaping of Canadian History, 1788-1920s, "We like to be free in this country" (UBC Press: Vancouver, 2011) at 92.
[12] Ibid at 94.

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

7. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from

influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0016 678 443	5642NY;9;9	852 259 582 Q

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 9
LOT 9
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
852 259 582	26/11/1985			NIL

OWNERS

MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
OF C/O 2800, 801 - 6 AVENUE S.W., CALGARY
ALBERTA T2P 4A3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:51 A.M.

ORDER NUMBER: 51638415

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260001550
Account Number: 10518259
Legal Description (P/B/L): Plan: 5642NY Block: 9 Lot: 9
Civic Address: 125 MACKENZIE AVENUE FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$1,199.68
2023	$1,368.29
2022	$1,221.01
2021	$907.81
2020	$850.97

Tax Balance:
Current Taxes Outstanding: $35.99
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $35.99

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0014 050 330	5642NY;5;12	922 207 954

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 5
LOT 12
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112;12;RL
ATS REFERENCE: 4;7;112;13;RL
ATS REFERENCE: 4;7;112;14;RL
ATS REFERENCE: 4;7;112;15;RL

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 882 209 239

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
922 207 954	17/07/1992	TRANSFER OF LAND	$34,000	$34,000

OWNERS

CREE-ATIONS ENTERPRISES LIMITED.
OF P.O. BOX 90
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4731PU	18/09/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. AS TO PORTION OR PLAN:6100NY (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952088020)

(CONTINUED)

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:51 A.M.

ORDER NUMBER: 51638395

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260000800
Account Number: 10518190
Legal Description (P/B/L): Plan: 5642NY Block: 5 Lot: 12
Civic Address: 105 LOUTIT STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$1,068.63
2023	$992.92
2022	$860.16
2021	$868.66
2020	$764.60

Tax Balance:
Current Taxes Outstanding: $0.00
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $0.00

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0016 679 045	5642NY;6;17	852 259 582 N

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 6
LOT 17
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
852 259 582	26/11/1985			NIL

OWNERS

MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
OF C/O 2800, 801 - 6 AVENUE S.W., CALGARY
ALBERTA T2P 4A3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4083PW	29/08/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. "PART" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952088257)

TOTAL INSTRUMENTS: 001

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:49 A.M.

ORDER NUMBER: 51638363

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260001010
Account Number: 10518210
Legal Description (P/B/L): Plan: 5642NY Block: 6 Lot: 17
Civic Address: 103 LOGAN CRESCENT FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$718.46
2023	$669.09
2022	$587.24
2021	$593.56
2020	$522.51

Tax Balance:
Current Taxes Outstanding: $21.55
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $21.55

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0016 682 080	5642NY;1;7	852 259 582 A

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 1
LOT 7
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
852 259 582	26/11/1985			NIL

OWNERS

MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
OF C/O 2800, 801 - 6 AVENUE S.W., CALGARY
ALBERTA T2P 4A3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4083PW	29/08/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. AS TO PORTION OR PLAN:6100NY (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952088257)

TOTAL INSTRUMENTS: 001

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:50 A.M.

ORDER NUMBER: 51638389

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260000370
Account Number: 10518148
Legal Description (P/B/L): Plan: 5642NY Block: 1 Lot: 7
Civic Address: 100 TORANGEAU AVENUE FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$392.76
2023	$352.99
2022	$319.82
2021	$302.00
2020	$263.60

Tax Balance:
Current Taxes Outstanding: $11.78
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $11.78

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0025 886 558	8322365;3;9B	942 019 491 +1

LEGAL DESCRIPTION

PLAN 8322365
BLOCK 3
LOT 9B
EXCEPTING THEREOUT:
A) THE NORTHERLY 4.96 METRES IN PERPENDICULAR WIDTH THROUGHOUT
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;7;112;8;NW
ESTATE: FEE SIMPLE

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 932 048 992

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
942 019 491	21/01/1994	TRANSFER OF PART OF LAND		

OWNERS

CREE-ATIONS ENTERPRISES LIMITED.
OF P. O. BOX 180
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:51 A.M.

ORDER NUMBER: 51638405

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0011 259 819	8321682;1;21	992 079 615

LEGAL DESCRIPTION
PLAN 8321682
BLOCK 1
LOT 21
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112;8;N
ATS REFERENCE: 4;7;112;17;S

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 972 315 180

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
992 079 615	31/03/1999	TRANSFER OF LAND	$20,000	$20,000

OWNERS

GUTHRIE MECHANICAL SERVICES LTD.
OF P.O. BOX 5175
FORT MCMURRAY
ALBERTA T9H 3G3
(DATA UPDATED BY: CHANGE OF NAME 192310666)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
852 046 445	08/03/1985	UTILITY RIGHT OF WAY GRANTEE - ALBERTA POWER LIMITED. "PART"
202 168 885	14/08/2020	MORTGAGE MORTGAGEE - BANK OF MONTREAL. 350-7 AVENUE SW,9 FLOOR

(CONTINUED)

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

CALGARY
ALBERTA T2P3N9
ORIGINAL PRINCIPAL AMOUNT: $60,000,000

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:53 A.M.

ORDER NUMBER: 51638512

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260003720
Account Number: 10518456
Legal Description (P/B/L): Plan: 8322365 Block: 3 Lot: 9B
Civic Address: 109 MCDONALD STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$400.47
2023	$357.86
2022	$322.52
2021	$327.63
2020	$288.85

Tax Balance:
Current Taxes Outstanding: $0.00
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $0.00

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0012 418 357	8322365;3;12A	932 048 993

LEGAL DESCRIPTION
PLAN 8322365
BLOCK 3
LOT 12A
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112;8;NW

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 932 023 595

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
932 048 993	24/02/1993	TRANSFER OF LAND	$15,000	$15,000

OWNERS

CREE-ATIONS ENTERPRISES LIMITED.
OF P. O. BOX 180
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:53 A.M.

ORDER NUMBER: 51638497

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260003730
Account Number: 10518457
Legal Description (P/B/L): Plan: 8322365 Block: 3 Lot: 12A
Civic Address: 105 MCDONALD STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$363.32
2023	$320.59
2022	$289.91
2021	$294.95
2020	$260.41

Tax Balance:
Current Taxes Outstanding: $0.00
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $0.00

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0010 154 433	5642NY;6;10	132 315 333

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 6
LOT 10
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 012 300 397

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
132 315 333	02/10/2013	TRANSFER OF LAND	$100,000	$100,000

OWNERS

1112958 ALBERTA LTD.
OF PO BOX 90
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4705PS	25/06/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. AS TO PORTION OR PLAN:6100NY (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952087974)

TOTAL INSTRUMENTS: 001

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:49 A.M.

ORDER NUMBER: 51638356

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260000960
Account Number: 10518205
Legal Description (P/B/L): Plan: 5642NY Block: 6 Lot: 10
Civic Address: 112 MERCREDI STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$489.56
2023	$459.10
2022	$414.66
2021	$420.79
2020	$370.49

Tax Balance:
Current Taxes Outstanding: $14.69
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $14.69

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

ADVERTISEMENT

Edmonton

Mikisew Cree First Nation declares state of local emergency following multiple suicides

'We can feel the grief amongst the people, the hurt,' says Chief Billy-Joe Tuccaro

Wallis Snowdon · CBC News · Posted: Apr 25, 2023 12:07 PM MDT | Last Updated: April 25, 2023

The Mikisew Cree First Nation says suicides and suicide attempts have been increasing in the remote community of Fort Chipewyan, Alta. (Jeff McIntosh/The Canadian Pres)

A First Nation in northern Alberta has declared a state of local emergency following a string of suicide and suicide attempts among community members.

The Mikisew Cree First Nation says immediate medical intervention is needed in Fort Chipewyan, Alta., to address a mounting mental health crisis among members.

Suicides and suicide attempts have been increasing in the remote community accessible only by plane, boat or ice road, about 280 kilometres north of Fort McMurray, the MCFN said in a statement Tuesday.

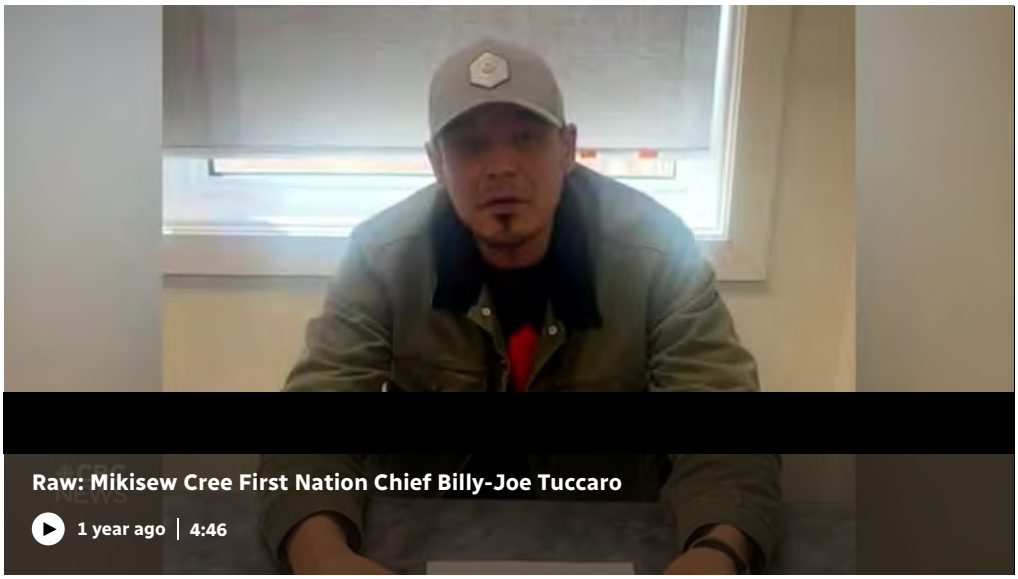
Community leaders fear that if additional mental health resources don't arrive soon, the trend will have a tragic ripple effect among members.

"Leadership is also gravely concerned about the imminent potential of suicidal clusters, suicidal ideations, and suicidal planning among our youth," the statement reads.

"Our nation urgently needs mental health support in our community to address the immediate and short-term crisis and sustained funding for mental health and addictions in the long term, focusing on health promotion, prevention and reclaiming cultural identity."

The state of local emergency was declared Monday following a vote by the chief and council.

WATCH | Chief Billy-Joe Tuccaro discusses the situation in Fort Chipewyan, Alta.



In a video posted to social media, Mikisew Cree First Nation Chief Billy-Joe Tuccaro said the community has called on the federal and provincial governments to provide immediate support and long-term, sustainable funding for community mental health supports.

In a video posted to social media, Chief Billy-Joe Tuccaro said the community has called on the federal and provincial governments, including Alberta Health Services and Indigenous Services Canada, to provide immediate support and long-term, sustainable funding for community mental health supports.

Rick Wilson, Alberta's minister of Indigenous relations, said he is "deeply concerned" by the situation.

"One death to suicide is too many," Wilson said in a statement. "I am committed to working with my government colleagues, including at the federal level, to understand what we can do to support Mikisew Cree First Nation and all Indigenous communities impacted by the loss of life due to suicide."

CBC News has requested comment from the federal government. Alberta Health Services declined to comment.

The community is also calling for a mental health crisis response team to be immediately dispatched to the community, Tuccaro said.

He did not provide an exact number but said multiple suicides have been reported.

He said outside support is needed to end a pattern of self-destructive behaviour in the community.

"We can feel the grief amongst the people, the hurt," he said.

"As the chief of the Mikisew Cree First Nation, I too get these calls about our membership wanting to hurt themselves. It's something that I take near and dear to my heart."

Tuccaro said the band and council can no longer turn a blind eye to the crisis unfolding in the community.

"Today, there is no more words," he said. "Today is a day of action. We can not stand by anymore and pretend that this is not a real issue."

In the video, Tuccaro urged anyone who is struggling to get help. He also shared a warning, urging parents to monitor their children's social media activity. Some sites are promoting risky behaviour among teenagers in the community, he said.

"Please, speak to your children," he said.

Co-ordinating response

Allan Adam, chief of the Athabasca Chipewyan First Nation, said ACFN plans to issue its own declaration and support a coordinated response to the suicide crisis in a community that also home for many ACFN members.

He said the two bands should work together to help "get a grip" on the crisis.

"It's affecting our young people our most," Adam said in an interview from Fort Chipewyan Tuesday. "That's a big problem here in the community.

"But they're not the only ones. It's people in general that are having all these issues."

Adam said the community is in the throes of a mental health crisis, exasperated by addiction to opioids and other drugs. People in the community who are suffering from depression often turn to drugs, leading to social disorder within the remote hamlet.

Mental health supports are important but the community must also focus on eliminating the drug trade, Adam said.

"These drug dealers need to be dealt with," Adam said. "Some of them are not from the community and they're plaguing our community, disrupting everything."

The Mikisew Cree First Nation takes a zero-tolerance approach to manufacturing, selling or possessing illegal drugs on the First Nation.

- **Not in Chip: Northern Alberta hamlet campaigning against drugs**

In February, the band issued a bylaw authorizing Wood Buffalo RCMP to search homes on reserve lands or buildings owned by the First Nation in an attempt to eliminate the drug trade.

The band warned that offenders could be banned from the reserve or properties owned by the nation.

"It's time we banded together and deal with the issue," Adam said. "If not, this crisis is going to keep on going."

Suicide rates have consistently been shown to be higher among First Nations people, Métis and Inuit in Canada than the rate among non-Indigenous people.

According to a 2019 report from Statistics Canada, the suicide rate among First Nations people in Canada was three times higher than the rate among non-Indigenous people.

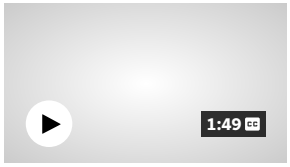
If you or someone you know is struggling, here's where to get help:

- ***Talk Suicide Canada**: 1-833-456-4566 (phone) | 45645 (text between 4 p.m. and midnight ET).*
- *Kids Help Phone: 1-800-668-6868 (phone), live chat counselling on **the website**.*
- *Canadian Association for Suicide Prevention: **Find a 24-hour crisis centre.***
- *This guide from the **Centre for Addiction and Mental Health** outlines how to talk about suicide with someone you're worried about.*

CBC's Journalistic Standards and Practices | *About CBC News*

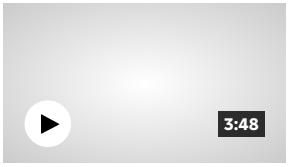
Corrections and clarifications | *Submit a news tip* | *Report error*

TRENDING VIDEOS



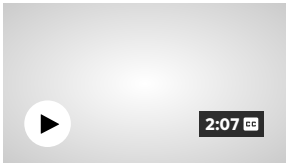
VIDEO

Canadian nun becomes a saint



VIDEO

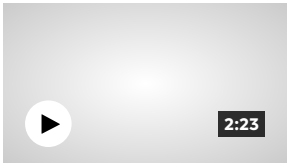
Waterloo man captures racially charged altercation on video



VIDEO

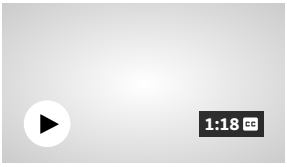
Kids' hockey game halted as parents brawl in the stands

The National



VIDEO

Heavy rain causes flooding on the North Shore



VIDEO

#TheMoment an elderly penguin got a wetsuit

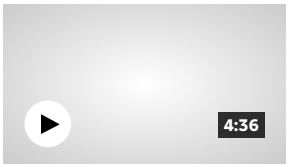
The National

RECOMMENDED FOR YOU

UPDATED

Police release new details on workplace death of 19-year-old at Halifax Walmart

Canada - Nova Scotia



117 homebuyers out millions, as Ontario builder admits to selling homes without legal approvals

Saloni Bhugra

Canada - Toronto

B.C. Greens mull role of potential kingmaker after tight election

Akshay Kulkarni

Canada - British Columbia

IN DEPTH

'It's like a cage': Foreign workers who quit Canadian Tire speak out about feeling trapped by work permits

Shaina Luck

Canada - Nova Scotia

Blade Runner 2049 producers sue Elon Musk, Tesla, Warner Bros. Discovery over robotaxi images

Brock Wilson

Entertainment

Your privacy options

We and select advertising partners collect some of your data in order to give you a better experience through personalized content and advertising. You can learn more in our Privacy Notice.

Privacy Preferences | I Accept

[redacted]

[redacted]

From: Colford, Brandon (RCMP/GRC) <brandon.colford@rcmp-grc.gc.ca>
Date: Monday, October 21, 2024 at 3:17 PM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>, Davison, Warren (RCMP/GRC) <warren.davison@rcmp-grc.gc.ca>
Cc: ceo <ceo@mikisewcree.ca>
Subject: RE: RCMP Data re: Alcohol Related Occurances

Hey Orlagh, sorry for the delay.

I called the Fort McMurray Detachment to run the sta:s :cs, but due to the linking process on PROS, all alcohol involved occurrences were not populated in the reports, so it was very inaccurate. I had to individually check every PROS file for the year so it took a few hours. I only looked up the occurrences from 2024/01/01 to today. If you need a wider range of dates, please let me know.

Out of the detachments 697 occurrences in 2024, **328** were alcohol related. A breakdown is as follows:

- 91 - Mischief
- 55 – Assault
- 34 - Breach of peace
- 32 – Provincial/municipal/liquor act
- 28 – Traffic related
- 22 – Wellbeing check
- 19 – Mental Health Act
- 10 - 911 hang ups
- 7 – Assist General Public
- 6 – U[ering Threats
- 6 - Assistance to provincial agency
- 5 – The\
- 4 – Fail to comply with condi:ons
- 2 – Crime preven:on
- 2 – break and Enter
- 1 – Sexual Assault
- 1 – Items lost
- 1 – trespass at night
- 1 - Trespass

- 1 – Public Mischief

Addi:onally , our detachment has lodged 87 Prisoners in cells in 2024. Out of the 87, **69** were intoxicated by alcohol. If you need anything further or have any ques:ons, please let me know!

Cst. Brandon COLFORD
Fort Chipewyan Detachment
P.O. Box 328 Fort Chipewyan, AB TOP 1B0
Tel: 780-697-3931
Fax: 780-697-3624

Tuesday, October 22, 2024 at 12:09:39 Mountain Daylight Time

Subject:	Re: Chief Tuccaro & Mikisew Response- RMWB Application for Liquor Store 2023-DP-00125
Date:	Tuesday, October 22, 2024 at 12:09:39 PM Mountain Daylight Saving Time
From:	Orlagh O'Kelly
To:	nabil.malik@rmwb.ca, brett.williamson@rmwb.ca
CC:	Shelley Metera
Attachments:	image001.png, image002.png

From: Orlagh O'Kelly <orlagh@robertsokelly.com>
Sent: Thursday, August 17, 2023 3:36:49 PM
To: nabil.malik@rmwb.ca <nabil.malik@rmwb.ca>; breMwilliamson@rmwb.ca <breMwilliamson@rmwb.ca>
Cc: paMyhajdu@parl.gc.ca <paMyhajdu@parl.gc.ca>; council@rmwb.ca <council@rmwb.ca>; mayor@rmwb.ca <mayor@rmwb.ca>; ir.ministeroffice@gov.ab.ca <ir.ministeroffice@gov.ab.ca>; dennis.fraser@rmwb.ca <dennis.fraser@rmwb.ca>; Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>; Dr. Rohan Ghatak <ceo@mikisewcree.ca>
Subject: Chief Tuccaro & Mikisew Response- RMWB Applica[on f or Liquor Store 2023-DP-00125

Good a_ernoon:

On behalf of Chief Billy-Joe Tuccaro and Mikisew Cree First Na[on, please find enclosed in opposi[on t o the above-noted applica[on f or a liquor store in Fort Chipewyan.

Sincerely,

ROBERTS O'KELLY LAW • ADR

Orlagh O'Kelly LLB

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
Amiskwaciwâskahikan – Treaty 6
T: 780 760 6752 E: orlagh@robertsokelly.com W: www.robertsokelly.com

This message, including aMachments, is for the addressee(s) only. It may contain privileged, confiden[al or other in forma[on e xempt from disclosure. If you received this email in error please no[f y the sender and delete this email message and all aMachments.

MIKISEW CREE FIRST NATION

MIKISEW CREE FIRST NATION
ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

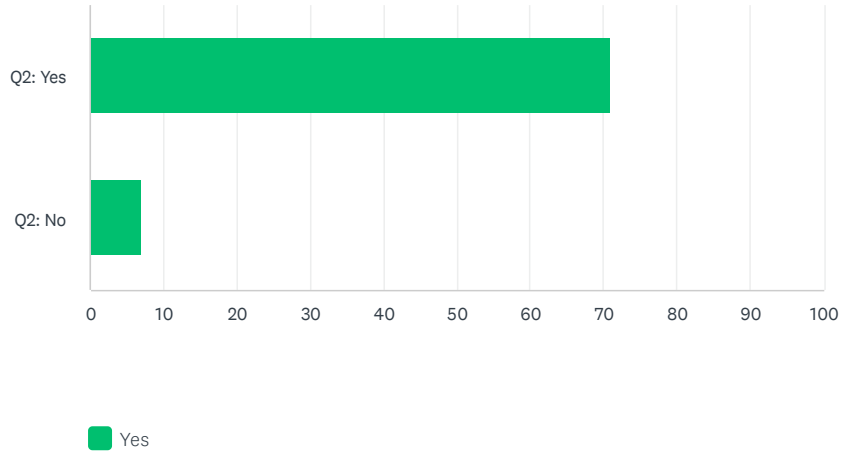
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

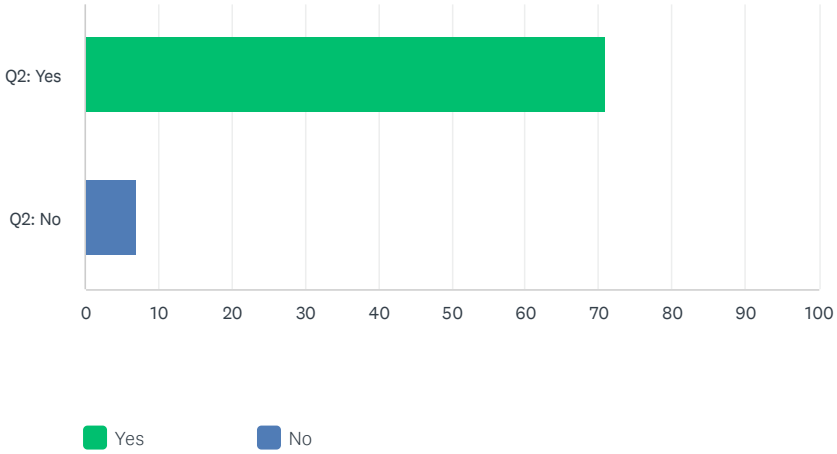


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

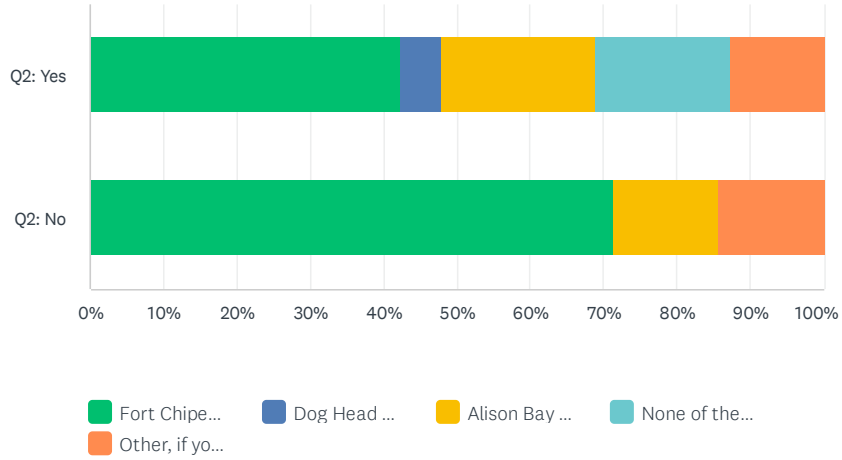
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

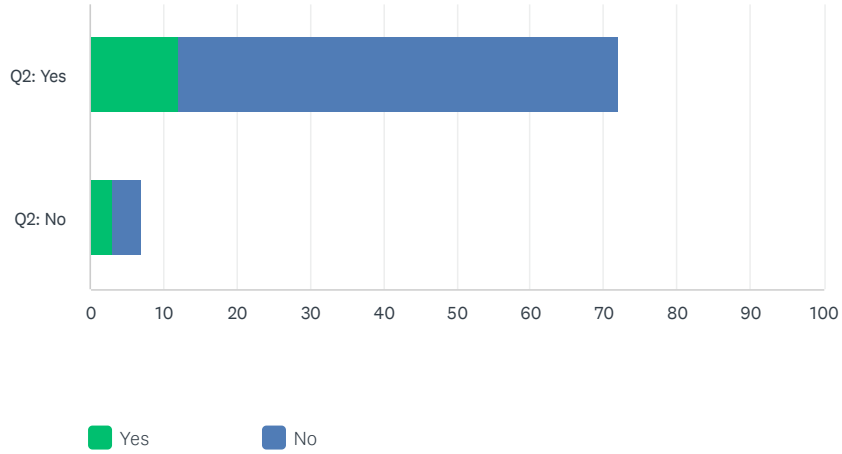
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

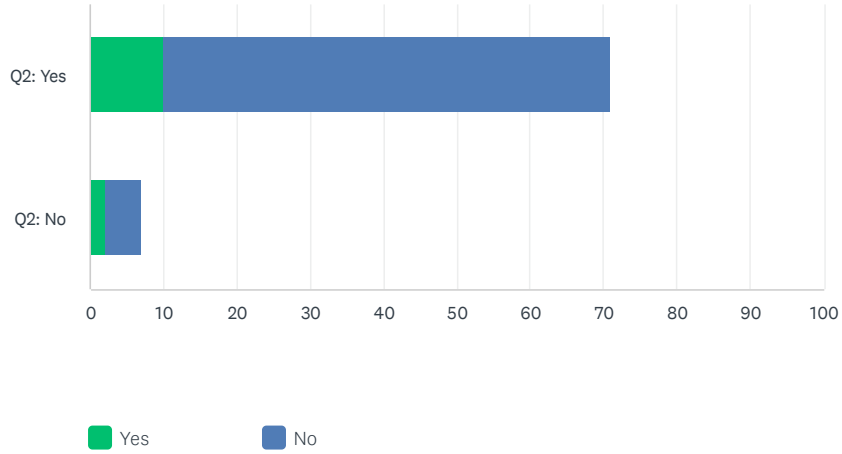
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

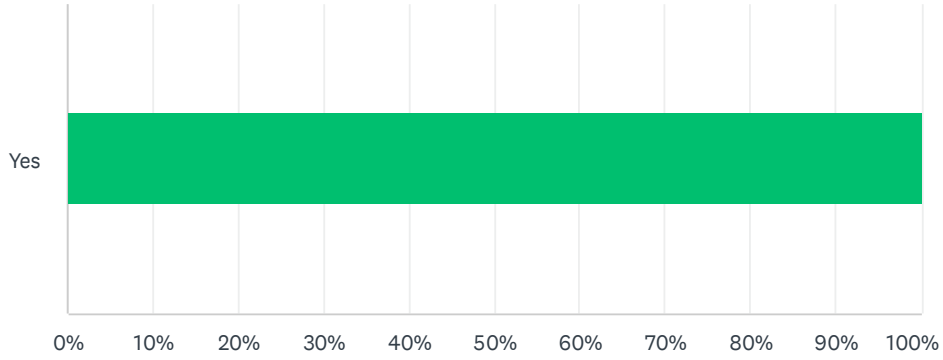
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

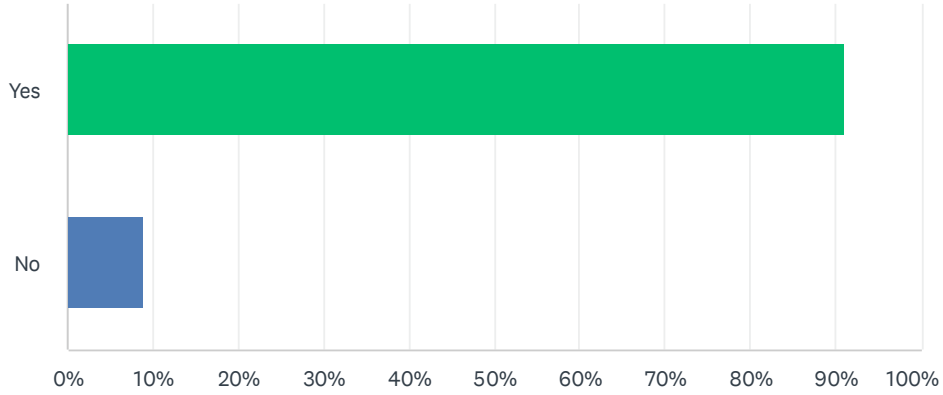
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

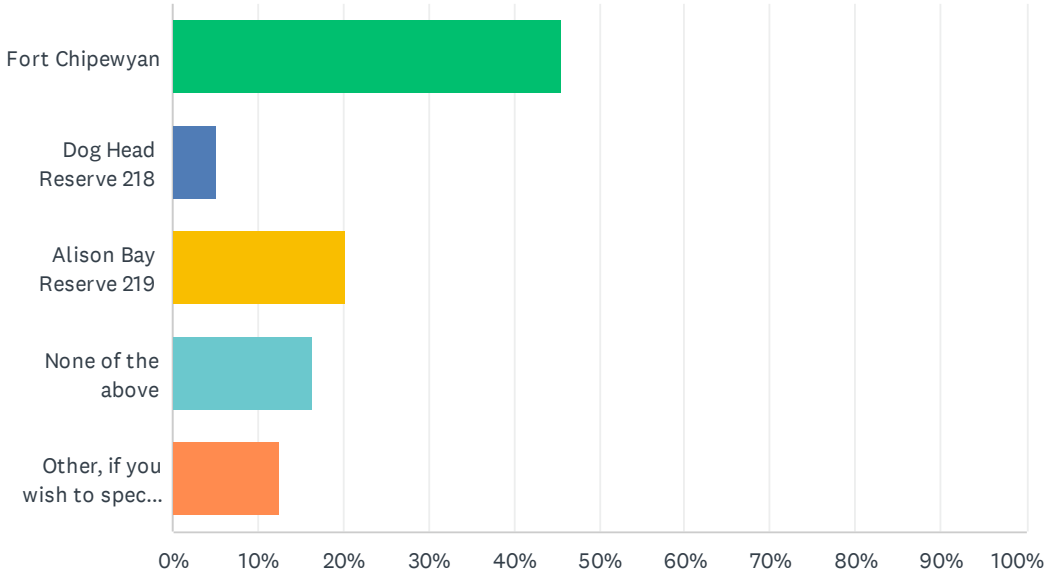
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

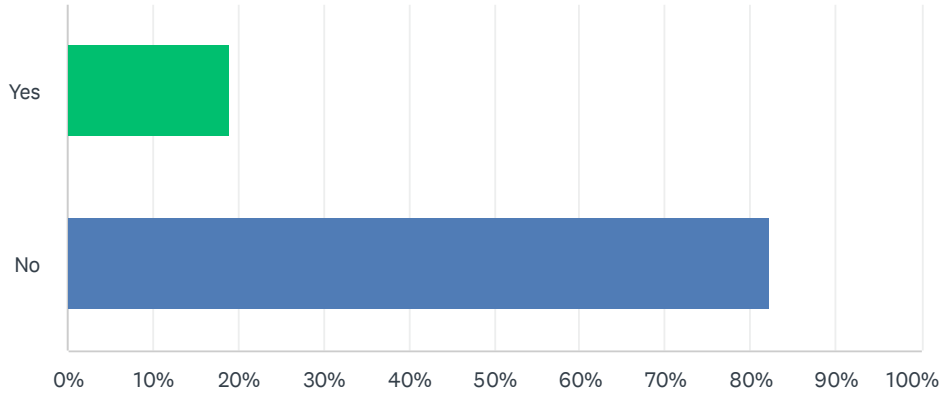
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

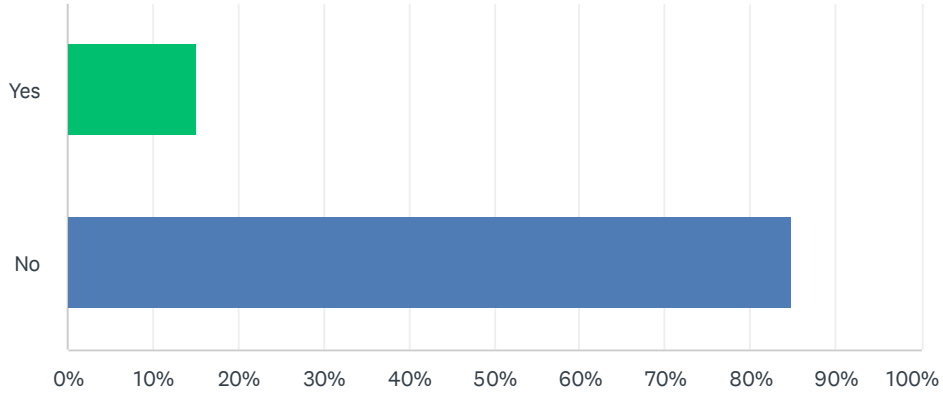
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:		TOTAL
Q2: Yes		100.00% 40	97.56% 40
Q2: No		100.00% 1	2.44% 1
Total Respondents	41		41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

PROTOCOL AGREEMENT

An Agreement for Collaboration and a Renewed Relationship Between the Mikisew Cree First Nation and the Regional Municipality of Wood Buffalo

BETWEEN:

Mikisew Cree First Nation
(the "**MCFN**")

AND

Regional Municipality of Wood Buffalo
(the "**Municipality**")

1.0 PREAMBLE

A. The history of Turtle Island, now known as Canada, Alberta, and the Regional Municipality of Wood Buffalo (RMWB) has been shaped and greatly influenced by Indigenous Peoples with their own languages, cultures, traditions, and government structures.

B. Section 35 of the Constitution Act, 1982 explicitly recognizes and affirms the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada and indicates that the term "Aboriginal peoples of Canada" includes the First Nation, Inuit and Métis people of Canada, including the Mikisew Cree First Nation (MCFN), are recognized and affirmed.

C. The Municipality recognizes that the MCFN holds Aboriginal rights, Treaty rights and MCFN reserve land exists within or inside of the physical limits of the Municipal boundaries.

D. It is in the mutual interests of both Parties to foster a stronger and more defined collaborative government-to-government relationship.

E. The Municipality and the MCFN have the mutual objective of taking significant steps towards advancing truth and reconciliation through action and dialogue.

F. The Municipality and the MCFN wish to define their mutual relationship and establish and detail how the two Parties will collaboratively work together.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

G. The Parties recognize that the commitment to discussions and processes provided for in this Agreement are steps towards truth and reconciliation and are expected to provide clarity and predictability for the MCFN, the Municipality, members of the MCFN and citizens of the Region.

H. The Parties are committed to truth and reconciliation, as defined by the Truth and Reconciliation Commission of Canada, through establishing and maintaining a mutually respectful relationship.

NOW THEREFORE the Parties enter into this Agreement with the intention and desire to establish a collaborative government-to-government protocol and relationship, in the spirit of taking action to achieve truth and reconciliation, for the shared benefit of the MCFN and the Municipality. The Parties agree as follows:

2.0 DEFINITIONS

2.1 For the purposes of this Agreement, the following definitions apply:

(a) "**Agreement**" means this Protocol Agreement between the Regional Municipality of Wood Buffalo and the MCFN

(b) **Capacity Support**" means funding provided by the Municipality through the *Indigenous Community Capacity Grant Program FIN-250* to the MCFN to assist the MCFN with implementing the commitments and responsibilities outlined in this Agreement

(c) "**Effective Date**" means the date this Agreement is fully executed by both Parties

(d) **"Indigenous"** means the original peoples of the land (First Nations (status and non-status), Métis and Inuit), distinct social and cultural groups sharing collective ancestral ties to the lands and natural resources within (and beyond) the boundaries of the Municipality

(e) "**Joint Committee**" means appointed staff or administration appointed by both Parties to fulfill the roles identified in Section 7.2

(f) "**Municipality**" or "**RMWB**" means the Regional Municipality of Wood Buffalo

(g) **"Parties"** collectively means the MCFN and the Municipality and individually either the MCFN or the Municipality, as the case requires

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(h) **"Principles of Reconciliation"** means the ten guiding principles respecting the Government of Canada's relationship with Indigenous peoples published in 2018

(i) **"UN Declaration"** means the UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples: resolution adopted by the General Assembly*, 2 October 2007, A/RES/61/295

(j) **"Work Plan"** means an annual aspirational exercise involving both Parties where anticipated engagement work will be reviewed, considered and structured for the following year.

3.0 PURPOSE

3.1 The purpose of this Agreement is to:

(a) establish agreed processes for a renewed government-to-government relationship between the Municipality and the MCFN

(b) agree and confirm the responsibilities, processes and actions pursuant to which the two Parties will address matters of mutual interest

(c) establish a "Joint Committee" through which the Municipality and the MCFN will manage and collaborate on joint priorities

(d) formalize an engagement process with the MCFN on municipal projects, programs, policies or decisions that are of interest to, or may have impact on the MCFN.

4.0 PROTOCOL PRINCIPLES

4.1 The Parties recognize that the successful implementation of this Agreement will require systematic, timely and disciplined efforts by both Parties. The Parties agree to the following principles:

(a) acting in an open, good faith and transparent manner toward one another in dealing with the matters set out in this Agreement and when implementing this Agreement

(b) continuous education, knowledge and understanding of the Parties' mutual interests

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(c) applying a results-driven approach to all discussions, negotiations and the implementation of this Agreement

(d) building a relationship based on trust and collaboration between the MCFN and the Municipality, applying the Principles of Reconciliation

(e) expanding the Municipality's knowledge of, and appreciation for, the MCFN history, culture and way of life.

5.0 ENGAGEMENT PROTOCOL

5.1 All high-level policies and initiatives undertaken by the Municipality with the MCFN will be on a government-to-government basis and not be viewed as public or stakeholder engagement.

5.2 Despite section 5.1, the Municipality will use its best efforts to engage with the MCFN on projects, programs, policies and decisions that may have an impact on the MCFN or its membership, in accordance with its current public engagement policies, including but not limited to:

(a) the *Public Engagement Administrative Procedure PRC-130-P01*; and

(b) the *Public Engagement Policy PRC-130*

as amended or as replaced from time to time.

5.3 The Parties agree to the following principles for engagement:

(a) sufficient prior notification and engagement by the Municipality with the MCFN where the Municipality reasonably believes that a municipal project, program, or policy may affect the interests of the MCFN

(b) at the request of the MCFN, further detailed information on any municipal project, program, or policy will be provided to the MCFN to allow the MCFN to assess their interest in or potential impact from such project, program, or policy and to meaningfully participate in any municipal engagement process

(c) reporting back to the MCFN on how the input from the MCFN has been considered and incorporated into any municipal decision.

5.4 The Parties agree to the following process for engagement undertaken by the Municipality:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(a) the Municipality will annually provide to the Joint Committee a list of projects, programs, policies and decisions to the MCFN that may impact the MCFN or its members

(b) The MCFN will advise the Municipality of the recommended level of engagement through the Joint Committee

(c) the Municipality will use its best efforts to follow the preferred engagement process recommended by the MCFN, considering time and resource constraints.

5.5 If a project, program, policy or decision is contemplated or initiated by the Municipality after the provision of the annual list to the MCFN through the Joint Committee, the proposed project, program, policy or decision will be submitted to the Joint Committee as soon as possible and the process outlined in Sections 8.2 (b) and (c) of this Agreement will be followed.

5.6 Nothing in this Agreement diminishes any engagement or notification requirements required by the Municipality under the *Municipal Government Act* RSA 2000 c-M-26 or any other enactment.

5.7 Nothing in this Agreement diminishes any "duty to consult" with the MCFN required by the Municipality under the *Indian Act*, RSC 1985, c. I-5, as amended, any other enactment or at common law.

6.0 MUTUAL INTEREST

6.1 The following areas of mutual interest have been identified and agreed upon by the Parties for collaboration. Where appropriate, separate agreements may be entered into by the Parties bi-laterally or with other appropriate partners:

(a) intergovernmental coordination

(b) partnerships and to lobby provincial and federal governments on priorities of mutual interest

(c) cultural and tourism development

(d) regional economic development

(e) land planning, zoning, and land-use

(f) employment

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(g) emergency preparedness and management

(h) infrastructure

(i) municipal service agreements

(j) procurement and contracts

(k) property and other taxation issues

(l) social services

(m) housing initiatives

(n) policing

(o) transportation initiatives

(p) additional issues of interest that the Parties may identify from time to time.

7.0 JOINT COMMITTEE

7.1 To accomplish the objectives of this Agreement, the Parties will establish a Joint Committee as soon as practicable following the Effective Date of this Agreement.

7.2 The Joint Committee will:

(a) develop and submit an annual Work Plan based on the areas of mutual interest identified in Section 6.1

(b) collaboratively implement the annual Work Plan

(c) address any urgent issues that may arise

(d) establish sub-committees or working groups to undertake specific projects as required

(e) address any other issues that may arise during the implementation and term of this Agreement

(f) undertake other duties as may be agreed to by the Joint Committee.

7.3 The Joint Committee shall meet at least twice a year to undertake collaborative discussions related to the items identified under section 6.1.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

7.4 The Joint Committee may refer disputes to the leadership of their governments for resolution through the established communication protocol outlined in section 8.0.

7.5 The Joint Committee membership will:

(a) consist of two representatives appointed from the RMWB's Indigenous and Rural Relations Department and two representatives appointed by the MCFN

(b) meetings will be chaired alternatively by one representative from the Municipality and one representative from the MCFN

(c) operate on the basis of consensus, to the greatest extent reasonably possible.

(d) establish procedures including but not limited to:

a. meeting frequency and locations

b. the process for involvement of other departments and representatives

7.6 The Joint Committee membership is appointed for each calendar year by the Parties and the membership shall be as identified in **Schedule "A"**.

8.0 COLLABORATIVE LEADERSHIP COMMUNICATION PROTOCOL

8.1 The Parties will establish a Collaborative Leadership Communication Protocol to provide a process for elected leadership of both Parties to provide direction on the implementation of this Agreement.

8.2 The purpose of the Collaborative Leadership Communication Protocol is to:

(a) act as an avenue through which elected leadership of the MCFN and the Municipality provide input on approaches to addressing mutual areas of interest and the annual Work Plans

(b) review the progress of the Joint Committee and other aspects of the Agreement

(c) strengthen the working relationship with elected leadership, manage issues and potential areas of conflict, and increase collaboration.

8.3 Discussions or conversations that occur as part of this established protocol are required to be reported back to their respective Councils on any discussions and/or recommendations.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

9.0 IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UN Declaration)

9.1 The MCFN agrees to participate in collaborative discussions with the Municipality on the proposed municipal implementation of the UN Declaration as a framework for advancing truth and reconciliation, including but not limited to the following:

(a) providing input on any municipal policies concerning the UN Declaration

(b) providing input on any documents, plans or strategies for implementing the UN Declaration as a framework for advancing truth and reconciliation

(c) providing any other input or advice on the proposed implementation of the UN Declaration as a framework for advancing truth and reconciliation in Wood Buffalo.

10.0 FUNDING

10.1 The Municipality will provide Capacity Support to the MCFN through the *Indigenous Community Capacity Grant Program FIN-250.*

11.0 TERM AND TERMINATION

11.1 The term of this Agreement will commence on the Effective Date.

11.2 The Agreement will be reviewed on or before the third anniversary date of the Effective Date and every three years thereafter.

11.3 Either Party may terminate this Agreement upon:

(a) 90 days written notice to the other Party with a detailed explanation of the reason for termination; or

(b) upon the terms of this Agreement being incorporated by the Parties into a successor agreement or modified by mutual agreement of the Parties.

11.4 Upon written notice of termination being given by either Party, the Parties will meet within 30 days to seek to achieve an understanding for the reason(s) for termination and to discuss potential amendments to the Agreement or other solutions to avoid termination.

12.0 REPRESENTATIONS

12.1 The MCFN confirms that by entering into this Agreement:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(a) it has the authority and capacity to enter into this Agreement on its own behalf and on behalf of its members

(b) it has taken all necessary actions and has obtained all necessary approvals to enter into this Agreement for and on behalf of its members

(c) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

12.2 The Municipality confirms that by entering into this Agreement:

(a) it has the authority to enter into this Agreement

(b) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

13.0 GENERAL TERMS

13.1 This Agreement is a non-binding instrument which is intended to express the will of the Parties to collaborate on a range of matters of mutual interest but is not intended to be actionable pursuant to legal proceedings.

13.2 This Agreement, including the Forum, does not affect the jurisdiction or discretion of any decision-making authority of the Municipality or the MCFN.

13.3 Any notice, document or communication required or permitted to be given shall be in writing and delivered by hand, by registered mail or by email to the Party to which it is to be given as follows:

To: Regional Municipality of Wood Buffalo
Jubilee Building
6th Floor, 9909 Franklin Avenue
Fort McMurray, AB T9H 2K4

Attention: Director Indigenous and Rural Relations
E-mail: Director.IRR@RMWB.ca

To: Mikisew Cree First Nation
P.O. Box 90
Fort Chipewyan, AB T0P 1B0

Attention:
E-mail:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

13.4 This Agreement may be amended from time to time by the Parties in writing.

13.5 If any part of this Agreement is deemed or found to be void or invalid:

(a) the invalidity of that part will not affect the validity of other parts of the Agreement; and

(b) the Parties will negotiate and attempt to reach agreement on a replacement for the part declared void or invalid.

IN WITNESS WHEREOF this Agreement is effective this ___ day of _____, 20___ and in making their best efforts to adhere to the terms established in this Agreement, the Parties have signed and executed this Agreement by their authorized representatives.

MIKISEW CREE FIRST NATION

[redacted] ATIA 20(1)

Chief

Melody Lepine, Acting Chief Executive Officer

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Sandy Bowman, Mayor

Linda Ollivier, Interim Chief Administrative Officer

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

SCHEDULE "A" – JOINT COMMITTEE

At the signing of this Agreement, the following representatives have been appointed to the initial Joint Committee:

Joint Committee Membership Representatives		
Mikisew Cree First Nation	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		
Municipality	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		

Tuesday, October 22, 2024 at 12:10:33 Mountain Daylight Time

Subject:	Re: Chief Tuccaro & Mikisew Response- RMWB Application for Liquor Store 2023-DP-00125
Date:	Monday, September 11, 2023 at 1:22:11 PM Mountain Daylight Saving Time
From:	Orlagh O'Kelly
To:	nabil.malik@rmwb.ca, brett.williamson@rmwb.ca
CC:	patty.hajdu@parl.gc.ca, council@rmwb.ca, mayor@rmwb.ca, ir.ministeroffice@gov.ab.ca, dennis.fraser@rmwb.ca, Mikisew Chief and Council, Doreen Cardinal-Somers
Category:	Filed to Clio
Attachments:	image001.png, image002.png, image003.png, image004.png

Good a&ernoon Sirs:

Could we please have confirma8on that Mikisew will be no8fied when a decision is made on this applica8on? If not, kindly advise where we can inquire about the status of this applica8on.

Sincerley,

ROBERTS O'KELLY LAW • ADR

Orlagh O'Kelly LLB

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
Amiskwaciwâskahikan – Treaty 6
T: 780 760 6752 **E:** orlagh@robertsokelly.com **W**: www.robertsokelly.com

This message, including a] achments, is for the addressee(s) only. It may contain privileged, confiden8al or other informa8on exempt from disclosure. If you received this email in error please no8fy the sender and delete this email message and all a] achments.

From: Orlagh O'Kelly <orlagh@robertsokelly.com>
Date: Friday, September 1, 2023 at 6:20 PM
To: nabil.malik@rmwb.ca <nabil.malik@rmwb.ca>, bre]. williamson@rmwb.ca <bre]. williamson@rmwb.ca>
Cc: pa]y .hajdu@parl.gc.ca <pa]y .hajdu@parl.gc.ca>, council@rmwb.ca <council@rmwb.ca>, mayor@rmwb.ca <mayor@rmwb.ca>, ir.ministeroffice@gov.ab.ca <ir.ministeroffice@gov.ab.ca>, dennis.fraser@rmwb.ca <dennis.fraser@rmwb.ca>, Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>, Doreen Cardinal-Somers <ceo@mikisewcree.ca>
Subject: Re: Chief Tuccaro & Mikisew Response- RMWB Applica8on for Liquor Store 2023-DP-00125

Good evening:

May we please have an update on the applica8on? Mikisew expects to receive immediate no8fica8on on this ma] er, especially if no consulta8on is undertaken.

Sincerely,

Orlagh O'Kelly
Roberts O'Kelly LLP
403, 10113 104 street NW
Edmonton AB
T: 7807606752

From: Orlagh O'Kelly <orlagh@robertsokelly.com>
Sent: Thursday, August 17, 2023 3:36:49 PM
To: nabil.malik@rmwb.ca <nabil.malik@rmwb.ca>; bre]. williamson@rmwb.ca <bre]. williamson@rmwb.ca>
Cc: pa]y .hajdu@parl.gc.ca <pa]y .hajdu@parl.gc.ca>; council@rmwb.ca <council@rmwb.ca>; mayor@rmwb.ca <mayor@rmwb.ca>; ir.ministeroffice@gov.ab.ca <ir.ministeroffice@gov.ab.ca>; dennis.fraser@rmwb.ca <dennis.fraser@rmwb.ca>; Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>; Doreen Cardinal-Somers <ceo@mikisewcree.ca>
Subject: Chief Tuccaro & Mikisew Response- RMWB Applica8on for Liquor Store 2023-DP-00125

Good a&ernoon:

On behalf of Chief Billy-Joe Tuccaro and Mikisew Cree First Na8on, please find enclosed in opposi8on to the above-noted applica8on for a liquor store in Fort Chipewyan.

Sincerely,

ROBERTS O'KELLY LAW • ADR

Orlagh O'Kelly LLB

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
Amiskwaciwâskahikan – Treaty 6
T: 780 760 6752 E: orlagh@robertsokelly.com W: www.robertsokelly.com

This message, including a] achments, is for the addressee(s) only. It may contain privileged, confiden8al or other informa8on exempt from disclosure. If you received this email in error please no8fy the sender and delete this email message and all a] achments.

Stay connected to all the latest Fort McMurray news with our weekly newsletter *Sign up here*
Stay connected to all the latest Fort McMurray news with our weekly newsletter *Sign up here*

Councillor Kendrick Cardinal charged with impaired driving, fleeing peace officer

Cardinal was arrested after he was seen yelling at a protest against the construction of a liquor store in Fort Chipewyan.

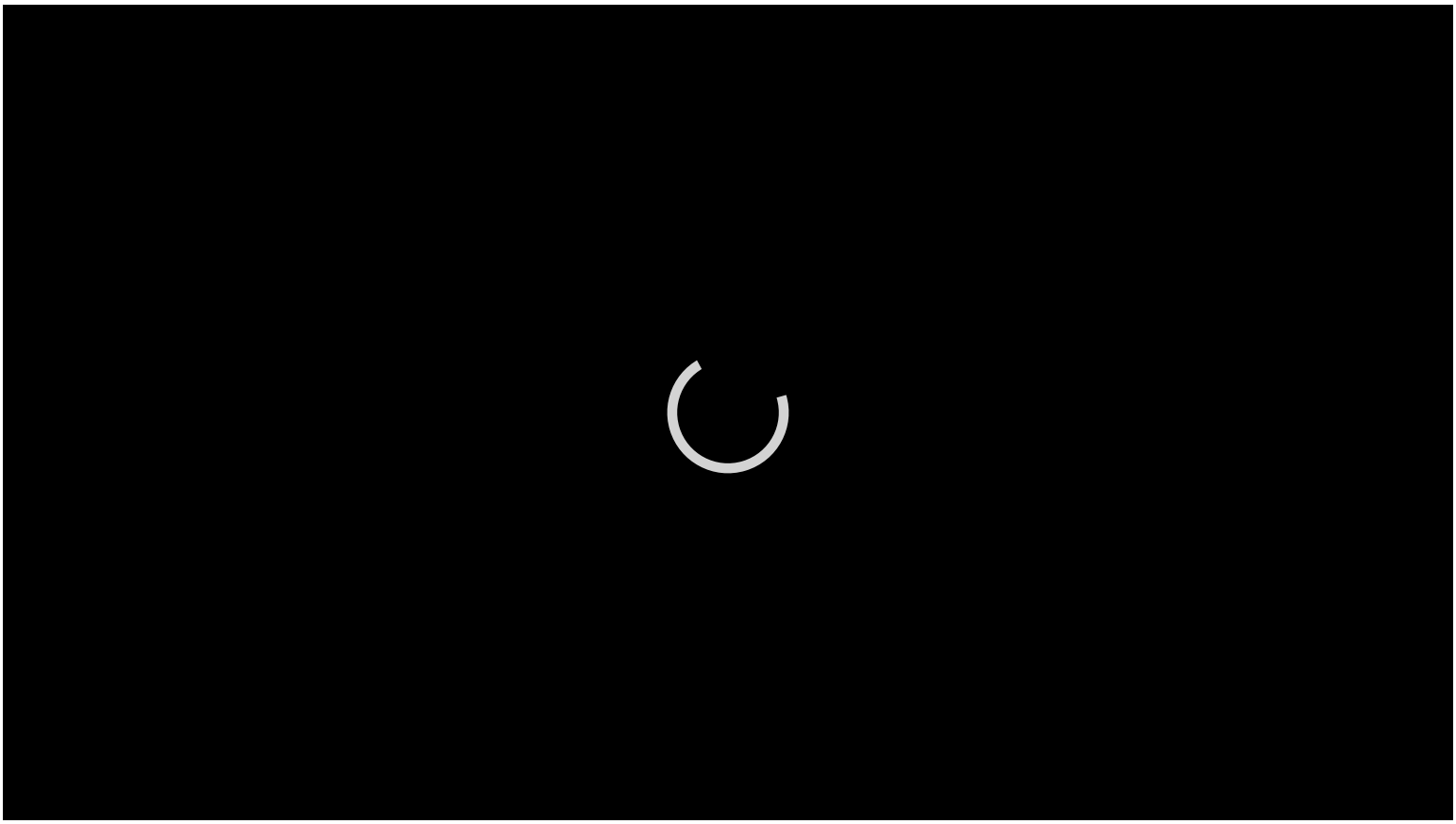
Vincent McDermott

Published Sep 05, 2024 • Last updated Sep 05, 2024 • 3 minute read

Join the conversation

Councillor Kendrick Cardinal during a July 3, 2024 meeting in Fort McMurray. Screenshot/Regional Municipality of Wood Buffalo

Councillor Kendrick Cardinal has been charged with impaired driving, exceeding the legal alcohol limit while operating a vehicle and fleeing from a peace officer.



Wood Buffalo RCMP and a court check confirm Cardinal was arrested on Aug. 30. Police would not comment on the details of Cardinal's arrest because RCMP. Cardinal did not answer requests for comment.

However, Fort Chipewyan residents say Cardinal was arrested shortly after he appeared at a local protest against the opening of a liquor store.

A video posted by Chief Billy-Joe Tuccaro of the Mikisew Cree First Nation to his Facebook page shows

him outside the Fort Chipewyan office of the Regional Municipality of Wood Buffalo (RMWB). He is joined by elders and community members from the Fort Chipewyan Metis Nation, of which Cardinal is also president, and Athabasca Chipewyan First Nation.

Shortly after Tuccaro begins speaking, Cardinal arrives driving a quad with an unidentified person on the back.

STORY CONTINUES BELOW

Much of what Cardinal yells at the crowd is not clear in the video, but he can be heard yelling “what about freedom of choice?” and “look at you, can’t even fucking... freedom of choice!” He drives away as one person yells back “go home!”

This is not Cardinal’s first legal issue since he was elected to RMWB council in October 2021. Cardinal was charged with assault on May 14, 2021 after an assault was reported to police seven days earlier. On April 3, 2022, Cardinal was charged with driving a vehicle while unauthorized.

The assault charge was dropped in October 2022 after Cardinal completed therapy every two weeks for a year in Fort McMurray. Cardinal also said he and the complainant had resolved the issue. The driving charge was also dropped after Cardinal completed a driving course.

A video of Cardinal taking a swing at someone was widely shared on Facebook and Instagram last May, although no charges were filed after the incident. Cardinal is seen yelling “bring it on or fuck off!” while a man and woman are heard telling Cardinal to leave their property. The video ends when Cardinal lunges at someone.

An RMWB spokesperson said the organization cannot comment on Cardinal’s recent charges because the matter is now before the courts.

MCFN protests liquor store approval

Tuccaro argues it is irresponsible for the RMWB to approve a permit for the liquor store in Fort Chipewyan. Other elders and community members join him and share similar concerns. For years, community leaders have argued Fort Chipewyan faces a serious crisis of addictions, suicides and mental health issues.

A March 2023 inquiry into a 2015 suicide of a teenage girl agreed with local leaders that Fort Chipewyan has “tragically understaffed” health, policing and educational systems, while existing social programs are making few impacts in the community.

MCFN partnered with Wood Buffalo RCMP and passed a banishment law against people found to be selling drugs one month before the inquiry.

A municipal spokesperson confirmed a permit for a liquor store has been approved, but also acknowledged the concerns made by MCFN and some Fort Chipewyan residents.

All residents of the Fort Chipewyan area were told of the application, going beyond the standard practice of contacting addresses within 100 metres of a proposed development. Engagement and feedback periods were also broadened and extended.

The proposal was not popular with everyone, but the permit was approved when it was found it did not go against any regulations or policies. The business, however, will be restricted to 9 a.m. to 6 p.m.

A municipal spokesperson said the development officer is must follow the regulations and planning policies of the Municipal Governance Act and the Land-Use Bylaw. Residents were told details of the RMWB's appeal process.

"We acknowledge and respect the community's right to peacefully assemble and express their views. We remain in contact with MCFN and community leadership regarding this development permit," said a statement from the RMWB.

Get the news and events of Fort McMurray Wood Buffalo in your inbox every Friday morning by signing up for our newsletter.

vmcdermott@postmedia.com

COMMENTS

You must be logged in to join the discussion or read more comments.

Sign in

Create an Account

JOIN THE CONVERSATION

S

RAY

365 Bloor Street East, Toronto, Ontario, M4W 3L4

© 2024 Fort McMurray Today, a division of Postmedia Network Inc. All rights reserved. Unauthorized distribution, transmission or republication strictly prohibited.

Tuesday, October 22, 2024 at 12:20:35 Mountain Daylight Time

Subject: Re: Support for MCFN Protest
Date: Tuesday, October 22, 2024 at 12:20:35 PM Mountain Daylight Saving Time
From: Orlagh O'Kelly
To: chief, Mikisew Chief and Council, ceo

From: Mayor <Mayor@rmwb.ca>
Date: September 10, 2024 at 9:01:51 AM MDT
To: Karla.buffalo@atcfn.ca, Sherry Mercredi <sherry.mercredi@atcfn.ca>
Cc: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>, Chief Allan Adam <aadam@acfn.com>, chief@fmfn468.com, Chief Vern Janvier <chairman@cpventures.ca>, chiefpowder@fortmckay.com, Fred Russell <fred.russell@atcfn.ca>, CAO <CAO@rmwb.ca>
Subject: RE: Support for MCFN Protest

Good morning,

On behalf of Mayor Bowman, kindly find attached correspondence in response to your letter of August 30, 2024.

Kind regards,

Elyse Franks
Senior Executive Liaison
Office of the Mayor

T: 780-743-7009 | rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐦᑕᐊᔨᔭᐤ | Nistawâyâw | Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

From: Sherry Mercredi <sherry.mercredi@atcfn.ca>

Sent: Friday, August 30, 2024 11:33 AM
To: Mayor <Mayor@rmwb.ca>
Cc: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>; Chief Allan Adam <aadam@acfn.com>; chief@fmfn468.com; Chief Vern Janvier <chairman@cpventures.ca>; chiefpowder@fortmckay.com; Karla Buffalo <karla.buffalo@atcfn.ca>; Fred Russell <fred.russell@atcfn.ca>
Subject: Support for MCFN Protest
Importance: High

External Message - Please be cautious when opening links or attachments in email

Good Morning,

Please see attached letter of support for MCFN Protest sent on behalf of Karla Buffalo.

Hiy hiy, Marsi cho – Thank you

Sherry Mercredi (She/Her)
Executive Assistant – Karla Buffalo, CEO

Athabasca Tribal Council
9206 McCormick Drive,
Fort McMurray, AB
T9H 1C7
*Office: 780-791-6538 ext *244*
Cell: 780-215-3975

Email: sherry.mercredi@atcfn.ca
Web: www.atcfn.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

OFFICE OF THE MAYOR

September 10, 2024

Delivered via email karla.buffalo@atcfn.ca

Karla Buffalo, CEO
Athabasca Tribal Council
9206 McCormick Drive
Fort McMurray, AB
T9H 1C7

Re: Development Approval for Liquor Store in Fort Chipewyan

Dear Ms. Buffalo,

I am writing in response to your August 30, 2024, letter regarding the development permit application for a Liquor Store, Office and Warehouse (2023-DP-00125) on Mackenzie Avenue in Fort Chipewyan.

Thank you for sharing your concerns, particularly as it relates to addictions and mental health and the ongoing State of Local Emergency in Fort Chipewyan. I recognize and acknowledge these concerns and the perspective you've shared should very much help inform any next steps. In any process such as this one, we need to be sensitive to the current realities faced in Fort Chipewyan and be guided by it in our collective decision making.

In speaking with members of Administration, it is my understanding that due to the community's concerns regarding alcohol-related issues, and as noted in your correspondence, this application was assessed under a higher-level of scrutiny and a more comprehensive, lengthy review process was undertaken, which included opportunities for community engagement. I have been told that after a thorough review of the application, including community feedback, the development permit was approved as it complied with the regulations set out in the Government of Alberta's *Municipal Government Act* and the Municipality's *Land Use Bylaw*, which is what guides development decisions by the Regional Municipality of Wood Buffalo. In response to the feedback received, the permit includes a condition that restricts the business operating hours from 9 a.m. to 6 p.m.

Nonetheless, I understand your concerns and acknowledge them, and the concerns raised by community members since the approval of the development permit. As well, I completely and will always respect the community's right to peacefully assemble and express their views.

As has been shared as part of recent notifications to the community, there is a formal appeal process, overseen by the Subdivision and Development Appeal Board, an independent tribunal established by municipal Council. As an arms-length entity, the Subdivision and Development Appeal Board can take the concerns you've shared into account as part of this appeal process, and I would strongly encourage it to do so.

9909 Franklin Avenue, Fort McMurray, Alberta, Canada, T9H 2K4
T 780.743.7009 W rmwb.ca E mayor@rmwb.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

OFFICE OF THE MAYOR

Anyone wishing to file an appeal or participate in an appeal hearing, can learn more about the process here: https://www.rmwb.ca/en/mayor-council-and-administration/subdivision-and-development-appeal-board.aspx. Appeals are due by September 19, 2024.

Once again, thank you for writing to express these very valid and understandable concerns on this important matter. Please contact me at any time should you have any additional thoughts or questions.

Sincerely,

ATIA 20(1)

Sandy Bowman
Mayor

Cc: Chief Billy-Joe Tuccaro, Mikisew Cree First Nation
Chief Allan Adam, Athabasca Chipewyan First Nation
Chief Raymond Powder, Fort McKay First Nation
Chief Vern Janvier, Chipewyan Prairie Dene First Nation
Chief Neil Cheecham, Fort McMurray First Nation 468
Fred Russell, Chief Operating Officer, Athabasca Tribal Council
Councillors of the Regional Municipality of Wood Buffalo
Henry Hunter, Chief Administrative Officer, RMWB

9909 Franklin Avenue, Fort McMurray, Alberta, Canada, T9H 2K4
T 780.743.7009 W rmwb.ca E mayor@rmwb.ca

Distributed to Duty Judge

Registrar's Stamp

COURT OF APPEAL OF ALBERTA

COURT OF APPEAL FILE NUMBER:	2403 0284AC
TRIBUNAL:	REGIONAL MUNCIPALITY OF WOOD BUFFALO SUBDIVISION AND DEVELOPMENT APPEAL BOARD
TRIBUNAL FILE NUMBER:	SDAB 2024-003
APPLICANT:	DANIEL ROY
STATUS ON APPEAL:	RESPONDENT
STATUS ON APPLICATION:	APPLICANT
RESPONDENTS:	REGIONAL MUNICIPALITY OF WOOD BUFFALO SUBDIVISION AND DEVELOPMENT APPEAL BOARD AND THE REGIONAL MUNCIPALITY OF WOOD BUFFALO
STATUS ON APPEAL:	RESPONDENTS
STATUS ON APPLICATION:	RESPONDENTS
	MIKISEW CREE FIRST NATION, 1112958 ALBERTA LTD., CREE-ATIONS ENTERPRISES, MISTEE SEEPEE DEVELOPMENT CORPORATION
STATUS ON APPEAL:	APPELLANTS
STATUS ON APPLICATION:	RESPONDENTS
DOCUMENT:	**MEMORANDUM OF ARGUMENT OF THE RESPONDENTS, MIKISEW CREE FIRST NATION, 1112958 ALBERTA LTD., CREE-ATIONS ENTERPRISES, MISTEE SEEPEE DEVELOPMENT CORPORATION**
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT:	O'Kelly Law Attention: Orlagh O'Kelly 403 Birks Building 10113 – 104 Street Edmonton, Alberta T5J 1A1 Telephone: 587-525-8348

	Facsimile: 780 669 7672 Email: orlagh.okelly@okellylaw.ca File Number: 90-00127 Counsel for Mikisew Cree First Nation, 1112958 Alberta Ltd., Cree-Ations Enterprises, Mistee Seepee Development Corporation
CONTACT INFORMATION FOR ALL OTHER PARTIES:	Robert Homersham, Barrister & Solicitor 420 Wilverside Way SE Calgary, Alberta T2J 1Z7 Telephone: 403-830-5037 Email: robert.homersham@homersham.com Counsel for Daniel Roy Shores Jardine LLP Attention: Gwendolyn Stewart-Palmer, KC 2250, 10104 – 103 Avenue Edmonton, Alberta T5J 0H8 Telephone: 780-448-9275 Fax: 780-423-0163 Email: gwendolyn@shoresjardine.com Counsel for the Respondent, Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board Kennedy Oshry Agrios LLP Attention: Janice Agrios, KC 10180 – 101 Street NW Suite 1325 Edmonton, Alberta T5J 3S4 Ph. 780-969-6900 Email: JAgrios@kaolawyers.com Counsel for Regional Municipality of Wood Buffalo

OVERVIEW

1. The Respondents, Mikisew Cree First Nation, owning Fort Chipewyan land in fee simple through Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, (collectively referred to as the "**MCFN**") oppose the Applicant, Daniel Roy's, application for permission to appeal the decision of the Subdivision and Appeal Board ("**SDAB**"). In the alternative, if permission is granted, the Respondents intend to seek leave to cross appeal within ten days after service of the Notice of Appeal. [1]

STATEMENT OF FACTS

2. MCFN has nine (reserves) in what is now known as RWMB, including two reserves in close proximity to Fort Chipewyan (Dog Head and Allison Bay). MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred to as the Regional Municipality of Wood Buffalo ("**RMWB**"). MCFN also owns land in fee simple for residential and commercial purposes through Fort Chipewyan and through Cree' Ations, Mistee Seepee and 1112958 Alberta Ltd. [2]

3. Before the SDAB, MCFN appealed the RMWB's granting of the discretionary development permit for a liquor store before including on the following grounds:
    a. the liquor store and thus the discretionary permit was incompatible with the surrounding neighbour ("**Incompatibility Grounds**");[3]
    b. the issuance of the permit could have impacts on Treaty 8's promise to control intoxicants. MCFN therefore alleged that, following the Supreme Court's decision in *Clyde River*[4], RMWB itself or through the SDAB, had a duty to consult, and that the question of whether there is a duty is not one that is constitutional question. The

[1] *Alberta Rules of Court*, Alta Reg 124/2010, s 14.6, s 14.11.
[2] Notice of Appeal, Appendix A, CAR, p. 160.
[3] Notice of Decision, Certified Appeal Record ("**CAR**"), para 66, p. 20.
[4] *Clyde River (Hamlet) v. Petroleum Geo-Services Inc*., 2017 SCC 40 (CanLII); MCFN Submissions, CAR, pp. 1021-1027.

provincial Crown could not escape these obligations by assigning these powers to a municipality ("**Duty to Consult grounds**").[5]

4. In support of their appeal, MCFN submitted evidence including:
    a. Crime statistics for alcohol related occurrences or detentions from the Royal Canadian Mounted Police ("**RCMP**").[6]
    b. A survey of MCFN members overwhelmingly opposed to the liquor store.[7]
    c. The expert report of Dr. Darcy Lindberg regarding Treaty No. 8's promise and right to control intoxicants.
    d. The testimony of Chief Billy-Joe Tuccaro, Councillor Paul Tuccaro, Education Director Kerri Ceretzke and MCFN consultation staff member Mitchel Bowers.[8]

5. At the hearing, RMWB confirmed that they too had sought information on crime in Fort Chipewyan but had not included it in their appeal materials. RMWB had reached out to the "RCMP of Fort Chipewyan which provided basic statistics about potential crime attributed to alcohol;" and it was noted at the hearing that the "crime statistics for 2023" were taken into consideration by RMWB.[9]

6. By decision and reasons dated November 19, 2024, the SDAB allowed MCFN's appeal on the Incompatibility Grounds, and dismissed its appeal on the grounds of the Duty to Consult Grounds. The Applicant's appeal on the hours of operation was dismissed (collectively referred to as "**Decision**"). The development permit was accordingly revoked. This Decision is the subject matter of this application for permission to appeal.

7. On the Incompatibility Grounds, the SDAB reasoned among other things:

[5] Notice of Decision, paras 67-72, pp. 20-22.
[6] Notice of Decision, para 124, p. 33.
[7] Notice of Decision, paras 63-66, p. 20.
[8] Notice of Decision, paras 75-79, pp.22-23.
[9] Notice of Decision, para 42 (c), CTA, p.13, para 43 (c), p. 14.

a. "The Board considers safety considerations to be a valid planning consideration for the Board to consider when making a determination."[10]

b. "The Board does not consider [MCFN's] argument to be an argument based on the proliferation and the Board does not consider the potential of a second liquor store to be one where there is a "proliferation" of liquor stores. Rather the Board notes the evidence provided by [MCFN] of the impact of alcohol sales and is of the view that he proposed development would have a similar impact on the community, causing safety concerns. As a result of those safety considerations, the Board concludes the proposed development is not compatible with the adjacent uses."[11]

ISSUE

8. The only issue is whether permission to appeal should be granted.

LAW & ARGUMENT

Test for Permission to Appeal

9. MCFN adopts the submission of the SDAB on the test for permission to appeal at paragraphs 23 to 28 of the SDAB's Memorandum of Argument in this application filed on February 20, 2025.[12] In applying this test, MCFN submits that neither proposed ground of appeal meets the test to grant permission to appeal.

No Permission Should be Granted

10. Neither ground of appeal meets the high threshold for granting permission to appeal the Decision: the grounds present neither a question of law or jurisdiction; they are not of sufficient importance and have limited change of success on appeal. The SDAB had broad discretion to consider the issues before it.[13]

11. The Applicant's first ground of appeal is that the SDAB was limited to directly "adjacent" property when considering the Incompatibility Grounds by relying on the statutory

[10] Notice of Decision, para 125, p. 33.
[11] Notice of Decision, para 129, p. 34.
[12] See also: *Bertram Family Trust v Felesky Flynn LLP,* 2025 ABCA 54, at para 62; *McCargar v Metis Settlements General Council*, 2025 ABCA 33 (CanLII), at para 48.
[13] *Landry v Rocky View County (Subdivision and Development Appeal Board),* 2025 ABCA 34 (CanLII), at para 43,.

definition of adjacent. However, the legal basis for the Incompatibility Decision comes from jurisprudence, not the statute. While the Alberta Court of Appeal refers to the word "adjacent" in the decision outlining this test, it is not clear that land being "adjacent" is a requirement for applying this test. In fact, the language of "including" suggests adjacent uses is one consideration when determining incompatibility, as noted by the Court of Appeal:

> [14] The object and purpose of a discretionary use is to allow the development authority to assess the particular type and character of the use involved, **including** its intensity and its compatibility with adjacent uses. The SDAB failed to consider such factors.[14]

12. Furthermore, contrary to the Applicant's submissions, determining the Incompatibility Grounds is not a question of statutory interpretation but rather one of applying a jurisprudential standard to the evidence before the SDAB.[15] This means it is a question of mixed fact and law.

13. Indeed, if there is any statutory basis for the SDAB's finding, it is not limited to "adjacent" incompatibility as alleged by the Applicant for the first time on this application. Section 640(2) of the *Municipal Government Act* in fact allows the consideration of whether the development "unduly interfere(s) with the amenities of the neighbourhood", or "materially interfere(s) with or affect(s) the use, enjoyment or value of neighbouring parcels of land."[16] This provision is not restricted to consideration of the adjacent land or use, but instead expands it to the "neighborhood". The RMWB's *Land-Use Bylaw*, too, refers to the "adjacent residential neighbourhood"[17] although does not make any such limitation in the applicable provision for the discretionary permit at issue, section 110.3 (dd) "Liquor Store"[18].

---

[14] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board*), 2009 ABCA 261 (CanLII), at para 14.
[15] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 10.
[16] *Municipal Government Act*, RSA 2000, c M-26, s 640(6).
[17] Regional Municipality of Wood Buffalo, Land Use Bylaw 99-059, section 105.
[18] Regional Municipality of Wood Buffalo, Land Use Bylaw 99-059, section 105, p. 127, and section 110.3, p. 151

14. Similarly, as argued by MCFN at the hearing, section 617 of the *Municipal Government Act* grants the ability to consider the "public interest" which was in fact argued by MCFN.[19]

15. MCFN agrees with the SDAB that the argument on adjacent was not argued at the hearing. The Applicant has not demonstrated how this ground will be addressed as a new issue on appeal, without evidence and argument on the issue of "adjacent" in the record.[20] To the contrary, the Applicant also put evidence forward from the wider community without any evidence that they were adjacent landowners/land users, according to the strict definition proposed by the Applicant here.

16. The SDAB's interpretation of the Incompatibility Grounds to include incompatibility of the liquor store with the community, including MCFN properties in very close proximity[21], was a reasonable one. In fact, the Applicant himself relied on evidence from community members in support of his appeal, thereby condoning this approach to the question of Incompatibility. The SDAB accordingly found the Applicant's witnesses as well as MCFN's to all be affected persons.[22] It is not open to the Applicant to recharacterizes this as a legal question because the SDAB preferred to MCFN's community evidence over that of the Applicant.[23]

17. The second ground of appeal is that the SDAB made improper inferences from the evidence regarding RCMP crime statistics.[24] This question is quintessentially one of fact. It was open to the SDAB to infer from the statistics on crime – also purportedly relied on by RMWB – that safety issues would occur and that this was relevant to the Decision.

---

[19] See for example, Notice of Decision, para 118, p. 32; Municipal Government Act, RSA 2000, c M-26, s 617.
[20] *Dow Chemical Canada ULC v NOVA Chemicals Corporation,* 2020 ABCA 320 (CanLII), *at para 64; Council of the Wasauksing First Nation v. Wasausink Lands Inc.,* 2004 CanLII 15484 (ON CA), at para 102; *Performance Industries Ltd. v. Sylvan Lake Golf & Tennis Club Ltd.,* 2002 SCC 19, at para 33.
[21] Notice of Decision, CAR, p. 1016, para. 17.
[22] Notice of Decision, CAR, at paras. 85-88, p. 25.
[23] Notice of Decision, CAR, at para 126, p. 33.
[24] *Yee v Leduc (County),* 2016 ABCA 40 (CanLII), *at* para 19.

Alternatively, the Respondents will seek Permission

18. In the alternative, if permission is granted, the Respondents intend to file an application for permission to cross-appeal on the Duty to Consult Grounds in accordance with Rules 14.6 and 14.11 of the *Alberta Rules of Court*,[25] which together require MCFN to file such an application within ten (10) days of the Applicant's notice of appeal.

ESTIMATE OF TIME FOR ORAL ARGUMENT: MIKISEW CREE FIRST NATION MAY REQUIRE 10 MINUTES FOR ORAL ARGUMENT.

Respectfully submitted:

O'KELLY LAW

Orlagh O'Kelly

Counsel for the Respondents, Mikisew Cree First Nation,
1112958 Alberta Ltd., Cree-Ations Enterprises, Mistee Seepee
Development Corporation

[25] *Alberta Rules of Court*, Alta Reg 124/2010, s 14.6, s 14.11.

LIST OF AUTHORITIES

Legislation

1. *Alberta Rules of Court*, Alta Reg 124/2010, s 14.6, s 14.11

2. *Municipal Government Act*, RSA 2000, c M-26, s 617 and s 640(6).

3. Regional Municipality of Wood Buffalo, Land Use Bylaw 99-059, section 105, p. 127, and section 110.3, p. 151

Jurisprudence

.

4. *Bertram Family Trust v Felesky Flynn LLP,* 2025 ABCA 54, at para 62;

5. *Clyde River (Hamlet) v. Petroleum Geo-Services Inc*., 2017 SCC 40

6. *Council of the Wasauksing First Nation v. Wasausink Lands Inc.,* 2004 CanLII 15484 (ON CA), at para 102

7. *Dow Chemical Canada ULC v NOVA Chemicals Corporation,* 2020 ABCA 320 (CanLII), *at para 64*

8. *Landry v Rocky View County (Subdivision and Development Appeal Board),* 2025 ABCA 34 (CanLII), at para 43,

9. *McCargar v Metis Settlements General Council*, 2025 ABCA 33 (CanLII), at para 48.

10. *Performance Industries Ltd. v. Sylvan Lake Golf & Tennis Club Ltd.,* 2002 SCC 19, at para 33

11. *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board*), 2009 ABCA 261 (CanLII), at para 14, at para 10

12. *Yee v Leduc (County),* 2016 ABCA 40 (CanLII), *at* para 19.

MIKISEW CREE FIRST NATION

OBJECTION TO LIQUOR STORE PERMIT

Application for Development Permit 2025-DP-00169

Lot 3 Block 10 Plan 5642NY; 193 Mackenzie Avenue

Fort Chipewyan, Alberta

EVIDENCE PACKAGE - January 15, 2026

Orlagh O'Kelly
O'Kelly Law
403, 10113 – 104 Street NW
Edmonton, Alberta T5J 1A1
Tel: 587-525-8348
orlagh.okelly@okellylaw.ca

TABLE OF CONTENTS

	DESCRIPTION	PAGE NUMBER
1	Email Chain re Notice of Appeal – October 26 2025	3
2	SDAB Notice of Appeal	7
3	Daniel Roy – Facebook Screenshot	13
4	Protocol Agreement between Mikisew Cree First Nation and the Regional Municipality of Wood Buffalo	14
5	Correspondence from Mikisew Cree First Nation to Regional Municipality of Wood Buffalo dated August 21 2025	25
6	Corporate Records	93
7	Court of Appeal of Alberta 2403 0284 AC – Memorandum of Argument	199
8	Email and Correspondence – 2025-11-01	208
9	SDAB 2024-003 Board Decision	211
10	Email with Attached Letter – 2025-08-21	245
11	Chief Nation Letter to Mayor Bowlan – 2024-02-28	298

Tuesday, December 9, 2025 at 07:31:17 Mountain Standard Time

Subject:	Re: Notice of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169
Date:	Sunday, October 26, 2025 at 4:29:58 PM Mountain Daylight Saving Time
From:	Orlagh O'Kelly
To:	Subdivision and Development Appeal Board
CC:	Shelley Metera, chiefandcouncil@mikisewcree.ca, Subdivision and Development Appeal Board, ceo
Attachments:	image003.png, image004.jpg, image005.png, image001.jpg, SDAB Notice of Appeal with Appendix A.pdf

Good afternoon Ms. Fredeen,

Please see attached which hopefully works with the Appendix. I am not sure what happened with the other form.

With regard to the Agent Authorization, I have asked the client to re-sign a newly dated form, same to the one that was submitted last year. I will share this with you ASAP.

Thank you,

Orlagh O'Kelly
Lawyer

O'Kelly Law

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
amiskwaciwâskahikan – Treaty 6
t : 587-525-8348 **direct** : 825-480-4542
e: orlagh.okelly@okellylaw.ca w : www.okellylaw.ca
This message, including aQachments, is for the addressee(s) only. It may contain privileged, confidenYal or other informaYon exempt from disclosure. If you received this email in error please noYfy the sender and delete this email message and all aQachments.

From: Heather Fredeen <Heather.Fredeen@rmwb.ca> on behalf of Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Date: Monday, October 20, 2025 at 9:21 AM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>, chiefandcouncil@mikisewcree.ca <chiefandcouncil@mikisewcree.ca>, Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Subject: RE: Notice of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169

Good morning Ms. O'Kelly,

This will confirm receipt of your Notice of Appeal filed with the Subdivision and Development Appeal Board on October 17, 2025. To complete your application, I have attached an agent authorization form that will need to be filled out. Additionally, it appears some wording in Section 4 “Reasons for Appeal”, has been cut off. You also refer to an appendix in this section, which we have not received. Please provide this information at your earliest convenience so that we can begin processing your application.

Warm regards,

Wood Buffalo TRIBUNALS

Heather Fredeen
Tribunal Clerk

T: 780-743-7001 | rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐦᑕᐊᔨᔭᐤ | Nistawâyâw | Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

From: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Sent: Friday, October 17, 2025 4:22 PM
To: Subdivision and Development Appeal Board <SDAB@rmwb.ca>
Cc: Shelley Metera <shelley.metera@okellylaw.ca>; Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>
Subject: NoYce of Appeal - 193 MacKenzie Avenue - 2025- DP - 00169
Importance: High

External Message - Please be cautious when opening links or attachments in email

Good afternoon:

Please find enclosed the Appeal filed on behalf of Mikisew Cree First Nation, Mistee Seepee Development Corporation and 1112958 Alberta Ltd in relation to 2025-DP-00169.

Sincerely

O’Kelly Law

Orlagh O’Kelly
Lawyer

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
amiskwaciwâskahikan – Treaty 6
t : 587-525-8348 **direct** : 825-480-4542
e: orlagh.okelly@okellylaw.ca w : www.okellylaw.ca
This message, including aQachments, is for the addressee(s) only. It may contain privileged, confidenYal or other informaYon exempt from disclosure. If you received this email in error please noYfy the sender and delete this email message and all aQachments.

From: Phyllis Agyemang <Phyllis.Agyemang@rmwb.ca>
Sent: Friday, October 3, 2025 12:25:23 PM
To: Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>
Cc: Shailesh Makwana <Shailesh.Makwana@rmwb.ca>
Subject: NoYce of Decision - 193 MacKenzie Avenue

Hi Paul,

It was a pleasure talking with you over the phone this afternoon. As discussed, the development permit for 193 MacKenzie Avenue was approved on September 26, 2025.

As a resident of Fort Chipewyan, you have the right to appeal this decision to the Subdivision and Development Appeal Board. If you wish to exercise your right, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of the decision. Appeal Forms are available from the Planning and Development Services Division or the Fort Chipewyan municipal contact office and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

If you have questions regarding the application, please contact the undersigned. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Regards,

Phyllis Agyemang, BSc., MSc.

Planner I
Planning and Development Services

T: 780-743-7084 | rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᓱᐤ | Nistawâyâw | Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

How did we do? Provide anonymous feedback on your experience with RMWB Planning & Development Services to help us improve our services.

Planning & Development Services Customer Satisfaction Survey | Participate Wood Buffalo (rmwb.ca)

Please consider the environment before printing this email.

Wood Buffalo TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE OF APPEAL

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot	Block	Plan	ATS
3	10	5642NY	

Civic Address

193 Mackenzie Avenue, Fort Chipewyan, Alberta

Development Permit Number or type of Order
2025-DP-00169

Section 2 - Appellant Information

NB: At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form.

Appellant Name (If the Appellant is a company, enter the complete legal name of the company)
MIKISEW CREE FIRST NATION (CREE-ATIONS ENTERPRISES LIMITED, MISTEE SEEPEE DEVELOPMENT CORPORATION LTD. and 1112958 ALBERTA LTD.)

Agent[1] Name (if applicable)	Contact Name (if different) and position held
Orlagh O'Kelly	

Mailing Address	City/Town	Province	Postal Code
403, 10113 - 104 Street NW	Edmonton	Alberta	T5J 1A1

Telephone Number (Daytime)	Alternate Telephone Number	Email Address
587-525-8348		orlagh.okelly@okellylaw.ca

Section 3 – Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

	Subdivision Application	Notice of Order
☐ Approval ☐ Condition of Approval ☐ Refusal	☐ Approval ☐ Condition of Approval ☐ Refusal	☐ Notice of Order

☐ I/We are the Applicant or Land Owner of the subject property

☐ I/We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings or plans for clarification.

I/We hereby appeal the decision of the Approval Authority for the following reason(s) as the RMWB did not consult with MCFN and did not

SEE APENDIXA

(Attach a separate page if required)

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

OCTOBER 17 2025

Date

ATIA 20(1)

Signature of Appellant/Agent

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner: I/We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property as necessary for the purpose of this Appeal.

Signature of Registered Owner

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@rmwb.ca

Protection of Privacy
The personal information you provide on this form is being collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer –SDAB , 7th Floor 9909 Franklin Avenue, Ft. McMurray AB T9H 2K4 ; or call 780.788.2222

For Office Use Only				
Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:

[1] Agent – A person who acts for a Property Owner, Applicant, Appellant, and/or Affected/Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.

MATTERS FOR AN APPEAL

- A decision of the Subdivision Authority concerning a subdivision application;
- A decision of the Development Authority concerning a development permit application;
- An enforcement order issued by the Development Authority.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

In accordance with the Municipal Government Act, once you file an appeal, it will be scheduled for a hearing. The appellant, applicant, owner of the property and anyone considered an affected person will receive written notification of the hearing date, a minimum of five days prior to the hearing. Hearing dates are advertised in the local papers and Municipal website www.rmwb.ca/sdab, the Friday prior to the hearing.

IMPORTANT NOTICES

Your completed form and any supporting attachments, the agent authorization form, and the prescribed filing fee must be submitted to the Clerk of the Subdivision and Development Appeal Board at the contact information provided below prior to the deadline indicated on the notice or decision issued:

Clerk of the Subdivision and Development Appeal Board,
7th Floor, Jubilee Center,
9909 Franklin Avenue,
Fort McMurray AB T9H 2K4

Telephone: 780-743-7001
Email: sdab@rmwb.ca

APPENDIX A

Mikisew Cree First Nation, Cree-Ations Enterprises Ltd., Mistee Seepee Development Corporation Ltd and 1112958 Alberta Ltd.

APPEAL OF PERMIT NUMBER 2025-DP-00169

1. This is an appeal of the permit number 2025-DP-00169 granted to Daniel Roy for a liquor store located at 193 Mackenzie Avenue, Lot: 3 Block: 10 Plan 5642NY in the hamlet of Fort Chipewyan in the municipality Regional Municipality of Wood Buffalo ("**RMWB**"). The discretionary permit was granted pursuant to the Land Use Bylaw No. 99/059.

2. The proposed Liquor Store will be located at the centre of the hamlet and looking out over the lakefront. The Liquor Store is approximately 1 kilometre from MCFN's Dog Head 218 Reserve and 12km from MCFN's Alison Bay Reserve 219.

STATEMENT OF FACTS

3. The Appellants, Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, are corporations registered under the *Business Corporations Act* RSA 2000, c B-9. (collectively referred to as the "**Corporations**"). The Corporations are wholly owned by Mikisew Cree First Nation and, in the case of Cree'Ations, their shares are held by Chief Billy-Joe Tuccaro in trust for Mikisew Cree First Nation ("**MCFN**"). MCFN cannot hold title to lands in fee simple except through such corporations.

4. The Appellant, Mikisew Cree First Nation, has nine (reserves) in what is now known as RWMB, including two reserves in close proximity to Fort Chipewyan (Dog Head and Allison Bay). MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred to as the Regional Municipality of Wood Buffalo. Neither RMWB nor the province of Alberta existed in 1899.

5. One of the Crown's primary motives for Treaty No. 8 was to impose law and order following the Klondike goldrush, and, as part of this, to control the "liquor trade" in MCFN's territory.

6. The Appellant submits that one of the Crown's oral promises in Treaty No. 8 was to control intoxicants in MCFN's territories ("**Promise**"). The Promise was consistent with the one provided, sometimes explicitly, in other numbered Treaties, such as Treaty No. 6. To break this Promises, is to breach the Treaty.

7. MCFN has an asserted Treaty right to protection from intoxicants, i.e. the liquor trade, and Treaty right to health ("**Treaty Right**").

8. The provincial Crown has delegated the management of municipal land use planning to municipalities under the *Municipal Government Act*, RSA 2000, c M-26 ("**MGA**"). The land-use planning is delegated Crown conduct. To manage objections to the land-use planning within municipalities, the provincial Crown created the subdivision and development appeal board ("**SDAB**"). Together, the land use planning and the

SDAB are delegated provincial Crown Conduct ("**Crown Conduct**"). In doing so, they have created a regulatory scheme that may trigger the duty to Consult.

9. The hamlet of Fort Chipewyan was part of a smaller northern district, Improvement District 18 ("I.D. 18"). Sometime before 1994, I.D. 18 was amalgamated into Improvement District 143 ("I.D. 143"). The Regional Municipality of Wood Bufalo was created by the Regional Municipality of Wood Buffalo Order in Council (O.C. 817.94) which amalgamated the City of Fort McMurray and Improvement District No, 143 as a specialized municipality under the MGA ("**Amalgamation**"). I.D. 143 was previously created to include Improvement District 18 of which was more local oversight, directly by the province of the northern and central parts of I.D. 143. This Amalgamation encompassed 63,000 square kilometres, all of which is within Treaty No. 8 territory. As a result of the Amalgamation, RWMB has received hundreds of millions of royalties and taxes from the oil sands; MCFN receives none.

10. This Amalgamation, through the MGA, vested jurisdiction and control over all municipal lands already administered municipally. RMWB lands can be expanded or appropriated by the provincial Crown at any time, under the MGA and the *Public Lands Act,* RSA 2000, c P-40, s 9.

11. RMWB, in engaging in land use planning in Fort Chipewyan, in particular in licensing a liquor store, engages in Crown Conduct that may adversely impact MCFN's Treaty, Treaty Rights and the Promise. As such, RMWB, acting as part of a provincial regulatory scheme, owed MCFN:
    a. a duty to consult;
    b. a duty to accommodate;
    c. obligations to honour the Treaty, the Promise and the Treaty Right pursuant to the Honour of the Crown.

12. RMWB owes common law duties to act reasonably (including having regard to the imperative of Reconciliation) and act procedurally fairly, including the duty to consult in administrative law.

13. MCFN, through the Corporations, owns at least 27 residential properties in the hamlet of Fort Chipewyan, including but not limited to the **Neighbouring Properties**:

    a. 5 units at 125 Mackenzie Avenue – Plan 5642NY, Block 9, Lot 9 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    b. Fourplex Units at 105 Loutit St – Plan 5642NY, Block 5, Lot 12 – Registered Owner: Cree-Ations Enterprises Limited
    c. House at 103 Logan Crescent – Plan 5642NY, Block 6, Lot 17 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    d. House at 100 Tourangeau Ave – Plan 5642NY, Block 1, Lot 7 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    e. Triplex Units at 112 MacKay Crescent
    f. House at 223 Delta Drive – Plan 9122991, Block 7, Lot 20 – Registered Owner: Her Majesty the Queen in Right of Canada as Represented by Department of Indian and Northern Affairs

g. House at 109 McDonald Street – Plan 8322365, Block 3, Lot 9B – Registered Owner: Cree-Ations Enterprises Limited
h. House at 105 McDonald Street – Plan 8322365, Block 3, Lot 12A – Registered Owner: Cree-Ations Enterprises Limited
i. House at 112 Mercredi Street – Plan 5642NY, Block 6, Lot 10 – Registered Owner: 1112958 Alberta Ltd.
j. Trailer at 109 Cardinal Avenue – Plan 8321682, Block 1, Lot 21
k. Eight plex units at 104 McDonald Steet – Plan 7520202, Block 5, Lot 18A – Registered Owner: Maureen Dale Hanson

14. The Neighbouring Properties house Mikisew Cree First Nation Members and/or staff and are in close proximity to the proposed Liquor Store.

15. Approximately 60 per cent of the population of Fort Chipewyan are MCFN members. The lack of housing on reserve makes it necessary for many of MCFN members to live in the nearby hamlet of Fort Chipewyan, including at the Neighbouring Properties.

16. MCFN members living on reserve or in Fort Chipewyan live in a remote community, accessible boat, plane and, between December and March, by winter road. MCFN has previously declared a State of Local Emergency, in April 2023, due to suicide, mental issues and addictions to intoxicants, including alcohol ("**SOLE**").

17. On July 16, 2025, RMWB sent a general "Notice to Adjacent Property Owners" to the Chief and Chief Executive Officer by email only from a previously unknown addres. As such the Notice was not found until August 20/21, 2025. At that time, MCFN made, once again, their submission, like they did on August 17, 2023 to the very same application. The MCFN Objection noted the
    a. the results of a Survey, which were overwhelmingly opposed to the Liquor Store;
    b. Submissions based on Treaty No. 8, the duty to consult, the Promise and Treaty Right;
    c. The SOLE;
    d. Incidents of crime so far in 2025, which were provided by the RCMP;
    e. Health statistics requested but not provided by Nunee Health.

18. No response to the MCFN Objection was received until the Decision was posted on or about October 3, 2025.

19. In re-issuing the same Decision that MCFN previously successfully appealed, the RMWB approved the Liquor Store ("**Decision**"). In making the Decision, RMWB:
    a. Did not consult MCFN;
    b. Did not accommodate MCFN;
    c. Did not respond to, nor consider the MCFN Objection;

20. The Decision did not contain reasons.

GROUNDS OF APPEAL

21. The Appellant appeals the Decision approving the Liquor Store on the following grounds.

    a. The Decision is unreasonable.

    b. The Decision-makers fettered their discretion to the by-law and failed to consider the decision of the previous SDAB revocation, including due to the unabated alcohol related crime in Fort Chipewyan.

    c. The Decision was made without consideration for the incompatibility of a liquor store with the surrounding properties in a remote community, predominantly made up of First Nations with Treaty status and where there is a known and documented history of alcohol related crime.

    d. The Decision is inconsistent with the public interest function of the MGA.

    e. The Decision was procedurally unfair in that no meaningful opportunity to respond was provided to MCFN and that the RMWB failed to fulfill the common law duty to consult owed to MCFN.

    f. The Decision-makers failed to comply with the constitutional duty to consult with MCFN based on asserted Treaty Rights and the Promise.

    g. The Decision-makers failed to comply with the duty to accommodate MCFN.

    h. The Decision was made in an unconscionable and dishonourable manner while RMWB provides no additional funding to the municipality for policing and has repeatedly failed to address the needs of the local predominantly First Nation population, all while receiving millions in federal/provincial funding and royalties.

    i. Such other grounds as MCFN may submit and the SDAB may permit.

22. Through the SDAB or the RWMB, discharging or recognizing the duty to consult and accommodate are not a "question of constitutional law" under section 10 of the *Administrative Procedures and Jurisdiction Act*, RSA 2000, c A-3, s 10. To hold otherwise, would be to allow the provincial Crown to evade its duties by subdelegating all regulatory processes to municipalities and immunizing any review of such processes from review.

9:09
5G
Daniel Roy
All
Photos
Reels
Daniel Roy
3d
Hello everyone,
Thank you so much for all the screen shots, some sharing actual email, some showing me their read receipts
I was thinking, I'll take all those and put them in a hat and have a draw...depending where this goes could be a nice prize or maybe just a bag of Bannok from Francis .
Keep those comments flowing, if you haven't done so yet:
Add friend
Message

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

PROTOCOL AGREEMENT

An Agreement for Collaboration and a Renewed Relationship Between the Mikisew Cree First Nation and the Regional Municipality of Wood Buffalo

BETWEEN:

Mikisew Cree First Nation
(the "**MCFN**")

AND

Regional Municipality of Wood Buffalo
(the "**Municipality**")

1.0 PREAMBLE

A. The history of Turtle Island, now known as Canada, Alberta, and the Regional Municipality of Wood Buffalo (RMWB) has been shaped and greatly influenced by Indigenous Peoples with their own languages, cultures, traditions, and government structures.

B. Section 35 of the Constitution Act, 1982 explicitly recognizes and affirms the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada and indicates that the term "Aboriginal peoples of Canada" includes the First Nation, Inuit and Métis people of Canada, including the Mikisew Cree First Nation (MCFN), are recognized and affirmed.

C. The Municipality recognizes that the MCFN holds Aboriginal rights, Treaty rights and MCFN reserve land exists within or inside of the physical limits of the Municipal boundaries.

D. It is in the mutual interests of both Parties to foster a stronger and more defined collaborative government-to-government relationship.

E. The Municipality and the MCFN have the mutual objective of taking significant steps towards advancing truth and reconciliation through action and dialogue.

F. The Municipality and the MCFN wish to define their mutual relationship and establish and detail how the two Parties will collaboratively work together.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

G. The Parties recognize that the commitment to discussions and processes provided for in this Agreement are steps towards truth and reconciliation and are expected to provide clarity and predictability for the MCFN, the Municipality, members of the MCFN and citizens of the Region.

H. The Parties are committed to truth and reconciliation, as defined by the Truth and Reconciliation Commission of Canada, through establishing and maintaining a mutually respectful relationship.

NOW THEREFORE the Parties enter into this Agreement with the intention and desire to establish a collaborative government-to-government protocol and relationship, in the spirit of taking action to achieve truth and reconciliation, for the shared benefit of the MCFN and the Municipality. The Parties agree as follows:

2.0 DEFINITIONS

2.1 For the purposes of this Agreement, the following definitions apply:

(a) "**Agreement**" means this Protocol Agreement between the Regional Municipality of Wood Buffalo and the MCFN

(b) **Capacity Support**" means funding provided by the Municipality through the *Indigenous Community Capacity Grant Program FIN-250* to the MCFN to assist the MCFN with implementing the commitments and responsibilities outlined in this Agreement

(c) "**Effective Date**" means the date this Agreement is fully executed by both Parties

(d) **"Indigenous"** means the original peoples of the land (First Nations (status and non-status), Métis and Inuit), distinct social and cultural groups sharing collective ancestral ties to the lands and natural resources within (and beyond) the boundaries of the Municipality

(e) "**Joint Committee**" means appointed staff or administration appointed by both Parties to fulfill the roles identified in Section 7.2

(f) "**Municipality**" or "**RMWB**" means the Regional Municipality of Wood Buffalo

(g) **"Parties"** collectively means the MCFN and the Municipality and individually either the MCFN or the Municipality, as the case requires

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(h) **"Principles of Reconciliation"** means the ten guiding principles respecting the Government of Canada's relationship with Indigenous peoples published in 2018

(i) **"UN Declaration"** means the UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples: resolution adopted by the General Assembly*, 2 October 2007, A/RES/61/295

(j) **"Work Plan"** means an annual aspirational exercise involving both Parties where anticipated engagement work will be reviewed, considered and structured for the following year.

3.0 PURPOSE

3.1 The purpose of this Agreement is to:

(a) establish agreed processes for a renewed government-to-government relationship between the Municipality and the MCFN

(b) agree and confirm the responsibilities, processes and actions pursuant to which the two Parties will address matters of mutual interest

(c) establish a "Joint Committee" through which the Municipality and the MCFN will manage and collaborate on joint priorities

(d) formalize an engagement process with the MCFN on municipal projects, programs, policies or decisions that are of interest to, or may have impact on the MCFN.

4.0 PROTOCOL PRINCIPLES

4.1 The Parties recognize that the successful implementation of this Agreement will require systematic, timely and disciplined efforts by both Parties. The Parties agree to the following principles:

(a) acting in an open, good faith and transparent manner toward one another in dealing with the matters set out in this Agreement and when implementing this Agreement

(b) continuous education, knowledge and understanding of the Parties' mutual interests

(c) applying a results-driven approach to all discussions, negotiations and the implementation of this Agreement

(d) building a relationship based on trust and collaboration between the MCFN and the Municipality, applying the Principles of Reconciliation

(e) expanding the Municipality's knowledge of, and appreciation for, the MCFN history, culture and way of life.

5.0 ENGAGEMENT PROTOCOL

5.1 All high-level policies and initiatives undertaken by the Municipality with the MCFN will be on a government-to-government basis and not be viewed as public or stakeholder engagement.

5.2 Despite section 5.1, the Municipality will use its best efforts to engage with the MCFN on projects, programs, policies and decisions that may have an impact on the MCFN or its membership, in accordance with its current public engagement policies, including but not limited to:

(a) the *Public Engagement Administrative Procedure PRC-130-P01*; and

(b) the *Public Engagement Policy PRC-130*

as amended or as replaced from time to time.

5.3 The Parties agree to the following principles for engagement:

(a) sufficient prior notification and engagement by the Municipality with the MCFN where the Municipality reasonably believes that a municipal project, program, or policy may affect the interests of the MCFN

(b) at the request of the MCFN, further detailed information on any municipal project, program, or policy will be provided to the MCFN to allow the MCFN to assess their interest in or potential impact from such project, program, or policy and to meaningfully participate in any municipal engagement process

(c) reporting back to the MCFN on how the input from the MCFN has been considered and incorporated into any municipal decision.

5.4 The Parties agree to the following process for engagement undertaken by the Municipality:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(a) the Municipality will annually provide to the Joint Committee a list of projects, programs, policies and decisions to the MCFN that may impact the MCFN or its members

(b) The MCFN will advise the Municipality of the recommended level of engagement through the Joint Committee

(c) the Municipality will use its best efforts to follow the preferred engagement process recommended by the MCFN, considering time and resource constraints.

5.5 If a project, program, policy or decision is contemplated or initiated by the Municipality after the provision of the annual list to the MCFN through the Joint Committee, the proposed project, program, policy or decision will be submitted to the Joint Committee as soon as possible and the process outlined in Sections 8.2 (b) and (c) of this Agreement will be followed.

5.6 Nothing in this Agreement diminishes any engagement or notification requirements required by the Municipality under the *Municipal Government Act* RSA 2000 c-M-26 or any other enactment.

5.7 Nothing in this Agreement diminishes any "duty to consult" with the MCFN required by the Municipality under the *Indian Act*, RSC 1985, c. I-5, as amended, any other enactment or at common law.

6.0 MUTUAL INTEREST

6.1 The following areas of mutual interest have been identified and agreed upon by the Parties for collaboration. Where appropriate, separate agreements may be entered into by the Parties bi-laterally or with other appropriate partners:

(a) intergovernmental coordination

(b) partnerships and to lobby provincial and federal governments on priorities of mutual interest

(c) cultural and tourism development

(d) regional economic development

(e) land planning, zoning, and land-use

(f) employment

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(g) emergency preparedness and management

(h) infrastructure

(i) municipal service agreements

(j) procurement and contracts

(k) property and other taxation issues

(l) social services

(m) housing initiatives

(n) policing

(o) transportation initiatives

(p) additional issues of interest that the Parties may identify from time to time.

7.0 JOINT COMMITTEE

7.1 To accomplish the objectives of this Agreement, the Parties will establish a Joint Committee as soon as practicable following the Effective Date of this Agreement.

7.2 The Joint Committee will:

(a) develop and submit an annual Work Plan based on the areas of mutual interest identified in Section 6.1

(b) collaboratively implement the annual Work Plan

(c) address any urgent issues that may arise

(d) establish sub-committees or working groups to undertake specific projects as required

(e) address any other issues that may arise during the implementation and term of this Agreement

(f) undertake other duties as may be agreed to by the Joint Committee.

7.3 The Joint Committee shall meet at least twice a year to undertake collaborative discussions related to the items identified under section 6.1.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

7.4 The Joint Committee may refer disputes to the leadership of their governments for resolution through the established communication protocol outlined in section 8.0.

7.5 The Joint Committee membership will:

(a) consist of two representatives appointed from the RMWB's Indigenous and Rural Relations Department and two representatives appointed by the MCFN

(b) meetings will be chaired alternatively by one representative from the Municipality and one representative from the MCFN

(c) operate on the basis of consensus, to the greatest extent reasonably possible.

(d) establish procedures including but not limited to:

a. meeting frequency and locations

b. the process for involvement of other departments and representatives

7.6 The Joint Committee membership is appointed for each calendar year by the Parties and the membership shall be as identified in **Schedule "A"**.

8.0 COLLABORATIVE LEADERSHIP COMMUNICATION PROTOCOL

8.1 The Parties will establish a Collaborative Leadership Communication Protocol to provide a process for elected leadership of both Parties to provide direction on the implementation of this Agreement.

8.2 The purpose of the Collaborative Leadership Communication Protocol is to:

(a) act as an avenue through which elected leadership of the MCFN and the Municipality provide input on approaches to addressing mutual areas of interest and the annual Work Plans

(b) review the progress of the Joint Committee and other aspects of the Agreement

(c) strengthen the working relationship with elected leadership, manage issues and potential areas of conflict, and increase collaboration.

8.3 Discussions or conversations that occur as part of this established protocol are required to be reported back to their respective Councils on any discussions and/or recommendations.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

9.0 IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UN Declaration)

9.1 The MCFN agrees to participate in collaborative discussions with the Municipality on the proposed municipal implementation of the UN Declaration as a framework for advancing truth and reconciliation, including but not limited to the following:

(a) providing input on any municipal policies concerning the UN Declaration

(b) providing input on any documents, plans or strategies for implementing the UN Declaration as a framework for advancing truth and reconciliation

(c) providing any other input or advice on the proposed implementation of the UN Declaration as a framework for advancing truth and reconciliation in Wood Buffalo.

10.0 FUNDING

10.1 The Municipality will provide Capacity Support to the MCFN through the *Indigenous Community Capacity Grant Program FIN-250*.

11.0 TERM AND TERMINATION

11.1 The term of this Agreement will commence on the Effective Date.

11.2 The Agreement will be reviewed on or before the third anniversary date of the Effective Date and every three years thereafter.

11.3 Either Party may terminate this Agreement upon:

(a) 90 days written notice to the other Party with a detailed explanation of the reason for termination; or

(b) upon the terms of this Agreement being incorporated by the Parties into a successor agreement or modified by mutual agreement of the Parties.

11.4 Upon written notice of termination being given by either Party, the Parties will meet within 30 days to seek to achieve an understanding for the reason(s) for termination and to discuss potential amendments to the Agreement or other solutions to avoid termination.

12.0 REPRESENTATIONS

12.1 The MCFN confirms that by entering into this Agreement:

(a) it has the authority and capacity to enter into this Agreement on its own behalf and on behalf of its members

(b) it has taken all necessary actions and has obtained all necessary approvals to enter into this Agreement for and on behalf of its members

(c) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

12.2 The Municipality confirms that by entering into this Agreement:

(a) it has the authority to enter into this Agreement

(b) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

13.0 GENERAL TERMS

13.1 This Agreement is a non-binding instrument which is intended to express the will of the Parties to collaborate on a range of matters of mutual interest but is not intended to be actionable pursuant to legal proceedings.

13.2 This Agreement, including the Forum, does not affect the jurisdiction or discretion of any decision-making authority of the Municipality or the MCFN.

13.3 Any notice, document or communication required or permitted to be given shall be in writing and delivered by hand, by registered mail or by email to the Party to which it is to be given as follows:

To: Regional Municipality of Wood Buffalo
Jubilee Building
6th Floor, 9909 Franklin Avenue
Fort McMurray, AB T9H 2K4

Attention: Director Indigenous and Rural Relations
E-mail: Director.IRR@RMWB.ca

To: Mikisew Cree First Nation
P.O. Box 90
Fort Chipewyan, AB T0P 1B0

Attention:
E-mail:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

13.4 This Agreement may be amended from time to time by the Parties in writing.

13.5 If any part of this Agreement is deemed or found to be void or invalid:

(a) the invalidity of that part will not affect the validity of other parts of the Agreement; and

(b) the Parties will negotiate and attempt to reach agreement on a replacement for the part declared void or invalid.

IN WITNESS WHEREOF this Agreement is effective this ___ day of _____, 20___ and in making their best efforts to adhere to the terms established in this Agreement, the Parties have signed and executed this Agreement by their authorized representatives.

MIKISEW CREE FIRST NATION

ATIA 20(1)

Chief

Melody Lepine, Acting Chief Executive Officer

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Sandy Bowman, Mayor

Linda Ollivier, Interim Chief Administrative Officer

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

SCHEDULE "A" – JOINT COMMITTEE

At the signing of this Agreement, the following representatives have been appointed to the initial Joint Committee:

Joint Committee Membership Representatives		
Mikisew Cree First Nation	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		
Municipality	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		

MIKISEW CREE
FIRST NATION

August 21, 2025

Regional Municipality of Wood Buffalo

Dear Sir/Madam:

Re: Mikisew Objection to Liquor Store Permit
Notice of Development Application 2025-DP-00169 – Liquor Store

---

Please consider the enclosed Mikisew Cree First Nation's objection – again – to the resubmission of an application for the same revoked permit for a liquor store in the heart of our community, Fort Chipewyan.

Mikisew was successful at the Court of Appeal in challenging the municipality's first attempt [redacted] unity at this location (193 Mackenzie Avenue, Lot 3; Block [redacted] Appeal, citing the Board's decision, stated:

> [redacted] those safety considerations [concerning alcohol use in the community] The Board concludes that the proposed development is not compatible with the adjacent uses. . . .
>
> 138. As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses . . . The development permit is revoked.[1]

Having been successful all the way to the Court of Appeal, Mikisew did not receive proper notice of the re-submitted application from the Regional Municipality of Wood Buffalo (RMWB). **Tab 1** is a copy of the email from our member where our Nation became aware of this resubmissions when, on August 12, 2025.

---

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board),* 2025 ABCA 69 (CanLII), at para 7.

MIKISEW CREE
FIRST NATION

After receiving this email and upon review of emails, it appeared that the generic email (from a previously unknown sender and not indicating RMWB in the subject line) went undetected as junk in the chief and ceo emails only. Please send all notices to our band office and also to chiefandcouncil@mikisewcree.ca with a read receipt to ensure this does not happen again.
It also does not appear that our legitimate expectations regarding notice, throughout the community, were met this time around. For example, some of our Council live in the immediate vicinity of 193 Mackenzie Avenue, and did not receive a notice regarding this application.

Moreover, this will be the second time the notice period is condensed in the middle of summer - a time when our members and Nation are exercising their Treaty and inherent rights, but also precisely on the day (July 16, 2025) when we were in Ottawa meeting with Prime Minster Carney at the widely advertised First Nations Summit.

Notwithstanding our objections to the adequacy, manner and timing of notice, we are [redacted] days of becoming aware of this application. Given this time [redacted]esults of an updated member survey when they become [redacted]

We submit as follows and enclosed:

Mikisew reiterates the safety considerations with a liquor store in community, with easy access for members with substance abuse issues but most importantly easy access for our youth. At the hearing before the SDAB Board, Mikisew advised the board of youth suicides that occurred under the influence of alcohol. Moreover, it is obvious that alcohol relates to serious safety issues in our small community. Enclosed at **Tab 2** is a copy of the incidents this year alone, until August 14, 2025, that are alcohol related. There are 241 incidents for a community of approximately 1000. This is extraordinary given the limited policing resources in our community.

MIKISEW CREE
FIRST NATION

Indeed, our Nation's employees and officials have noticed a decline in youth drinking in the community since the closure of the illegal liquor store (HEP). This has been a welcome improvement.

We also remind RMWB that under Treaty 8 the Crown promised us they would control the sale of liquor in our territory. Fort Chipewyan is predominantly Mikisew members. We enclose therefore at **Tab 3** the expert opinion of Dr. Darcy Lindberg in this regard. The Crown cannot evade its obligations by delegating permitting powers to the municipality.

Granting this licence has at least the *potential* to impact our Treaty relationship and Treaty rights, if not infringe them. Our claim to protection from liquor sales under Treaty 8 is credible as evidenced in Dr. Lindbergh's report. As such there is a duty to consult that arises. Since at least 2017, it is now clear that administrative bodies, such as municipalities, can and must discharge the duty to consult. Recognition of a duty to consult owing to Mikisew is evident in the consultation policy.

[redacted]indfall in resource revenue sharing from the impacts to our [redacted]ands development. By contrast, despite our constitutional [redacted] nothing in the way of revenue sharing. In February, 2024, [redacted]unding that was provided to RMWB by the federal public safety department for addictions and prevention measures, which our community was not made aware of. Instead, RMWB has proposed to contribute to the problem by approving a liquor permit in our community.

In addition, we know from research conducted following the Imperial Kearl spill that the land dispossession caused by industrial disturbance caused mental health harm to our members and, therefore, by extension, potential for further substance abuse issues in our community. RMWB has done nothing to assist in mitigating this real problem. By contrast, Mikisew has called a State of Emergency.

MIKISEW CREE
FIRST NATION

Even if RMWB maintains they are exempt from the duty to consult, please be advised that RMWB is not exempt from considering whether an application is in the public interest[2] and whether it is compatible with the surrounding use.[3] It is not in the public interest nor is it compatible with the surrounding use, as already found by the municipality's own board, to contribute to substance abuse and intergenerational trauma in a predominantly First Nation community like Fort Chipewyan through the sale of liquor at 193 Mackenzie Avenue.

In closing, given the short and dishonourable window of time to respond, again, we are enclosing and relying on our previous submissions, **Tab 4,** also submitted in haste, in response to RMWB's proposal to approve this permit again.

We trust this is sufficient to put this issue to rest and join us in protecting our community.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

Encl (4)

cc. *Chiefandcouncil@mikisewcree.ca*
ceo@mikisewcree.ca
RMWB via email

[2] *Municipal Government Act*, RSA 2000, c M-26, s 617; *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 43.
[3] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 14.

Thursday, August 21, 2025 at 10:15:34 Mountain Daylight Time

Subject: Re: Liquor Store
Date: Thursday, August 21, 2025 at 10:15:33 AM Mountain Daylight Saving Time
From: Orlagh O'Kelly

From: Danny Mercredi <ATIA 20(1) >
Sent: Tuesday, August 12, 2025 9:42:43 PM
To: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>
Cc: Councillor Bonnie Fraser <bonnie.fraser@mikisewcree.ca>; Councillor Sherri McKenzie <sherri.mckenzie@mikisewcree.ca>; Councillor Tammie Tuccaro <tammie.tuccaro@mikisewcree.ca>; Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>; Councillor Dillon Whitehead <dillon.whitehead@mikisewcree.ca>; Councillor Roxanne Marcel <roxanne.marcel@mikisewcree.ca>
Subject: Fwd: Liquor Store

Sent from my iPhone

Begin forwarded message:

> **From:** Danny Mercredi ATIA 20(1) >
> **Date:** August 12, 2025 at 9:41:12 PM MDT
> **To:** permit.inquiries@rmwb.ca
> **Subject: Liquor Store**
>
> ALERT ! ‼️
>
> Sharing;
>
> The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss.

It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.🪶🪶🪶🪶🪶🪶🪶🪶

Sent from my iPhone

	Occ #	Unit	Type
1)	2024102328 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
2)	2024103654 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
3)	2024105476 8	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
4)	2024105900 7	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
5)	2024106934 3	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
6)	2024107551 4	G DIV FORT SMITH DETACHMENT	Wellbeing Check (FIP)
7)	2024109153 3	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
8)	2024109909 2	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
9)	2024109970 7 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
10)	2024110974 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
11)	2024111912 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
12)	2024113972 2	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

13)	2024114313	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
14)	2024114599 0	K DIV FORT CHIPEWYAN DETACHMENT	Moving Traffic - Speeding Violations - Provincial/Territorial
15)	2024115236 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
16)	2024116787 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
17)	2024117002 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
18)	2024117174 9	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
19)	2024119280 1	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
20)	2024121993 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
21)	2024122141 9 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
22)	2024123322 4	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
23)	2024123370 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
24)	2024124015	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
25)	2024125020 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
26)	2024126662 5	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)

27)	2024126751 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
28)	2024128139 9	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
29)	2024128766	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
30)	2024131840 4	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
31)	2024135376 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
32)	20241367	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
33)	2024138466 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
34)	2024138606 1	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
35)	2024139775 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
36)	2024140251 9	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
37)	2024142406 6	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
38)	2024143177 3 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
39)	2024143578 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
40)	2024146241 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

41)	2024146632 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
42)	2024146763 7	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
43)	2024147676 8	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
44)	2024148892 5	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
45)	2024154366 1	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
46)	2024154930 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
47)	2024155316 4 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
48)	2024157424 8	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
49)	2024158145 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
50)	2024158380 7	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
51)	2024158735 0	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
52)	2024158991 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
53)	2024159939 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
54)	2024160442 7	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)

55)	2024161641 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
56)	2024162202 2	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
57)	2024162241 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
58)	2024162268 5	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
59)	2024162292 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
60)	2024162309 1	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
61)	2024162309 2	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
62)	2024165828 4	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
63)	2024169045 9	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
64)	2024169125 9	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
65)	2024169140	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
66)	2024170429 5	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
67)	2024170546 7	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)
68)	2024171318 9	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities

69)	2024172216 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
70)	2024175155 1	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
71)	2024178404 0	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
72)	2024179644 2	K DIV FORT CHIPEWYAN DETACHMENT	Discharge firearm with intent 244 CC (FIP)
73)	2024179666 6	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
74)	2024179884 9	K DIV FORT CHIPEWYAN DETACHMENT	Harassing communications 372(3) CC (FIP)
75)	2024180090 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
76)	2024183733 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
77)	2024183827 2	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
78)	2024184563 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
79)	2024186837 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
80)	2024186966 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
81)	2024188708 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
82)	2024193208	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)

83)	2024194219	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
84)	2024203767	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
85)	2024208841	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
86)	2024211397	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
87)	2024240605	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
88)	2024251908	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
89)	202425940	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
90)	2024261551	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
91)	2024269059	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
92)	2024300733	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
93)	2024310987	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
94)	2024321251	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
95)	2024332052	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
96)	2024348366	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

97)	2024353525 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
98)	2024379617	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
99)	2024392612	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
100)	202444740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
101)	202445084	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
102)	2024462788	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
103)	20244736	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
104)	2024481133	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
105)	2024487768	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
106)	2024490598	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
107)	2024502124	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
108)	2024518740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
109)	2024519114	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
110)	2024520788	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial

111)	2024520867	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
112)	20245327	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
113)	2024538558	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
114)	2024549440	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
115)	2024556047	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
116)	2024562648	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
117)	2024574278	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
118)	2024574938	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
119)	2024580844	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
120)	2024581200	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
121)	2024592833	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
122)	2024600378	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
123)	2024601552	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
124)	2024645716	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)

125)	2024669230	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
126)	2024672954	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
127)	2024674935	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
128)	2024706941	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
129)	2024712379	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
130)	2024712380	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
131)	2024713044	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
132)	2024714943	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
133)	2024720054	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
134)	2024721174	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
135)	2024727281	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
136)	2024727378	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
137)	2024731966	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
138)	2024732763	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities

139)	2024733800 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
140)	2024733897	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
141)	2024759119	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
142)	2024767401	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
143)	2024772115	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
144)	2024778655	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
145)	2024817368	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
146)	2024824782	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
147)	2024827924	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
148)	202482871 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
149)	202484914	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
150)	2024851590	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
151)	2024862040	K DIV FORT CHIPEWYAN DETACHMENT	Operation While Impaired (Alcohol And Drug) / Over 80mg% Of Vessel / Aircraft / Railway 320.14(1)(a)/(d) CC
152)	202487584	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

153)	202487906	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
154)	2024879593	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
155)	2024897855	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
156)	2024909110	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
157)	202491967	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
158)	2024927289	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
159)	2024981470 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
160)	2024993773	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
161)	2024998728	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
162)	2024999150	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
163)	20251027246	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
164)	20251035328	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
165)	20251035403	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
166)	20251036598	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)

167)	20251037882	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
168)	2025106946	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
169)	20251101181	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
170)	20251106890	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
171)	20251114593	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
172)	2025111498	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
173)	20251120669	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
174)	2025112977	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
175)	2025114679	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
176)	2025114806	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
177)	2025114927	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
178)	2025115744	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
179)	202511669	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
180)	2025117208	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC

181)	2025118023 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
182)	2025118515 2	K DIV FORT CHIPEWYAN DETACHMENT	Unwanted person
183)	2025118672	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
184)	2025128736	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
185)	202513337	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
186)	2025142963	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
187)	2025145353	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
188)	2025160447	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
189)	2025204227	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
190)	2025209553	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
191)	2025222597	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial
192)	2025233500	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
193)	2025239986	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
194)	2025240695	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial

195)	2025252833	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
196)	202526476	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
197)	202526543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
198)	2025269588	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
199)	2025288103 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
200)	2025308025	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
201)	2025326580	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
202)	2025340119	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)
203)	2025373011	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
204)	2025376486	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
205)	2025380331	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
206)	2025395438	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
207)	2025407036	K DIV FORT CHIPEWYAN DETACHMENT	Mischief to motor vehicle 430(3)&(4) CC
208)	2025408535	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency

209)	2025410932 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
210)	2025414298	K DIV FORT CHIPEWYAN DETACHMENT	Possession for the Purpose of Trafficking - Schedule I: Cocaine 5(2) CDSA (FIP)
211)	2025419309	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
212)	2025445959	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
213)	2025483085 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
214)	202551716	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
215)	2025529443	K DIV FORT CHIPEWYAN DETACHMENT	Dangerous Driving - Provincial/Territorial
216)	202553174	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
217)	2025547037	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
218)	2025604106	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
219)	2025628925	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
220)	2025727571	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
221)	2025727828	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
222)	202572818	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

223)	2025728647	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
224)	2025729034	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
225)	2025729110	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
226)	2025731578	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
227)	2025732080	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
228)	2025745441	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
229)	2025748970	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
230)	2025749226 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
231)	2025762178	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
232)	2025765390	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
233)	2025771753	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
234)	2025775922	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
235)	2025776272	G DIV FORT SMITH DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
236)	2025832834	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

237)	2025907409	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
238)	2025909649	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
239)	2025915907	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
240)	2025937711	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
241)	2025974050	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 21, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Cree Law Informs Treaty 8:

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It

---

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

6. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

MIKISEW CREE FIRST NATION

MIKISEW CREE FIRST NATION
ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

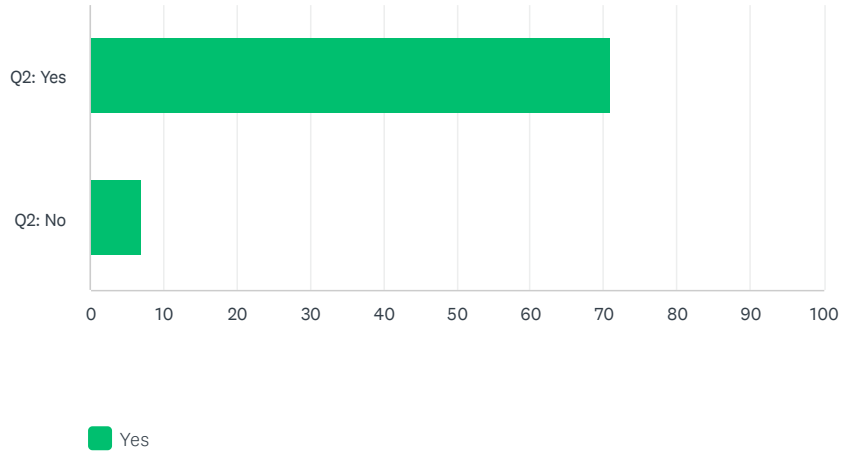
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

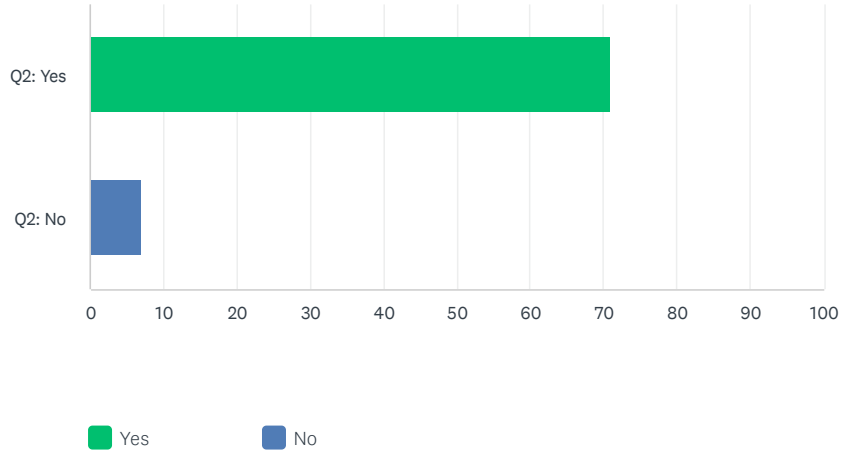


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

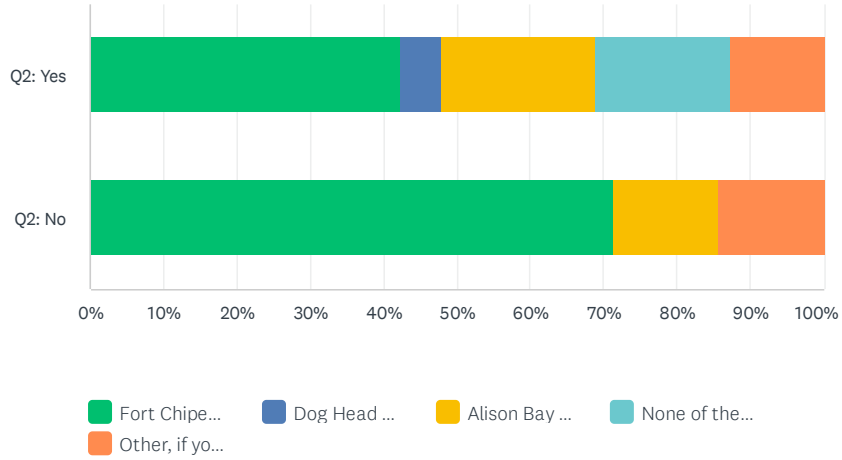
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

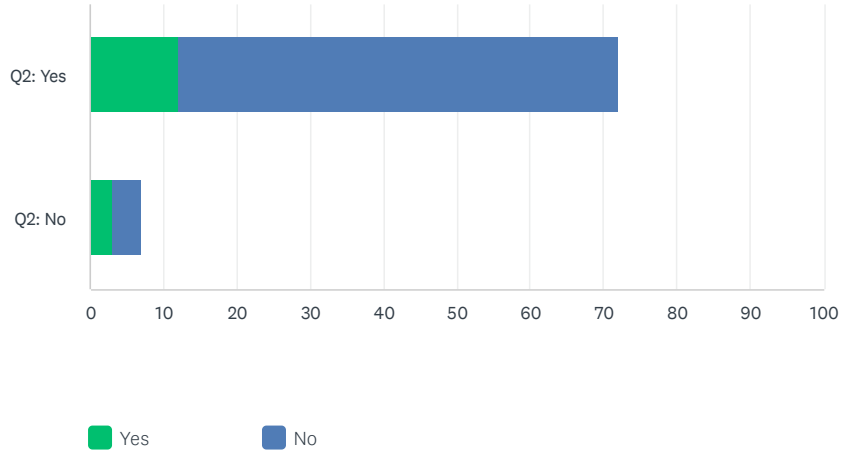
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

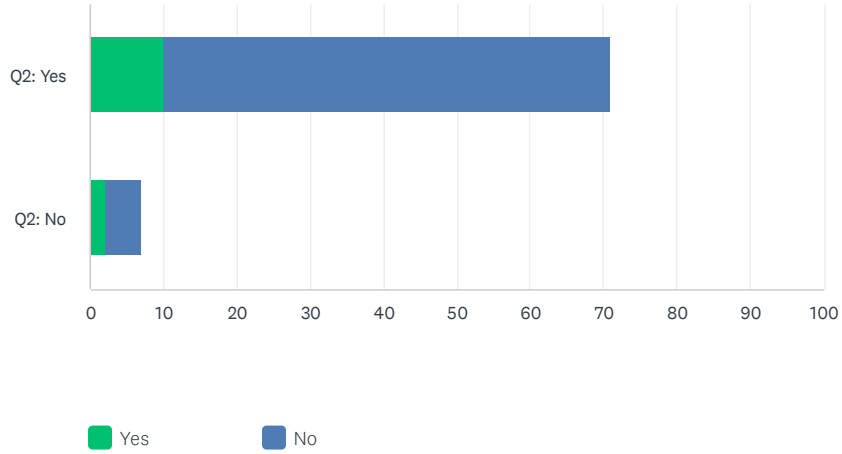
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

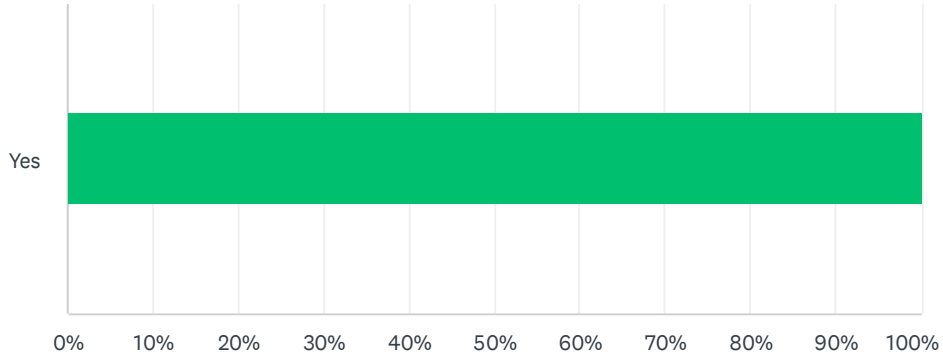
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

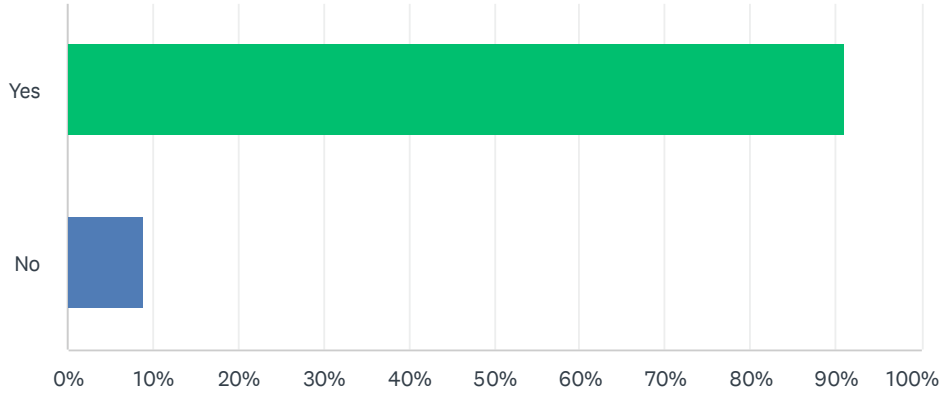
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

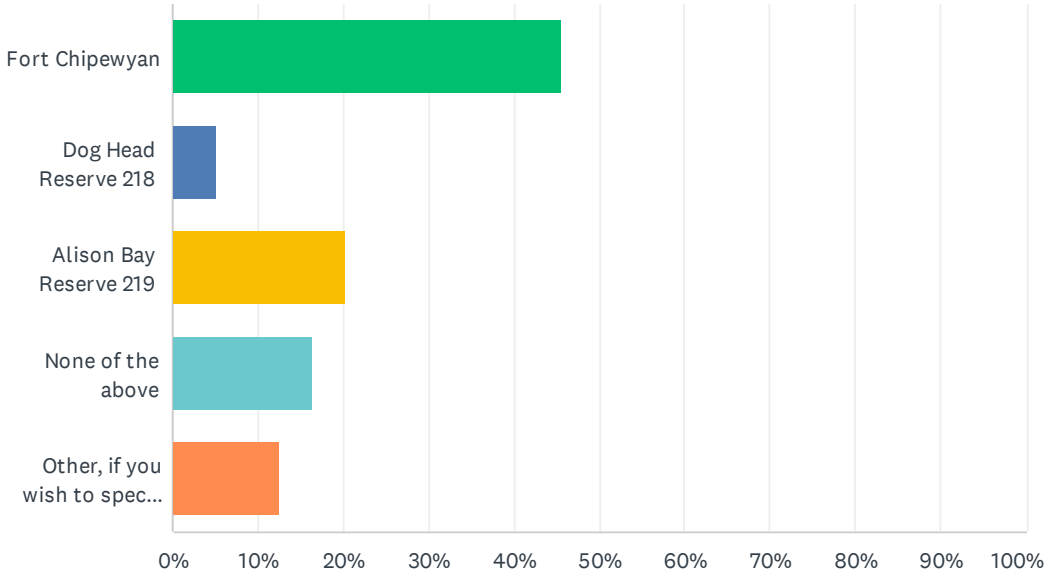
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

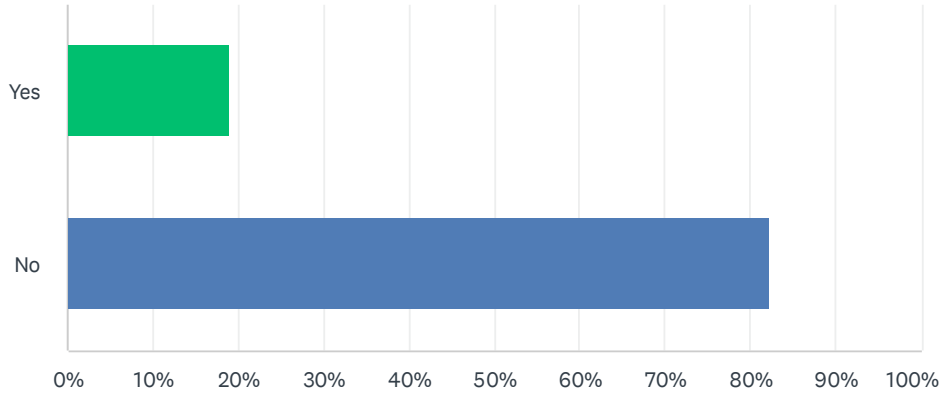
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

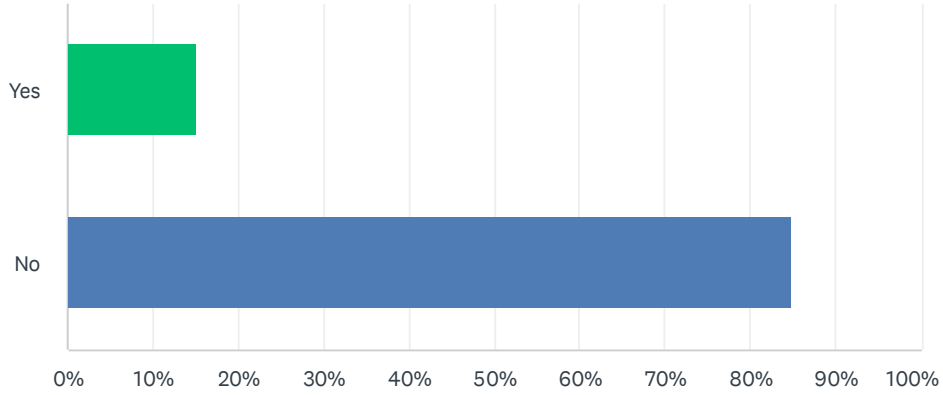
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

File: 2024-003
Appeal re: Development Permit 2023-DP-00125
Legal Description: Lot 3, Block 10, Plan 5624 NY

**MIKISEW CREE FIRST NATION,
CREE-ATIONS ENTERPRISES LTD., MISTEE SEEPEE DEVELOPMENT CORPORATION LTD and 1112958 ALBERTA LTD.**

(Appellants)

And

DANIEL ROY

(Appellant)

And

REGIONAL MUNICIPALITY OF WOOD BUFFALO

MIKISEW APPELLANTS

LEGAL ARGUMENT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD

OVERVIEW

1. The Appellants are Mikisew Cree First Nation and three Mikisew owned corporations with fee simple land in their traditional territory, which is now known as the hamlet of Fort Chipewyan in the Regional Municipality of Wood Buffalo. Mikisew members make up the majority of Fort Chipewyan residents.

2. The Appellants object to the development of a liquor store in the heart of Fort Chipewyan. They communicated their Objection to RMWB on August 17, 2023, and received no response nor engagement until the notification of the Discretionary Permit ("**Permit**"or "**Discretionary Permit**") on August 29, 2024.

3. The Development Officer in exercising its discretion to award this Permit failed to discharge the duty to consult and accommodate MCFN, failed in the duty of fairness owed to MCFN and failed to reasonably explain why the Development Officer rejected MCFN's Objection, notwithstanding almost unanimous community opposition to the Permit. In fact,

the Mayor of RMWB stated, in error, that the municipality had in engaged in extensive community engagement. They did not. In fact, the record before the SDAB indicates that RMWB engaged with the Appellant Daniel Roy on how to grant the Discretionary Permit notwithstanding the Objection.

4. Further and/or in the alternative, if the Development Officer was not responsible for discharging the duty to consult and accommodate; the Subdivision and Development Appeal Board has the authority to discharge this duty to consult and accommodate through this appeal.

5. If the duty to consult and accommodate has not been satisfied, the grant of the Permit must be set aside.

STATEMENT OF FACTS

6. The Appellants, Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, are corporations registered under the *Business Corporations Act* RSA 2000, c B-9. (collectively referred to as the "**Corporations**"). The Corporations are wholly owned by Mikisew Cree First Nation and, in the case of Cree'Ations, their shares are held by Chief Billy-Joe Tuccaro in trust for Mikisew Cree First Nation ("**MCFN**"). MCFN cannot hold title to lands in fee simple except through such corporations.[1]

7. As promised under Treaty No. 8[2], the Appellant, MCFN, has nine (reserves) in what is now known as RWMB, including two reserves near Fort Chipewyan (Dog Head[3] and Allison Bay[4]).[5]

8. MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred

[1] **TAB 1:** Corporate Records of the Appellants.
[2] Treaty No. 8, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.
[3] **TAB 2:** Reserves, Dog Head 218, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/RVDetail.aspx?RESERVE_NUMBER=08495&lang=eng
[4] **TAB 3** : Reserves, Allison Bay 219, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/RVDetail.aspx?RESERVE_NUMBER=06734&lang=eng
[5] **TAB 4** : Reserves, Mikisew Cree First Nation, Number 461, available at: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Search/FNReserves.aspx?BAND_NUMBER=461&lang=eng.

to as RMWB.[6] Neither RMWB nor the province of Alberta existed in 1899. Over time, the Crown in right of Canada devolved, unilaterally, many of the Crown obligations to the province of Alberta. MCFN has objected to this devolution.[7]

A. Crown's Statutory Discretion over Land-Use Planning delegated to RMWB

9. RMWB is a creature of provincial statute and a local emanation of the Crown. RMWB is a creature of provincial statute. RMWB was established as the result of an amalgamation and renaming into a "Specialized Municipality" effective August 14, 1996, by *Order in Council 354/96* (Amalgamated Improvement District No. 143 and City of Fort McMurray).

10. Through the *Municipal Governments Act* ("**MGA**"), the provincial Crown has delegated control and management of land use planning over municipal lands to RMWB, including over a vast area in Northeastern Alberta, all of which is Treaty 8 territory and most of which MCFN considers to be its traditional territory. Through the Aboriginal Consultation Office, for example MCFN is consulted in much of RMWB.[8]

11. By the MGA, the provincial Crown has delegated statutory authority to RMWB over Fort Chipewyan's land use planning. The rules are outlined in a 500-page by-law developed by RMWB.[9] For the purposes of this appeal, the Crown's delegated statutory discretion includes the following:

    a. By Section 640 of the MGA, the provincial Crown requires RMWB to pass a land use bylaw.[10]

    b. Section 110 of RMWB's Land Use By-law No. 99/059 mandates that liquor stores are discretionary permits.

    c. Section 642 of the MGA delegates the authority to grant discretionary permits to RMWB.[11]

---

[6] **TAB 5**: MCFN About Us, available at: https://www.mikisewcree.ca/about-us/
[7] NRTA 1930.
[8] Statement on October 28, 2024.
[9] Land Use Bylaw No. 99/059, section 110, see also: Generalized Land Use Concept from the Fort Chipewyan Area Structure Plan (ASP), https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/AreaStructurePlans/Fort-Chipewyan-Area-Structure-Plan.pdf
[10] *Municipal Government Act*, RSA 2000, c M-26, s 640.
[11] *Municipal Government Act*, RSA 2000, c M-26, s 642.

d. Section s. 687(3)(c) of the MGA delegates the power to SDAB to confirm, revoke or vary discretionary permits.[12]\

e. Section 617 provides that purpose of Part 17 of the MGA – Planning and Development – is to provide for land use planning "without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest."[13]

B. Treaty No. 8 Right

12. Treaty No. 8 is the foundation of Canada.

13. One of the Crown's primary motives for Treaty No. 8 was to impose law and order following the Klondike goldrush, and, as part of this, to control the "liquor trade" in MCFN's territory.[14]

14. Dr. Darcy Lindberg, a Cree (*nêhiyaw*) professor of law at the University of Victoria, is an expert in Treaty law making principles and Cree laws. He has provided opinion evidence on the Promise in Treaty No. 8, as follows:

> *…. the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law.*

[12] *Municipal Government Act*, RSA 2000, c M-26, s 687.
[13] *Municipal Government Act*, RSA 2000, c M-26, s 617.
[14] **TAB 6:** Dr. Lindberg Report, October 21, 2024.

15. Therefore, MCFN submits that they have a *recognized* Treaty right and nothing less than an *asserted* Treaty right to protection from intoxicants, i.e. the liquor trade ("**Treaty Right**").[15]

C. Adverse Impacts to Treaty Right and/or MCFN

16. Granting the Discretionary Permit could and will have adverse impacts on MCFN, including on its Treaty Right.

17. First, MCFN, through the Corporations, owns at least 27 neighbouring residential properties in the hamlet of Fort Chipewyan, including but not limited to the **Neighbouring Properties**:

    a. 5 units at 125 Mackenzie Avenue – Plan 5642NY, Block 9, Lot 9 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    b. Fourplex Units at 105 Loutit St – Plan 5642NY, Block 5, Lot 12 – Registered Owner: Cree-Ations Enterprises Limited
    c. House at 103 Logan Crescent – Plan 5642NY, Block 6, Lot 17 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    d. House at 100 Tourangeau Ave – Plan 5642NY, Block 1, Lot 7 – Registered Owner: Mistee Seepee Development Corporation Ltd.
    e. Triplex Units at 112 MacKay Crescent
    f. House at 109 McDonald Street – Plan 8322365, Block 3, Lot 9B – Registered Owner: Cree-Ations Enterprises Limited
    g. House at 105 McDonald Street – Plan 8322365, Block 3, Lot 12A – Registered Owner: Cree-Ations Enterprises Limited
    h. House at 112 Mercredi Street – Plan 5642NY, Block 6, Lot 10 – Registered Owner: 1112958 Alberta Ltd.[16]

18. The Neighbouring Properties house Mikisew Cree First Nation Members and/or staff and are in close proximity to the proposed Liquor Store.[17]

---

[15] **TAB 6:** Dr. Lindberg Report, October 21, 2024.
[16] **TAB 7**: Land Title Documents.
[17] Statement to be provided on October 28, 2024.

19. Approximately 60 per cent of the population of Fort Chipewyan are MCFN members. The lack of housing on reserve makes it necessary for many of MCFN members to live in the nearby hamlet of Fort Chipewyan, including at the Neighbouring Properties.[18]

20. MCFN members living on reserve or in Fort Chipewyan live in a remote community, accessible boat, plane and, between December and March, by winter road. MCFN has recently declared a State of Local Emergency, in April 2023, due to suicide, mental issues and addictions to intoxicants, including alcohol ("**SOLE**").[19]

21. MCFN members have suffered intergenerational trauma. Alcohol is the source of much violence, abuse and trauma for MCFN members. Creating another liquor store, especially as the community is searching the residential school grounds (Holy Angels), is triggering.[20]

22. The RCMP data for occurrences confirms the adverse and collective impacts of alcohol in MCFN's community. For example, of the 697 occurrences reported to RCMP so far in 2024, as of October 21, 328 (47%) are reported as alcohol related. Of the 89 Prisoners at the detachment, detained in cells in 2024, 69 (79%) were intoxicated by alcohol. [21]

D. MCFN Objection to Liquor Store

23. On July 28, 2023, a general "Notice to Adjacent Property Owners" was posted ("**Notice**"). MCFN did not receive this directly, nor were members living on MCFN reserves provided this notice.

24. Despite having just had an election, on or about August 17, 2023, MCFN submitted an extensive and evidenced submissions pursuant to this Notice and objecting to the Liquor Store ("**MCFN Objection**"). The MCFN Objection included:

    a. Including the results of a Survey, which were overwhelmingly opposed to the Liquor Store;

---

[18] Statement to be provided on October 28, 2024.
[19] **TAB 8:** W. Snowdon, CBC News, *Mikisew Cree First Nation declares state of local emergency following multiple suicides*, April 25, 2023, available at: https://www.cbc.ca/news/canada/edmonton/mikisew-cree-first-nation-suicide-mental-health-emergency-1.6821877.
[20] Statement to be provided on October 28, 2024.
[21] **TAB 9:** RCMP Data Summary, October 21, 2024.

b. Submissions based on Treaty No. 8, the duty to consult, the Promise and Treaty Right;
c. The MCFN State of Local Emergency relating to suicide and addictions;
d. Anecdotal incidents of crime and indication that RCMP should have this data.[22]

25. RMWB consults with MCFN on other land-use planning (for example the use of the Winter Road for industrial activities, such as hauling gravel.[23] RMWB has a public engagement framework and a reconciliation strategy.[24] Moreover, RMWB and MCFN have a Consultation protocol, which created legitimate expectations. The Consultation protocol and past practice, which will be addressed before the SDAB by Mitchel Bowers of the Government Industry Relations department, contained a clear, unambiguous and unqualified guarantee of "collaboration" about land-use issues.[25]

26. The Fort Chipewyan Royal Canadian Mounted Police ("**RCMP**") is a contract police force through RMWB and Alberta and, as such, the RMWB ought to have known or sought these occurrence statistics before issuing the Permit, in light of the concerns raised by MCFN.

27. RWMB never responded to the MCFN Objection, despite two MCFN follow-ups on September 1 and 11, 2023.[26]

28. No response was received until the Decision was posted on August 29, 2024.

29. So far as the Appellants know, there was no engagement nor consultation with MCFN other than the receipt of the MCFN Objection.

30. Almost a year later, the RMWB approved the Liquor Store ("**Decision**"). In making the Decision, RMWB:

a. Provided MCFN with no prior notice of the Decision;
b. Did not consult MCFN;
c. Did not accommodate MCFN;

---

[22] **TAB 10:** MCFN Objection and enclosures.
[23] Statement to be provided on October 28, 2024.
[24] https://www.rmwb.ca/en/community-events-and-involvement/resources/Engagement/RMWB-Public-Engagement-Framework-2021.pdf
[25] **TAB 11** Consultation Protocol.
[26] **TAB 12**: MCFN Follow-up (September 1 and 11, 2023).

d. Did not respond to, nor consider the MCFN Objection.

31. The Decision did not contain reasons. For the first time on October 20, 2024, MCFN learned that RMWB did consult and consider the MCFN Objection but only with Daniel Roy and in the context of nevertheless permitting the Liquor Store.[27]

E. Continued Objection

32. Following the Decision, MCFN led a protest where many community members participated, on or about August 30, 2024. At that protest, a RMWB Councillor and local Métis president, Kendrick Cardinal, drove by on a quad yelling at protestors. He was subsequently charged for impaired driving for this very incident.[28] So far as MCFN knows, RMWB has not disciplined Mr. Cardinal.

33. The Athabasca Tribal Council, on September 9, 2024, wrote to the RMWB Mayor Sandy Bowman in support of this protest.[29]

34. On September 10, 2024, Mayor Bowman asserted that the municipality had conducted "community engagement"[30]. MCFN was not involved in any community engagement with MCFN or its representatives.

F. Witnesses

35. MCFN will provide 3-5 witnesses to speak about the impacts to the community, including a member of Chief and Council, an Elder and possibly staff, including at the Government Industry Relationship department.

ISSUES

36. The Appellants submit that the issue is whether the SDAB should revoke the Discretionary Permit, on any of the following grounds:
    a. The Decision to grant the Discretionary Permit was unreasonable.

---

[27] RMWB Submissions.
[28] **TAB 13:** Article re: RWMB Councillor Kendrick Cardinal, available at: https://www.fortmcmurraytoday.com/news/councillor-kendrick-cardinal-charged-with-impaired-driving-fleeing-peace-officer
[29] RMWB Submissions: Letter to Mayor Bowman (Athabasca Tribal Council).
[30] **TAB 14:** Response from Mayor Bowman.

b. The Decision to grant the Discretionary Permit was unfair and/or in violation of the common law duty to consult.
c. The Decision did not discharge the duty to consult and accommodate ("**DTCA**") and/or the SDAB has the obligation to discharge the DTCA.

LEGAL ARGUMENT

37. RMWB owes common law duties to act reasonably (including having regard to reconciliation) and act procedurally fairly, including the duty to consult in administrative law. These duties are squarely before this Board and must be considered. The Appellants also submit that the

A. Reasonableness

38. Granting of the liquor store Permit was not a mandatory decision, it was a discretionary one.[31] The Development Officer, in this case, had a broad discretion to approve or deny discretionary uses.[32]

39. The Development Officer unreasonably exercised his discretion under the MGA (s. 642) and the Land-Use Bylaw (s. 110) to grant the permit. In doing so, the Decision does not reveal why the MCFN Objection was almost entirely ignored and only considered in the opening hours. (not consider RCMP or request RCMP; not explain etc).

B. Common Law Duty to consult/Procedural fairness

40. RMWB owed a duty of procedural fairness to members of the community affected by the discretionary decision to grant the Permit. This requirement and legitimate expectation of consultation exist independent of any constitutional law question. They are basic and foundational tenets of administration of law which this Board has unequivocal jurisdiction to determine.

41. The extent of the duty of procedural fairness owed to MCFN in this case is determined by reference to five factors:[33]

---

[31] Land-use By-law, section 110.
[32] *Baron Real Estate Investments Ltd. v. Edmonton (Subdivision and Development Appeal Board),* 2018 ABCA 67 at para 16; contrast with: *Liquor Stores Limited Partnership v. Edmonton (City),* 2017 ABCA 435 at para 5.
[33] *Baker v. Canada (Minister of Citizenship and Immigration),* 1999 CanLII 699 (SCC), [1999] 2 SCR 817.

a. The nature of the decision: the discretionary decision to grant the Permit was an individualized decision taken after a formal notice-and-comment period. It was not a "legislative" decision and is therefore subject to a high degree of fairness.
b. The nature of the statutory scheme: the grant of the Permit is a final decision, which triggers a higher degree of fairness.
c. The impact on affected individuals: as set out in the RCMP data, in Professor Lindberg's expert opinion and as will be set out by witnesses at the hearing, the impact on the MCFN is highly significant, which means more procedural fairness is required.
d. The existence of legitimate expectations given that RMWB engaged in a consultation process, MCFN had a legitimate expectation that it would be entitled to more procedural fairness, including the opportunity to engage meaningfully with RMWB. Moreover, the Consultation Protocol and past practice created legitimate expectations that RMWB would engage in collaboration and consultation on land-use issues.[34]
e. The discretion of the decision-maker: RMWB had discretion to structure its consultation process and had ample scope to include meaningful engagement with MCFN.[35]

C. Duty to Consult and Accommodate

42. Here, on the record before the Board, the consultation was inadequate, which means the Board has to remedy it, or invalidate the municipality's decision. The adequacy of consultation is not a question of constitutional law and, therefore, the Board has jurisdiction.

i. Jurisdiction: DTAC is not a constitutional question

43. As preliminary matter, the duty to consult and accommodate ("**DTCA**") applies in this case, following the Supreme Court's binding decision in *Clyde River*.[36]

44. Consideration of the DTCA is not consideration of a constitutional question. While the Alberta government has sought, to limit the decision-makers who can consider

[34] *Canada (Attorney General) v. Mavi*, 2011 SCC 30 (CanLII), [2011] 2 SCR 504, at para 68.
[35] See also *R. (Moseley) v. London Borough of Haringey*, [2014] UKSC 56, at paras. 23-28.
[36] *Clyde River (Hamlet) v. Petroleum Geo-Services Inc.*, 2017 SCC 40 (CanLII), [2017] 1 SCR 1069.

constitutional questions[37], including the SDAB, they have not done the same for the DTCA.[38] And where the provincial Crown has sought to limit consideration of section 35 constitutional issues, the Alberta Court of Appeal has confirmed that the Honour of the Crown is always at stake[39] and/or the province is being challenged for creating a circular and unconstitutional Consultation Regime.[40]

45. The Supreme Court has warned that tribunals should not take a narrow approach to respecting the Honour of the Crown: "if a tribunal is denied the power to consider consultation issues, or if the power to rule on consultation is split between tribunals so as to prevent anyone from effectively dealing with consultation arising from particular government actions, the government might effectively be able to avoid its duty to consult."[41] That warning is particularly apt here, where there is a serious risk that the duty to consult and accommodate will be unfulfilled, and the Honour of the Crown badly damaged.

ii. DTCA triggered

46. The Supreme Court has explained that the duty to consult and accommodate arises "when the Crown has knowledge, real or constructive, of the *potential* existence of the Aboriginal right or title and contemplates conduct that might adversely affect it".[42]

47. As Professor Lindberg explains in his expert opinion, Treaty 8 contains a clear Crown commitment to limiting trade in intoxicating liquors in order to safeguard the interests of First Nations. It is clear that granting the Permit, in the circumstances of this case, would adversely affect the rights and interests guaranteed by Treaty 8.

48. Here, RMWB had knowledge of the rights and interests in limiting the sale of intoxicating liquors well before it exercised its discretion to grant the Permit through the MCFN Objection on August 17, 2023.

---

[37] *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163, at para 39; *Designation of Constitutional Decision Makers Regulation*, Alta Reg 69/2006.
[38] "Janna Promislow, "Irreconcilable? The Duty to Consult and Administrative Decision Makers", 2013 22-1 *Constitutional Forum* 63, 2013 CanLIIDocs 726, "**In Alberta, the legislature has allowed for specification of tribunals that have jurisdiction to decide constitutional questions under section 16 of the *APJA*.74 But legislatures have not yet responded to the duty to consult law in the same way**."
[39] *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163, at para 47.
[40] *Mikisew Cree First Nation v Alberta*, 2024 ABKB 578.
[41] *Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council,* 2010 SCC 43, at para. 62.
[42] *Haida Nation v. British Columbia (Minister of Forests),* 2004 SCC 73, at para. 35.

49. Moreover, the Board also has knowledge, from the Disclosure and Professor Lindberg's expert opinion (to be further supported by witnesses), of the Indigenous rights and interests at issue and that they would be adversely affected by the grant of the Permit.

iii. RMWB and Board must engage DTAC

50. The RMWB Development Officer's decision to grant the liquor Permit is a final decision. As such, it is Crown action as both the Board and the municipality are statutory bodies holding responsibility delegated by the Crown in right of Alberta. They are acting on behalf of the Crown in determining who can hold a liquor licence and on what terms.

51. The Board falls within the scope of the principles set out by the Supreme Court in *Clyde River*:

> By this understanding, the NEB is not, strictly speaking, "the Crown". Nor is it, strictly speaking, an agent of the Crown, since — as the NEB operates independently of the Crown's ministers — no relationship of control exists between them (Hogg, Monahan and Wright, at p. 465). As a statutory body holding responsibility under s. 5(1)(b) of *COGOA*, however, the NEB acts on behalf of the Crown when making a final decision on a project application. Put plainly, once it is accepted that a regulatory agency exists to exercise executive power as authorized by legislatures, any distinction between its actions and Crown action quickly falls away. In this context, the NEB is the vehicle through which the Crown acts. Hence this Court's interchangeable references in *Carrier Sekani* to "government action" and "Crown conduct" (paras. 42-44). It therefore does not matter whether the final decision maker on a resource project is Cabinet or the NEB. In either case, the decision constitutes Crown action that may trigger the duty to consult. As Rennie J.A. said in dissent at the Federal Court of Appeal in *Chippewas of the Thames*, "[t]he duty, like the honour of the Crown, does not evaporate simply because a final decision has been made by a tribunal established by Parliament, as opposed to Cabinet" (para. 105). The action of the NEB, taken in furtherance of its statutory powers under s. 5(1)(b) of *COGOA* to make final decisions respecting such testing as was proposed here, clearly constitutes Crown action.[43]

[43] *Clyde River (Hamlet) v. Petroleum Geo-Services Inc.*, 2017 SCC 40, at para. 29.

52. Given they are both engaging in Crown action, the next question is whether the municipality or the Board is able to provide "an appropriate level of consultation". .[44]

53. There is little doubt that a municipality *can* provide an appropriate level of consultation. In fact, the Consultation Protocol and past practice shows there are many instances of this. Indeed, municipalities, are governments in miniature, democratically elected with law-making and tax-raising capacity[45] to give voice to the interests of the community.[46] Just as the Crown cannot avoid *Charter* compliance by delegating powers to municipalities, it cannot avoid compliance with the duty to consult either .[47] .

    a. Here, the municipality had notice of a strong claim of interference with s. 35 and Treaty rights and was thus required to engage in meaningful consultation and accommodation.

    b. The municipality also has a "a significant array of powers that permit extensive consultation" .[48]

    c. Here, the municipality did not discharge the DTCA.

54. After that, the next question is the role of the Board in this consultation process: Can the Board itself discharge the DTCA? The Board has the procedural and remedial powers necessary to discharge the DTCA and the former jurisprudence is no longer good law given recent developments in the Supreme Court:

    a. In remedial terms, under s. 687(3)(c) of the MGA, the Board may "confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own", which clearly gives it the authority to set aside the municipality's decision and to impose any conditions it deems appropriate. It therefore has the power to ensure compliance with the DTCA.

    b. In procedural terms, under s. 687(1)(d), the Board "must hear… any other person who claims to be affected by the order, decision or permit and that the subdivision

---

[44] *Clyde River*, at para. 30.
[45] *Godbout v. Longueuil (City),* [1997] 3 SCR 844, at para. 51.
[46] *114957 Canada Ltée (Spraytech, Société d'arrosage) v. Hudson (Town),* 2001 SCC 40 (CanLII), [2001] 2 SCR 241, at para. 23.
[47] *Dickson v. Vuntut Gwitchin First Nation*, 2024 SCC 10, at para. 63; Hoehn and Stevens, "Local Governments and the Crown's Duty to Consult" (2018) 55 Alta LR 971, at p. 975; see also. P. Daly, Doré Duty, https://cbr.cba.org/index.php/cbr/article/view/4854/4548.
[48] *Clyde River*, at para. 31; Hoehn and Stevens, p. 985-986.

and development appeal board agrees to hear, or a person acting on behalf of that person", which clearly gives it the authority to hear from an "affected" Indigenous community. Beyond that, and subject to the requirement of producing written reasons in 15 days after the end of a hearing, the Board is "master in its own house". .[49] It can have as many hearing days as a matter requires, subject only to the requirement of producing reasons 15 days after the hearings end.

55. The Appellants note that the decision in *Paul First Nation v. Parkland (County)*,[50] has clearly been overtaken by subsequent jurisprudence, such as *Clyde River*, as outlined above.

56. The decision in *Kappo v. Subdivision and Development Appeal Board (Municipal District of Greenview No. 16)*,[51] has also clearly been overtaken by subsequent jurisprudence, namely the Supreme Court decisions in *Nova Scotia (Workers' Compensation Board) v. Martin; Nova Scotia (Workers' Compensation Board) v. Laseur*,[52] and *Paul v. British Columbia (Forest Appeals Commission)*.[53] Together, these decisions establish broad jurisdiction in administrative tribunals to consider questions of *Charter* compliance (*Martin*) and constitutional compliance (*Paul*) and to grant constitutional remedies (*Conway*):

    a. In *Martin*, at para. 36 the Supreme Court restated the test: "one must ask whether the empowering legislation implicitly or explicitly grants to the tribunal the jurisdiction to interpret or decide *any* question of law" (emphasis added; *Paul*, at para. 8 adopts the same test). That is clearly the case here, as the Board must consider various legal instruments and interpret their scope to determine whether it should exercise its extensive remedial powers.

    b. In *Alberta Environment and Parks v Summer Village of South View (Subdivision Authority)*,[54] , the Municipal Government Board noted "A further consideration is that although the MGB has no power to declare bylaws invalid, it is well established that courts and tribunals with the power to decide questions of law should not give effect to legislation created that is ultra vires or otherwise unconstitutional".

---

[49] *Prassad v. Canada (Minister of Employment and Immigration)*, [1989] 1 SCR 560.
[50] 2006 ABCA 128, at para. 11.
[51] 2003 ABCA 146.
[52] 2003 SCC 54, [2003] 2 SCR 504.
[53] 2003 SCC 55, [2003] 2 SCR 585. See also R. v. Conway, 2010 SCC 22, [2010] 1 SCR 765
[54] 2021 ABMGB 15, at para. 58.

iv. The Board must discharge the DTCA

57. If the Board itself cannot discharge the DTCA, then the Board is nonetheless competent to determine if there was adequate consultation by the RMWB. The Honour of the Crown is fundamental, especially in a field where the very purpose of Part 17 of the MGA involves upholding the "public interest".[55] As the Board can decide questions of law, it "must determine whether such consultation was constitutionally sufficient if the issue is properly raised".[56]Again, it has the procedural and remedial powers required: it can hear relevant evidence and legal submissions and make appropriate modifications to the municipality's decision in view of what is raised at the hearing. Indeed, the requirement to give written reasons allows the Board to "foster reconciliation by showing affected Indigenous peoples that their rights were considered and addressed"[57] (*Clyde River*, at para. 41). This jurisdiction has not been clearly excluded by statute. Indeed, because Part 17 of the MGA involves consideration of the public interest, respecting the Honour of the Crown is part and parcel of the Board's role.

58. Determining whether there was adequate consultation to ensure that the Honour of the Crown has been fulfilled is not a "constitutional question" within the meaning of s. 10(d) of the *Administrative Procedures and Jurisdiction Act.*[58] There is no challenge to any legislation (s. 10(d)(i)) and MCFN is not seeking to assert a "right" under the Constitution of Canada (s. 10(d)(ii)). MCFN is simply seeking to ensure respect for the *duty* to consult, fulfilling the Honour of the Crown.[59]

59. The Supreme Court explained in *Rio Tinto Alcan Inc v Carrier Sekani Tribal Council* that it is important to take a narrow view of statutes that may be interpreted to exclude consideration of the duty to consult and accommodate required to fulfill the Honour of the Crown:

> The application to the Commission by the CSTC for a rescoping order to address consultation issues does not fall within this definition. *It is not a challenge to the constitutional validity or applicability of a law, nor a claim for a constitutional remedy under s. 24 of the Charter or s. 52 of the Constitution Act, 1982*. In broad terms, consultation under s. 35 of the

[55] *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 41.
[56] *Clyde River*, at para. 36.
[57] *Clyde River* at para 41-44.
[58] *Administrative Procedures and Jurisdiction Act*, RSA 2000, c A-3.
[59] *Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council*, 2010 SCC 43, at para. 32.

> Constitution Act, 1982 is a constitutional question: Paul, para. 38. However, the provisions of the Administrative Tribunals Act and the Constitutional Question Act do not indicate a clear intention on the part of the legislature to exclude from the Commission's jurisdiction the duty to consider whether the Crown has discharged its duty to consult with holders of relevant Aboriginal interests.[60]

60. In all events, it is necessary to avoid a situation where there is "a gap in the regulatory scheme"[61]. It would plainly be nonsensical – and entirely undermining the autonomy of municipalities and the Board – if an Indigenous group had to go directly to cabinet to ensure that the DTCA could be discharged. Indeed, in view of the autonomy of municipalities, it is not even clear what the province could otherwise do to remedy a breach of the DTCA.

61. Similarly, it would be absurd, in an age of so-called "Reconciliation", to disallow MCFN any power to be consulted on and accommodated on a discretionary use of its traditional territory to allow for the sale of liquor contrary to Treaty No. 8 and in manner that has created harm in the community, as evidenced by the RCMP data alone.

CONCLUSION

62. For the any or all of the reasons outlined above, the Appellants respectfully request that the SDAB respect MCFN and revoke the Permit.

ALL OF WHICH IS RESPECTFULLY SUBMITTED ON OCTOBER 22, 2024

Orlagh O'Kelly

O'KELLY LAW on behalf of the MCFN Appellants

[60] 2010 SCC 43, at para. 72. See also Fort McKay First Nation v Prosper Petroleum Ltd, 2020 ABCA 163, at para. 39.
[61] *McCauley Community League v Edmonton (City)*, 2012 ABCA 86, at para. 23.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/06
Time of Search: 11:30 AM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42885570
Customer Reference Number:

Corporate Access Number: 205120660
Business Number:
Legal Entity Name: CREE-ATIONS ENTERPRISES LIMITED

Name History:

Previous Legal Entity Name	Date of Name Change (YYYY/MM/DD)
512066 ALBERTA LTD.	1992/01/27

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Registration Date: 1991/11/29 YYYY/MM/DD
Date of Last Status Change: 2013/04/30 YYYY/MM/DD

Revival/Restoration Date: 2008/10/06 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL

First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE
First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: AS PER SCHEDULE ATTACHED HERETO
Share Transfers Restrictions: AS PER SCHEDULE ATTACHED HERETO
Min Number Of Directors: 1
Max Number Of Directors: 11
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: AS PER SCHEDULE "A" ATTACHED HERETO

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2023	2024/05/29

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2004/05/02	Status Changed to Struck for Failure to File Annual Returns
2008/10/06	Initiate Revival of Alberta Corporation
2008/10/06	Complete Revival of Alberta Corporation
2013/01/02	Status Changed to Start for Failure to File Annual Returns
2017/08/31	Service Provider Correct Legal Entity
2019/06/22	Change Address
2024/04/11	Change Director / Shareholder
2024/05/29	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2008/10/06
Restrictions on Share Transfers	ELECTRONIC	2008/10/06
Other Rules or Provisions	ELECTRONIC	2008/10/06
Letter - Spelling Error	10000807119434914	2014/10/16

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/06
Time of Search: 11:29 AM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42885534
Customer Reference Number:

Corporate Access Number: 203178280
Business Number:
Legal Entity Name: MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Registration Date: 1984/09/06 YYYY/MM/DD
Date of Last Status Change: 2015/01/22 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL
First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE
First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Legal Entity Name: MIKISEW CAPITAL CORPORATION
Corporate Access Number: 206304669
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2023	2024/02/16

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2014/11/02	Status Changed to Start for Failure to File Annual Returns
2019/06/22	Change Address
2024/02/16	Enter Annual Returns for Alberta and Extra-Provincial Corp.
2024/05/28	Change Director / Shareholder

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

REGISTRAR OF
CORPORATIONS

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/11
Time of Search: 11:12 AM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42912847
Customer Reference Number:

Corporate Access Number: 2011129588
Business Number: 855566873
Legal Entity Name: 1112958 ALBERTA LTD.

Legal Entity Status: Active
Alberta Corporation Type: Numbered Alberta Corporation
Registration Date: 2004/06/11 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL
First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE

First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE ATTACHED SCHEDULE A
Share Transfers Restrictions: SEE ATTACHED SCHEDULE B
Min Number Of Directors: 1
Max Number Of Directors: 7
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: SEE ATTACHED SCHEDULE C

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2024	2024/08/21

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2004/06/11	Incorporate Alberta Corporation
2019/06/22	Change Address
2020/02/18	Update BN

2024/05/28	Change Director / Shareholder
2024/08/21	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2004/06/11
Restrictions on Share Transfers	ELECTRONIC	2004/06/11
Other Rules or Provisions	ELECTRONIC	2004/06/11
Letter - Spelling Error	10000407119434911	2014/10/15

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/19
Time of Search: 02:01 PM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42970321
Customer Reference Number:

Corporate Access Number: 2011129588
Business Number: 855566873
Legal Entity Name: 1112958 ALBERTA LTD.

Legal Entity Status: Active
Alberta Corporation Type: Numbered Alberta Corporation
Registration Date: 2004/06/11 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL
First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE

First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE ATTACHED SCHEDULE A
Share Transfers Restrictions: SEE ATTACHED SCHEDULE B
Min Number Of Directors: 1
Max Number Of Directors: 7
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: SEE ATTACHED SCHEDULE C

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2024	2024/08/21

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2004/06/11	Incorporate Alberta Corporation
2019/06/22	Change Address
2020/02/18	Update BN

2024/05/28	Change Director / Shareholder
2024/08/21	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2004/06/11
Restrictions on Share Transfers	ELECTRONIC	2004/06/11
Other Rules or Provisions	ELECTRONIC	2004/06/11
Letter - Spelling Error	10000407119434911	2014/10/15

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Government of Alberta ■

Corporation/Non-Profit Search
Corporate Registration System

Date of Search: 2024/09/19
Time of Search: 02:01 PM
Search provided by: ELDOR-WAL REGISTRATIONS (1987) LTD
Service Request Number: 42970338
Customer Reference Number:

Corporate Access Number: 206304669
Business Number: 896057296
Legal Entity Name: MIKISEW CAPITAL CORPORATION

Name History:

Previous Legal Entity Name	Date of Name Change (YYYY/MM/DD)
630466 ALBERTA LTD.	1995/01/10

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Registration Date: 1994/11/01 YYYY/MM/DD
Date of Last Status Change: 2014/04/03 YYYY/MM/DD

Revival/Restoration Date: 2014/04/03 YYYY/MM/DD

Registered Office:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Records Address:
Street: 2500-10220 103 AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J0K4

Email Address: CORPORATE.EDMONTON@DENTONS.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
KRAWCHUK	LEANNE	C.		2500-10220 103 AVE NW	EDMONTON	ALBERTA	T5J0K4	LEANNE.KRAWCHUK@DENTONS.COM

Directors:

Last Name: MARCEL

First Name: ROXANNE
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: MCKENZIE
First Name: SHERRI
Street/Box Number: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Last Name: TUCCARO
First Name: PAUL
Street/Box Number: P.O. BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0

Voting Shareholders:

Last Name: CHIEF BILLY-JOE TUCCARO, IN TRUST FOR MIKISEW CREE FIRST NATION
Street: PO BOX 90
City: FORT CHIPEWYAN
Province: ALBERTA
Postal Code: T0P1B0
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE SCHEDULE ATTACHED.
Share Transfers Restrictions: NO SHARES IN THE CAPITAL OF THE CORPORATION SHALL BE TRANSFERRED WITHOUT THE SANCTION OF A MAJORITY OF THE DIRECTORS OF THE CORPORATION.
Min Number Of Directors: 1
Max Number Of Directors: 15
Business Restricted To: NONE.
Business Restricted From: NONE.
Other Provisions: SEE SCHEDULE ATTACHED.

Holding Shares In:

Legal Entity Name
MIKISEW MANUFACTURING LIMITED
MIKISEW MAINTENANCE LTD.

MIKISEW TOURISM CORP.
FORT PETROLEUM CORPORATION
BOREALIS AIR SERVICES LTD.
MIKISEW COMMERCIAL PROPERTIES LTD.
MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
2000 PLUS LTD.

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2023	2024/05/29

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2013/01/02	Status Changed to Start for Failure to File Annual Returns
2013/05/02	Status Changed to Struck for Failure to File Annual Returns
2014/04/03	Initiate Revival of Alberta Corporation
2014/04/03	Complete Revival of Alberta Corporation
2019/06/22	Change Address
2020/02/17	Update BN
2024/05/28	Change Director / Shareholder
2024/05/29	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2014/04/03
Other Rules or Provisions	ELECTRONIC	2014/04/03
Letter - Spelling Error	10000907119434923	2015/01/21

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.

Reserve/Settlement/Village Detail

Official Name DOG HEAD 218
Number 08495
Location LOCATED WITHIN THE FORT CHIPEWYAN SETTLEMENT
Hectares 34.8

List of First Nations on this Reserve

461	Mikisew Cree First Nation	PO BOX 90, FORT CHIPEWYAN, AB, T0P 1B0

Date modified:
2024-05-03

Reserve/Settlement/Village Detail

Official Name ALLISON BAY 219
Number 06734
Location 3 MILES NORTHEAST OF FORT CHIPEWYAN, ALBERTA, ON THE SHORES OF LAKE ATHABASCA
Hectares 1861.0

List of First Nations on this Reserve

461	Mikisew Cree First Nation	PO BOX 90, FORT CHIPEWYAN, AB, T0P 1B0

Date modified:
2024-05-03

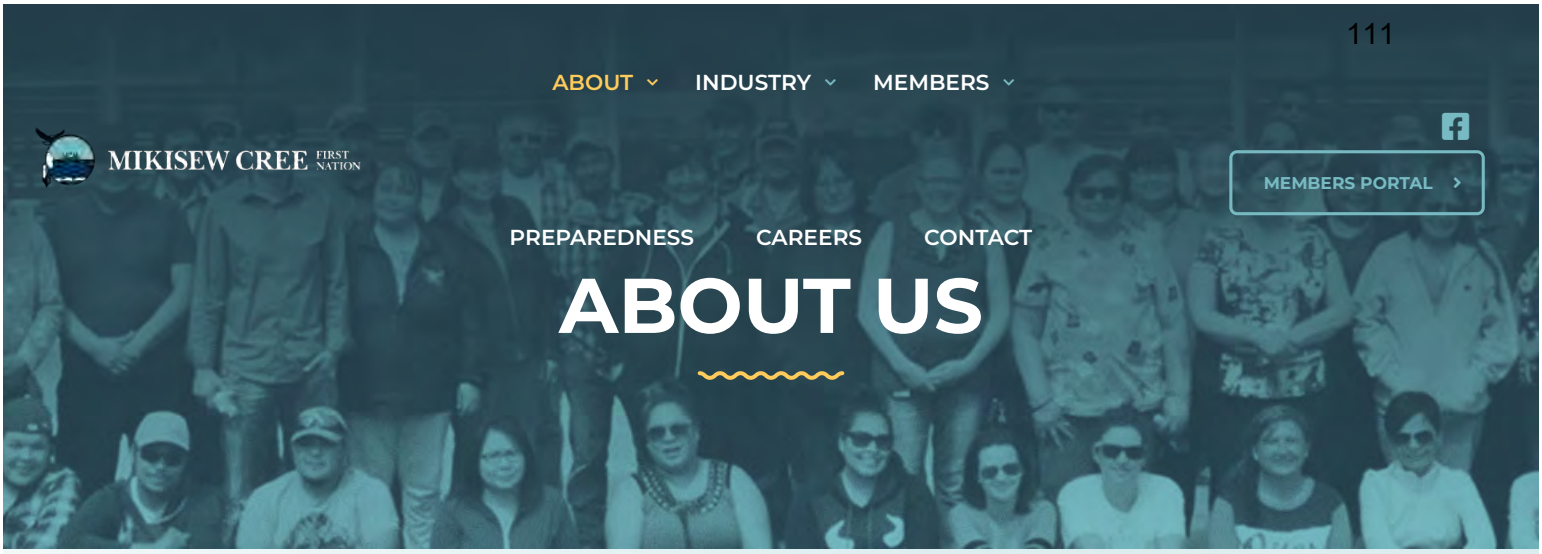
Reserves/Settlements/Villages

Official Name Mikisew Cree First Nation

Number 461

No.	Name	Location	Hectares
06734	ALLISON BAY 219	3 MILES NORTHEAST OF FORT CHIPEWYAN, ALBERTA, ON THE SHORES OF LAKE ATHABASCA	1861
06747	CHARLES LAKE 225	ISLAND ON CHARLES LAKE, IN NE CORNER OF ALBERTA, INCLUDES PARTS OF SEC 26, 27, 34 & 35 TWP 125 RGE 4 W4M	64.50
06745	COLLIN LAKE 223	ON NORTH SHORE OF COLIN LAKE IN NE CORNER OF ALBERTA, IN PART OF SEC 7 TWP 122 RGE 1 & PART OF SEC 12 TWP 122 RGE 2	36.40
06746	CORNWALL LAKE 224	PART OF UNNAMED ISLAND IN CORNWALL LAKE, IN NE CORNER OF ALBERTA, IN PARTS OF SEC 15 & 22 TWP 122 RGE 4 W4M	69.30
06729	DEVIL'S GATE 220	10 KM NORTH OF FORT CHIPEWYAN	819.10
08495	DOG HEAD 218	LOCATED WITHIN THE FORT CHIPEWYAN SETTLEMENT	34.80
06733	OLD FORT 217	NEAR THE SE CORNER OF WOOD BUFFALO NATIONAL PARK ON E BANK OF ATHABASCA RIVER IN TWP 108 RGE 9 & 10 & TWP 109 RGE 9 W4M	1509
09136	PEACE POINT 222	WITHIN WOOD BUFFALO NATIONAL PARK AT PEACE POINT, ALBERTA	518
06735	SANDY POINT 221	ON NORTH SHORE OF LAKE ATHABASCA IN PART OF TWP 114 RGE 5 W4M 17 MILES EAST OF WOOD BUFFALO NATIONAL PARK	204

Date modified:
2024-05-03



The Mikisew Cree First Nation (Mikisew) has lived on the ancestral lands of the Athabasca Delta and Wood Buffalo National Park in northeastern Alberta since time immemorial. The lives of our members are linked to the land and to a close understanding of traditions, history and a natural way of life. Many of our members live in the hamlet of Fort Chipewyan, and our traditional lands range over a large portion of Athabasca oil sands deposits.

For nearly 30 years, Mikisew Group, our wholly owned business arm, has worked toward the long-term, sustainable economic progress of our Nation and its members through employment and significant investments in education, training, social programs and infrastructure.

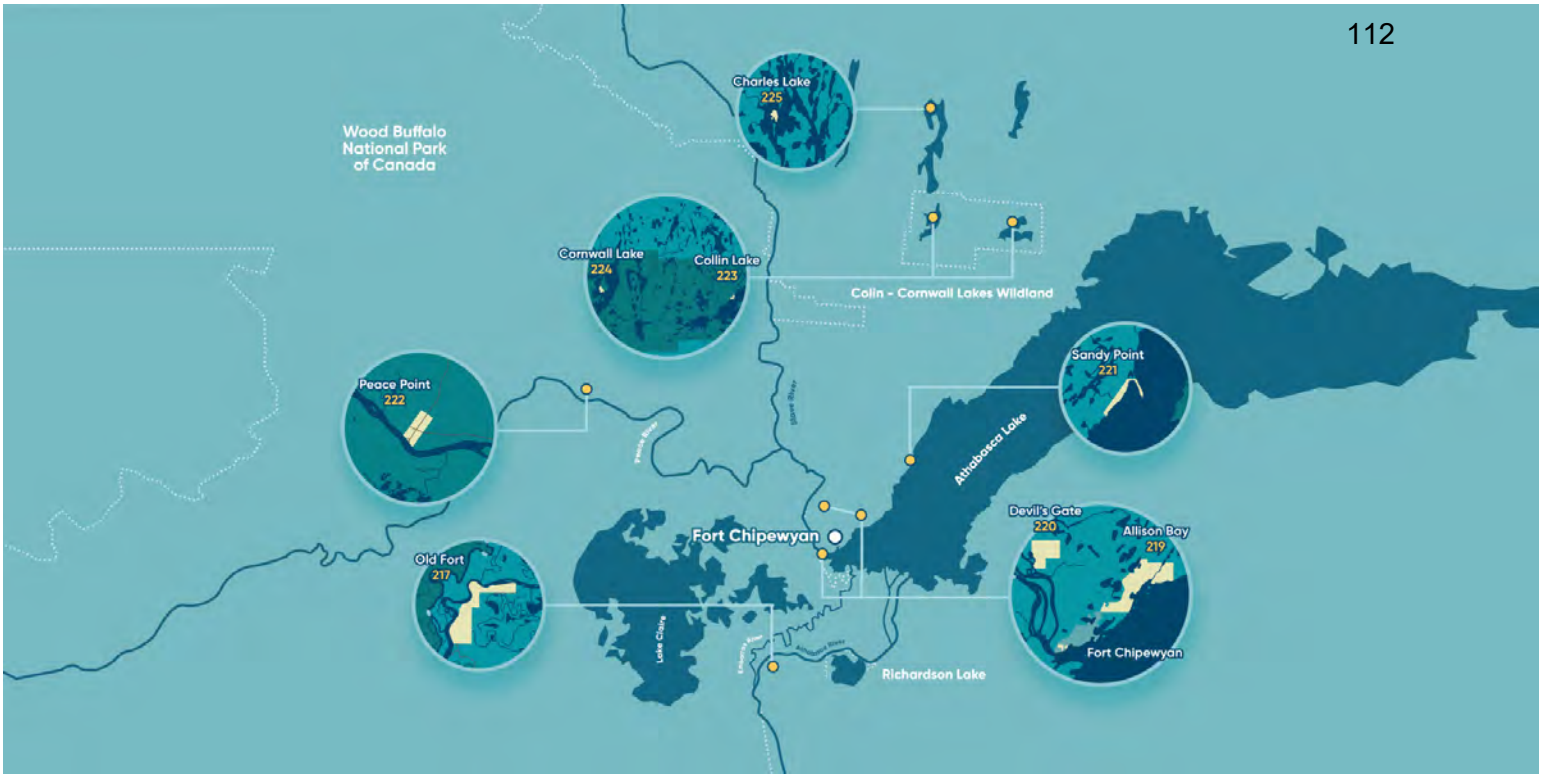
Our second major entity, the Mikisew Cree First Nation Government Industry Relations (GIR), was formed in 2001 to act as a liaison between resource developers, operators, government agencies and the community.

Highlights of our Nation

About
2,800 members

Most live in Fort McMurray, Edmonton, Fort Smith, the Northwest Territories and Fort Chipewyan

Language:
Woodlands Cree



Mikisew Entities

MIKISEW CREE FIRST NATION GIR

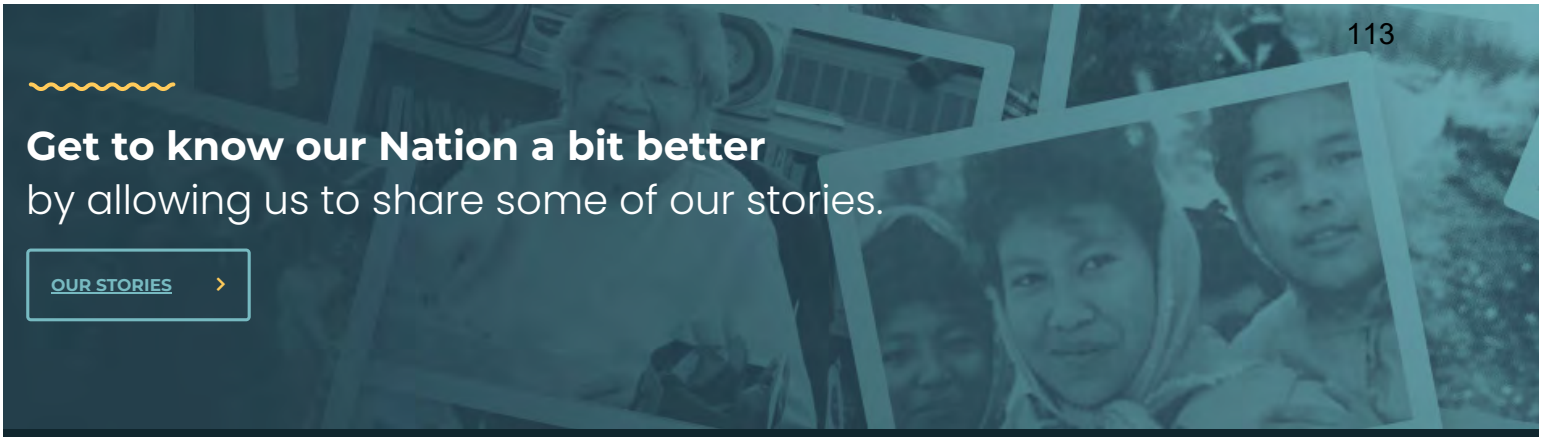
Government and Industry Relations (GIR)

As a department of the Mikisew Cree First Nation, GIR was established in January 2001. It is directed by Chief and Council, and is a liaison between resource developers, operators, governments and the community. GIR is the primary vehicle to bring the Mikisew Nation to the table as an equal participant in resource development, and ensures the Nation is meaningfully consulted. Learn more at mikisewgir.com.

MIKISEW GROUP OF COMPANIES

Mikisew Group

Mikisew Group is the distinct business entity of the Mikisew Cree First Nation. It was created in 1991 to separate our business and political branches, and has become a leading oil sands partner specializing in site services, maintenance, logistics and construction. Learn more at mikisewgroup.com.



Get to know our Nation a bit better
by allowing us to share some of our stories.

OUR STORIES ›

Departments Directory

Forms

Careers

Members Portal

Like to stay in the loop? **Join our email list and follow us on social media.**

SIGN ME UP

FOLLOW US

© 2024 Mikisew Cree First Nation | Terms and Conditions | Privacy Policy | Crafted by **Trait Marketing**

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 22, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Alcohol Regulation in Treaty 8 Territory:

Although not as well-known as the campaign to end the whiskey trade in Treaty 7 territory, the Northwest Mounted Police had a similar and perhaps even longer engagement in Treaty 8 territory to address problems in liquor trading. As Richard Price notes:

> "In order to enforce the prohibition of poison traps as well as to look into the problems of destructive forest fires and the liquor trade, the Mounted Police, beginning in January 1897, made annual winter patrols to Lake Athabasca, Great Slave Lake, and parts of the Peace River region. Most of this law enforcement (under the Northwest Territories Act) was

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

> directed against whites and half-breeds rather than Indians, and in fact the Indians were apparently pleased with the action taken to reduce the use of poison."[9]

Price notes that this was a primary reason for NWMP presence in Treaty 8 territory for a period prior to the treaty. Price states:

> "Until 1897, the Mounted Police had restricted their role in the District of Athabasca to maintaining outposts at three locations on the Athabasca River for the purpose of controlling trade (particularly the liquor trade) into the region."[10]

In the years preceding Treaty 8, the Crown began to increase NWMP presence in the territory in order to, in part, address increased liquor trading. As Pat McCormack notes:

> "In 1892 or 1893, the federal government removed the prohibition on liquor from southern districts but maintained it in the district of Athabasca. It established a seasonal NWMP detachment at Athabasca Landing to intercept liquor headed for northern posts." [11]

As more non-Indigenous people travelled through or attempted to habituate on the territory prior to Treaty 8, the NWMP role in control of intoxicants only increased. As McCormack notes:

> In the fall of 1896, the NWMP made plans to send an officer on a winter trip from Edmonton to Lake Athabasca "to prepare the way for the extension northward of general Police supervision" (Comptroller to the Commissioner, NWMP, 18 Dec. 1896, LAC, RG 18, v. 128). In addition to enforcing the law, the goal of this survey was "to collect information likely to be useful to the Government in their future dealings with that Territory," paying particular attention to the liquor trade and abuses of alcohol, the use of poison, fires, fisheries, fur, game (especially bison), lumber, hay supplies, and possibilities for settlement (LAC, RG 18, v. 128, L.W. Herchmer, Commissioner, to Inspector Routledge, 21 Dec. 1896.)"[12]

It is clear that the control of intoxicants was an issue between the Cree peoples and the Crown in Treaty 8 territory. Although it does not result in a written clause in the treaty, it is a clear term in the relations between the Crown and Cree signatories and can be implied as an oral term.

6. Cree Law Informs Treaty 8:

---

[9] Richard Price, The Spirit of the Alberta Indian Treaties (3rd Ed) (University of Alberta Press: Edmonton, 1999) at 63.
[10] Ibid at 62.
[11] Patricia McCormack, Fort Chipewyan and the Shaping of Canadian History, 1788-1920s, "We like to be free in this country" (UBC Press: Vancouver, 2011) at 92.
[12] Ibid at 94.

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

7. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from

influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0016 678 443	5642NY;9;9	852 259 582 Q

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 9
LOT 9
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
852 259 582	26/11/1985			NIL

OWNERS

MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
OF C/O 2800, 801 - 6 AVENUE S.W., CALGARY
ALBERTA T2P 4A3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:51 A.M.

ORDER NUMBER: 51638415

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260001550
Account Number: 10518259
Legal Description (P/B/L): Plan: 5642NY Block: 9 Lot: 9
Civic Address: 125 MACKENZIE AVENUE FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$1,199.68
2023	$1,368.29
2022	$1,221.01
2021	$907.81
2020	$850.97

Tax Balance:
Current Taxes Outstanding: $35.99
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $35.99

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0014 050 330	5642NY;5;12	922 207 954

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 5
LOT 12
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112;12;RL
ATS REFERENCE: 4;7;112;13;RL
ATS REFERENCE: 4;7;112;14;RL
ATS REFERENCE: 4;7;112;15;RL

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 882 209 239

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
922 207 954	17/07/1992	TRANSFER OF LAND	$34,000	$34,000

OWNERS

CREE-ATIONS ENTERPRISES LIMITED.
OF P.O. BOX 90
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4731PU	18/09/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. AS TO PORTION OR PLAN:6100NY (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952088020)

(CONTINUED)

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:51 A.M.

ORDER NUMBER: 51638395

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260000800
Account Number: 10518190
Legal Description (P/B/L): Plan: 5642NY Block: 5 Lot: 12
Civic Address: 105 LOUTIT STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$1,068.63
2023	$992.92
2022	$860.16
2021	$868.66
2020	$764.60

Tax Balance:
Current Taxes Outstanding: $0.00
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $0.00

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0016 679 045	5642NY;6;17	852 259 582 N

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 6
LOT 17
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
852 259 582	26/11/1985			NIL

OWNERS

MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
OF C/O 2800, 801 - 6 AVENUE S.W., CALGARY
ALBERTA T2P 4A3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4083PW	29/08/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. "PART" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952088257)

TOTAL INSTRUMENTS: 001

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:49 A.M.

ORDER NUMBER: 51638363

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260001010
Account Number: 10518210
Legal Description (P/B/L): Plan: 5642NY Block: 6 Lot: 17
Civic Address: 103 LOGAN CRESCENT FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$718.46
2023	$669.09
2022	$587.24
2021	$593.56
2020	$522.51

Tax Balance:
Current Taxes Outstanding: $21.55
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $21.55

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0016 682 080	5642NY;1;7	852 259 582 A

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 1
LOT 7
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
852 259 582	26/11/1985			NIL

OWNERS

MISTEE SEEPEE DEVELOPMENT CORPORATION LTD.
OF C/O 2800, 801 - 6 AVENUE S.W., CALGARY
ALBERTA T2P 4A3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4083PW	29/08/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. AS TO PORTION OR PLAN:6100NY (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952088257)

TOTAL INSTRUMENTS: 001

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:50 A.M.

ORDER NUMBER: 51638389

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260000370
Account Number: 10518148
Legal Description (P/B/L): Plan: 5642NY Block: 1 Lot: 7
Civic Address: 100 TORANGEAU AVENUE FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$392.76
2023	$352.99
2022	$319.82
2021	$302.00
2020	$263.60

Tax Balance:
Current Taxes Outstanding: $11.78
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $11.78

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0025 886 558	8322365;3;9B	942 019 491 +1

LEGAL DESCRIPTION

PLAN 8322365
BLOCK 3
LOT 9B
EXCEPTING THEREOUT:
A) THE NORTHERLY 4.96 METRES IN PERPENDICULAR WIDTH THROUGHOUT
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;7;112;8;NW
ESTATE: FEE SIMPLE

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 932 048 992

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
942 019 491	21/01/1994	TRANSFER OF PART OF LAND		

OWNERS

CREE-ATIONS ENTERPRISES LIMITED.
OF P. O. BOX 180
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:51 A.M.

ORDER NUMBER: 51638405

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0011 259 819	8321682;1;21	992 079 615

LEGAL DESCRIPTION
PLAN 8321682
BLOCK 1
LOT 21
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112;8;N
ATS REFERENCE: 4;7;112;17;S

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 972 315 180

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
992 079 615	31/03/1999	TRANSFER OF LAND	$20,000	$20,000

OWNERS

GUTHRIE MECHANICAL SERVICES LTD.
OF P.O. BOX 5175
FORT MCMURRAY
ALBERTA T9H 3G3
(DATA UPDATED BY: CHANGE OF NAME 192310666)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
852 046 445	08/03/1985	UTILITY RIGHT OF WAY GRANTEE - ALBERTA POWER LIMITED. "PART"
202 168 885	14/08/2020	MORTGAGE MORTGAGEE - BANK OF MONTREAL. 350-7 AVENUE SW,9 FLOOR

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

CALGARY
ALBERTA T2P3N9
ORIGINAL PRINCIPAL AMOUNT: $60,000,000

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:53 A.M.

ORDER NUMBER: 51638512

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260003720
Account Number: 10518456
Legal Description (P/B/L): Plan: 8322365 Block: 3 Lot: 9B
Civic Address: 109 MCDONALD STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$400.47
2023	$357.86
2022	$322.52
2021	$327.63
2020	$288.85

Tax Balance:
Current Taxes Outstanding: $0.00
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $0.00

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0012 418 357	8322365;3;12A	932 048 993

LEGAL DESCRIPTION
PLAN 8322365
BLOCK 3
LOT 12A
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;7;112;8;NW

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 932 023 595

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
932 048 993	24/02/1993	TRANSFER OF LAND	$15,000	$15,000

OWNERS

CREE-ATIONS ENTERPRISES LIMITED.
OF P. O. BOX 180
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:53 A.M.

ORDER NUMBER: 51638497

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260003730
Account Number: 10518457
Legal Description (P/B/L): Plan: 8322365 Block: 3 Lot: 12A
Civic Address: 105 MCDONALD STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$363.32
2023	$320.59
2022	$289.91
2021	$294.95
2020	$260.41

Tax Balance:
Current Taxes Outstanding: $0.00
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $0.00

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0010 154 433	5642NY;6;10	132 315 333

LEGAL DESCRIPTION
PLAN 5642NY
BLOCK 6
LOT 10
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: REGIONAL MUNICIPALITY OF WOOD BUFFALO

REFERENCE NUMBER: 012 300 397

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
132 315 333	02/10/2013	TRANSFER OF LAND	$100,000	$100,000

OWNERS

1112958 ALBERTA LTD.
OF PO BOX 90
FORT CHIPEWYAN
ALBERTA T0P 1B0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4705PS	25/06/1968	UTILITY RIGHT OF WAY GRANTEE - MUNICIPALITY OF WOOD BUFFALO. AS TO PORTION OR PLAN:6100NY (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 952087974)

TOTAL INSTRUMENTS: 001

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 17 DAY OF SEPTEMBER, 2024 AT 11:49 A.M.

ORDER NUMBER: 51638356

CUSTOMER FILE NUMBER:

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Tax Search **Tuesday, September 17, 2024**

Lawyer's Client File Number: 756719
Roll Number: 8260000960
Account Number: 10518205
Legal Description (P/B/L): Plan: 5642NY Block: 6 Lot: 10
Civic Address: 112 MERCREDI STREET FORT CHIPEWYAN AB T0P1B0 CANADA
Payment by Mortgage Company: No
Payment by TIPP: No

Tax Year	Tax Levy
2024	$489.56
2023	$459.10
2022	$414.66
2021	$420.79
2020	$370.49

Tax Balance:
Current Taxes Outstanding: $14.69
Arrears Taxes Outstanding: $0.00
Other Charges/Utility Transfers Outstanding: $0.00
Total Taxes Outstanding: $14.69

Additional unpaid accounts that may be added to taxes include:

Water/Sewer Charges (These amounts do not include final billing):

Current Utilities Outstanding: Not available-Contact Utility Billing
Current Outstanding Due Date:
Arrears Utilities Outstanding: Not available-Contact Utility Billing
Total Utilities Outstanding: Not available-Contact Utility Billing

If you would like to save a download of this report, select Print in your web browser and choose Save as PDF.

Assessment Report for this Property (No Charge)

Return to Account Search

***NOTICE:**
Water and wastewater service connections to residential properties in Anzac, Conklin, Draper, Gregoire Lake Estates, Janvier and Saprae Creek Estates may have been installed pursuant to the Rural Area Water and Wastewater Service Connection Bylaw 20/009. If applicable, any remaining payment for the service connections will be in accordance with the Instalment Payment Option for the Service Connection Fee as set out in Schedule "B" to the Bylaw. Instalments are included in Municipal Utility Invoices. Any arrears of instalments will be added to the subject property tax roll. For further information, please contact the Regional Municipality of Wood Buffalo's Pulse Line at **780-743-7000** or 1-800-973-9663.

ADVERTISEMENT

Edmonton

Mikisew Cree First Nation declares state of local emergency following multiple suicides

'We can feel the grief amongst the people, the hurt,' says Chief Billy-Joe Tuccaro

Wallis Snowdon · CBC News · Posted: Apr 25, 2023 12:07 PM MDT | Last Updated: April 25, 2023

The Mikisew Cree First Nation says suicides and suicide attempts have been increasing in the remote community of Fort Chipewyan, Alta. (Jeff McIntosh/The Canadian Pres)

A First Nation in northern Alberta has declared a state of local emergency following a string of suicide and suicide attempts among community members.

The Mikisew Cree First Nation says immediate medical intervention is needed in Fort Chipewyan, Alta., to address a mounting mental health crisis among members.

Suicides and suicide attempts have been increasing in the remote community accessible only by plane, boat or ice road, about 280 kilometres north of Fort McMurray, the MCFN said in a statement Tuesday.

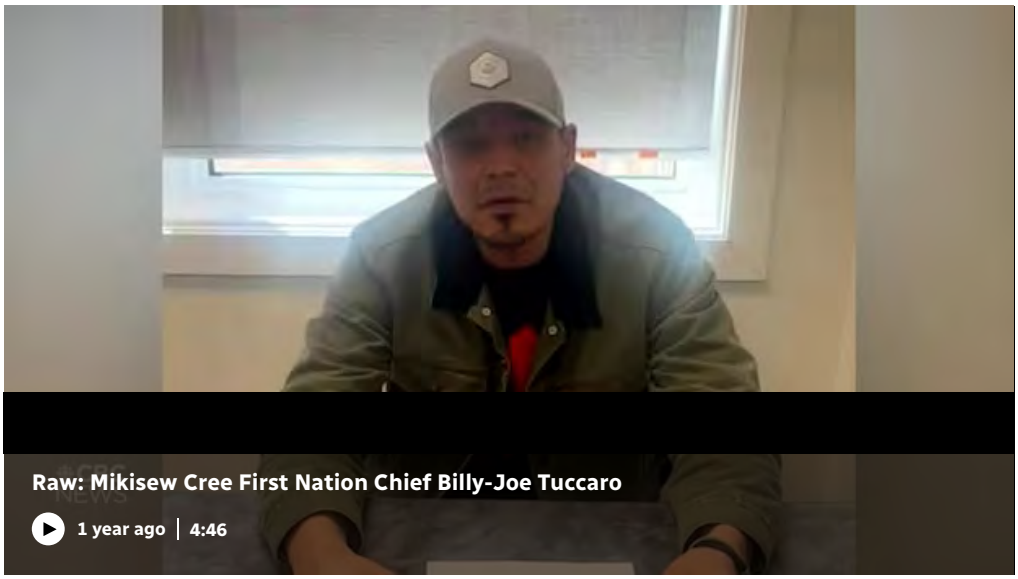
Community leaders fear that if additional mental health resources don't arrive soon, the trend will have a tragic ripple effect among members.

"Leadership is also gravely concerned about the imminent potential of suicidal clusters, suicidal ideations, and suicidal planning among our youth," the statement reads.

"Our nation urgently needs mental health support in our community to address the immediate and short-term crisis and sustained funding for mental health and addictions in the long term, focusing on health promotion, prevention and reclaiming cultural identity."

The state of local emergency was declared Monday following a vote by the chief and council.

WATCH | Chief Billy-Joe Tuccaro discusses the situation in Fort Chipewyan, Alta.



In a video posted to social media, Mikisew Cree First Nation Chief Billy-Joe Tuccaro said the community has called on the federal and provincial governments to provide immediate support and long-term, sustainable funding for community mental health supports.

In a video posted to social media, Chief Billy-Joe Tuccaro said the community has called on the federal and provincial governments, including Alberta Health Services and Indigenous Services Canada, to provide immediate support and long-term, sustainable funding for community mental health supports.

Rick Wilson, Alberta's minister of Indigenous relations, said he is "deeply concerned" by the situation.

"One death to suicide is too many," Wilson said in a statement. "I am committed to working with my government colleagues, including at the federal level, to understand what we can do to support Mikisew Cree First Nation and all Indigenous communities impacted by the loss of life due to suicide."

CBC News has requested comment from the federal government. Alberta Health Services declined to comment.

The community is also calling for a mental health crisis response team to be immediately dispatched to the community, Tuccaro said.

He did not provide an exact number but said multiple suicides have been reported.

He said outside support is needed to end a pattern of self-destructive behaviour in the community.

"We can feel the grief amongst the people, the hurt," he said.

"As the chief of the Mikisew Cree First Nation, I too get these calls about our membership wanting to hurt themselves. It's something that I take near and dear to my heart."

Tuccaro said the band and council can no longer turn a blind eye to the crisis unfolding in the community.

"Today, there is no more words," he said. "Today is a day of action. We can not stand by anymore and pretend that this is not a real issue."

In the video, Tuccaro urged anyone who is struggling to get help. He also shared a warning, urging parents to monitor their children's social media activity. Some sites are promoting risky behaviour among teenagers in the community, he said.

"Please, speak to your children," he said.

Co-ordinating response

Allan Adam, chief of the Athabasca Chipewyan First Nation, said ACFN plans to issue its own declaration and support a coordinated response to the suicide crisis in a community that also home for many ACFN members.

He said the two bands should work together to help "get a grip" on the crisis.

"It's affecting our young people our most," Adam said in an interview from Fort Chipewyan Tuesday. "That's a big problem here in the community.

"But they're not the only ones. It's people in general that are having all these issues."

Adam said the community is in the throes of a mental health crisis, exasperated by addiction to opioids and other drugs. People in the community who are suffering from depression often turn to drugs, leading to social disorder within the remote hamlet.

Mental health supports are important but the community must also focus on eliminating the drug trade, Adam said.

"These drug dealers need to be dealt with," Adam said. "Some of them are not from the community and they're plaguing our community, disrupting everything."

The Mikisew Cree First Nation takes a zero-tolerance approach to manufacturing, selling or possessing illegal drugs on the First Nation.

- **Not in Chip: Northern Alberta hamlet campaigning against drugs**

In February, the band issued a bylaw authorizing Wood Buffalo RCMP to search homes on reserve lands or buildings owned by the First Nation in an attempt to eliminate the drug trade.

The band warned that offenders could be banned from the reserve or properties owned by the nation.

"It's time we banded together and deal with the issue," Adam said. "If not, this crisis is going to keep on going."

Suicide rates have consistently been shown to be higher among First Nations people, Métis and Inuit in Canada than the rate among non-Indigenous people.

According to a 2019 report from Statistics Canada, the suicide rate among First Nations people in Canada was three times higher than the rate among non-Indigenous people.

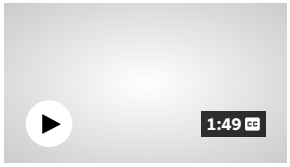
If you or someone you know is struggling, here's where to get help:

- ***Talk Suicide Canada**: 1-833-456-4566 (phone) | 45645 (text between 4 p.m. and midnight ET).*
- *Kids Help Phone: 1-800-668-6868 (phone), live chat counselling on **the website**.*
- *Canadian Association for Suicide Prevention: **Find a 24-hour crisis centre.***
- *This guide from the **Centre for Addiction and Mental Health** outlines how to talk about suicide with someone you're worried about.*

CBC's Journalistic Standards and Practices | *About CBC News*

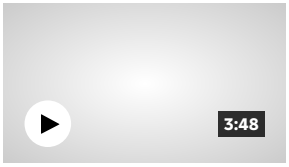
Corrections and clarifications | *Submit a news tip* | *Report error*

TRENDING VIDEOS



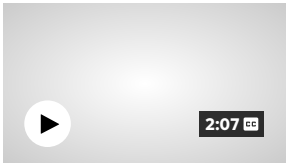
VIDEO

Canadian nun becomes a saint



VIDEO

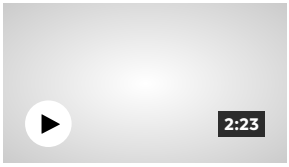
Waterloo man captures racially charged altercation on video



VIDEO

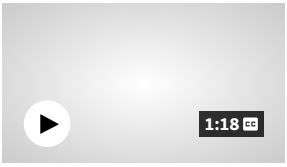
Kids' hockey game halted as parents brawl in the stands

The National



VIDEO

Heavy rain causes flooding on the North Shore



VIDEO

#TheMoment an elderly penguin got a wetsuit

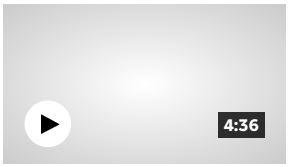
The National

RECOMMENDED FOR YOU

UPDATED

Police release new details on workplace death of 19-year-old at Halifax Walmart

Canada - Nova Scotia



117 homebuyers out millions, as Ontario builder admits to selling homes without legal approvals

Saloni Bhugra

Canada - Toronto

B.C. Greens mull role of potential kingmaker after tight election

Akshay Kulkarni

Canada - British Columbia

IN DEPTH

'It's like a cage': Foreign workers who quit Canadian Tire speak out about feeling trapped by work permits

Shaina Luck

Canada - Nova Scotia

Blade Runner 2049 producers sue Elon Musk, Tesla, Warner Bros. Discovery over robotaxi images

Brock Wilson

Entertainment

Your privacy options

We and select advertising partners collect some of your data in order to give you a better experience through personalized content and advertising. You can learn more in our Privacy Notice.

Privacy Preferences | I Accept

[redacted]

[redacted]

From: Colford, Brandon (RCMP/GRC) <brandon.colford@rcmp-grc.gc.ca>
Date: Monday, October 21, 2024 at 3:17 PM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>, Davison, Warren (RCMP/GRC) <warren.davison@rcmp-grc.gc.ca>
Cc: ceo <ceo@mikisewcree.ca>
Subject: RE: RCMP Data re: Alcohol Related Occurances

Hey Orlagh, sorry for the delay.

I called the Fort McMurray Detachment to run the sta:s :cs, but due to the linking process on PROS, all alcohol involved occurrences were not populated in the reports, so it was very inaccurate. I had to individually check every PROS file for the year so it took a few hours. I only looked up the occurrences from 2024/01/01 to today. If you need a wider range of dates, please let me know.

Out of the detachments 697 occurrences in 2024, **328** were alcohol related. A breakdown is as follows:

- 91 - Mischief
- 55 – Assault
- 34 - Breach of peace
- 32 – Provincial/municipal/liquor act
- 28 – Traffic related
- 22 – Wellbeing check
- 19 – Mental Health Act
- 10 - 911 hang ups
- 7 – Assist General Public
- 6 – U[ering Threats
- 6 - Assistance to provincial agency
- 5 – The\
- 4 – Fail to comply with condi:ons
- 2 – Crime preven:on
- 2 – break and Enter
- 1 – Sexual Assault
- 1 – Items lost
- 1 – trespass at night
- 1 - Trespass

- 1 – Public Mischief

Addi:onally , our detachment has lodged 87 Prisoners in cells in 2024. Out of the 87, **69** were intoxicated by alcohol. If you need anything further or have any ques:ons, please let me know!

Cst. Brandon COLFORD
Fort Chipewyan Detachment
P.O. Box 328 Fort Chipewyan, AB TOP 1B0
Tel: 780-697-3931
Fax: 780-697-3624

Tuesday, October 22, 2024 at 12:09:39 Mountain Daylight Time

Subject: Re: Chief Tuccaro & Mikisew Response- RMWB Application for Liquor Store 2023-DP-00125
Date: Tuesday, October 22, 2024 at 12:09:39 PM Mountain Daylight Saving Time
From: Orlagh O'Kelly
To: nabil.malik@rmwb.ca, brett.williamson@rmwb.ca
CC: Shelley Metera
Attachments: image001.png, image002.png

From: Orlagh O'Kelly <orlagh@robertsokelly.com>
Sent: Thursday, August 17, 2023 3:36:49 PM
To: nabil.malik@rmwb.ca <nabil.malik@rmwb.ca>; breMwilliamson@rmwb.ca <breMwilliamson@rmwb.ca>
Cc: paMyhajdu@parl.gc.ca <paMyhajdu@parl.gc.ca>; council@rmwb.ca <council@rmwb.ca>; mayor@rmwb.ca <mayor@rmwb.ca>; ir.ministeroffice@gov.ab.ca <ir.ministeroffice@gov.ab.ca>; dennis.fraser@rmwb.ca <dennis.fraser@rmwb.ca>; Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>; Dr. Rohan Ghatak <ceo@mikisewcree.ca>
Subject: Chief Tuccaro & Mikisew Response- RMWB Applica[on f or Liquor Store 2023-DP-00125

Good a_ernoon:

On behalf of Chief Billy-Joe Tuccaro and Mikisew Cree First Na[on, please find enclosed in opposi[on t o the above-noted applica[on f or a liquor store in Fort Chipewyan.

Sincerely,

ROBERTS O'KELLY LAW • ADR

Orlagh O'Kelly LLB

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
Amiskwaciwâskahikan – Treaty 6
T: 780 760 6752 E: orlagh@robertsokelly.com W: www.robertsokelly.com

This message, including aMachments, is for the addressee(s) only. It may contain privileged, confiden[al or other in forma[on e xempt from disclosure. If you received this email in error please no[f y the sender and delete this email message and all aMachments.

MIKISEW CREE FIRST NATION

MIKISEW CREE FIRST NATION
ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

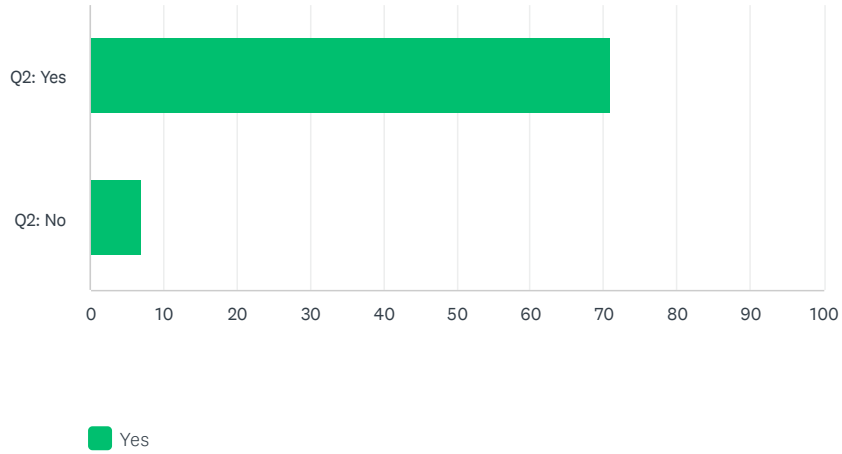
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

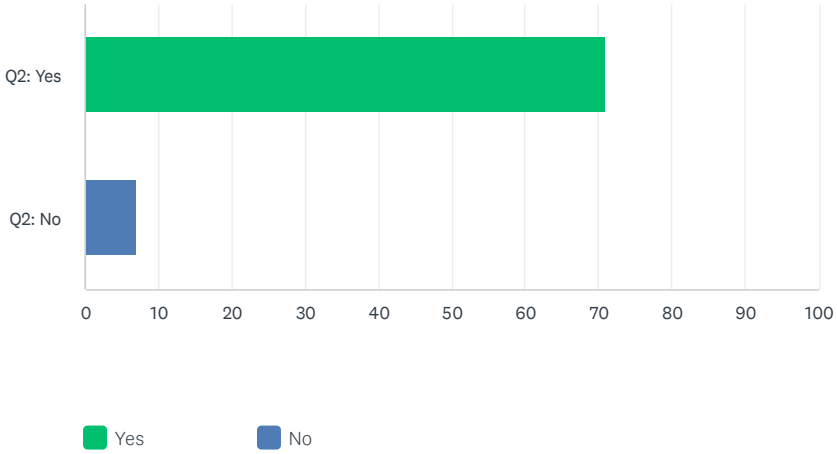


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

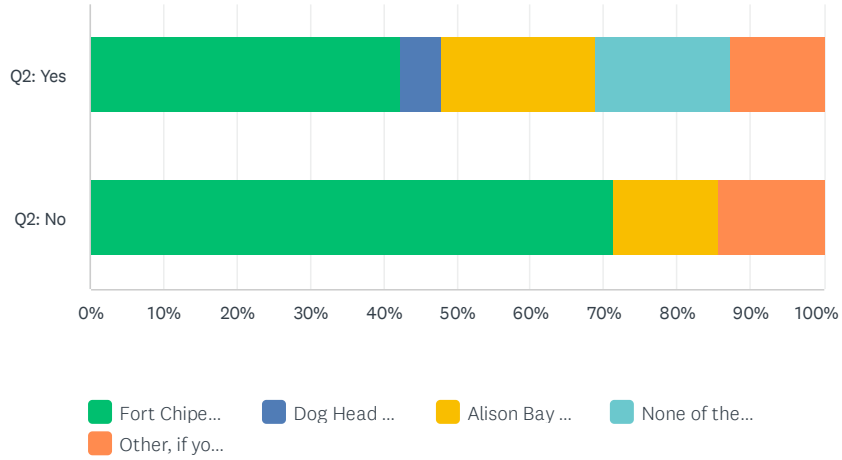
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

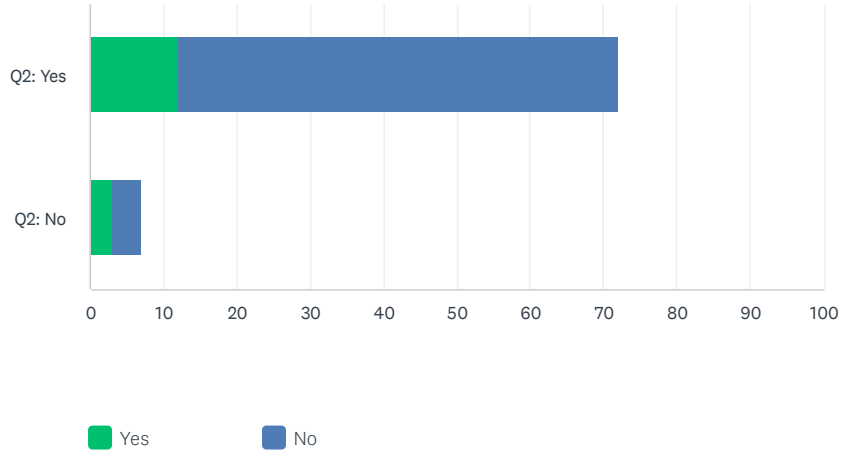
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

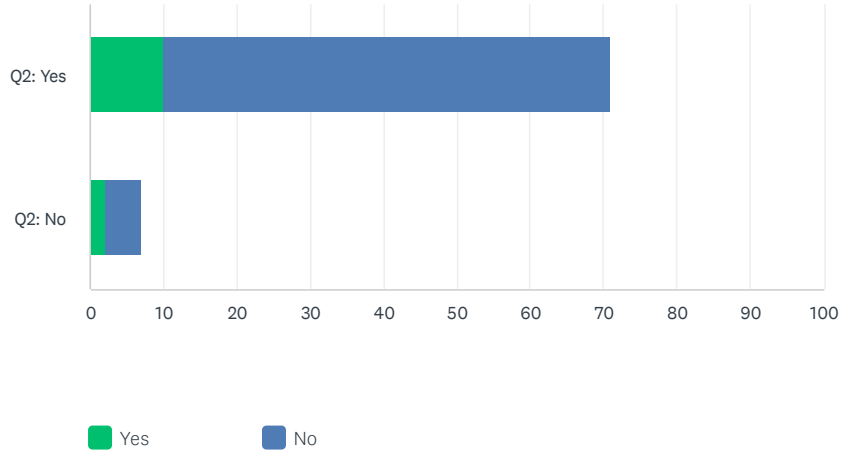
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

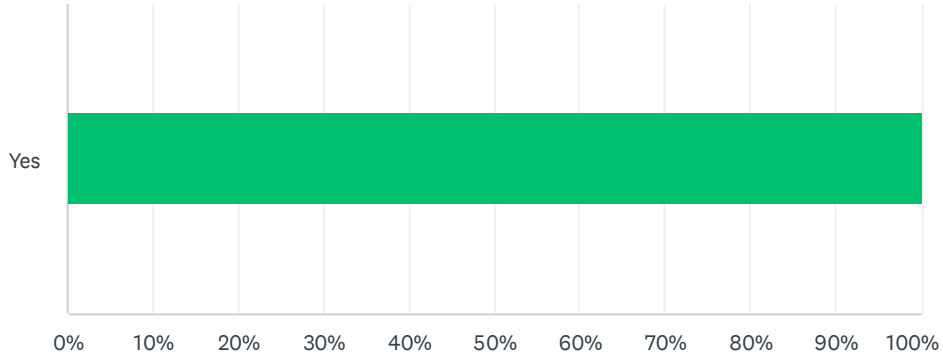
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

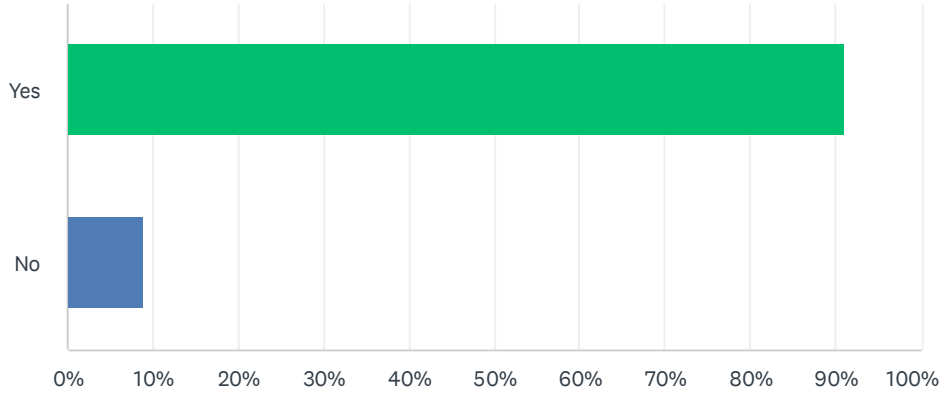
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

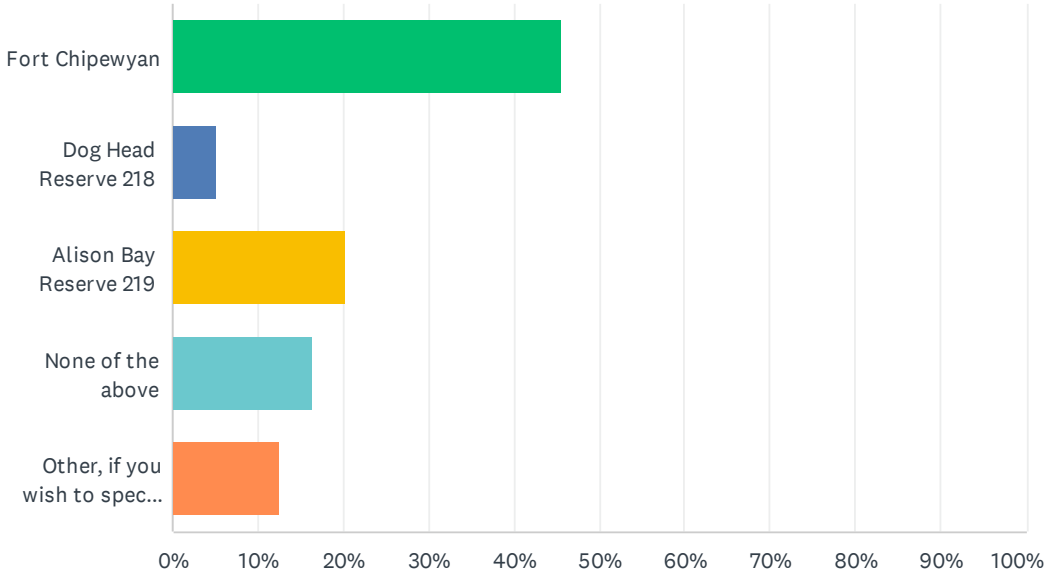
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

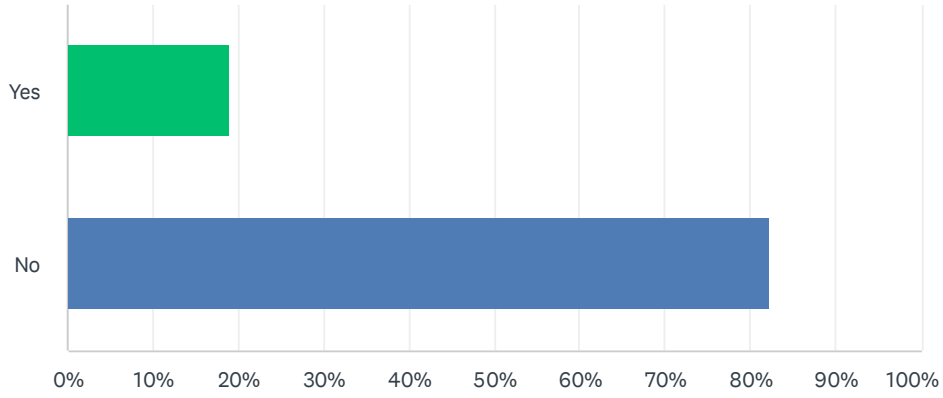
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

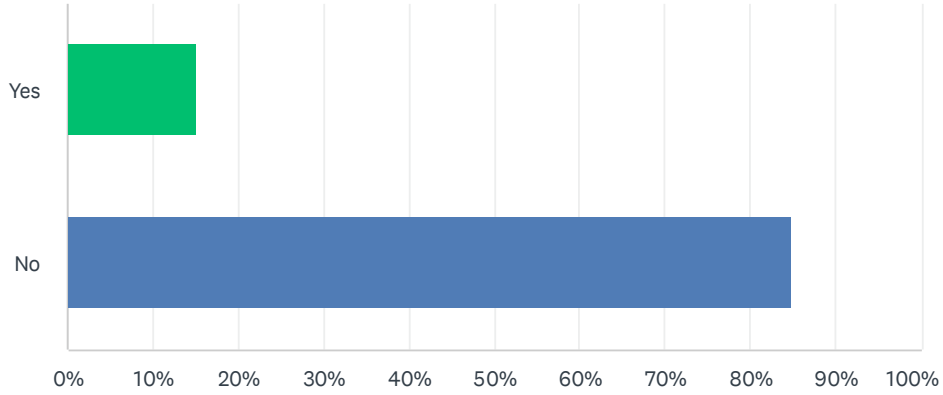
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:		TOTAL
Q2: Yes		100.00% 40	97.56% 40
Q2: No		100.00% 1	2.44% 1
Total Respondents	41		41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

PROTOCOL AGREEMENT

An Agreement for Collaboration and a Renewed Relationship Between the Mikisew Cree First Nation and the Regional Municipality of Wood Buffalo

BETWEEN:

Mikisew Cree First Nation
(the "**MCFN**")

AND

Regional Municipality of Wood Buffalo
(the "**Municipality**")

1.0 PREAMBLE

A. The history of Turtle Island, now known as Canada, Alberta, and the Regional Municipality of Wood Buffalo (RMWB) has been shaped and greatly influenced by Indigenous Peoples with their own languages, cultures, traditions, and government structures.

B. Section 35 of the Constitution Act, 1982 explicitly recognizes and affirms the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada and indicates that the term "Aboriginal peoples of Canada" includes the First Nation, Inuit and Métis people of Canada, including the Mikisew Cree First Nation (MCFN), are recognized and affirmed.

C. The Municipality recognizes that the MCFN holds Aboriginal rights, Treaty rights and MCFN reserve land exists within or inside of the physical limits of the Municipal boundaries.

D. It is in the mutual interests of both Parties to foster a stronger and more defined collaborative government-to-government relationship.

E. The Municipality and the MCFN have the mutual objective of taking significant steps towards advancing truth and reconciliation through action and dialogue.

F. The Municipality and the MCFN wish to define their mutual relationship and establish and detail how the two Parties will collaboratively work together.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

G. The Parties recognize that the commitment to discussions and processes provided for in this Agreement are steps towards truth and reconciliation and are expected to provide clarity and predictability for the MCFN, the Municipality, members of the MCFN and citizens of the Region.

H. The Parties are committed to truth and reconciliation, as defined by the Truth and Reconciliation Commission of Canada, through establishing and maintaining a mutually respectful relationship.

NOW THEREFORE the Parties enter into this Agreement with the intention and desire to establish a collaborative government-to-government protocol and relationship, in the spirit of taking action to achieve truth and reconciliation, for the shared benefit of the MCFN and the Municipality. The Parties agree as follows:

2.0 DEFINITIONS

2.1 For the purposes of this Agreement, the following definitions apply:

(a) "**Agreement**" means this Protocol Agreement between the Regional Municipality of Wood Buffalo and the MCFN

(b) **Capacity Support**" means funding provided by the Municipality through the *Indigenous Community Capacity Grant Program FIN-250* to the MCFN to assist the MCFN with implementing the commitments and responsibilities outlined in this Agreement

(c) "**Effective Date**" means the date this Agreement is fully executed by both Parties

(d) **"Indigenous"** means the original peoples of the land (First Nations (status and non-status), Métis and Inuit), distinct social and cultural groups sharing collective ancestral ties to the lands and natural resources within (and beyond) the boundaries of the Municipality

(e) "**Joint Committee**" means appointed staff or administration appointed by both Parties to fulfill the roles identified in Section 7.2

(f) "**Municipality**" or "**RMWB**" means the Regional Municipality of Wood Buffalo

(g) **"Parties"** collectively means the MCFN and the Municipality and individually either the MCFN or the Municipality, as the case requires

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(h) **"Principles of Reconciliation"** means the ten guiding principles respecting the Government of Canada's relationship with Indigenous peoples published in 2018

(i) **"UN Declaration"** means the UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples: resolution adopted by the General Assembly*, 2 October 2007, A/RES/61/295

(j) **"Work Plan"** means an annual aspirational exercise involving both Parties where anticipated engagement work will be reviewed, considered and structured for the following year.

3.0 PURPOSE

3.1 The purpose of this Agreement is to:

(a) establish agreed processes for a renewed government-to-government relationship between the Municipality and the MCFN

(b) agree and confirm the responsibilities, processes and actions pursuant to which the two Parties will address matters of mutual interest

(c) establish a "Joint Committee" through which the Municipality and the MCFN will manage and collaborate on joint priorities

(d) formalize an engagement process with the MCFN on municipal projects, programs, policies or decisions that are of interest to, or may have impact on the MCFN.

4.0 PROTOCOL PRINCIPLES

4.1 The Parties recognize that the successful implementation of this Agreement will require systematic, timely and disciplined efforts by both Parties. The Parties agree to the following principles:

(a) acting in an open, good faith and transparent manner toward one another in dealing with the matters set out in this Agreement and when implementing this Agreement

(b) continuous education, knowledge and understanding of the Parties' mutual interests

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(c) applying a results-driven approach to all discussions, negotiations and the implementation of this Agreement

(d) building a relationship based on trust and collaboration between the MCFN and the Municipality, applying the Principles of Reconciliation

(e) expanding the Municipality's knowledge of, and appreciation for, the MCFN history, culture and way of life.

5.0 ENGAGEMENT PROTOCOL

5.1 All high-level policies and initiatives undertaken by the Municipality with the MCFN will be on a government-to-government basis and not be viewed as public or stakeholder engagement.

5.2 Despite section 5.1, the Municipality will use its best efforts to engage with the MCFN on projects, programs, policies and decisions that may have an impact on the MCFN or its membership, in accordance with its current public engagement policies, including but not limited to:

(a) the *Public Engagement Administrative Procedure PRC-130-P01*; and

(b) the *Public Engagement Policy PRC-130*

as amended or as replaced from time to time.

5.3 The Parties agree to the following principles for engagement:

(a) sufficient prior notification and engagement by the Municipality with the MCFN where the Municipality reasonably believes that a municipal project, program, or policy may affect the interests of the MCFN

(b) at the request of the MCFN, further detailed information on any municipal project, program, or policy will be provided to the MCFN to allow the MCFN to assess their interest in or potential impact from such project, program, or policy and to meaningfully participate in any municipal engagement process

(c) reporting back to the MCFN on how the input from the MCFN has been considered and incorporated into any municipal decision.

5.4 The Parties agree to the following process for engagement undertaken by the Municipality:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(a) the Municipality will annually provide to the Joint Committee a list of projects, programs, policies and decisions to the MCFN that may impact the MCFN or its members

(b) The MCFN will advise the Municipality of the recommended level of engagement through the Joint Committee

(c) the Municipality will use its best efforts to follow the preferred engagement process recommended by the MCFN, considering time and resource constraints.

5.5 If a project, program, policy or decision is contemplated or initiated by the Municipality after the provision of the annual list to the MCFN through the Joint Committee, the proposed project, program, policy or decision will be submitted to the Joint Committee as soon as possible and the process outlined in Sections 8.2 (b) and (c) of this Agreement will be followed.

5.6 Nothing in this Agreement diminishes any engagement or notification requirements required by the Municipality under the *Municipal Government Act* RSA 2000 c-M-26 or any other enactment.

5.7 Nothing in this Agreement diminishes any "duty to consult" with the MCFN required by the Municipality under the *Indian Act*, RSC 1985, c. I-5, as amended, any other enactment or at common law.

6.0 MUTUAL INTEREST

6.1 The following areas of mutual interest have been identified and agreed upon by the Parties for collaboration. Where appropriate, separate agreements may be entered into by the Parties bi-laterally or with other appropriate partners:

(a) intergovernmental coordination

(b) partnerships and to lobby provincial and federal governments on priorities of mutual interest

(c) cultural and tourism development

(d) regional economic development

(e) land planning, zoning, and land-use

(f) employment

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(g) emergency preparedness and management

(h) infrastructure

(i) municipal service agreements

(j) procurement and contracts

(k) property and other taxation issues

(l) social services

(m) housing initiatives

(n) policing

(o) transportation initiatives

(p) additional issues of interest that the Parties may identify from time to time.

7.0 JOINT COMMITTEE

7.1 To accomplish the objectives of this Agreement, the Parties will establish a Joint Committee as soon as practicable following the Effective Date of this Agreement.

7.2 The Joint Committee will:

(a) develop and submit an annual Work Plan based on the areas of mutual interest identified in Section 6.1

(b) collaboratively implement the annual Work Plan

(c) address any urgent issues that may arise

(d) establish sub-committees or working groups to undertake specific projects as required

(e) address any other issues that may arise during the implementation and term of this Agreement

(f) undertake other duties as may be agreed to by the Joint Committee.

7.3 The Joint Committee shall meet at least twice a year to undertake collaborative discussions related to the items identified under section 6.1.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

7.4 The Joint Committee may refer disputes to the leadership of their governments for resolution through the established communication protocol outlined in section 8.0.

7.5 The Joint Committee membership will:

(a) consist of two representatives appointed from the RMWB's Indigenous and Rural Relations Department and two representatives appointed by the MCFN

(b) meetings will be chaired alternatively by one representative from the Municipality and one representative from the MCFN

(c) operate on the basis of consensus, to the greatest extent reasonably possible.

(d) establish procedures including but not limited to:

a. meeting frequency and locations

b. the process for involvement of other departments and representatives

7.6 The Joint Committee membership is appointed for each calendar year by the Parties and the membership shall be as identified in **Schedule "A"**.

8.0 COLLABORATIVE LEADERSHIP COMMUNICATION PROTOCOL

8.1 The Parties will establish a Collaborative Leadership Communication Protocol to provide a process for elected leadership of both Parties to provide direction on the implementation of this Agreement.

8.2 The purpose of the Collaborative Leadership Communication Protocol is to:

(a) act as an avenue through which elected leadership of the MCFN and the Municipality provide input on approaches to addressing mutual areas of interest and the annual Work Plans

(b) review the progress of the Joint Committee and other aspects of the Agreement

(c) strengthen the working relationship with elected leadership, manage issues and potential areas of conflict, and increase collaboration.

8.3 Discussions or conversations that occur as part of this established protocol are required to be reported back to their respective Councils on any discussions and/or recommendations.

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

9.0 IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UN Declaration)

9.1 The MCFN agrees to participate in collaborative discussions with the Municipality on the proposed municipal implementation of the UN Declaration as a framework for advancing truth and reconciliation, including but not limited to the following:

(a) providing input on any municipal policies concerning the UN Declaration

(b) providing input on any documents, plans or strategies for implementing the UN Declaration as a framework for advancing truth and reconciliation

(c) providing any other input or advice on the proposed implementation of the UN Declaration as a framework for advancing truth and reconciliation in Wood Buffalo.

10.0 FUNDING

10.1 The Municipality will provide Capacity Support to the MCFN through the *Indigenous Community Capacity Grant Program FIN-250*.

11.0 TERM AND TERMINATION

11.1 The term of this Agreement will commence on the Effective Date.

11.2 The Agreement will be reviewed on or before the third anniversary date of the Effective Date and every three years thereafter.

11.3 Either Party may terminate this Agreement upon:

(a) 90 days written notice to the other Party with a detailed explanation of the reason for termination; or

(b) upon the terms of this Agreement being incorporated by the Parties into a successor agreement or modified by mutual agreement of the Parties.

11.4 Upon written notice of termination being given by either Party, the Parties will meet within 30 days to seek to achieve an understanding for the reason(s) for termination and to discuss potential amendments to the Agreement or other solutions to avoid termination.

12.0 REPRESENTATIONS

12.1 The MCFN confirms that by entering into this Agreement:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

(a) it has the authority and capacity to enter into this Agreement on its own behalf and on behalf of its members

(b) it has taken all necessary actions and has obtained all necessary approvals to enter into this Agreement for and on behalf of its members

(c) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

12.2 The Municipality confirms that by entering into this Agreement:

(a) it has the authority to enter into this Agreement

(b) this Agreement is valid and best efforts will be made to meet all obligations contained within the Agreement.

13.0 GENERAL TERMS

13.1 This Agreement is a non-binding instrument which is intended to express the will of the Parties to collaborate on a range of matters of mutual interest but is not intended to be actionable pursuant to legal proceedings.

13.2 This Agreement, including the Forum, does not affect the jurisdiction or discretion of any decision-making authority of the Municipality or the MCFN.

13.3 Any notice, document or communication required or permitted to be given shall be in writing and delivered by hand, by registered mail or by email to the Party to which it is to be given as follows:

To: Regional Municipality of Wood Buffalo
Jubilee Building
6th Floor, 9909 Franklin Avenue
Fort McMurray, AB T9H 2K4

Attention: Director Indigenous and Rural Relations
E-mail: Director.IRR@RMWB.ca

To: Mikisew Cree First Nation
P.O. Box 90
Fort Chipewyan, AB T0P 1B0

Attention:
E-mail:

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

13.4 This Agreement may be amended from time to time by the Parties in writing.

13.5 If any part of this Agreement is deemed or found to be void or invalid:

(a) the invalidity of that part will not affect the validity of other parts of the Agreement; and

(b) the Parties will negotiate and attempt to reach agreement on a replacement for the part declared void or invalid.

IN WITNESS WHEREOF this Agreement is effective this ___ day of _____, 20___ and in making their best efforts to adhere to the terms established in this Agreement, the Parties have signed and executed this Agreement by their authorized representatives.

MIKISEW CREE FIRST NATION

ATIA 20(1)

Chief

Melody Lepine, Acting Chief Executive Officer

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Sandy Bowman, Mayor

Linda Ollivier, Interim Chief Administrative Officer

MIKISEW CREE FIRST NATION

REGIONAL MUNICIPALITY OF WOOD BUFFALO

SCHEDULE "A" – JOINT COMMITTEE

At the signing of this Agreement, the following representatives have been appointed to the initial Joint Committee:

Joint Committee Membership Representatives		
Mikisew Cree First Nation	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		
Municipality	**Representative #1**	**Representative #2**
Name		
Title		
Phone Number		
Email Address		

Tuesday, October 22, 2024 at 12:10:33 Mountain Daylight Time

Subject:	Re: Chief Tuccaro & Mikisew Response- RMWB Application for Liquor Store 2023-DP-00125
Date:	Monday, September 11, 2023 at 1:22:11 PM Mountain Daylight Saving Time
From:	Orlagh O'Kelly
To:	nabil.malik@rmwb.ca, brett.williamson@rmwb.ca
CC:	patty.hajdu@parl.gc.ca, council@rmwb.ca, mayor@rmwb.ca, ir.ministeroffice@gov.ab.ca, dennis.fraser@rmwb.ca, Mikisew Chief and Council, Doreen Cardinal-Somers
Category:	Filed to Clio
Attachments:	image001.png, image002.png, image003.png, image004.png

Good a&ernoon Sirs:

Could we please have confirma8on that Mikisew will be no8fied when a decision is made on this applica8on? If not, kindly advise where we can inquire about the status of this applica8on.

Sincerley,

ROBERTS O'KELLY LAW • ADR

Orlagh O'Kelly LLB

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
Amiskwaciwâskahikan – Treaty 6
T: 780 760 6752 **E:** orlagh@robertsokelly.com **W**: www.robertsokelly.com

This message, including a] achments, is for the addressee(s) only. It may contain privileged, confiden8al or other informa8on exempt from disclosure. If you received this email in error please no8fy the sender and delete this email message and all a] achments.

From: Orlagh O'Kelly <orlagh@robertsokelly.com>
Date: Friday, September 1, 2023 at 6:20 PM
To: nabil.malik@rmwb.ca <nabil.malik@rmwb.ca>, bre]. williamson@rmwb.ca <bre]. williamson@rmwb.ca>
Cc: pa]y .hajdu@parl.gc.ca <pa]y .hajdu@parl.gc.ca>, council@rmwb.ca <council@rmwb.ca>, mayor@rmwb.ca <mayor@rmwb.ca>, ir.ministeroffice@gov.ab.ca <ir.ministeroffice@gov.ab.ca>, dennis.fraser@rmwb.ca <dennis.fraser@rmwb.ca>, Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>, Doreen Cardinal-Somers <ceo@mikisewcree.ca>
Subject: Re: Chief Tuccaro & Mikisew Response- RMWB Applica8on for Liquor Store 2023-DP-00125

Good evening:

May we please have an update on the applica8on? Mikisew expects to receive immediate no8fica8on on this ma] er, especially if no consulta8on is undertaken.

Sincerely,

Orlagh O'Kelly
Roberts O'Kelly LLP
403, 10113 104 street NW
Edmonton AB
T: 7807606752

From: Orlagh O'Kelly <orlagh@robertsokelly.com>
Sent: Thursday, August 17, 2023 3:36:49 PM
To: nabil.malik@rmwb.ca <nabil.malik@rmwb.ca>; bre]. williamson@rmwb.ca <bre]. williamson@rmwb.ca>
Cc: pa]y .hajdu@parl.gc.ca <pa]y .hajdu@parl.gc.ca>; council@rmwb.ca <council@rmwb.ca>; mayor@rmwb.ca <mayor@rmwb.ca>; ir.ministeroffice@gov.ab.ca <ir.ministeroffice@gov.ab.ca>; dennis.fraser@rmwb.ca <dennis.fraser@rmwb.ca>; Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>; Doreen Cardinal-Somers <ceo@mikisewcree.ca>
Subject: Chief Tuccaro & Mikisew Response- RMWB Applica8on for Liquor Store 2023-DP-00125

Good a&ernoon:

On behalf of Chief Billy-Joe Tuccaro and Mikisew Cree First Na8on, please find enclosed in opposi8on to the above-noted applica8on for a liquor store in Fort Chipewyan.

Sincerely,

ROBERTS O'KELLY LAW • ADR

Orlagh O'Kelly LLB

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
Amiskwaciwâskahikan – Treaty 6
T: 780 760 6752 E: orlagh@robertsokelly.com W: www.robertsokelly.com

This message, including a] achments, is for the addressee(s) only. It may contain privileged, confiden8al or other informa8on exempt from disclosure. If you received this email in error please no8fy the sender and delete this email message and all a] achments.

Stay connected to all the latest Fort McMurray news with our weekly newsletter *Sign up here*
Stay connected to all the latest Fort McMurray news with our weekly newsletter *Sign up here*

Councillor Kendrick Cardinal charged with impaired driving, fleeing peace officer

Cardinal was arrested after he was seen yelling at a protest against the construction of a liquor store in Fort Chipewyan.

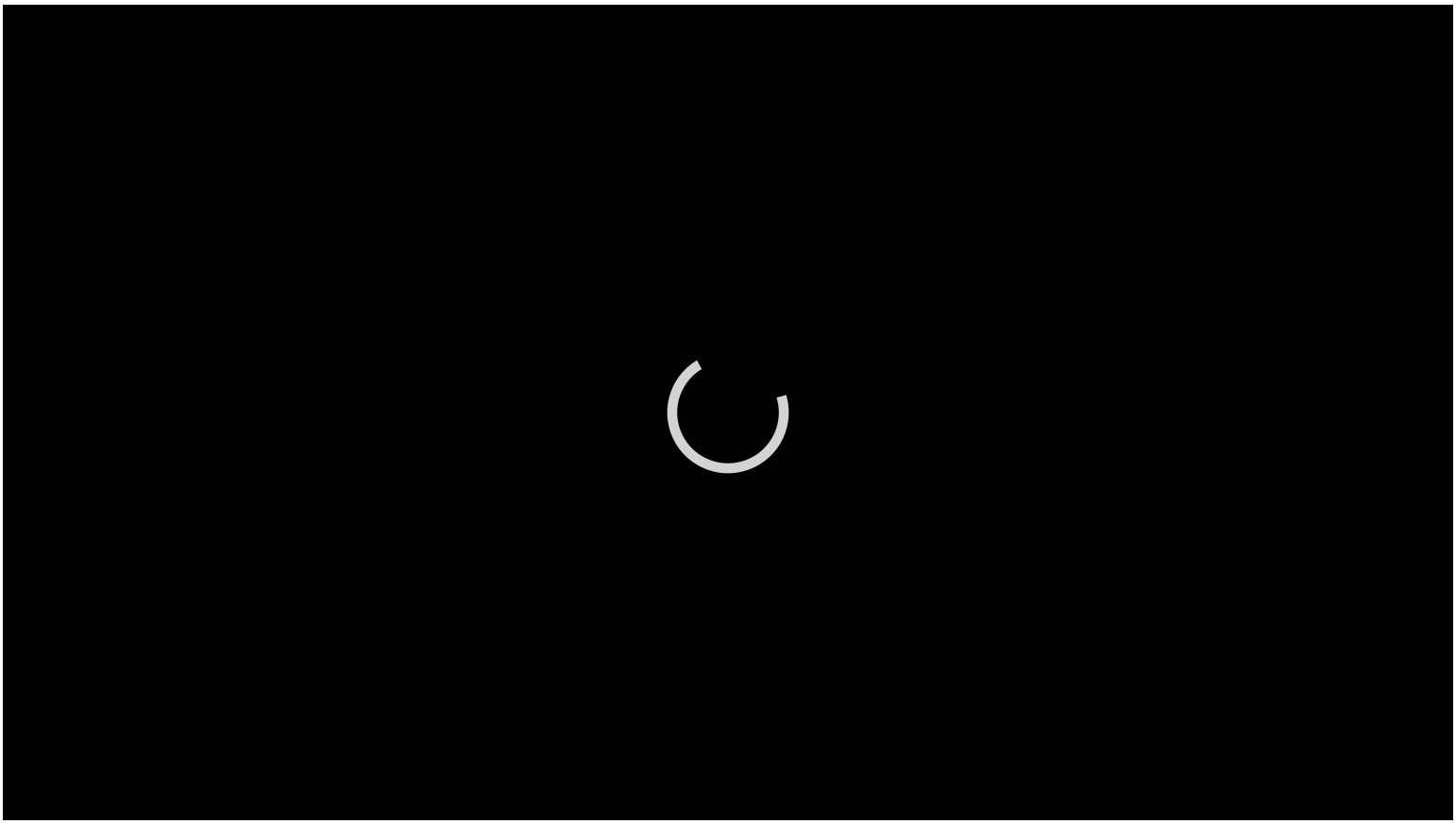
Vincent McDermott

Published Sep 05, 2024 • Last updated Sep 05, 2024 • 3 minute read

Join the conversation

Councillor Kendrick Cardinal during a July 3, 2024 meeting in Fort McMurray. Screenshot/Regional Municipality of Wood Buffalo

Councillor Kendrick Cardinal has been charged with impaired driving, exceeding the legal alcohol limit while operating a vehicle and fleeing from a peace officer.



Wood Buffalo RCMP and a court check confirm Cardinal was arrested on Aug. 30. Police would not comment on the details of Cardinal's arrest because RCMP. Cardinal did not answer requests for comment.

However, Fort Chipewyan residents say Cardinal was arrested shortly after he appeared at a local protest against the opening of a liquor store.

A video posted by Chief Billy-Joe Tuccaro of the Mikisew Cree First Nation to his Facebook page shows

him outside the Fort Chipewyan office of the Regional Municipality of Wood Buffalo (RMWB). He is joined by elders and community members from the Fort Chipewyan Metis Nation, of which Cardinal is also president, and Athabasca Chipewyan First Nation.

Shortly after Tuccaro begins speaking, Cardinal arrives driving a quad with an unidentified person on the back.

STORY CONTINUES BELOW

Much of what Cardinal yells at the crowd is not clear in the video, but he can be heard yelling “what about freedom of choice?” and “look at you, can’t even fucking... freedom of choice!” He drives away as one person yells back “go home!”

This is not Cardinal’s first legal issue since he was elected to RMWB council in October 2021. Cardinal was charged with assault on May 14, 2021 after an assault was reported to police seven days earlier. On April 3, 2022, Cardinal was charged with driving a vehicle while unauthorized.

The assault charge was dropped in October 2022 after Cardinal completed therapy every two weeks for a year in Fort McMurray. Cardinal also said he and the complainant had resolved the issue. The driving charge was also dropped after Cardinal completed a driving course.

A video of Cardinal taking a swing at someone was widely shared on Facebook and Instagram last May, although no charges were filed after the incident. Cardinal is seen yelling “bring it on or fuck off!” while a man and woman are heard telling Cardinal to leave their property. The video ends when Cardinal lunges at someone.

An RMWB spokesperson said the organization cannot comment on Cardinal’s recent charges because the matter is now before the courts.

MCFN protests liquor store approval

Tuccaro argues it is irresponsible for the RMWB to approve a permit for the liquor store in Fort Chipewyan. Other elders and community members join him and share similar concerns. For years, community leaders have argued Fort Chipewyan faces a serious crisis of addictions, suicides and mental health issues.

A March 2023 inquiry into a 2015 suicide of a teenage girl agreed with local leaders that Fort Chipewyan has “tragically understaffed” health, policing and educational systems, while existing social programs are making few impacts in the community.

MCFN partnered with Wood Buffalo RCMP and passed a banishment law against people found to be selling drugs one month before the inquiry.

A municipal spokesperson confirmed a permit for a liquor store has been approved, but also acknowledged the concerns made by MCFN and some Fort Chipewyan residents.

All residents of the Fort Chipewyan area were told of the application, going beyond the standard practice of contacting addresses within 100 metres of a proposed development. Engagement and feedback periods were also broadened and extended.

The proposal was not popular with everyone, but the permit was approved when it was found it did not go against any regulations or policies. The business, however, will be restricted to 9 a.m. to 6 p.m.

A municipal spokesperson said the development officer is must follow the regulations and planning policies of the Municipal Governance Act and the Land-Use Bylaw. Residents were told details of the RMWB's appeal process.

"We acknowledge and respect the community's right to peacefully assemble and express their views. We remain in contact with MCFN and community leadership regarding this development permit," said a statement from the RMWB.

Get the news and events of Fort McMurray Wood Buffalo in your inbox every Friday morning by signing up for our newsletter.

vmcdermott@postmedia.com

COMMENTS

You must be logged in to join the discussion or read more comments.

Sign in

Create an Account

JOIN THE CONVERSATION

S

RAY

365 Bloor Street East, Toronto, Ontario, M4W 3L4

© 2024 Fort McMurray Today, a division of Postmedia Network Inc. All rights reserved. Unauthorized distribution, transmission or republication strictly prohibited.

Tuesday, October 22, 2024 at 12:20:35 Mountain Daylight Time

Subject: Re: Support for MCFN Protest
Date: Tuesday, October 22, 2024 at 12:20:35 PM Mountain Daylight Saving Time
From: Orlagh O'Kelly
To: chief, Mikisew Chief and Council, ceo

From: Mayor <Mayor@rmwb.ca>
Date: September 10, 2024 at 9:01:51 AM MDT
To: Karla.buffalo@atcfn.ca, Sherry Mercredi <sherry.mercredi@atcfn.ca>
Cc: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>, Chief Allan Adam <aadam@acfn.com>, chief@fmfn468.com, Chief Vern Janvier <chairman@cpventures.ca>, chiefpowder@fortmckay.com, Fred Russell <fred.russell@atcfn.ca>, CAO <CAO@rmwb.ca>
Subject: RE: Support for MCFN Protest

Good morning,

On behalf of Mayor Bowman, kindly find attached correspondence in response to your letter of August 30, 2024.

Kind regards,

Elyse Franks
Senior Executive Liaison
Office of the Mayor

T: 780-743-7009 | rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐦᑕᐊᔨᔭᐤ | Nistawâyâw | Ełídlı̨ Kuę́
Alberta T9H 2K4

I humbly acknowledge that the land on which we live, learn, work and play is Treaty 8 Territory, the traditional lands of the Cree, Dene, and the unceded territory of the Métis.

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

From: Sherry Mercredi <sherry.mercredi@atcfn.ca>

Sent: Friday, August 30, 2024 11:33 AM
To: Mayor <Mayor@rmwb.ca>
Cc: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>; Chief Allan Adam <aadam@acfn.com>; chief@fmfn468.com; Chief Vern Janvier <chairman@cpventures.ca>; chiefpowder@fortmckay.com; Karla Buffalo <karla.buffalo@atcfn.ca>; Fred Russell <fred.russell@atcfn.ca>
Subject: Support for MCFN Protest
Importance: High

External Message - Please be cautious when opening links or attachments in email

Good Morning,

Please see attached letter of support for MCFN Protest sent on behalf of Karla Buffalo.

Hiy hiy, Marsi cho – Thank you

Sherry Mercredi (She/Her)
Executive Assistant – Karla Buffalo, CEO

Athabasca Tribal Council
9206 McCormick Drive,
Fort McMurray, AB
T9H 1C7
*Office: 780-791-6538 ext *244*
Cell: 780-215-3975

Email: sherry.mercredi@atcfn.ca
Web: www.atcfn.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

OFFICE OF THE MAYOR

September 10, 2024

Delivered via email karla.buffalo@atcfn.ca

Karla Buffalo, CEO
Athabasca Tribal Council
9206 McCormick Drive
Fort McMurray, AB
T9H 1C7

Re: Development Approval for Liquor Store in Fort Chipewyan

Dear Ms. Buffalo,

I am writing in response to your August 30, 2024, letter regarding the development permit application for a Liquor Store, Office and Warehouse (2023-DP-00125) on Mackenzie Avenue in Fort Chipewyan.

Thank you for sharing your concerns, particularly as it relates to addictions and mental health and the ongoing State of Local Emergency in Fort Chipewyan. I recognize and acknowledge these concerns and the perspective you've shared should very much help inform any next steps. In any process such as this one, we need to be sensitive to the current realities faced in Fort Chipewyan and be guided by it in our collective decision making.

In speaking with members of Administration, it is my understanding that due to the community's concerns regarding alcohol-related issues, and as noted in your correspondence, this application was assessed under a higher-level of scrutiny and a more comprehensive, lengthy review process was undertaken, which included opportunities for community engagement. I have been told that after a thorough review of the application, including community feedback, the development permit was approved as it complied with the regulations set out in the Government of Alberta's *Municipal Government Act* and the Municipality's *Land Use Bylaw*, which is what guides development decisions by the Regional Municipality of Wood Buffalo. In response to the feedback received, the permit includes a condition that restricts the business operating hours from 9 a.m. to 6 p.m.

Nonetheless, I understand your concerns and acknowledge them, and the concerns raised by community members since the approval of the development permit. As well, I completely and will always respect the community's right to peacefully assemble and express their views.

As has been shared as part of recent notifications to the community, there is a formal appeal process, overseen by the Subdivision and Development Appeal Board, an independent tribunal established by municipal Council. As an arms-length entity, the Subdivision and Development Appeal Board can take the concerns you've shared into account as part of this appeal process, and I would strongly encourage it to do so.

9909 Franklin Avenue, Fort McMurray, Alberta, Canada, T9H 2K4
T 780.743.7009 W rmwb.ca E mayor@rmwb.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

OFFICE OF THE MAYOR

Anyone wishing to file an appeal or participate in an appeal hearing, can learn more about the process here: https://www.rmwb.ca/en/mayor-council-and-administration/subdivision-and-development-appeal-board.aspx. Appeals are due by September 19, 2024.

Once again, thank you for writing to express these very valid and understandable concerns on this important matter. Please contact me at any time should you have any additional thoughts or questions.

Sincerely,

ATIA 20(1)

Sandy Bowman
Mayor

Cc: Chief Billy-Joe Tuccaro, Mikisew Cree First Nation
Chief Allan Adam, Athabasca Chipewyan First Nation
Chief Raymond Powder, Fort McKay First Nation
Chief Vern Janvier, Chipewyan Prairie Dene First Nation
Chief Neil Cheecham, Fort McMurray First Nation 468
Fred Russell, Chief Operating Officer, Athabasca Tribal Council
Councillors of the Regional Municipality of Wood Buffalo
Henry Hunter, Chief Administrative Officer, RMWB

9909 Franklin Avenue, Fort McMurray, Alberta, Canada, T9H 2K4
T 780.743.7009 W rmwb.ca E mayor@rmwb.ca

Distributed to Duty Judge

Registrar's Stamp

COURT OF APPEAL OF ALBERTA

COURT OF APPEAL FILE NUMBER:	2403 0284AC
TRIBUNAL:	REGIONAL MUNCIPALITY OF WOOD BUFFALO SUBDIVISION AND DEVELOPMENT APPEAL BOARD
TRIBUNAL FILE NUMBER:	SDAB 2024-003
APPLICANT:	DANIEL ROY
STATUS ON APPEAL:	RESPONDENT
STATUS ON APPLICATION:	APPLICANT
RESPONDENTS:	REGIONAL MUNICIPALITY OF WOOD BUFFALO SUBDIVISION AND DEVELOPMENT APPEAL BOARD AND THE REGIONAL MUNCIPALITY OF WOOD BUFFALO
STATUS ON APPEAL:	RESPONDENTS
STATUS ON APPLICATION:	RESPONDENTS
	MIKISEW CREE FIRST NATION, 1112958 ALBERTA LTD., CREE-ATIONS ENTERPRISES, MISTEE SEEPEE DEVELOPMENT CORPORATION
STATUS ON APPEAL:	APPELLANTS
STATUS ON APPLICATION:	RESPONDENTS
DOCUMENT:	**MEMORANDUM OF ARGUMENT OF THE RESPONDENTS, MIKISEW CREE FIRST NATION, 1112958 ALBERTA LTD., CREE-ATIONS ENTERPRISES, MISTEE SEEPEE DEVELOPMENT CORPORATION**
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT:	O'Kelly Law Attention: Orlagh O'Kelly 403 Birks Building 10113 – 104 Street Edmonton, Alberta T5J 1A1 Telephone: 587-525-8348

	Facsimile: 780 669 7672 Email: orlagh.okelly@okellylaw.ca File Number: 90-00127 Counsel for Mikisew Cree First Nation, 1112958 Alberta Ltd., Cree-Ations Enterprises, Mistee Seepee Development Corporation
CONTACT INFORMATION FOR ALL OTHER PARTIES:	Robert Homersham, Barrister & Solicitor 420 Wilverside Way SE Calgary, Alberta T2J 1Z7 Telephone: 403-830-5037 Email: robert.homersham@homersham.com Counsel for Daniel Roy Shores Jardine LLP Attention: Gwendolyn Stewart-Palmer, KC 2250, 10104 – 103 Avenue Edmonton, Alberta T5J 0H8 Telephone: 780-448-9275 Fax: 780-423-0163 Email: gwendolyn@shoresjardine.com Counsel for the Respondent, Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board Kennedy Oshry Agrios LLP Attention: Janice Agrios, KC 10180 – 101 Street NW Suite 1325 Edmonton, Alberta T5J 3S4 Ph. 780-969-6900 Email: JAgrios@kaolawyers.com Counsel for Regional Municipality of Wood Buffalo

OVERVIEW

1. The Respondents, Mikisew Cree First Nation, owning Fort Chipewyan land in fee simple through Cree-Ations Enterprises Ltd ("**Cree'Ations**"), Mistee Seepee Development Corporation Ltd. ("**Mistee Seepee**") and 1112958 Alberta Ltd, (collectively referred to as the "**MCFN**") oppose the Applicant, Daniel Roy's, application for permission to appeal the decision of the Subdivision and Appeal Board ("**SDAB**"). In the alternative, if permission is granted, the Respondents intend to seek leave to cross appeal within ten days after service of the Notice of Appeal. [1]

STATEMENT OF FACTS

2. MCFN has nine (reserves) in what is now known as RWMB, including two reserves in close proximity to Fort Chipewyan (Dog Head and Allison Bay). MCFN's ancestors entered into Treaty No. 8 in 1899 at Fort Chipewyan. Treaty No. 8 was a Nation-to-Nation agreement to share the land, including all of the land that is now referred to as the Regional Municipality of Wood Buffalo ("**RMWB**"). MCFN also owns land in fee simple for residential and commercial purposes through Fort Chipewyan and through Cree' Ations, Mistee Seepee and 1112958 Alberta Ltd. [2]

3. Before the SDAB, MCFN appealed the RMWB's granting of the discretionary development permit for a liquor store before including on the following grounds:
    a. the liquor store and thus the discretionary permit was incompatible with the surrounding neighbour ("**Incompatibility Grounds**");[3]
    b. the issuance of the permit could have impacts on Treaty 8's promise to control intoxicants. MCFN therefore alleged that, following the Supreme Court's decision in *Clyde River*[4], RMWB itself or through the SDAB, had a duty to consult, and that the question of whether there is a duty is not one that is constitutional question. The

[1] *Alberta Rules of Court*, Alta Reg 124/2010, s 14.6, s 14.11.
[2] Notice of Appeal, Appendix A, CAR, p. 160.
[3] Notice of Decision, Certified Appeal Record ("**CAR**"), para 66, p. 20.
[4] *Clyde River (Hamlet) v. Petroleum Geo-Services Inc*., 2017 SCC 40 (CanLII); MCFN Submissions, CAR, pp. 1021-1027.

provincial Crown could not escape these obligations by assigning these powers to a municipality ("**Duty to Consult grounds**").[5]

4. In support of their appeal, MCFN submitted evidence including:
    a. Crime statistics for alcohol related occurrences or detentions from the Royal Canadian Mounted Police ("**RCMP**").[6]
    b. A survey of MCFN members overwhelmingly opposed to the liquor store.[7]
    c. The expert report of Dr. Darcy Lindberg regarding Treaty No. 8's promise and right to control intoxicants.
    d. The testimony of Chief Billy-Joe Tuccaro, Councillor Paul Tuccaro, Education Director Kerri Ceretzke and MCFN consultation staff member Mitchel Bowers.[8]

5. At the hearing, RMWB confirmed that they too had sought information on crime in Fort Chipewyan but had not included it in their appeal materials. RMWB had reached out to the "RCMP of Fort Chipewyan which provided basic statistics about potential crime attributed to alcohol;" and it was noted at the hearing that the "crime statistics for 2023" were taken into consideration by RMWB.[9]

6. By decision and reasons dated November 19, 2024, the SDAB allowed MCFN's appeal on the Incompatibility Grounds, and dismissed its appeal on the grounds of the Duty to Consult Grounds. The Applicant's appeal on the hours of operation was dismissed (collectively referred to as "**Decision**"). The development permit was accordingly revoked. This Decision is the subject matter of this application for permission to appeal.

7. On the Incompatibility Grounds, the SDAB reasoned among other things:

[5] Notice of Decision, paras 67-72, pp. 20-22.
[6] Notice of Decision, para 124, p. 33.
[7] Notice of Decision, paras 63-66, p. 20.
[8] Notice of Decision, paras 75-79, pp.22-23.
[9] Notice of Decision, para 42 (c), CTA, p.13, para 43 (c), p. 14.

a. "The Board considers safety considerations to be a valid planning consideration for the Board to consider when making a determination."[10]

b. "The Board does not consider [MCFN's] argument to be an argument based on the proliferation and the Board does not consider the potential of a second liquor store to be one where there is a "proliferation" of liquor stores. Rather the Board notes the evidence provided by [MCFN] of the impact of alcohol sales and is of the view that he proposed development would have a similar impact on the community, causing safety concerns. As a result of those safety considerations, the Board concludes the proposed development is not compatible with the adjacent uses."[11]

ISSUE

8. The only issue is whether permission to appeal should be granted.

LAW & ARGUMENT

Test for Permission to Appeal

9. MCFN adopts the submission of the SDAB on the test for permission to appeal at paragraphs 23 to 28 of the SDAB's Memorandum of Argument in this application filed on February 20, 2025.[12] In applying this test, MCFN submits that neither proposed ground of appeal meets the test to grant permission to appeal.

No Permission Should be Granted

10. Neither ground of appeal meets the high threshold for granting permission to appeal the Decision: the grounds present neither a question of law or jurisdiction; they are not of sufficient importance and have limited change of success on appeal. The SDAB had broad discretion to consider the issues before it.[13]

11. The Applicant's first ground of appeal is that the SDAB was limited to directly "adjacent" property when considering the Incompatibility Grounds by relying on the statutory

[10] Notice of Decision, para 125, p. 33.
[11] Notice of Decision, para 129, p. 34.
[12] See also: *Bertram Family Trust v Felesky Flynn LLP,* 2025 ABCA 54, at para 62; *McCargar v Metis Settlements General Council*, 2025 ABCA 33 (CanLII), at para 48.
[13] *Landry v Rocky View County (Subdivision and Development Appeal Board),* 2025 ABCA 34 (CanLII), at para 43,.

definition of adjacent. However, the legal basis for the Incompatibility Decision comes from jurisprudence, not the statute. While the Alberta Court of Appeal refers to the word "adjacent" in the decision outlining this test, it is not clear that land being "adjacent" is a requirement for applying this test. In fact, the language of "including" suggests adjacent uses is one consideration when determining incompatibility, as noted by the Court of Appeal:

> [14] The object and purpose of a discretionary use is to allow the development authority to assess the particular type and character of the use involved, **including** its intensity and its compatibility with adjacent uses. The SDAB failed to consider such factors.[14]

12. Furthermore, contrary to the Applicant's submissions, determining the Incompatibility Grounds is not a question of statutory interpretation but rather one of applying a jurisprudential standard to the evidence before the SDAB.[15] This means it is a question of mixed fact and law.

13. Indeed, if there is any statutory basis for the SDAB's finding, it is not limited to "adjacent" incompatibility as alleged by the Applicant for the first time on this application. Section 640(2) of the *Municipal Government Act* in fact allows the consideration of whether the development "unduly interfere(s) with the amenities of the neighbourhood", or "materially interfere(s) with or affect(s) the use, enjoyment or value of neighbouring parcels of land."[16] This provision is not restricted to consideration of the adjacent land or use, but instead expands it to the "neighborhood". The RMWB's *Land-Use Bylaw*, too, refers to the "adjacent residential neighbourhood"[17] although does not make any such limitation in the applicable provision for the discretionary permit at issue, section 110.3 (dd) "Liquor Store"[18].

---

[14] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board*), 2009 ABCA 261 (CanLII), at para 14.
[15] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 10.
[16] *Municipal Government Act*, RSA 2000, c M-26, s 640(6).
[17] Regional Municipality of Wood Buffalo, Land Use Bylaw 99-059, section 105.
[18] Regional Municipality of Wood Buffalo, Land Use Bylaw 99-059, section 105, p. 127, and section 110.3, p. 151

14. Similarly, as argued by MCFN at the hearing, section 617 of the *Municipal Government Act* grants the ability to consider the "public interest" which was in fact argued by MCFN.[19]

15. MCFN agrees with the SDAB that the argument on adjacent was not argued at the hearing. The Applicant has not demonstrated how this ground will be addressed as a new issue on appeal, without evidence and argument on the issue of "adjacent" in the record.[20] To the contrary, the Applicant also put evidence forward from the wider community without any evidence that they were adjacent landowners/land users, according to the strict definition proposed by the Applicant here.

16. The SDAB's interpretation of the Incompatibility Grounds to include incompatibility of the liquor store with the community, including MCFN properties in very close proximity[21], was a reasonable one. In fact, the Applicant himself relied on evidence from community members in support of his appeal, thereby condoning this approach to the question of Incompatibility. The SDAB accordingly found the Applicant's witnesses as well as MCFN's to all be affected persons.[22] It is not open to the Applicant to recharacterizes this as a legal question because the SDAB preferred to MCFN's community evidence over that of the Applicant.[23]

17. The second ground of appeal is that the SDAB made improper inferences from the evidence regarding RCMP crime statistics.[24] This question is quintessentially one of fact. It was open to the SDAB to infer from the statistics on crime – also purportedly relied on by RMWB – that safety issues would occur and that this was relevant to the Decision.

---

[19] See for example, Notice of Decision, para 118, p. 32; Municipal Government Act, RSA 2000, c M-26, s 617.
[20] *Dow Chemical Canada ULC v NOVA Chemicals Corporation,* 2020 ABCA 320 (CanLII), *at para 64; Council of the Wasauksing First Nation v. Wasausink Lands Inc.,* 2004 CanLII 15484 (ON CA), at para 102; *Performance Industries Ltd. v. Sylvan Lake Golf & Tennis Club Ltd.,* 2002 SCC 19, at para 33.
[21] Notice of Decision, CAR, p. 1016, para. 17.
[22] Notice of Decision, CAR, at paras. 85-88, p. 25.
[23] Notice of Decision, CAR, at para 126, p. 33.
[24] *Yee v Leduc (County),* 2016 ABCA 40 (CanLII), *at* para 19.

Alternatively, the Respondents will seek Permission

18. In the alternative, if permission is granted, the Respondents intend to file an application for permission to cross-appeal on the Duty to Consult Grounds in accordance with Rules 14.6 and 14.11 of the *Alberta Rules of Court*,[25] which together require MCFN to file such an application within ten (10) days of the Applicant's notice of appeal.

ESTIMATE OF TIME FOR ORAL ARGUMENT: MIKISEW CREE FIRST NATION MAY REQUIRE 10 MINUTES FOR ORAL ARGUMENT.

Respectfully submitted:

O'KELLY LAW

ATIA 20(1)

_____

Orlagh O'Kelly

Counsel for the Respondents, Mikisew Cree First Nation, 1112958 Alberta Ltd., Cree-Ations Enterprises, Mistee Seepee Development Corporation

[25] *Alberta Rules of Court*, Alta Reg 124/2010, s 14.6, s 14.11.

LIST OF AUTHORITIES

Legislation

1. *Alberta Rules of Court*, Alta Reg 124/2010, s 14.6, s 14.11

2. *Municipal Government Act*, RSA 2000, c M-26, s 617 and s 640(6).

3. Regional Municipality of Wood Buffalo, Land Use Bylaw 99-059, section 105, p. 127, and section 110.3, p. 151

Jurisprudence

.

4. *Bertram Family Trust v Felesky Flynn LLP,* 2025 ABCA 54, at para 62;

5. *Clyde River (Hamlet) v. Petroleum Geo-Services Inc*., 2017 SCC 40

6. *Council of the Wasauksing First Nation v. Wasausink Lands Inc.,* 2004 CanLII 15484 (ON CA), at para 102

7. *Dow Chemical Canada ULC v NOVA Chemicals Corporation,* 2020 ABCA 320 (CanLII), *at para 64*

8. *Landry v Rocky View County (Subdivision and Development Appeal Board),* 2025 ABCA 34 (CanLII), at para 43,

9. *McCargar v Metis Settlements General Council*, 2025 ABCA 33 (CanLII), at para 48.

10. *Performance Industries Ltd. v. Sylvan Lake Golf & Tennis Club Ltd.,* 2002 SCC 19, at para 33

11. *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board*), 2009 ABCA 261 (CanLII), at para 14, at para 10

12. *Yee v Leduc (County),* 2016 ABCA 40 (CanLII), *at* para 19.

From: MCFN Interim CEO
Sent: November 1, 2024 4:48 PM
To: Sandy.Bowman@rmwb.ca <Sandy.Bowman@rmwb.ca>
Cc: Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>; Davison, Warren (RCMP/GRC) <warren.davison@rcmp-grc.gc.ca>
Subject: Liquor Store - Demand to Close

Good afternoon Mayor Sandy Bowman

Please see the attached letter regarding the HEP Liquor Store in Fort Chipewyan, AB.

Sincerely
Kerri Ceretzke

Interim CEO
Mikisew Cree First Nation
Cell: 780.215.0591

MIKISEW CREE
FIRST NATION

November 1, 2024

VIA ELECTRONIC MAIL

URGENT

Mayor Sandy Boyman
Regional Municipality of Wood Buffalo

[redacted]**EP Liquor Store in Fort Chipewyan**

Following a hearing at the Subdivision and Development Appeal Board ("**SDAB**") on October 28, 2024, I learned that the Regional Municipality of Wood Buffalo ("**RMWB**") has allowed the HEP liquor store to operate without a municipal permit since 2014. On behalf of Mikisew Cree First Nation ("**MCFN**"), I am asking that the RMWB immediately take steps to enforce its law and close this liquor store.

Of concern, this allowance demonstrates the RMWB's discriminatory treatment of our Nation. Historically, the RMWB has made it difficult for MCFN to open and operate developments, that do not cause harms like the liquor store, in the RMWB. Meanwhile, a non-Nation operated entity has been allowed to operate without permit for 10 years.

In fact, in 2023, we raised concerns about the HEP liquor store not having a washroom contrary to basic requirements. When raising these concerns, we were not informed that the HEP liquor store did not have a permit. It was operating unlawfully.

It is unacceptable that the RMWB has showed leniency to this liquor store's unlawful operation, with the full knowledge, since at least August 17, 2023, that (1) MCFN takes issue with the sale of alcohol on our traditional territory; (2) the RCMP has noted significant

MIKISEW CREE
FIRST NATION

occurrences related to alcohol and (3) our people have suffered suicide, addictions and trauma as a result of the unpermitted sale of liquor in the hamlet of Fort Chipewyan.

We look forward to the RMWB complying with its public and statutory duties to enforce the relevant bylaws against the HEP liquor store no later than November 5 at 5pm MDST.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

cc.
MCFN Council
RCMP
Interim CEO

Wood Buffalo TRIBUNALS
Subdivision and Development Appeal Board

NOTICE OF DECISION

FILE NO.	**SDAB 2024-003**
APPLICATION No.:	**2023-DP-00125**
DEVELOPMENT:	**Liquor Store, Office and Warehouse**
LAND USE DESIGNATION:	**HC – Hamlet Commercial District**
LEGAL DESCRIPTION:	**Lot 3, Block 10, Plan 5642NY**
CIVIC ADDRESS:	**Fort Chipewyan, Alberta**

IN THE MATTER OF AN APPEAL filed with the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board ("the Board") pursuant to Sections 685 and 686 of the *Municipal Government Act*, R.S.A 2000, c. M-26, the Appeal Hearing was held via hybrid format on Monday, October 28, 2024 with members of the Board in the Jubilee Centre, 7th Floor Boardroom, 9909 Franklin Avenue, Fort McMurray, Alberta and the parties attending virtually.

BETWEEN:

Appeal 1 - Daniel Roy ("Appellant 1") represented by Robert Homersham, Counsel for the Appellant

Appeal 2 - Mikisew Cree First Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises; and
Mistee Seepee Development Corporation Ltd (collectively "Appellant 2") represented by Orlagh O'Kelly, Counsel for the Appellant

-and-

The Regional Municipality of Wood Buffalo ("the Respondent")

BEFORE:

D. Cleaver (Chair)
K. Carruthers
N. Mahgoub
T. Morris

Administration:

H. Fredeen, Clerk for the Subdivision and Development Appeal Board
S. Soutter, Manager, Legislative Services

[1] This hearing deals with 2 appeals in relation to Development Permit No. 2023-DP-00125 issued to Mr. Daniel Roy for a Liquor Store, Office and Warehouse at 193 Mackenzie Avenue, Fort Chipewyan, AB, legally described as Lot 3, Block, 10, Plan 5642NY (the "Lands"). Mr. Roy (Appellant 1) filed an appeal against Condition 26, which imposed limits on the hours of operations. A second appeal was filed by Mikisew Cree First Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises; and Mistee Seepee Development Corporation Ltd (collectively "Appellant 2") against the issuance of the Development Permit.

[2] The Board determined that it would hold one hearing in relation to both appeals, since both appeals were related to the same Development Permit. The hearing was opened by the Board on September 19, 2024. At that hearing, the Development Authority requested an adjournment due to the lack of availability of the Planner who handled the file. Following submissions from the parties, the Board adjourned the hearing to October 28, 2024 and set out exchange dates for the parties.

[3] Appellant 2 provided notice to the parties (and included argument in their written submissions) that they would be arguing that the Municipality and the Development Authority had failed to comply with their duty to consult. Following exchanges of correspondence amongst the parties regarding whether the hearing set for October 28, 2024 would address only the question of the Board's jurisdiction or would address both the jurisdictional question and the merits, the Board directed that all parties be ready to present their cases on both the jurisdictional question and the merits of the appeal on October 28, 2024.

[4] On September 19, 2024 and October 28, 2024, following the introduction of the Board, the Chair confirmed with the parties in attendance that there were no objections to the constitution of the Board. None of the Board members identified any reason they could not hear the appeals.

PRELIMINARY ISSUES

[5] The Board outlined the process that it was going to follow which included that the Board would sit until 8.30 pm and then, if it could not complete the hearing, adjourn to another date.

[6] The Board advised the parties that its standard practice is to permit the Appellant, Applicant and Development Authority 20 minutes for their presentations, and to allow 5 minutes for those parties for closing. The Board provides affected persons 5 minutes to make their presentations. The Board advised that it was aware that the Court of Appeal grants parties 30 minutes to make their presentations for permissions to appeal and 45 minutes on a full appeal. The Board noted that planning matters are to be dealt with expeditiously and in a timely manner. With that, the Board was prepared to be flexible recognizing that all parties need to be provided with procedural fairness. Since the hearing

started at 4.00 pm, the Board would be sitting for 4.5 hours on October 28, 2024. The Board proposed that each party would be provided with one hour for their main presentations (by counsel) and that there would be questioning possible following that. Those individuals speaking in support of the party would be given 5 minutes to speak, before questioning was available to the other parties. The Board identified the following speakers:

a. For Appellant 1 – Daniel Roy, Guy Thacker, Charlie Frazer and Bruce Inglis;

b. For Appellant 2 - Chief Billy-Joe Tuccaro, Councillor Paul Tuccaro, CEO Kerrie Ceretzke and Mitchel Bowers.

[7] The Board advised the Board's standard practice is not to allow cross examination, and all questions should be through the Chair.

[8] The Board asked whether the parties had any objections to the process. None of the parties raised any objections to the identified process.

[9] Appellant 1 asked whether the jurisdictional questions from Appellant 2 would be addressed as a preliminary matter, suggesting that it would be better for the preliminary question to be argued first.

[10] Appellant 1:

a. noted that the initial suggestion of Appellant 2 was to use the October 28, 2024 hearing date to schedule further hearings;

b. wanted the Board to come to a decision as soon as reasonably possible because the permit was applied for in 2023;

c. suggested that the time on October 28, 2024, be used to address the jurisdictional issue and that the Board can determine that issue during the hearing or adjourn until it makes its decision on that point;

d. advised that the question of jurisdiction is not pre-emptory. The Board must decide what is properly within its jurisdiction and cannot hear all of the evidence and then sort it out; and

e. argued that all of the evidence is in the hearing package. There are other issues that Appellant 2 has raised that are non-constitutional and before the Board. Appellant 1 is not suggesting that Appellant 2 does not have an appeal or that it is only a constitutional challenge. However, Appellant 2's constitutional challenge is outside the jurisdiction of the Board, and the Board must make that decision before proceeding.

[11] In response, Appellant 2:

a. argued that they had raised as a possibility using the hearing on October 28, 2024 to address the jurisdictional question in relation to whether the Board had the ability to hear and discharge the duty to consult, but Appellant 1 had disagreed;

b. would like the issues of consultation and the merits of the appeal to be heard together;

c. took issue with the characterization of their concerns as purely constitutional on the basis that it suggested a racial basis for the complaints;

d. argued that their concerns are community-based, and the issues can be framed in a number of avenues. They were prepared to proceed on all fronts as the Board suggested; and

e. argued that hearing the matter separately raises procedural fairness issues, particularly since they had previously proposed splitting the issues of jurisdiction and merit. The appeal is about the health of the community. Appellant 2 argued that splitting the jurisdictional hearing from the merit hearing without notice would be procedurally unfair.

[12] The Municipality:

a. stated that the Board is the master of its own procedure and suggested that there may be some practical clarity afforded by first dealing with Appellant 1's characterization of the preliminary issue of the jurisdiction of the Board, in the same way that the Board makes a determination at the outset of a hearing regarding whether parties are affected;

b. stated that if the Board only rules on the question of jurisdiction, the Board may be left going back and forth between the parties' submissions; and

c. supported all matters being heard, but for the benefit of all, the Municipality would prefer to address the jurisdictional matters at the outset with the Board deciding and if it proceeds on a full hearing, then it can come back to the planning matters.

[13] Following consideration of the submissions of the parties, the Board determined that it would hear the submissions of the parties on jurisdiction and merit together. The evidence dealing with jurisdiction and the merits of the appeal appear to be intertwined. The Board was of the view that attempting to separate out the questions of merit and jurisdiction might take more time than hearing the evidence and argument together. The Board is mindful that the parties wish for an expeditious hearing and that this matter has already been adjourned once. All of these submissions (on the jurisdictional question and on the merits) are within the Board's hearing package and the Board is able to consider the argument on

jurisdiction as well as the merits and make a decision. The Board has weighed the parties' right to a full and fair hearing and their right to an expeditious resolution of the planning merits. The Board is of the view that procedural fairness is accorded to all parties by having the jurisdictional question and the merits of the appeals dealt with at the same time.

[14] The Chair confirmed that everyone in attendance had the full hearing package prepared for the hearing. There were no objections to any of the exhibits. The Board marked the exhibits received as set out at the end of this decision. There were no further written submissions not previously provided to the Board that any party wished to include.

[15] The appeals were filed in time, in accordance with s. 686 of the *Municipal Government Act, RSA 2000, c M-26* (the "MGA").

MERIT HEARING

Summary of Hearing

[16] The following is a brief summary of the oral and written evidence and arguments submitted to the Board.

Submission of the Development Authority

[17] The Development Authority spoke to Exhibit 12, the submissions of the Development Authority. The lands are zoned Hamlet Commercial in the Regional Municipality Wood Buffalo's Land Use Bylaw ("LUB"). The development permit application for a liquor store, office and warehouse sales was approved subject to conditions on August 16, 2024. The Development Authority noted that Alberta Gaming, Liquor and Cannabis (AGLC) allows liquor stores to operate from 9.00 am-2.00 am on Mondays through Sundays. Outside of the hours listed, the sale of alcohol is prohibited. Condition 26 of the development permit approval limits the hours of operation from 9.00 am – 6.00 pm, Monday to Sunday. The AGLC retail liquor store handbook is found at Exhibit 12, Attachment 14 at page 203.

[18] The LUB provides that the uses of liquor store, office and warehouse sales are discretionary in the Hamlet Commercial district and the Development Authority is able to approve the uses with or without conditions. It is within the authority of the Board to consider the appeal. Given the nature of the use, the development permit application was referred to Municipal Planning Commission ("MPC") (Exhibit 12, Attachment 13).

[19] The Development Authority identified deficiencies within the application and advised the Applicant on July 19, 2023. On July 19, 2023, the missing information was provided to the Development Authority. On July 21, 2023, the application was elevated to MPC for enhanced community engagement.

[20] The Applicant was advised that interested parties could appeal the decision to the Subdivision and Development Appeal Board. On July 25, 2023 the Development Authority circulated the application to internal and external stakeholders (page 159 of the hearing package) with a response date for comments of August 17, 2023.

[21] The Development Authority was of the view that enhanced engagement was required to address community concerns about alcohol. Section 17.2.b of the LUB states that the Development Authority may refer to the Municipal Planning Commission permitted or discretionary uses that the Development Authority wishes to refer. The normal process of the Development Authority is to notify adjacent property owners within a 100-metreradius of a proposed development and to circulate the application to internal and external reviewers. The Development Authority did circulate the application to the internal and external reviewers, but due to the concerns about the broader community, notifications were also sent to all property owners within the Fort Chipewyan hamlet boundary, posted at the community hall in the community, and provided to the three First Nations- Athabasca Chipewyan First Nation, the Fort Chipewyan Métis Nation and the Mikisew Cree First Nation ("MCFN"). The Development Authority provided a deadline of August 17, 2023 for residents and reviewers to provide comments. The decision to notify property owners exceeded the Municipality's standard process and was within the discretionary authority of the Development Authority.

[22] On August 17, 2023, the Development Authority was notified by the Municipality's Indigenous and Rural Relations Department that community leadership had requested a one-week extension to the August 17, 2023 deadline and the deadline was moved to August 25, 2023. The Development Authority received comments from internal reviewers such as Engineering, Safety Codes and the Regional Emergency Services Department. By August 25, 2023, the Development Authority received 9 letters from individual residents of Fort Chipewyan. The Development Authority received a letter from the MCFN signed by Chief Tuccaro. None of those letters expressed support for the development. Those responding referred to current issues within the community relating to drugs and alcohol including the escalation of crime within the community. Between September 2023 and June 2024, the Development Authority worked with the Applicant to address the comments from the internal and external reviewers. There was a period between December 2023 and February 2024 during which the Applicant was not in communication with the Development Authority by reason of the agent not being able to fulfill their duties. In July 2024, the Development Authority was ready to render a decision having received all required information. The major items requested by the reviewers were addressed by the Applicant. This included submitting new technical drawings required by Emergency Services and other reviewing agencies.

[23] On August 16, 2024, the Development Authority approved and issued Development Permit No. 2023-DP-00125 with conditions, including condition 26 which restricted the hours of operation of the liquor store. The Development Authority stated that there was no justifiable planning reason to refuse the application. The Development Permit Application was in alignment with the Municipal Development Plan and the Fort Chipewyan Area Structure Plan 2018 and the regulations in the Land Use Bylaw (see Exhibit 12, page 193).

[24] Section C.2.4 of the Municipality's Municipal Development Plan emphasizes the importance of balanced growth in Fort Chipewyan and encourages development near the community core to direct development into the area to optimize the use of under-utilized lands.

[25] Under the Fort Chipewyan Area Structure Plan, the property is situated within the designated Community Core, which is envisioned to be the heart of the hamlet and hub for commercial, institutional and residential uses. Existing vacant industrial lands have been identified to provide opportunities for development. The Fort Chipewyan Area Structure Plan supports the development of retail commercial, public service and residential uses within the community core and allows a mix of commercial uses.

[26] The LUB has zoned the lands as Hamlet Commercial (section 110). Liquor store, office and warehouse sales are all discretionary uses within that district.

[27] The Development Authority imposed the condition restricting hours of operation pursuant to the authority granted under section 27.2(a) of the LUB.

[28] The Development Authority noted that there were no grounds to refuse the application. However, considering the feedback from community members and the letter from Chief Tuccaro on behalf of the MCFN, it was important for the Development Authority to address the concerns raised. Therefore, the Development Authority imposed conditions restricting the hours of operation which it felt was appropriate and were aimed to mitigate a primary community concern regarding the accessibility and availability of alcoholic beverages.

[29] Counsel for the Development Authority addressed the Board's role as a constitutional decision maker. The question of the duty to consult was a constitutional question. Treaty rights that arise from the oral tradition were considered in the case of *Clyde River* (located in Exhibit 14). The decision by the Supreme Court of Canada in the *Clyde River* case is accompanied by a second case, *Chippewas of the Thames First Nation v. Enbridge* (also found in Exhibit 14).

[30] Paragraph 19 of the Clyde River case states:

> *[19] The duty to consult seeks to protect Aboriginal and treaty rights while furthering reconciliation between Indigenous peoples and the Crown (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43, [2010] 2 S.C.R. 650, at para. 34). It has both a constitutional and a legal dimension (R. v. Kapp, 2008 SCC 41, [2008] 2 S.C.R. 483, at para. 6; Carrier Sekani, at para. 34). Its constitutional dimension is grounded in the honour of the Crown (Kapp, at para. 6). This principle is in turn enshrined in s. 35(1) of the Constitution Act, 1982, which recognizes and affirms existing Aboriginal and treaty rights (Taku River Tlingit First Nation v. British Columbia (Project Assessment Director), 2004 SCC 74, [2004] 3 S.C.R. 550, at para. 24). And, as a legal obligation, it is based in the Crown's assumption of sovereignty over lands and resources formerly held by Indigenous peoples (Haida, at para. 53).*

[31] Counsel for the Development Authority noted that *Cldye River* states that the duty to consult has a constitutional and legal dimension. The constitutional component is enshrined in section 35(1) of the *Constitution Act, 1982*, which recognizes existing Treaty Rights and its legal obligation on the Crown.

[32] For the purposes of what is before the Board, the duty to consult and the duty to accommodate arising from it are constitutional questions. The Board is bound by provincial legislation which includes the *Administrative Procedures Jurisdiction Act*, RSA, 2000, c. A-3 and the *Designation of Constitutional Decision Makers Regulation* (see Exhibit 14). The Board is not a constitutional decision maker within the scope of the Regulation. As a result of the comments in *Clyde River*, the Board cannot hear the constitutional questions including whether the duty to consult and the duty to accommodate are triggered or were fulfilled in this case.

[33] On the merits of the appeal, if the Board determines that this is a matter properly before it, the question is whether alcohol and the regulation of it is properly before the Board. Counsel for the Development Authority referenced the case of *Neskonlith v. Salmon Arm* 2012 BCCA 379 at page 379. That case addressed the question of whether municipalities have a duty to consult, holding that municipalities have insufficient resources or powers to respond to the duty to consult. That decision has been criticized but has been followed in a number of cases. The argument that the *Neskonlinth* case should be reconsidered in light of *Clyde River* and *Chippewas of the Thames First Nation* has not yet been decided. Based on cases and the Regulation, existing case law supports that planning decisions do not require municipalities to discharge the Crown's duty to consult. The British Columbia decision in *Neskonlith* is not binding in Alberta, but it is persuasive. There is no case law in Alberta leading to the conclusion that municipalities do have a duty to consult.

[34] Counsel for the Development Authority referenced the Protocol Agreement between the MCFN and the Municipality. Section 13.1 of the Agreement states that it is non-binding. It is intended to set up and continue a path to Truth and Reconciliation and to incorporate principles from the final Report on Truth and Reconciliation. Counsel for the Development Authority referred the Board to various sections of the Protocol Agreement including section. 5.7 which states that nothing in the agreement diminishes the duty to consult with the MCFN by other law.

[35] The Development Authority met the conventional engagement requirements under the MGA and the LUB. In the context of its role, the Development Authority is not required to render reasons for approval. Only if there is a refusal is it required to issue reasons. The Board will issue its reasons and that aspect of providing full and frank disclosure of decision making will be part of the record.

[36] The Development Authority did not take issue with the position that anyone in the hamlet and the neighbouring reserves being affected. There are no hard and fast lines for what constitutes “community”.

[37] In relation to the role of the Board following its consideration of the question of jurisdiction, the Development Authority is to describe how it came to its decision, review the statutory framework of the use (discretionary use) and respond to questions about procedure considering the application. The Development Authority has attempted to be objective and neutral in its submissions. The Development Authority stated that it has a duty when an application is made to it to process the application and engage the community. The Development Authority has met those expectations in the conventional sense. With discretionary permit decisions, the Development Authority is bound by the land use policies (under section 622 of the MGA), the development regulations including the *Matters Relating to Subdivision and Development Regulation* and by the LUB as well as any statutory plans, here the Municipal Development Plan and the Fort Chipewyan Area Structure Plan.

[38] The refusal of a discretionary use requires a sound planning reason. The Development Authority felt there was no sound planning reason to refuse the development permit.

[39] The Development Authority provided its rationale for the imposition of condition 26. Section 640(2)(4) and sections 26 and 27 of the LUB give the Development Authority the ability to impose conditions for permitted and discretionary uses. The condition must be for a valid planning purpose and not be imposed in bad faith, or for discriminatory, retroactive or vague reasons or be uncertain.

[40] In imposing condition 26, the Development Authority was responding to concerns of the community. It is a valid planning condition responding to circumstances that are unique to Fort Chipewyan and in the circumstances, the condition is fair and reasonable. It is not unusual for an applicant to come back and request that a condition be amended or discharged based on evidence of operation. The Development Authority stated the condition was a reasonable one and within the jurisdiction of the Development Authority to impose.

[41] The Development Authority met the standard of what was traditionally applied in planning applications and went beyond the normal terms of engagement. There is potentially an evolving scope of engagement with indigenous communities. The Municipality entered a Protocol Agreement agreeing to engagement. The Development Authority believes it met the duty to engage in accordance with the legislation and the limited scope that had been delegated by the province of Alberta. The Development Authority is not the Crown. The honour of the Crown does not devolve to municipalities in Alberta.

[42] In response to questions from Mr. Roy, the Development Authority stated:

a. The notice of the development permit application went to every address in Fort Chipewyan and in the First Nations surrounding it which was not the standard process for notifying parties. The normal process is to use a 100-metre radius for notification. In this instance, the Development Authority sent letters to every address available by Canada post as well as to the three First Nations;

b. The notification to the Regional Emergency Services was to the Fire Marshall group relating to life safety matters;

c. They reached out to the RCMP of Fort Chipewyan which provided basic statistics about potential crime attributed to alcohol;

d. In response to the question of whether the imposition of condition 26 was based upon concerns about availability of alcohol raised by the MCFN and other community members, the Development Authority was asked whether it had any evidence that reducing the hours will have the effect that was hoped. The Development Authority advised that it had done an environmental scan for other jurisdictions in Alberta and Canada about hours of operation where hours of operation were limited for similar reasons. The Development Authority looked at uses such as cannabis and liquor stores. In some jurisdictions, hours were limited if they were near schools or places of worship. Based upon the comments and letters received, the Development Authority felt the condition regarding hours was appropriate. One of the issues in Fort Chipewyan is crime in the evenings. The Development Authority is aware of crime that occurs in the hamlet and that it occurs more often in the evening. That was the rationale to limit hours of operation to limit crime that the community is experiencing;

e. In response to a question regarding whether the Development Authority took into account the hours of operation of the first liquor store within the community which is open to 10:00 p.m. most days, the Development Authority stated that it was aware of the first liquor store, but that liquor store did not have a legal permit with the Municipality. The last time it had a valid development permit was in 2014. The Municipality is in the process of working with the property owner to bring it into compliance. When making its decision on this development permit application, the Development Authority did not consider the existing business operating illegally;

f. The Development Authority was not aware of any separation distances for liquor stores within the statutory plans or the LUB;

g. The Development Authority was not provided with the letters of support (Exhibit 4 and 13) for the development during the pre-notification process. The Development Authority did not receive the letters after notification of approval had been provided. The letters of support came in only during the appeal process to this Board which is when the Development Authority became aware of that support. The Development Authority therefore did not factor in the letters of support in its decision.

h. When the Development Authority was considering restrictions, it notified Mr. Roy about the limitation of hours.

[43] In response to questions from MCFN, the Development Authority stated:

a. It acknowledged the letters that had been received from interested parties during the communication with the community between July and August 2023 and when the permit had been approved. For the MCFN, the leadership met with the Mayor, who spoke with Chief Tuccaro regarding the development application and the concerns that the MCFN had in relation to the application;

b. The Municipality's response to MCFN was to acknowledge receipt of the letters and to note that they would be considered as part of the development approval process;

c. It reached out to the RCMP as it would for any external reviewer of a development permit application. The RCMP do not officially provide feedback. The Constable provided crime statistics for 2023 which were taken into consideration making the decision. The Development Authority examined the provisions of the statutory plans (Municipal Development Plan and Area Structure Plan);

d. Fort Chipewyan is unique given its geographic location and its access by way of air or winter road only. It is Alberta's oldest settlement. The Applicant had to do an historical and cultural review.

e. The Development Authority worked with the Municipality's consultation group and supported them. The Development Authority was aware of the Protocol Agreement. It went above and beyond at the process under the MGA and the LUB and allowed for engagement in the community within the confines of what the Development Authority is allowed to do. It was a longer and more thorough process than the ordinary process. Generally, the Development Authority does not send notices to all addresses before a decision. The Development Authority extended the radius to include the community hall and the First Nations' contact offices. The Development Authority allowed the residents to reach through to the Development Authority to answer questions, and the Development Authority answered questions orally which were then transcribed to respect the oral tradition. The Development Authority received only nine letters. Based on that, the Development Authority believed that it had met the Protocol Agreement and met the obligation of the Development Authority to work with Indigenous communities;

f. There was no consultation through the process but rather engagement. This is a different process with a higher degree of communication. It was not just notification; they also took the feedback. The Development Authority stated that it wanted to treat everyone fairly, regardless of use. The Development Authority does not regulate morality but land use;

g. The decision by the Development Authority to go beyond the 100-metres was an elevation of the ordinary process and another level of transparency, accountability and engagement.

[44] In response to Board questions, the Development Authority stated:

a. The evidence of the environmental scan to justify the hours and how it would reduce the issues in the community was not included in the materials brought before the Board;

b. In response to questions about whether the Development Authority had any other information about whether reducing the hours would achieve the result that they had hoped, the Development Authority could not guarantee that the reduced hours would reduce the impact which was identified in the various letters sent to the Development Authority. The Development Authority's view was that the two comments heard most about their concerns was access and availability to alcohol and the impacts on crime. The position of the Development Authority was they could limit some of those issues relating to availability by limiting hours of operation and access.

Submissions of Appellant 1 - Mr. Roy

[45] Counsel for Appellant 1 addressed the jurisdictional question first. He stated constitutional questions are not within the purview of the Board. The arguments about the duty to consult arising from Aboriginal and Treaty rights in s. 35(1) of the *Constitution Act* were outside the jurisdiction of the Board. The duty to consult is based upon Treaty 8. The MCFN argues that the heightened duty is articulated in the Supreme Court of Canada decision of *Clyde River* and applies to tribunals and delegates of the Crown. In fact, *Clyde River* states the opposite. He referenced paragraph 36 of the case which states as follows:

> *[36] Generally, a tribunal empowered to consider questions of law must determine whether such consultation was constitutionally sufficient if the issue is properly raised. The power of a tribunal "to decide questions of law implies a power to decide constitutional issues that are properly before it, absent a clear demonstration that the legislature intended to exclude such jurisdiction from the tribunal's power" (Carrier Sekani, at para. 69). Regulatory agencies with the authority to decide questions of law have both the duty and authority to apply the Constitution, unless the authority to decide the constitutional issue has been clearly withdrawn (R. v. Conway, 2010 SCC 22, [2010] 1 S.C.R. 765, at para. 77). It follows that they must ensure their decisions comply with s. 35 of the Constitution Act, 1982 (Carrier Sekani, at para. 72).*

[46] Counsel for Appellant 1 reviewed the regulation under the *Administrative Procedures and Jurisdiction Act* noting section 2 states that only the decision makers listed in Column 1 of the Schedule have the jurisdiction to determine questions of constitutional law. The Subdivision and Development Appeal Board is not listed in Schedule 1 and therefore does not have jurisdiction to address any constitutional questions. The issues raised by the MCFN are important but are not questions over which the Board has any jurisdiction. The questions of the obligation of the Development Authority regarding a duty to consult, whether a common law or Treaty Right, is not part of the Board's jurisdiction. Paragraph 19 of *Clyde River* notes that the duty to consult has a constitutional dimension grounded in the honour of the Crown which is enshrined in section 35 of the *Constitution Act*, recognizing and affirming existing Aboriginal and Treaty Rights.

[47] Whether the duty to consult is arrived at through honour of the Crown, whether it is a specific Treaty Right in Treaty 8 or whether it exists in some common law form, those questions are constitutional. It is clear from the Designation of Constitutional Decision Makers Regulation and *Clyde River* that a tribunal does not have jurisdiction to make this decision, if there is clear exception. There is a clear exception in the Regulation. In regard to the question of whether the Development Authority was the delegate of the Crown, Counsel for Appellant 1 stated those questions and whether the duty was met through the consultation undertaken by the Development Authority are valid questions but not for this

Board.

[48] The Board must determine whether the Development Authority had a non-constitutional duty to consult with the neighbours. Appellant 1's position was that there was extended consultation regarding the development permit application. There was an extended period for receiving comments, prompted by the notification to every municipal address in Fort Chipewyan and giving notice to the various First Nations and Métis Nations in and around Fort Chipewyan. The Development Authority gave evidence about the standard required by the MGA and LUB and that it was met. The obligation under the planning legislation is to notify "affected parties" and the term "affected parties" is elastic. The Development Authority erred on the side of caution by giving notice to the whole of Fort Chipewyan and the surrounding Nations. It did not just send notices but received comments with regard to the larger community and took those into account.

[49] The next question properly before the Board is whether the Development Authority's decision is reasonable. There is no obligation under the MGA or the LUB to give reasons for the approval, but only for approval. Taken into account the concerns raised by the MCFN regarding the effects of alcohol on the community, the Development Authority's response went beyond the typical consultation process. Appellant 1 does not object to the heightened notice and the Development Authority taking into account those responses. However, Appellant 1 wishes to separate that activity from the duty to consult with affected parties.

[50] Counsel for Appellant 1 stated that the Protocol Agreement is a non-binding instrument to collaborate on a range on matters of municipal interest. Section 6.1 identifies areas of mutual interest including section. 6.1(e) land planning, zoning and land use. There is no protocol imposing specific engagement or consultation. It is not meant to be imposed at an individual development permit level.

[51] Counsel for Appellant 1 referred to Exhibit 15 to address why the imposition of condition 26 should be removed. The Development Authority sought to mitigate the effects of alcohol on the basis that if alcohol cannot be purchased in the evening, it should mitigate the issues of alcoholism and crime associated with alcohol consumption. The other liquor store is operating illegally and selling liquor into the evening and has been allowed to sell alcohol since 2014 without approval. There is an inconsistency of action between the approval for Appellant 1 having limited hours as compared to an unlicensed activity which is selling alcohol into the evening. It is patently unfair and is an unreasonable and uneven treatment between the two liquor stores.

[52] There were 128 letters of support for Appellant 1. Each letter objects to the restriction of operating hours at 6:00 p.m. noting that a closing time of 6:00 p.m. would not be convenient for those who will patronize the business due to family or work commitments. There is unfair competition. The Development Authority is unfairly benefitting the illegally existing liquor store in terms of its ability to sell alcohol into the evenings while Appellant 1 will be restricted from doing so. The environmental scan referenced by the Development Authority did not include those where liquor stores were adjacent to reserves or First Nations. If the planning argument is made about proliferation, this is not a proliferation argument. The Alberta Gaming Liquor Cannabis (AGLC) handbook sets out hours of operation from 9:00 a.m. to 2:00 a.m. and discusses the training that is required including crime prevention through environmental design. The specific rules of the AGLC are more than adequate to address what condition 26 is attempting to address. The condition is attempting to address not who the alcohol is sold to, but to address those who are intoxicated. Nothing in the AGLC handbook says that reducing operating hours is effective or that it is a means to reduce alcohol related crime. Counsel for Appellant 1 urged the Board to remove condition 26 and uphold the approval. There is no evidence from the Development Authority that restricting the hours of operation will properly address the issues raised, and the condition was not imposed for valid planning purpose.

Daniel Roy

[53] Mr. Roy indicated that he has lived in the community for 24 years. He bought the land and proposed to build a new liquor store to replace the existing one. Mr. Roy had 128 letters in support from local residents, all of legal age. He stated that there is no more crime now (with one liquor store) than when there were two liquor stores. His position is that his liquor store would be safer because the current liquor store is located in a dark area. His liquor store will be within a lit area. He is put at a competitive disadvantage to the existing liquor store due to the hours of operation imposed upon his development permit.

[54] Mr. Roy stated that such an early closing time will cause bootlegging to thrive. He suggested 9.00 pm would be a reasonable closing time and is happy to work with the community.

Ernest Thacker

[55] Mr. Thacker spoke in support of Mr. Roy's appeal. He stated that the existing liquor store is congested and has been broken into. It has also being set on fire. There should be a better use of that property. Mr. Thacker suggested that a liquor store in the downtown where lighting is good and the roads are good would be better. There is already alcohol sold at various places in the community, including a beer garden and the community hall. There are fights outside of the existing liquor store.

Charlie Fraser

[56] Mr. Fraiser spoke in support of Mr. Roy's appeal. He is 85 years old and was born and raised in Fort Chipewyan. He had concerns regarding the existing liquor store. He wants to have a better liquor store in town.

Bruce Inglis

[57] Mr. Inglis spoke to the need to have a level playing field and for there to be consistent oversight of the whole community. There are complex issues at play but they should be dealt with at other levels of government. He has lived in the region for 69 years and 60 of them in Fort Chipewyan. The downtown core had been vibrant but has been losing businesses. If there is no access, bootlegging will occur. He hopes that this is taken into account. It is not possible to solve the problem of alcohol with a single prohibition.

Submissions of Appellant 2 – Mikisew Cree First Nation Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises, Mistee Seepee Development Corporation Ltd

[58] Counsel for Appellant 2 stated that there is no binding legal authority stating that the Municipality is not the Crown. It would be absurd to allow the Provincial Crown to abdicate its obligations as the Crown to the Municipality. The Municipality, the Development Authority and this Board are akin to the Natural Resources Conservation Board referenced in the *Clyde River* decision. They exercise delegated powers on behalf of the Crown and are an emanation of the Crown to which the honour of the Crown applies. In *Fort McKay First Nation vs. Prosper Petroleum Ltd., the Court* considered the Alberta Energy Regulator (the AER) and whether it could engage in the duty to consult. The legislation governing the AER specifically ousts the duty to consult which is always at stake. The hamlet has 2 First Nation reserves close by.

[59] Counsel for Appellant 2 asked whether a person's right to do business supersedes the First Nations right to say no. The Truth and Reconciliation component of the Report on Truth and Reconciliation means that Appellant 2 is more than just another stake holder. Counsel for Appellant 2 advised that the question of compatibility will be spoken to by the individuals who will speak on behalf of Appellant 2.

[60] The parties are committed to Truth and Reconciliation as evidenced by the Protocol Agreement. Counsel for Appellant 2 reviewed various provisions of the Protocol Agreement including sections 4.1.a and 5.3a. The Protocol Agreement required more than notification. It required engagement which was not satisfied by the notice. Notice to the community was not collaboration. Section 6.1.e of the Protocol Agreement references land use planning, which is the topic before the Board today. The Protocol Agreement created legitimate expectations by Appellant 2 that they would have engagement and collaboration on the granting of a permit. The concerns of Appellant 2 are not concerns about establishing business priorities or making the core of the hamlet vibrant. Their

concerns are about a liquor store in the core of the community, the impact on their Treaty Rights and the health and public interest of the community.

[61] Exhibit 16, Appendix 9 is a letter from Dr. Darcy Lindberg, who provides an opinion stating that it is an express promise in Treaties 6, 7 and 8 to not have intoxicating substances in the MCFN territory.

[62] Appellant 2 owns and manages property within Fort Chipewyan and the land titles are included for the properties owned by the three corporations.

[63] MCFN responded as soon as it could to the notifications by the Municipality, given the wild fire and the election which happened. Despite the letter from Chief Tuccaro to the Municipality, there was no consultation. The rights of one person (the person applying for the development permit) should not be put above the rights of the residents who are part of the Treaty, who are 583 of the thousand residents of the hamlet.

[64] Alcohol has a significant effect on the community. The survey which was conducted overwhelmingly was in opposition to the liquor store. Eighty four percent of the individuals who responded opposed the liquor store. This is in contrast to the *pro forma* letters received in support of Appellant 1's development permit application. The Board was urged to read the comments on the survey which are individual and which note the impacts.

[65] Appellant 2 provided crime statistics as part of its submissions. The RCMP advised that 697 crimes occurred in Fort Chipewyan in the previous year and 328 (almost half) were alcohol related. Of the 87 prisoners held in the RCMP detachment in 2023, 69 were intoxicated by alcohol. These are valid concerns that need to be considered.

[66] Appellant 2 understands that the granting of the permit is discretionary, but the use is not compatible with neighbouring uses. There are valid concerns of the community that it is detrimental to the health, safety, convenience and general welfare of the community. The current liquor store operating is causing issues with regard to property damage, etc. While Appellant 2 shares the goals of revitalizing the core of the hamlet, in this instance, the Board must look at neighbouring properties to determine the impact on them. Bootlegging already thrives and is not a reason to grant the permit. Section 617 of the MGA speaks to the public interest. The Board does not need to go to the duty to consult. Appellant 2 is the public and deserves to have their concerns heeded.

[67] The Board was urged to consider that once Appellant 2 was engaged in the process, they should have a meaningful opportunity to respond, which means engagement and collaboration. Counsel for Appellant 2 disputed that the Municipality went above and beyond its obligations. In Appellant 2's view, the Protocol Agreement was not exceeded.

[68] In relation to the question of whether the decision point is a constitutional question over which the Board has no jurisdiction, Counsel for Appellant 2 pointed to section 10 of the *Administrative Procedures and Jurisdiction Act* which defines a question of constitutional law as:

> *10(d) "question of constitutional law" means*
>
> *(i) any challenge, by virtue of the Constitution of Canada or the Alberta Bill of Rights, to the applicability or validity of an enactment of the Parliament of Canada or an enactment of the Legislature of Alberta, or*
>
> *(ii) a determination of any right under the Constitution of Canada or the Alberta Bill of Rights.*

[69] Appellant 2's position was that there was no constitutional question arising in the issues before the Board. *Clyde River,* paragraph 19 applies in this case. Unlike the AER whose legislation precludes the duty to consult (s. 21), the Board's jurisdiction to consider consultation is not ousted. *Clyde River* notes that there is both a constitutional and a legal obligation in the duty to consult. Therefore, there is a legal component owed to Appellant As a result, the duty to consult is not constitutional and is triggered in this case.

[70] Counself for Appellant 2 referenced paragraph 14 of the *Paul First Nation v. Parkland (County),* 2006 ABCA 128 (exhibit 14) which stated that there was no duty of consultation regarding privately owned lands. Appellant 2's position is that the *Paul* case is overturned by the *Clyde River* decision, noting paragraph 29 of the *Clyde River* decision:

> *[29] By this understanding, the NEB is not, strictly speaking, "the Crown". Nor is it, strictly speaking, an agent of the Crown, since — as the NEB operates independently of the Crown's ministers — no relationship of control exists between them (Hogg, Monahan and Wright, at p. 465). As a statutory body holding responsibility under s. 5(1)(b) of COGOA,* ***however, the NEB acts on behalf of the Crown when making a final decision on a project application. Put plainly, once it is accepted that a regulatory agency exists to exercise executive power as authorized by legislatures, any distinction between its actions and Crown action quickly falls away. In this context, the NEB is the vehicle through which the Crown acts. Hence this Court's interchangeable references in Carrier Sekani to "government action" and "Crown conduct" (paras. 42-44). It therefore does not matter whether the final decision maker on a resource project is Cabinet or the NEB. In either case, the decision constitutes Crown action that may trigger the duty to consult****. As Rennie J.A. said in dissent at the Federal Court of Appeal in Chippewas of the Thames, "[t]he duty, like the*

> *honour of the Crown, does not evaporate simply because a final decision has been made by a tribunal established by Parliament, as opposed to Cabinet" (para. 105). The action of the NEB, taken in furtherance of its statutory powers under s. 5(1)(b) of COGOA to make final decisions respecting such testing as was proposed here, clearly constitutes Crown action. (emphasis added)*

[71] The *Neskonlith* case is not binding. Counsel for Appellant 2 urged the Board not to find it persuasive. Municipalities are governments "in mini" and have powers delegated to them by the Crown in right of the Province. The Province cannot avoid the duty to consult by delegation.

[72] Both the *Paul* and case of *Kappo v. SDAB (Municipal District of Greenview No. 16),* 2003 ABCA 146 are not good law. Under section 687 (3)(c) of the MGA, the Board has the remedial power to address the duty to consult. If the Municipality has not discharged the duty to consult, the Board must discharge that duty.

[73] Counsel for Appellant 2 referenced the article written by Paul Daly who spoke about an analogy between charter values and charter rights. A similar analysis must be done here. If there is a gap, it is not clear where Appellant 2 could go to challenge it and what the constitutional challenge would be. If there is no availability to consider issues before the Board in relation to a live issue, then there is likely no remedy. Such a conclusion is contrary to the rule of law and to the United Nations Declaration on the Rights of Indigenous Peoples, and section 96 of the *Constitution Act*.

[74] Appellant 2 opposes appeal 1. They recognize that it is a fair comment to question how limited hours ameliorate issues regarding alcohol. Their response is that the way to address it is not to have liquor stores in the first place. The fact that the first liquor store has been allowed without a permit since 2014 is not relevant. The proliferation argument also does not justify having this liquor store.

Chief Tuccaro

[75] Chief Tuccaro spoke to the impact that alcohol has on the community. He is not against the sale of alcohol, but is concerned about the impact that it has on the community both in relation to safety, and drunk driving, etc. He stated that there are problems and did not want those problems contributed to by the addition of another liquor store. He spoke to the significant negative personal impacts which alcohol has had on himself and his family.

Councilor Paul Tuccaro

[76] Councilor Tuccaro noted the damage that alcohol can do in terms of the community, including domestic violence. He stated that a new liquor store will come at the cost of health and safety of the community and that the choice today sets the tone for the community. He stated that there are unfortunate incidents including safety and road accidents. He stated that as a community, they have acknowledged the serious repercussions due to an increase in alcohol including crime and domestic violence and the impact on people.

CEO Kerri Ceretzke

[77] Kerri Ceretzke, Acting Chief Executive Officer for MCFN, and the Director of Education and the principal of the school, spoke to the impact which alcohol has had on her family and to students with whom she has had dealings. She stated that making liquor more accessible is not appropriate. She spoke to the significant negative personal impacts which alcohol has had on herself and the school community.

[78] Upon conclusion, the Chair asked the parties present, if they felt that they had a sufficient opportunity to present their evidence and argument to the Board. No issues were brought to the Board's attention.

Mitchel Bowers

[79] Mr. Bowers stated that the MCFN has consulted with the Municipality on various statutory plans, including the Municipal Development Plan and the Area Structure Plan. There has been consultation on 21 infrastructure projects between 2013 and 2024 including projects dealing with water supply, winter roads, etc. Despite section 5.4.b of the Protocol Agreement indicating the MCFN has the right to establish necessary engagement, they did not get that opportunity because this matter was not brought to the joint committee despite the concerns raised.

Findings Of Fact

[80] In addition to the specific facts set out under the Board's reasons, the Board makes the following findings of fact:

a. The Lands are municipally described as 193 Mackenzie Avenue, Fort Chipewyan, AB and legally described as Lot 3, Bloc, 10, Plan 5642NY.

b. The Lands are located in the HC – Hamlet Commercial District.

c. The proposed development is a Liquor Store, Office and Warehouse.

d. The proposed development is a discretionary use in the Hamlet Commercial District.

Decision

[81] **The Subdivision and Development Appeal Board decides as follows:**

a. **Question jurisdiction -** The Board concludes that it is bound by the two Alberta cases which confirm the Board has no jurisdiction to decide questions of the sufficiency of the duty to consult.

b. **Development Authority duty to consult** - the Board finds there is no such obligation on the Development Authority.

[82] **Appeal 1 is denied**

[83] **Appeal 2 is granted. Development** Permit 2023-DP-00125 is **revoked.**

Reasons for The Decision

[84] The Board notes that its jurisdiction is found within section 687(3) of the *Municipal Government Act, RSA 2000, c.M-26* (the "MGA"). In making this decision, the Board has examined the provisions of the Municipal Development Plan, the Fort Chipewyan Area Structure Plan and the LUB and has considered the oral and written submissions by and on behalf of the Development Authority, Appellant 1, Appellant 2 as well as those persons speaking to both appeals.

Affected Persons

[85] The first question the Board must determine is whether the Appellants as well as those individuals who made written submissions and appeared before the Board are affected persons. The Board notes that no party raised any objection with any other party's participation but wishes to address this question for completeness.

[86] As the person whose development permit is under appeal, Appellant 1 is affected by this appeal.

[87] Appellant 2 is comprised of the Mikisew Cree First Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises; and Mistee Seepee Development Corporation Ltd. The corporations own land within Fort Chipewyan. The First Nation has lands within close proximity to the hamlet, as well as having members living in the hamlet. Based on those facts, the Board finds that Appellant 2 is affected.

[88] All of those individuals who provided oral submissions to the Board live in Fort Chipewyan. In light of the fact that the individuals are part of a close-knit community, the Board is of the view that they are all affected by the proposed development.

Issues to be Decided

[89] The ultimate question facing the Board is under section 687(3)(c): whether the Board should "confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own". However, in order to make that determination, the Board must determine the following issues:

a. Does the Board have the jurisdiction to determine whether the Development Authority met what is alleged to be their duty to consult?

b. If yes, has the Development Authority met that duty?

c. If no, what is the nature of the use of the proposed development and is the use authorized under the LUB as a permitted or discretionary use?

d. Given the nature of the use under the LUB, is the use compatible with neighbouring uses?

e. In relation to condition 26, should the condition be confirmed, revoked or varied?

a. Does the Board have the jurisdiction to determine whether the Development Authority met what is alleged to be their duty to consult?

[90] There was a preliminary question raised about whether the Board has the jurisdiction to determine questions regarding the sufficiency of consultation. Appellant 2's grounds of appeal included the argument that the Regional Municipality of Wood Buffalo or the Development Authority did not consult with Appellant 2 or breached Treaty No. 8. The Board must consider the scope of its jurisdiction to determine if it can consider these arguments and sets out a very brief summary of the positions of the parties on the questions that form part of the larger question.

[91] Appellant 2 argued that:

a. the Development Authority had a duty to consult, which it did not fulfill. The duty is a provincial duty which is delegated to the municipality in the creation of the municipality, and thus to the Development Authority and the Board in their creation. Appellant 2's argument was that the notices provided in 2023 were only notices, but not engagement. Appellant 2 also argued that if the Development Authority failed to fulfil its duty to consult, then this Board had the jurisdiction to consider the duty to consult and to fulfill that duty.

b. The Protocol Agreement compelled consultation in relation to planning matters and that the duty was not fulfilled.

c. The *Clyde River* case noted that the duty to consult had a legal as well as a constitutional component and as a result, the imposition of the duty to this case was not constitutional. In any event, Appellant 2 argued that under the definition of "constitutional question" found in section 10(d) of the *Administrative Procedures and Jurisdiction Act,* the question was not a constitutional question, so the Board had jurisdiction to answer this question.

d. *Clyde River* overturned the *Paul* and *Kappo* cases, which in Appellant 2's view are no longer good law.

[92] By contrast, Appellant 1 argued:

a. the Development Authority did not have a duty to consult. The Development Authority went above and beyond the duties set out in the MGA and the LUB, through the extended notification and engagement process which it conducted in 2023. The Board does not have a role in the duty to consult.

b. The Protocol Agreement is non-binding, and the references to planning matters does not compel consultation.

c. The *Clyde River* case expressly notes that the duty to consult is a constitutional question. Under section 2 of the Designation of Administrative Decision Makers Regulation, this Board is not listed as having the ability to determine questions of constitutional law.

d. *Clyde River* overturned the *Paul* and *Kappo* cases, which in Appellant 2's view were no longer good law.

[93] The Development Authority stated:

a. Based on *Neskonlith*, municipalities do not have a duty to consult.

b. The Development Authority met and exceeded the duties set out in the MGA and the LUB, through the extended notification and engagement process which it conducted in 2023.

c. The duty to consult is a constitutional question and the Board is not authorized to answer questions of constitutional law.

d. The Protocol Agreement is non-binding.

[94] The Board will examine the questions which arise.

Is the Board a constitutional decision maker capable of determining questions of constitutional law, such that it must assess the duty to consult?

[95] In considering this question, the Board first looked to the *Administrative Procedures and Jurisdiction Act*. The Board notes that this act contains a list of constitutional decision makers in Schedule 1 of the *Designation of Constitutional Decision Makers Regulation*, which does not include the Board. The Board found this strong evidence that the Board is not constitutionally competent to make a decision on the sufficiency of consultation.

[96] In further considering this matter, the Board considered the argument put forward by Appellant 2 that the "question" was not a constitutional question as defined in section 10(d) of the *Administrative Procedures and Jurisdiction Act.* The Board carefully examined the definition.

> *10(d) "question of constitutional law" means*
>
> > *(i) any challenge, by virtue of the Constitution of Canada or the Alberta Bill of Rights, to the applicability or validity of an enactment of the Parliament of Canada or an enactment of the Legislature of Alberta, or*
> >
> > *(ii) a determination of any right under the Constitution of Canada or the Alberta Bill of Rights.*

[97] *While the issue of the sufficiency of con*sultation does not fall under section 10(d)(i), it does appear to fall under section 10(d)(ii). Appellant 2 argued that Treaty 8 includes a right to be free from intoxicating substances. Paragraph 19 of *Clyde River* states:

> *The duty to consult . . . . has both a constitutional and a legal dimension . . . . Its constitutional dimension is grounded in the honour of the Crown (Kapp, at para. 6). This principle is in turn enshrined in* s. 35(1) *of the Constitution Act, 1982, which recognizes and affirms existing Aboriginal and treaty rights . . . . And, as a legal obligation, it is based in the Crown's assumption of sovereignty over lands and resources formerly held by Indigenous peoples (Haida, at para. 53).*

[98] This paragraph (quoted by all parties to the Board) notes the constitutional component of the duty to consult. Based on this comment from the Supreme Court, the Board is persuaded that the determination of the question about the duty to consult is a determination of a right under the Constitution of Canada under section 10(d)(ii) and therefore out of the scope of the Board's jurisdiction under the *Administrative Procedures and Jurisdiction Act.*

[99] Appellant 1 raised the *Paul* case and the *Kappo* case, citing them for the proposition that the issue of the Board's jurisdiction in relation to the duty to consult has been decided by the Court of Appeal. Based on those cases, Appellant 1 argued that this Board has no jurisdiction to consider Appellant 2's argument about the sufficiency of the duty to consult. Appellant 2 argued that *Clyde River* overturns those cases so the Board is no longer bound by them.

[100] In considering this question, the Board notes that the *Paul* and *Kappo* cases are from the Court of Appeal and are directly on this point. At paragraph 12, *Kappo v. Subdivision and Development Appeal Board (Municipal District of Greenview No. 16), 2003 ABCA 146* states:

> *[12] There is nothing in the MGA which gives the SDAB the power to determine constitutional issues nor is there a general power given to SDABs to determine issues of law. In Cuddy Chicks Ltd. v. Ontario (Labour Relations Board), 1991 CanLII 57 (SCC), [1991] 2 S.C.R. 5, 81 D.L.R. (4th) 121 (Cuddy Chicks), the Supreme Court held that an administrative tribunal which has been given power to interpret law holds a concomitant power to determine whether that law is constitutionally valid. Section 52(1) of the Constitution Act neither specifies which bodies may rule on constitutional issues nor confers jurisdiction on an administrative tribunal. Jurisdiction over the parties, subject matter and remedy sought must be conferred on the administrative body by its enabling legislation.*

[101] In *Paul First Nation v. Parkland (County),* 2006 ABCA 128, the Court states:

> *[12] I conclude that there is no duty on the part of the SDAB to consult with the Paul Band, nor need the SDAB ensure that Burnco consult with the Paul Band as there is no obligation on the part of Burnco to consult with it: See Haida, para. 52-56. First, a SDAB does not possess the authority to decide constitutional issues. In Paul v. British Columbia (Forest Appeals Commission), 2003 SCC 55, [2003] 2 S.C.R. 585, the Supreme Court determined that inferior tribunals could decide constitutional issues provided they had the jurisdiction to decide general issues of law. However, SDABs do not have the jurisdiction to decide general issues of law: Kappo v. SDAB (Municipal District of Greenview No. 16), 2003 ABCA 146, sub nom. Sturgeon Lake Cree Nation v. Greenview (Municipal District) No. 16, 14 Alta. L.R. (4th) 250, leave to appeal to S.C.C. refused (2004), 361 A.R. 200 ("Kappo"). Therefore, SDABs are precluded from deciding constitutional issues. The issues presented by the Paul Band are constitutional.*
>
> *[13] Even if the reasoning in Kappo is incorrect, recent provincial legislation that is now in force restricts most inferior tribunals from deciding constitutional questions: Designation of Constitutional Decision Makers Regulation, Alta. Reg. 69/2006. SDABs are not included in the category of decision makers that enjoy the jurisdiction to decide constitutional issues. Therefore, if this matter was referred back to the SDAB, it could not entertain the issues posed by the Paul Band.*

[102] These cases expressly provide specific direction that subdivision and development appeal boards do not have the jurisdiction to determine constitutional issues. The *Paul* case also confirms that the Board itself does not have a duty to consult.

[103] While the Board recognizes that *Clyde River* is a Supreme Court of Canada case, it does not mention either of the above 2 cases. In light of the binding nature of the two Alberta Court of Appeal cases, and the fact that *Clyde River* does not mention the two Alberta cases, and does not expressly overrule them, the Board is not persuaded that these cases have been overruled. The Board therefore concludes that it is bound by the two Alberta cases which confirm the Board has no jurisdiction to decide questions of the sufficiency of the duty to consult.

Does the Municipality and thus the Development Authority have a duty to consult?

[104] In light of the Board's conclusion that it does not have jurisdiction to answer constitutional questions, it is not necessary for the Board to answer this question. If the Board were required to answer this question, the Board provides its comments, below.

[105] The first argument raised by Appellant 2 was that the Municipality has a duty to consult which is delegated by the Province when it established the Municipality, and through the Municipality's creation of the Development Authority and Board, to them. Appellant 2 did not provide any case authority in support of its argument but stated that the Province could not rid itself of the duty to consult by delegating powers. In contrast, the Development Authority referenced the *Neskonlith* case.

[106] The only case authority before the Board on this question is the *Neskonlith* case from British Columbia, which is not a binding precedent. However, cases from other jurisdictions can be persuasive, particularly when there are no legal authorities on point from Alberta. The Board notes that *Neskonlith* specifically addresses whether the duty to consult extends to municipalities. In light of the fact that case is directly on point to the issue raised by the parties, the Board finds the case to be persuasive. In the absence of any express recognition from any other court that there is a duty to consult on municipalities, the *Neskonlith* case provides direction that municipalities do not have a duty to consult.

Did the Protocol Agreement obligate the Development Authority and on appeal this Board to consult?

[107] Appellant 2 argued that the Protocol Agreement created, if not legal obligations, then a legitimate expectation of consultation by the Development Authority in relation to development permits.

[108] Appellant 1 and the Development Authority indicated that the Protocol Agreement was non-binding.

[109] In order to determine whether there was some form of "non-constitutional", but legal obligation to consult, the Board has considered Appellant 2's argument that the Protocol Agreement imposes that obligation on the Municipality, and thus the Development Authority.

[110] In examining the Protocol Agreement, the Board notes that section 3.1(d) of that Agreement references that the purpose of the Agreement is to "formalize an engagement process with the MCFN **on municipal projects, programs policies or decisions** that are of interest to, or may have impact on the MCFN." Read purposively, the Board is of the view that this section is a recognition that the intention was to deal with municipal projects, rather than private projects on private land. This reading is supported by the evidence of Mr. Bowers (see paragraph [79]) which indicated that the Municipality had previously engaged with MCFN on other municipal projects. There was no evidence that the Protocol Agreement had been previously used to engage with MCFN on private development. The Board is therefore not persuaded that the MCFN had a reasonable expectation that the Protocol Agreement would be used to impose engagement obligations in relation to private development on private lands.

[111] Further, the Board notes that section 13.1 of the Protocol Agreement indicates that the Agreement is not binding and not intended to be actionable. The Board understands section 13.1 to mean that the MCFN would not be able to sue on the Agreement. By extension, the Board interprets section 13.1 to mean that Appellant 2 cannot use the Agreement as the basis for an appeal.

[112] In considering whether the Development Authority met the obligations of the MGA and the LUB for notification, the uncontradicted evidence before the Board was that the LUB requires notification of 100 m from the proposed development. The LUB obligation is only notification, and does not require the Development Authority to do more, such as take into account any comments received. The evidence here was that the notices were sent to each address in the hamlet, which the Board interprets as well beyond the 100 m of the LUB. Since the LUB only requires notification of 100 m and the Development Authority provided notices to the whole hamlet, the Board finds that the Development Authority met its statutory obligations for notices.

[113] The Board also notes that Appellant 2 argued that there was an obligation on the Development Authority to provide reasons for its approval. The Board notes section 642(4) of the MGA which requires a development authority to provide reasons, but only if the application is refused. In this case, the application was not refused; it was approved with conditions. In the absence of any statutory or regulatory requirement to provide reasons for approval, the Board finds there is no such obligation on the Development Authority.

c. If no, what is the nature of the use of the proposed development and is the use authorized under the LUB as a permitted or discretionary use?

[114] Even though the Board does not have jurisdiction to consider the duty to consult, that is not the end of the appeal. Appellant 1 agreed that Appellant 2 could still argue the merits of the planning case. The Board then needs to assess the planning merits of the appeals.

[115] The first question then is what is the nature of the proposed development? Appellant 1 applied for a Liquor Store, Office and Warehouse. There was no dispute among the parties that the proposed development fell within the definitions for these uses, and as a result of that consensus, the Board finds as a fact that the uses are Liquor Store, Office and Warehouse.

[116] The Board notes that the uncontradicted evidence before the Board is that these uses are discretionary in the Hamlet Commercial District and based on that uncontradicted evidence, the Board finds so as a fact.

d. Given the nature of the use under the LUB, is the use compatible with neighbouring uses?

[117] Since the use is discretionary, the Board must consider the compatibility of the proposed development with neighbouring uses.

> [14] The object and purpose of a discretionary use is to allow the development authority to assess the particular type and character of the use involved, including its intensity and its compatibility with adjacent uses.[1]

[118] Although the above quote speaks to "adjacent uses", the Board interprets the word "adjacent uses" as requiring an assessment of the compatibility of the proposed development with the uses in the area. Using a purposive interpretation, the Board believes that interpreting the words "adjacent uses" to mean only the uses immediately adjacent to the proposed development would be contrary to the purpose of part 17 as noted in section 617 which seeks to achieve orderly, economical and beneficial development without infringing on the rights of individuals for any public interest except to the extent necessary for the overall greater public interest.

[119] The Board understands that in coming to a determination of whether the proposed development is compatible, it must weigh the interests of Appellant 1 in its development permit against the impacts of that development on the community.

[120] In this case, the question is how broad that community is. The Board notes that the Development Authority sent notices of the development to the entire hamlet. The Board infers from the Development Authority's broad notification that the Development Authority considered that the entire hamlet would be affected by the proposed development. The evidence before the Board was that Fort Chipewyan is a unique community. There was no disagreement that it is geographically isolated, and is accessible only by plane, or, in winter, by winter road. In the Board's view, given these circumstances (the geographic location, its isolation and the broad notification by the Development Authority), the Board must examine the impact of the proposed development on the entirety of the hamlet, and not a subset of it.

[121] The Board has examined the evidence put forward by both Appellants regarding the question of compatibility.

[122] The Board understood Appellant 1 to argue that the imposition of condition 26 (decreased hours of operation) would not achieve the result of less effect of alcohol.

[1] Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board), 2009 ABCA 261.

[123] Appellant 2 provided evidence of crime statistics linked to alcohol and provided survey results which provided comments about the impact of alcohol on various members of the community.

[124] At page 1055/1104, Appellant 2 provided a letter from the RCMP indicating that as of October 21, 2024, the RCMP received 697 occurrences in 2024, of which 328 were alcohol related (the breakdown of occurrences is listed, but not repeated here). The RCMP also advised that in 2024, the detachment lodged 87 prisoners of which 69 were intoxicated by alcohol. The evidence before the Board is that the population of Fort Chipewyan is approximately 1,000 people. In the Board's view, the number of alcohol-related occurrences as compared to the local population is high. The impact of alcohol on the community was also evident in the evidence of Chief Tuccaro, Councilor Tuccaro and K. Ceretzke, and the survey results provided by Appellant 2.

[125] The Board considers safety considerations to be a valid planning consideration for the Board to consider when making a determination about compatibility. The evidence presented by Appellant 2 indicates that alcohol is, at least, a factor in the occurrences occurring in the community. The Board presumes that at least some of the alcohol comes from the existing liquor store in the community. Based on these statistics, the Board infers that if the presence of one liquor store causes or contributes to these statistics, there is no reason to believe that a second liquor store would not cause or contribute to further occurrences. The Board draws the inference that the proposed development would be at least a factor in creating or contributing to safety concerns in the hamlet.

[126] The Board has also considered the evidence presented from the letters in support of Appellant 1 and the survey presented by Appellant 2. The Board finds the evidence of Appellant 1 less persuasive, as the letters in support are form letters. Appellant 2's evidence by contrast included the survey results listed at page 1078: individual responses, which speak to the impact of liquor sales. The Board finds the individualized responses more persuasive than a form letter where the person need only sign their name, but did not express a view of compatibility which was individual to that person.

[127] The Board also considered the time period when the letters were drafted and collected. The Board is less persuaded by the form letters submitted by Appellant 1 because they were submitted only in response to the appeal. The survey submitted by Appellant 2 were prepared in 2023. The Board is of the view that the survey results express comments of the community generally since they were submitted before the development permit application was approved.

[128] The Board is aware that there were 78 respondents to the survey and Appellant 1 provided 128 form letters. The Board is not persuaded merely by the numbers. As noted above, the Board finds the individual responses more persuasive than the mere signing of a person's name on a form prepared by someone else.

[129] The Board noted the argument put forward by Appellant 1, that the Board should not consider a proliferation argument. The Board does not consider Appellant 2's argument to be an argument based on proliferation and the Board does not consider the potential of a second liquor store to be one where there is a "proliferation" of liquor stores. Rather, the Board notes the evidence provided by Appellant 2 of the impact of alcohol sales and is of the view that the proposed development would have a similar impact on the community, causing safety concerns. As a result of those safety considerations, the Board concludes that the proposed development is not compatible with the adjacent uses.

e. In relation to condition 26, should the condition be confirmed, revoked or varied?

[130] The final question for the Board to consider is whether the imposition of condition 26, regarding a restriction on the hours of operation would address the incompatibility such that the Board could affirm the imposition of condition 26, and thus find that the proposed development is compatible.

[131] The Board recognizes that the Development Authority imposed condition 26 in an attempt to address the concerns identified by the community about the proposed development. However, the Board notes that the Development Authority did not include in the hearing package the results of its environmental scan from other jurisdictions. As a result, the Board has no evidence to base any conclusion about the effectiveness of condition 26.

[132] The Board has also considered the argument that there is no evidence that the reduction of operating hours would assist in addressing the safety concerns (which was advanced by Appellant 1).

[133] By contrast, Appellant 2 urged the Board to conclude that the way to address the incompatibility is to revoke the development permit.

[134] There was no evidence before the Board about the efficacy of imposing condition 26 and whether reducing the hours of operation would decrease the impact on safety. The statistics from the RCMP did not identify whether the occurrences were in the evening (which might be impacted by reduced operating hours) or whether they were during the day.

[135] In the absence of more specific information, the Board does not have tools to refine the impact of the incompatibility. The Board notes that Appellant 1 has suggested that there is no evidence that condition 26 will address the concerns. In the absence of this evidence, the Board is of the view that it is left with a "black or white" choice. Appellant 1 suggests that condition 26 won't ameliorate the impact from alcohol sales. The Board was not presented with any other argument or suggested conditions which might address the incompatibility which the Board has found arises from the proposed development. In the absence of any other presented options or conditions, the Board concludes that there is no condition it could impose to address the incompatibility, and condition 26 would not

appear to be effective in doing so.

[136] As a result of the above, the Board finds that condition 26 does not address the incompatibility of the proposed development.

[137] Without any solutions proposed to the Board to address the incompatibility, the Board finds that the proposed development is incompatible.

[138] As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses, the Board denies appeal 1 and upholds appeal 2. The development permit is revoked.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 19th day of November 2024.

ATIA 20(1)

CHAIR:

Dean Cleaver

APPENDIX "A"

DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

Exhibit #	Description	Filing Date
	Subject Area Map	**2024-09-08**
P1.	Request for Postponement	2024-08-12
P2.	Merit Hearing Availability – Orlagh O'Kelly (1 page)	2024-09-19
1.	Notice of Appeal – Daniel Roy (2 page)	2024-08-22
2.	Development Permit (6 pages)	2024-08-22
3.	Commentary in Support of the Appeal – Beverely Tourangeau (1 page)	2024-09-10
4.	Written Letters of Support re: Liquor Store – Appellant (97 pages)	2024-09-12
5.	Evidence Disclosure – Planner's Report (15 pages)	2024-09-13
6.	Notice of Appeal – Orlagh O'Kelly (9 pages)	2024-09-19
7.	Written Submission re Hours of Operation – Orlagh O'Kelly (1 page)	2024-09-19
8.	Municipality Email Correspondence re: Oral Presentation time limitations (3 pages)	2024-09-25
9.	Appellant R. Homersham re Oral Presentation time limitations (1 page)	2024-09-27
10.	Appellant O. O'Kelly re Oral Presentation time limitations (2 pages)	2024-09-27
11.	Written Submission – Mary Kutschke (1 page)	2024-10-04
12.	Planner's Report re: 2023-DP-00125 (60 pages)	2024-10-15
13.	Written Letters of Support re: Liquor Store – Appellant (31 pages)	2024-10-18
14.	Evidence Disclosure - Applicant D. Roy vs. Mikisew Cree First Nations (616 pages)	2024-10-21
15.	Evidence Disclosure -Appellant D. Roy vs. RMWB (129 pages)	2024-10-21
16.	Evidence Disclosure – Appellant O. O'Kelly (124 pages)	2024-10-22

APPENDIX "B"

REPRESENTATIONS

Person Appearing	Capacity
Chris Davis	Legal Counsel, Regional Municipality of Wood Buffalo
Nabil Malik	Development Officer, Regional Municipality of Wood Buffalo
Shailesh Makwana	Development Authority Supervisor, Regional Municipality of Wood Buffalo
Robert Homersham	Legal Counsel, Appellant 1
Daniel Roy	Appellant 1
Guy Thacker	Fort Chipewyan Resident
Charlie Frazer	Fort Chipewyan Resident
Bruce Inglis	Fort Chipewyan Resident
Orlagh O'Kelly	Legal Counsel, Appellant 2
Chief Billy-Joe Tuccaro	Mikisew Cree First Nation
Councilor Paul Taccaro	Mikisew Cree First Nation
CEO Keri Ceretzke	Mikisew Cree First Nation
Mitchel Bowers	Mikisew Cree First Nation

[redacted]

From: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>
Date: Thursday, August 21, 2025 at 11:28 AM
To: chief <chief@mikisewcree.ca>, Amanda.Owens@rmwb.ca <Amanda.Owens@rmwb.ca>, ceo <ceo@mikisewcree.ca>, Mikisew Chief and Council <chiefandcouncil@mikisewcree.ca>, dennis.fraser@rmwb.ca <dennis.fraser@rmwb.ca>, jesse.tjepkema@rmwb.ca <jesse.tjepkema@rmwb.ca>, Gloria Schregardus <eachiefandcouncil@mikisewcree.ca>, eaceo <eaceo@mikisewcree.ca>, Shelley Metera <shelley.metera@okellylaw.ca>
Subject: MCFN OBJECTION: Notice of Development Application - 193 Mackenzie Avenue, Fort Chipewyan

Good morning Sir/Madam:

Please find enclosed on behalf of Mikisew Cree First Nation. I am submitting this for MCFN given they are engaged with urgent safety issues in the community, but kindly share with legal counsel assigned to this matter as necessary.

Sincerely,

Orlagh O'Kelly
Lawyer

O'Kelly Law

403, 10113 104 Street NW | Edmonton, Alberta | T5J 1A1
amiskwaciwâskahikan – Treaty 6
t : 587-525-8348 **direct** : 825-480-4542
e: orlagh.okelly@okellylaw.ca w : www.okellylaw.ca
This message, including attachments, is for the addressee(s) only. It may contain privileged, confidential or other information exempt from disclosure. If you received this email in error please notify the sender and delete this email message and all attachments.

MIKISEW CREE
FIRST NATION

August 21, 2025

Regional Municipality of Wood Buffalo

Dear Sir/Madam:

Re: Mikisew Objection to Liquor Store Permit
Notice of Development Application 2025-DP-00169 – Liquor Store

---

Please consider the enclosed Mikisew Cree First Nation's objection – again – to the resubmission of an application for the same revoked permit for a liquor store in the heart of our community, Fort Chipewyan.

Mikisew was successful at the Court of Appeal in challenging the municipality's first attempt [redacted] unity at this location (193 Mackenzie Avenue, Lot 3; Block [redacted] Appeal, citing the Board's decision, stated:

> [redacted] those safety considerations [concerning alcohol use in the community] The Board concludes that the proposed development is not compatible with the adjacent uses. . . .
>
> 138. As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses . . . The development permit is revoked.[1]

Having been successful all the way to the Court of Appeal, Mikisew did not receive proper notice of the re-submitted application from the Regional Municipality of Wood Buffalo (RMWB). **Tab 1** is a copy of the email from our member where our Nation became aware of this resubmissions when, on August 12, 2025.

---

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board),* 2025 ABCA 69 (CanLII), at para 7.

MIKISEW CREE
FIRST NATION

After receiving this email and upon review of emails, it appeared that the generic email (from a previously unknown sender and not indicating RMWB in the subject line) went undetected as junk in the chief and ceo emails only. Please send all notices to our band office and also to chiefandcouncil@mikisewcree.ca with a read receipt to ensure this does not happen again.
It also does not appear that our legitimate expectations regarding notice, throughout the community, were met this time around. For example, some of our Council live in the immediate vicinity of 193 Mackenzie Avenue, and did not receive a notice regarding this application.

Moreover, this will be the second time the notice period is condensed in the middle of summer - a time when our members and Nation are exercising their Treaty and inherent rights, but also precisely on the day (July 16, 2025) when we were in Ottawa meeting with Prime Minster Carney at the widely advertised First Nations Summit.

Notwithstanding our objections to the adequacy, manner and timing of notice, we are [redacted] days of becoming aware of this application. Given this time [redacted]esults of an updated member survey when they become [redacted]

We submit as follows and enclosed:

Mikisew reiterates the safety considerations with a liquor store in community, with easy access for members with substance abuse issues but most importantly easy access for our youth. At the hearing before the SDAB Board, Mikisew advised the board of youth suicides that occurred under the influence of alcohol. Moreover, it is obvious that alcohol relates to serious safety issues in our small community. Enclosed at **Tab 2** is a copy of the incidents this year alone, until August 14, 2025, that are alcohol related. There are 241 incidents for a community of approximately 1000. This is extraordinary given the limited policing resources in our community.

MIKISEW CREE
FIRST NATION

Indeed, our Nation's employees and officials have noticed a decline in youth drinking in the community since the closure of the illegal liquor store (HEP). This has been a welcome improvement.

We also remind RMWB that under Treaty 8 the Crown promised us they would control the sale of liquor in our territory. Fort Chipewyan is predominantly Mikisew members. We enclose therefore at **Tab 3** the expert opinion of Dr. Darcy Lindberg in this regard. The Crown cannot evade its obligations by delegating permitting powers to the municipality.

Granting this licence has at least the *potential* to impact our Treaty relationship and Treaty rights, if not infringe them. Our claim to protection from liquor sales under Treaty 8 is credible as evidenced in Dr. Lindbergh's report. As such there is a duty to consult that arises. Since at least 2017, it is now clear that administrative bodies, such as municipalities, can and must discharge the duty to consult. Recognition of a duty to consult owing to Mikisew is evident in the consultation policy.

[redacted]indfall in resource revenue sharing from the impacts to our [redacted]ands development. By contrast, despite our constitutional [redacted] nothing in the way of revenue sharing. In February, 2024, [redacted]unding that was provided to RMWB by the federal public safety department for addictions and prevention measures, which our community was not made aware of. Instead, RMWB has proposed to contribute to the problem by approving a liquor permit in our community.

In addition, we know from research conducted following the Imperial Kearl spill that the land dispossession caused by industrial disturbance caused mental health harm to our members and, therefore, by extension, potential for further substance abuse issues in our community. RMWB has done nothing to assist in mitigating this real problem. By contrast, Mikisew has called a State of Emergency.

MIKISEW CREE
FIRST NATION

Even if RMWB maintains they are exempt from the duty to consult, please be advised that RMWB is not exempt from considering whether an application is in the public interest[2] and whether it is compatible with the surrounding use.[3] It is not in the public interest nor is it compatible with the surrounding use, as already found by the municipality's own board, to contribute to substance abuse and intergenerational trauma in a predominantly First Nation community like Fort Chipewyan through the sale of liquor at 193 Mackenzie Avenue.

In closing, given the short and dishonourable window of time to respond, again, we are enclosing and relying on our previous submissions, **Tab 4,** also submitted in haste, in response to RMWB's proposal to approve this permit again.

We trust this is sufficient to put this issue to rest and join us in protecting our community.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

Encl (4)

cc. *Chiefandcouncil@mikisewcree.ca*
ceo@mikisewcree.ca
RMWB via email

[2] *Municipal Government Act*, RSA 2000, c M-26, s 617; *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 43.
[3] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 14.

Thursday, August 21, 2025 at 10:15:34 Mountain Daylight Time

Subject: Re: Liquor Store
Date: Thursday, August 21, 2025 at 10:15:33 AM Mountain Daylight Saving Time
From: Orlagh O'Kelly

From: Danny Mercredi <ATIA 20(1) >
Sent: Tuesday, August 12, 2025 9:42:43 PM
To: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>
Cc: Councillor Bonnie Fraser <bonnie.fraser@mikisewcree.ca>; Councillor Sherri McKenzie <sherri.mckenzie@mikisewcree.ca>; Councillor Tammie Tuccaro <tammie.tuccaro@mikisewcree.ca>; Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>; Councillor Dillon Whitehead <dillon.whitehead@mikisewcree.ca>; Councillor Roxanne Marcel <roxanne.marcel@mikisewcree.ca>
Subject: Fwd: Liquor Store

Sent from my iPhone

Begin forwarded message:

> **From:** Danny Mercredi <ATIA 20(1) >
> **Date:** August 12, 2025 at 9:41:12 PM MDT
> **To:** permit.inquiries@rmwb.ca
> **Subject: Liquor Store**
>
> ALERT ! ‼️
>
> Sharing;
>
> The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss.

It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.🪶🪶🪶🪶🪶🪶🪶🪶

<image0.jpeg>
<image1.jpeg>

Sent from my iPhone

	Occ #	Unit	Type
1)	2024102328 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
2)	2024103654 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
3)	2024105476 8	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
4)	2024105900 7	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
5)	2024106934 3	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
6)	2024107551 4	G DIV FORT SMITH DETACHMENT	Wellbeing Check (FIP)
7)	2024109153 3	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
8)	2024109909 2	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
9)	2024109970 7 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
10)	2024110974 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
11)	2024111912 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
12)	2024113972 2	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

13)	2024114313	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
14)	2024114599 0	K DIV FORT CHIPEWYAN DETACHMENT	Moving Traffic - Speeding Violations - Provincial/Territorial
15)	2024115236 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
16)	2024116787 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
17)	2024117002 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
18)	2024117174 9	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
19)	2024119280 1	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
20)	2024121993 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
21)	2024122141 9 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
22)	2024123322 4	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
23)	2024123370 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
24)	2024124015	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
25)	2024125020 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
26)	2024126662 5	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)

27)	2024126751 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
28)	2024128139 9	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
29)	2024128766	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
30)	2024131840 4	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
31)	2024135376 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
32)	20241367	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
33)	2024138466 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
34)	2024138606 1	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
35)	2024139775 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
36)	2024140251 9	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
37)	2024142406 6	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
38)	2024143177 3 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
39)	2024143578 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
40)	2024146241 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

41)	2024146632 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
42)	2024146763 7	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
43)	2024147676 8	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
44)	2024148892 5	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
45)	2024154366 1	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
46)	2024154930 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
47)	2024155316 4 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
48)	2024157424 8	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
49)	2024158145 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
50)	2024158380 7	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
51)	2024158735 0	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
52)	2024158991 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
53)	2024159939 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
54)	2024160442 7	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)

55)	20241616415	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
56)	20241622022	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
57)	20241622419 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
58)	20241622685	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
59)	20241622922	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
60)	20241623091	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
61)	20241623092	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
62)	20241658284	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
63)	20241690459	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
64)	20241691259	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
65)	2024169140	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
66)	20241704295	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
67)	20241705467	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)
68)	20241713189	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities

69)	2024172216 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
70)	2024175155 1	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
71)	2024178404 0	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
72)	2024179644 2	K DIV FORT CHIPEWYAN DETACHMENT	Discharge firearm with intent 244 CC (FIP)
73)	2024179666 6	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
74)	2024179884 9	K DIV FORT CHIPEWYAN DETACHMENT	Harassing communications 372(3) CC (FIP)
75)	2024180090 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
76)	2024183733 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
77)	2024183827 2	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
78)	2024184563 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
79)	2024186837 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
80)	2024186966 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
81)	2024188708 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
82)	2024193208	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)

83)	2024194219	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
84)	2024203767	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
85)	2024208841	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
86)	2024211397	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
87)	2024240605	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
88)	2024251908	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
89)	202425940	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
90)	2024261551	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
91)	2024269059	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
92)	2024300733	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
93)	2024310987	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
94)	2024321251	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
95)	2024332052	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
96)	2024348366	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

97)	2024353525 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
98)	2024379617	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
99)	2024392612	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
100)	202444740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
101)	202445084	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
102)	2024462788	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
103)	20244736	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
104)	2024481133	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
105)	2024487768	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
106)	2024490598	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
107)	2024502124	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
108)	2024518740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
109)	2024519114	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
110)	2024520788	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial

111)	2024520867	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
112)	20245327	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
113)	2024538558	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
114)	2024549440	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
115)	2024556047	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
116)	2024562648	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
117)	2024574278	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
118)	2024574938	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
119)	2024580844	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
120)	2024581200	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
121)	2024592833	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
122)	2024600378	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
123)	2024601552	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
124)	2024645716	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)

125)	2024669230	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
126)	2024672954	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
127)	2024674935	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
128)	2024706941	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
129)	2024712379	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
130)	2024712380	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
131)	2024713044	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
132)	2024714943	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
133)	2024720054	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
134)	2024721174	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
135)	2024727281	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
136)	2024727378	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
137)	2024731966	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
138)	2024732763	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities

139)	2024733800 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
140)	2024733897	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
141)	2024759119	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
142)	2024767401	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
143)	2024772115	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
144)	2024778655	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
145)	2024817368	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
146)	2024824782	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
147)	2024827924	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
148)	202482871 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
149)	202484914	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
150)	2024851590	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
151)	2024862040	K DIV FORT CHIPEWYAN DETACHMENT	Operation While Impaired (Alcohol And Drug) / Over 80mg% Of Vessel / Aircraft / Railway 320.14(1)(a)/(d) CC
152)	202487584	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

153)	202487906	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
154)	2024879593	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
155)	2024897855	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
156)	2024909110	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
157)	202491967	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
158)	2024927289	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
159)	2024981470 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
160)	2024993773	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
161)	2024998728	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
162)	2024999150	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
163)	2025102724 6	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
164)	2025103532 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
165)	2025103540 3	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
166)	2025103659 8	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)

167)	20251037882	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
168)	2025106946	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
169)	20251101181	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
170)	20251106890	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
171)	20251114593	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
172)	2025111498	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
173)	20251120669	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
174)	2025112977	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
175)	2025114679	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
176)	2025114806	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
177)	2025114927	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
178)	2025115744	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
179)	202511669	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
180)	2025117208	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC

181)	2025118023 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
182)	2025118515 2	K DIV FORT CHIPEWYAN DETACHMENT	Unwanted person
183)	2025118672	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
184)	2025128736	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
185)	202513337	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
186)	2025142963	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
187)	2025145353	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
188)	2025160447	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
189)	2025204227	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
190)	2025209553	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
191)	2025222597	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial
192)	2025233500	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
193)	2025239986	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
194)	2025240695	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial

195)	2025252833	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
196)	202526476	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
197)	202526543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
198)	2025269588	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
199)	2025288103 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
200)	2025308025	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
201)	2025326580	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
202)	2025340119	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)
203)	2025373011	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
204)	2025376486	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
205)	2025380331	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
206)	2025395438	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
207)	2025407036	K DIV FORT CHIPEWYAN DETACHMENT	Mischief to motor vehicle 430(3)&(4) CC
208)	2025408535	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency

209)	2025410932 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
210)	2025414298	K DIV FORT CHIPEWYAN DETACHMENT	Possession for the Purpose of Trafficking - Schedule I: Cocaine 5(2) CDSA (FIP)
211)	2025419309	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
212)	2025445959	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
213)	2025483085 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
214)	202551716	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
215)	2025529443	K DIV FORT CHIPEWYAN DETACHMENT	Dangerous Driving - Provincial/Territorial
216)	202553174	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
217)	2025547037	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
218)	2025604106	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
219)	2025628925	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
220)	2025727571	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
221)	2025727828	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
222)	202572818	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

223)	2025728647	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
224)	2025729034	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
225)	2025729110	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
226)	2025731578	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
227)	2025732080	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
228)	2025745441	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
229)	2025748970	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
230)	2025749226 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
231)	2025762178	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
232)	2025765390	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
233)	2025771753	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
234)	2025775922	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
235)	2025776272	G DIV FORT SMITH DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
236)	2025832834	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

237)	2025907409	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
238)	2025909649	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
239)	2025915907	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
240)	2025937711	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
241)	2025974050	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 21, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Cree Law Informs Treaty 8:

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It

---

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

6. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

MIKISEW CREE FIRST NATION

MIKISEW CREE FIRST NATION
ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

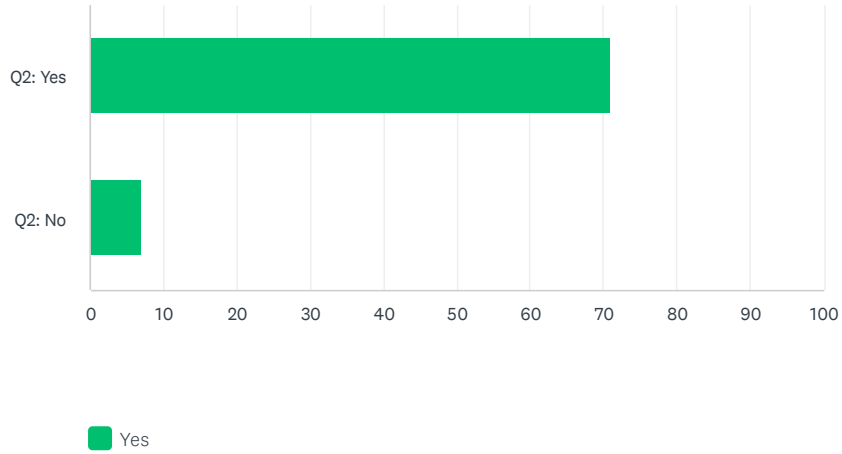
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

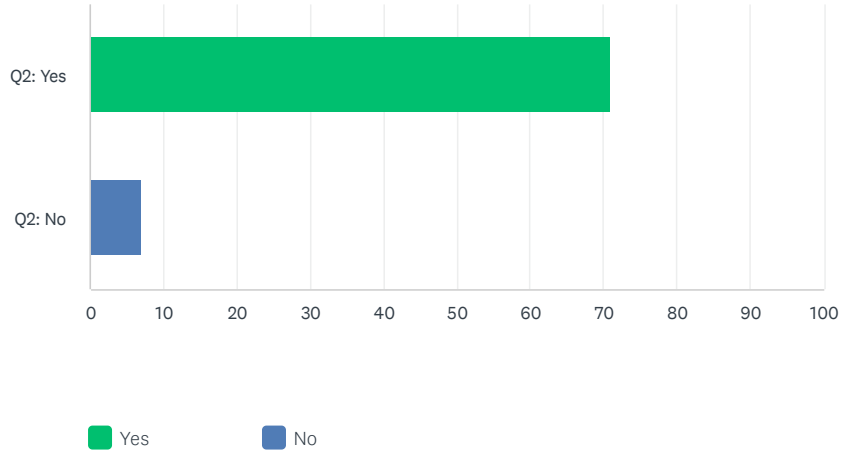


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

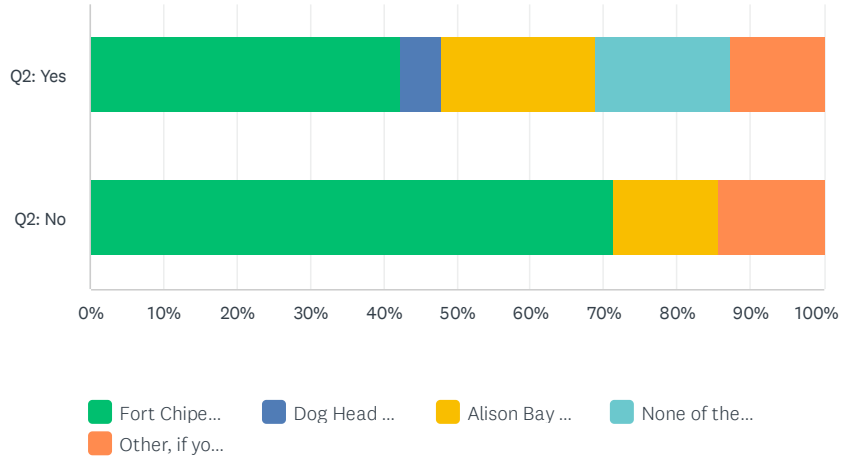
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

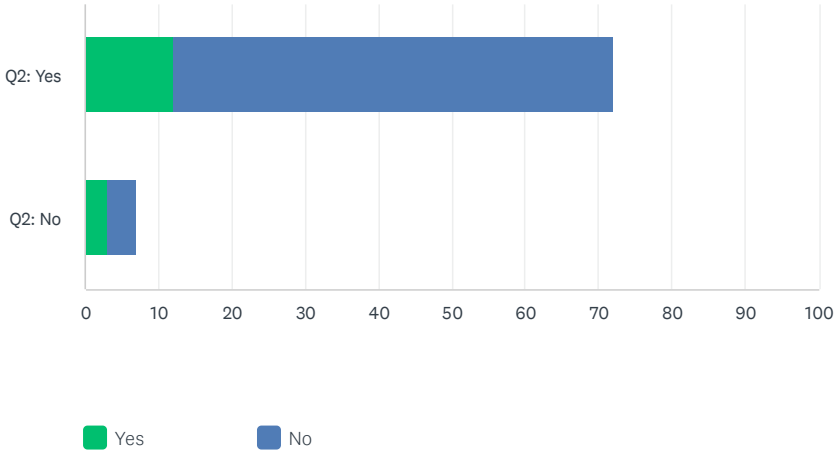
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

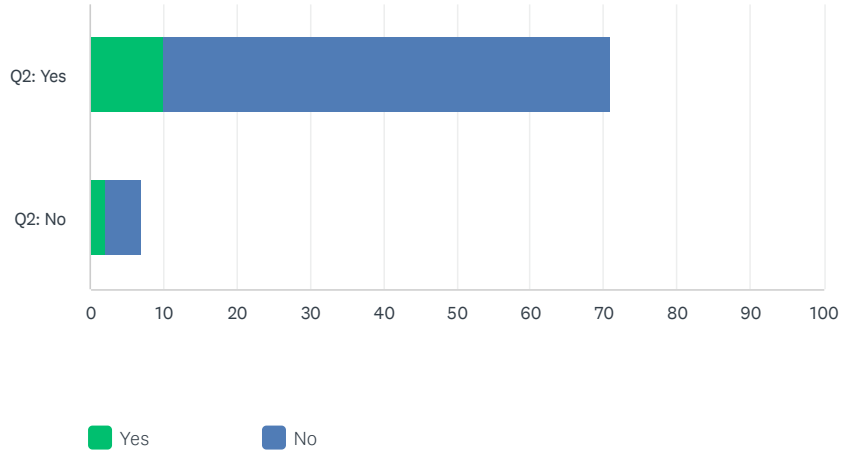
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

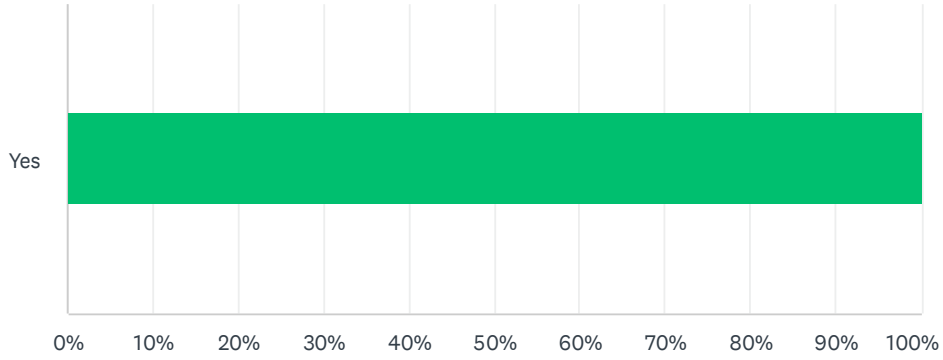
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

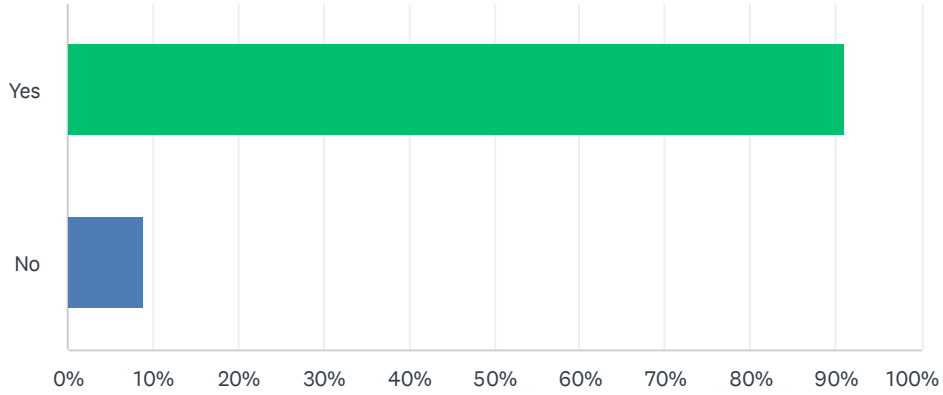
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

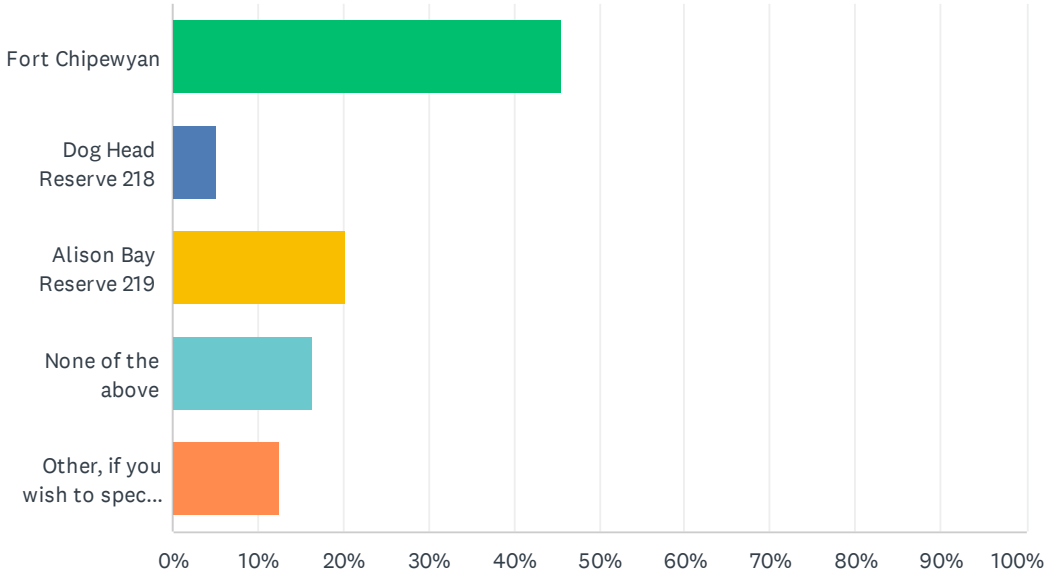
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

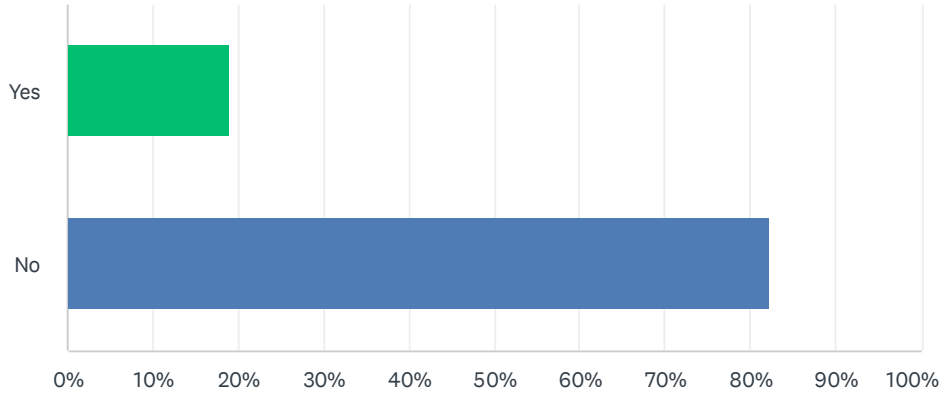
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

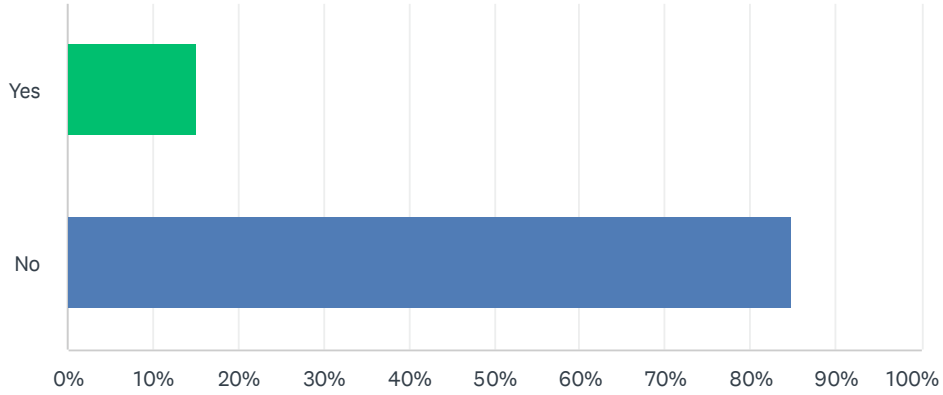
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:		TOTAL
Q2: Yes		100.00% 40	97.56% 40
Q2: No		100.00% 1	2.44% 1
Total Respondents	41		41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

MIKISEW CREE
FIRST NATION

February 28, 2025

VIA ELECTRONIC MAIL

URGENT

Mayor Sandy Bowman
Regional Municipality of Wood Buffalo
[redacted]

Re: Follow up Demand to Close HEP Liquor Store in Fort Chipewyan

---

We are writing further to our letter of November 1, 2024, to confirm that absolutely nothing has been done about the illegal liquor store in our community. As you will know, on February 27, 2024, the Court of Appeal denied permission to appeal and effectively upheld the decision to deny another liquor store in our community based on safety ground. This revoked a permit for another liquor store in the community that was issued by your municipality without proper consultation or regard for Treaty 8. The Alberta Court of Appeal decision also casts doubt on the municipality's course of action, as follows:

> [10] The Board was aware of another liquor store operating in the hamlet, but without the required permits. **Rather than shutting down that operation, the municipality had apparently decided to work with the operator to bring it into compliance**. The Board was not required to ignore the reality of this existing store, despite its alleged illegality, when considering the impact of a second store on the hamlet. The Board's treatment of this fact does not disclose an issue of law justifying a further appeal.[1]

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board)*, 2025 ABCA 69 (CanLII), at para 10.

MIKISEW CREE
FIRST NATION

We expect action will be taken no later than March 14, 2025 to finally shut down this operation.

We also put you on notice that Mikisew Cree First Nation takes the position that the municipality should be held accountable for all the harm in our community for failing to regulate this establishment selling liquor in Fort Chipewyan for over a decade, and knowingly allowing it to operate. This was done with full knowledge of the crime related incidents in our community. As mentioned in our previous letter, we find this especially offensive given the onerous requirements Mikisew Cree First Nation must meet when seeking to develop in the [redacted]vely this time.

Hiy Hiy,

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

cc.
MCFN Council
RCMP
CEO

REGIONAL MUNICIPALITY OF WOOD BUFFALO
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

IN THE MATTER OF THE APPEAL OF DEVELOPMENT PERMIT 2025-DP-00169

BETWEEN:

Mikisew Cree First Nation
(Cree-ations Enterprises Limited, Mistee Seepee Development Corporation Ltd., and 1112958 Alberta Ltd.

Appellants

- AND –

Regional Municipality of Wood Buffalo

Respondent

DOCUMENT: **MEMORANDUM OF ARGUMENT OF THE APPLICANT, DANIEL ROY**

Prepared by Terra Legal[1]

Attn: Robert Homersham

Counsel for the Applicant, Daniel Roy

[1] Terra Legal is a registered trade name of Robert A. Homersham Professional Corporation

I. Introduction:

1. On May 1, 2023, the Applicant, Daniel Roy, submitted a development permit application to the Regional Municipality of Wood Buffalo ("RMWB") Development Authority (the "Development Authority") for a liquor store at 193 Mackenzie Avenue, Fort Chipewyan (the "Development").

2. The Applicant is the registered owner of 193 Mackenzie Avenue.

3. On July 19, 2023, the Development Authority informed the Applicant that it was in receipt of a complete application.[2]

4. On July 21, 2023, the Development Authority informed the Applicant that it was extending its review of the development permit application to address alcohol-related concerns expressed by the community.[3]

5. On July 25, 2023, the Development Authority circulated notice of the development permit application to all property owners within the Fort Chipewyan hamlet boundary, as well as to the offices of Athabasca Chipewyan First Nation, Fort Chipewyan First Nation, and Mikisew Cree First Nation ("MCFN").[4]

6. The deadline for providing comments to the Development Authority was August 25, 2023. The Development Authority received ten (10) letters from Fort Chipewyan residents and one (1) letter from MCFN opposing the Development.[5]

7. The letters from residents focused on the deleterious effects of alcohol in Fort Chipewyan and expressed concern that having a second liquor store in the hamlet would exacerbate this problem.

8. The letter from MCFN, with attachments including a survey of its members, totaled twenty-two (22) pages. It included comments on the deleterious effects of alcohol in its community and, additionally, alleged lack of notice and consultation with MCFN in contravention of RMWB's constitutional duty to consult.

9. On August 16, 2024, almost a year after it conducted its extended review, the Development Authority approved Development Permit No. 2023–DP-00125 for a liquor store at 193 Mackenzie Avenue (the

[2] Exhibit List prepared for the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board ("2024-003 SDAB Report"), September 13, 2024, re: Appeal No. 2024-003, Ex. 5, p. 110, para. 10 (2024-003 SDAB Report)
[3] 2024-003 SDAB Report, Ex. 5, p. 110, para. 11 (2024-003 SDAB Report)
[4] 2024-003 SDAB Report, Ex. 5, p. 111, para. 14 (2024-003 SDAB Report)
[5] 2024-003 SDAB Report, Ex. 5, p. 111, para. 17 (2024-003 SDAB Report)

"Development"), in the Hamlet of Fort Chipewyan, and issued a Notice of Decision and Conditions of Approval on August 16, 2024 (the "Approval").[6]

10. The Appellants filed a Notice of Appeal (the "First Appeal"), on September 19, 2024, to the RMWB Subdivision and Development and Appeal Board (the "SDAB"), seeking to overturn the Approval.[7]

II. Issues Raised on the First Appeal by MCFN Regarding Duty to Consult

11. The Appellants raised, among other grounds, the following grounds of appeal:[8]

i. the Development Authority had a common law duty to consult with MCFN and failed to comply with that duty; and

ii. the Development Authority had a constitutional duty to consult with MCFN and failed to comply with that duty.

III. Arguments of the Applicant and Counsel for RMWB on the First Appeal

12. SDAB has no Jurisdiction on Matters of Constitutional Law. It is settled law that the SDAB does not have jurisdiction to decide questions of constitutional law.[9] Accordingly, the issue raised by the Appellant on appeal to the SDAB described in paragraph 11 ii. above is not properly before the SDAB.

13. No Duty of Consultation on the Crown Regarding Private Lands. Notwithstanding that the SDAB has no jurisdiction to decide questions of constitutional law, the Alberta Court of Appeal ("ABCA") has opined that "there is no duty of consultation on the Crown or landowners on privately owned lands."[10] The ABCA distinguished the British Columbia Supreme Court decision in *Hupacasath First Nation v British Columbia (Minister of Forests)*, which found that a duty to consult can arise in some instances involving private lands, on the basis that the facts in *Hupacasath* that the federal government was extensively involved in the transfer of private lands into a publicly funded government program.[11] Subsequent decisions in 2017 by the Supreme Court of Canada in *Clyde River (Hamlet) v Petroleum Geo-Services Inc.*[12] and *Chippewas of the Thames First Nation v Enbridge Pipelines Inc.*[13] may have expanded the

---

[6] 2024-003 SDAB Report, Exhibit 2, p. 5 (2024-003 SDAB Report)
[7] 2024-003 SDAB Report, Ex. 6 (2024-003 SDAB Report)
[8] 2024-003 SDAB Report, Ex. 6 (2024-003 SDAB Report)
[9] Boll v. Woodlands County Municipal Planning Commission, 2016 ABCA 344 (CanLII), para. 8 (Boll v Woodlands County); Paul First Nation v Parkland (County), 2006 ABCA 128 (CanLII), para. 12 (Paul First Nation v Parkland County); Kappo v. Subdivision and Development Appeal Board (Municipal District of Greenview No. 16), 2003 ABCA 146 (CanLII) para. 12, (Kappo v MD of Greenview); Designation of Constitutional Decision Makers Regulation, Alberta Regulation 69/2006 (Designation of Constitutional Decision Makers Regulation).
[10] Paul First Nation v Parkland County, para. 14
[11] Paul First Nation v Parkland County, para. 14
[12] *Clyde River (Hamlet) v Petroleum Geo-Services Inc.*, 2017 SCC 40 (CanLII), (Clyde River)
[13] *Chippewas of the Thames First Nation v Enbridge Pipelines Inc.*, 2017 SCC 41 (CanLII), (CTFN v Enbridge)

duty to consult but, in any event, the SDAB has no jurisdiction to decide such constitutional matters. Section 636(c)(ii) of the *Municipal Government Act* ("MGA") does have a duty of municipalities to consult "the Indian band of any adjacent Indian reserve" with respect to preparing a municipal development plan, but this statutory duty does not extend to consultation on development permit applications.[14]

IV. Decision of the SDAB on the First Appeal

14. The SDAB accepted the arguments of the Applicant and RMWB counsel described in paragraphs 12 and 13 above but overturned the Approval on the First Appeal on the basis that an increase in liquor sales would exacerbate safety concerns in the community and, as a result, the Development "is not compatible with adjacent (or other) uses in the community.[15]

V. The Applicant's Reapplication for a Development Permit for a Liquor Store

15. The Applicant reapplied for a development permit for a liquor store at 193 Mackenzie Avenue on May 20, 2025 (20205-DP-00169 or the "Second Development Permit Application").

16. The Development Authority issued a Notice to Adjacent Property Owners on July 17, 2025, delivering this Notice to all addresses in the hamlet of Fort Chipewyan and to the neighboring First Nation Reserves, including MCFN. Attached as Schedule "A" to this Memorandum is the RMWB's Notice to Adjacent Property Owners of the Second Development Permit Application, which includes a letter to Chief Tuccaro of MCFN.

17. The Applicant received the Approval of the Development Authority for the Second Development Permit Application on September 26, 2025. The Notice of Approval was advertised on October 2, 2025, thereby commencing the 21-day appeal period, which expired October 23, 2025.

VI. Same Issues Regarding Duty to Consult Raised on the Second Appeal by the Appellants (Filed within the Appeal Period)

18. The Appellants filed a Notice of Appeal (the "Second Appeal") on October 17, 2025, and raised the following grounds of appeal:

i. The Development Authority did not consult with MCFN;

ii. Specifically, the Reasons for Appeal section of the Notice of Appeal stated as follows:

[14] *Municipal Government Act*, RSA 2000, c. M-26 (CanLII) (MGA)

[15] Notice of Decision of the SDAB, dated November 19, 2024, at paras. 129 and 138 (2024-003 Notice of Decision)

I/We hereby appeal the decision of the Approval Authority for the following reason(s) as the RMWB did not consult with MCFN and did not

SEE APPENDIX A.

19. The "Appendix A" referred to above, containing additional reasons for appeal, was not filed with the SDAB until October 26, 2025, outside the 21-day appeal period.

VII. Arguments of the Applicant Regarding Issue Estoppel Affecting the Second Appeal

20. The Notice of Appeal filed with the SDAB prior to the 21-day deadline claims only that "the RMWB did not consult with MCFN." This can mean only two things – either the RMWB did not give notice to the Appellants of the Second Development Permit Application or RMWB owed the Appellants a broader common law or constitutional duty to consult.

21. In its November 2024 Notice of Decision regarding the First Appeal, the SDAB affirmed that "the Board does not have a duty to consult."[16] So if the Appellants' reason for appeal is to be interpreted as the broader duty to consult, the Appellants are estopped from raising the issue again.[17] The same issue involving the same parties with respect to the same or similar development permit application was already determined by the SDAB. Accordingly, this reason for appeal should be dismissed.

22. In the November 2024 Notice of Decision regarding the First Appeal, the SDAB affirmed that:

> [t]he LUB obligation is only notification, and does not require the Development Authority to do more, such as take into account any comments received. The evidence here was that the notices were sent to each address in the hamlet, which the Board interprets as well beyond the 100 m of the LUB. Since the LUB only requires notification of 100 m and the Development Authority provided notices to the whole hamlet, the Board finds that that Development Authority met its statutory obligations for notices.[18]

23. So if the Appellants' reason for appeal is to be interpreted as the narrower duty of the Development Authority to give notice to the Appellants of the Second Development Permit Application, the SDAB already decided this issue in its November 2024 Notice of Decision. The Development Authority's statutory obligation to give notice of a development permit application is to those addresses within 100 metres of the development site. Notwithstanding this limited obligation, the Development Authority

---

[16] Notice of Decision of the SDAB, dated November 19, 2024, at paras. 129 and 138 (2024-003 Notice of Decision), paras. 102 and 103
[17] Sihota v Edmonton (City), 2013 ABCA 43 (CanLII), paras. 14 and 17 (Sihota v City of Edmonton)

[18] Notice of Decision of the SDAB, dated November 19, 2024, at paras. 129 and 138 (2024-003 Notice of Decision), para. 112

did give notice to MCFN, and MCFN did respond in writing. Attached as Schedule "B" to this Memorandum is the Appellants' written objection to the Second Development Permit Application, dated August 21, 2025.

24. It is "plain and obvious"[19] that the Appellants received notice of the Second Development Permit Application, so if its reason for appeal is that it did not receive notice, then it discloses no reasonable justiciable issue and this reason for appeal should be dismissed.

VIII. Additional Issues Raised on the Second Appeal by the Appellants in Appendix "A" (Filed Outside the Appeal Period)

25. The additional issues or grounds of appeal raised by the Appellant are found at Appendix "A", Paragraph 21 of the Notice of Appeal.

26. The first ground of appeal raised in Appendix "A" (Para. 21(a)) is that the "Decision is unreasonable." The Applicant of course disagrees and, considering the lack of detail supporting this claim of unreasonableness, the Applicant has nothing specifically to argue against. The burden of proof is the Appellant's to establish its claim that the Decision is unreasonable, and the Appellant has failed to do so. Merely asserting unreasonableness does not discharge this burden.

27. The second ground of appeal in Appendix "A" (Para. 21(b)) claims that the Development Authority relied only on the Land Use Bylaw and failed to take into account the November 2024 Notice of Decision regarding the First Appeal, wherein the SDAB overturned the Development Authority's Approval of Development Permit No. 2023–DP-00125 for a liquor store at 193 Mackenzie Avenue.

28. The Development Authority is not required to give reasons for an approval – the MGA requires reasons only for a refusal[20] – so it is speculative to claim that the Development Authority failed to take into account the SDAB's November 2024 Notice of Decision. In any event, this Decision is not binding on the Development Authority (which the Appellants acknowledge at paragraph 48 of their Memorandum of Argument, filed January 15, 2026), and both the MGA[21] and the RMWB Land Use Bylaw provides a mechanism for an applicant to reapply following 6 months from the date of the refusal decision. [22]

29. The third ground of appeal in Appendix "A" (Para. 21(c)) regarding the incompatibility of a liquor store with the surrounding uses will be addressed below.

---

[19] Hunt v Carey Canada Inc., 1990 Can LII 90 (SCC), p. 960 (Hunt v Carey)
[20] *Municipal Government Act*, RSA 2000, c. M-26 (CanLII), secs. 642(3) & (4) (MGA)
[21] *Municipal Government Act*, RSA 2000, c. M-26 (CanLII), sec. 640(5) (MGA)
[22] RMWB Consolidated Version of the Land Use Bylaw, being Bylaw No. 26/001, as amended by Bylaw No. 25/015, sec. 3.6.2 (LUB)

30. The fourth ground of appeal in Appendix "A" (Para. 21(d)) claims that "the Decision is inconsistent with the public interest function of the MGA." The Appellant disagrees. Part 17 of the MGA, which concerns Planning and Development, has the following purpose statement at Sec. 617:

> **Purpose of this Part**
>
> **617** The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted
>
> (a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and
>
> (b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,
>
> without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest. [23] (emphasis added)

The issue that is the crux of this appeal is whether a liquor store, an allowed use under the LUB for which an individual has a right subject to meeting the applicable development standards and the application of planning discretion to a discretionary use application, should be denied because the greater public interest requires such, notwithstanding the rights of the individual developer to not be infringed on for any public interest. That is, would denying this liquor store application, indeed denying any liquor store application in Fort Chipewyan, be necessary to serve the greater public interest. That is the fundamental question posed by this Appeal.

31. The Appellants claim that the greater public interest necessitates that there be no lawful liquor sales in Fort Chipewyan. There is no liquor store currently operating in Fort Chipewyan; the Appellants are effectively claiming that there should not be a liquor store at all in this hamlet because liquor consumption is causing too much crime and social disorder. However, this argument regardless of its merits, is being made in the wrong forum. RMWB Council has approved "liquor store" as an allowed use in the LUB. Council does not apparently agree that prohibiting liquor stores in Fort Chipewyan is in the greater public interest. If the Appellant believes it is in the greater public interest for Fort Chipewyan to not have a liquor store, it should be arguing before Council to amend the applicable land use districts in Fort Chipewyan to remove "liquor store" as an allowed (permitted or discretionary) use.

32. The Applicant disagrees but before providing reasons and evidence supporting those reasons, the Applicant wishes to dispatch with the remaining grounds of appeal in Appendix "A" (Paras. (e) – (g)),

[23] *Municipal Government Act*, RSA 2000, c. M-26 (CanLII), sec. 617 (MGA)

first with respect to their repeated claim that the Development Authority had a duty to consult the Appellants and failed to do so. The Development Authority owed no duty to consult the Appellants. The arguments for there being no duty to consult were clearly laid out in the submissions of the Applicant and the Development Authority before the SDAB in the First Appeal and the SDAB accepted those arguments – see the November 2024 Notice of Decision, paragraphs 90 – 111. [24]

33. The Appellants are estopped from re-arguing before the SDAB that the Appellants were owed a duty to consult by the Development Authority (see paragraphs 11 – 21 herein).

34. At paragraph 50 of the Appellants' Memorandum of Argument, filed January 15, 2026, they rely on the Alberta Court of Appeal decision in *Sihota v. Edmonton (City)*[25] to argue that estoppel should apply to the Applicant and the Development Authority to prevent them from reapplying and reconsidering and application for a liquor store that the SDAB had previously denied. However, that is not what *Sihota* stands for. Instead, it stands for the legal proposition that "issue estoppel" binds the parties to the prior decision from relitigating what has already been decided.[26] Issue estoppel binds the Appellants from relitigating before the SDAB the issue of duty to consult because the SDAB had already decided the issue in its November 2024 Notice of Decision. Issue estoppel does not bind the Applicant from reapplying for a liquor store development permit after waiting the requisite 6 months, as explained in paragraph 28 herein, and as *Sihota* refers to:

> In planning matters, it is generally fair for the doctrine of issue estoppel to be applied against both owners and municipalities. Owners cannot simply ignore limitations on permits, or complete denials of permission to develop (subject to the ability to reapply for a refused permit after a waiting period has passed: s. 640(5)). Likewise, once a municipality has authorized a development, it cannot later revoke or ignore that permission. As noted, the planning provisions of the statute involve a balancing of the rights of the public and landowners. It would be unfair, and economically untenable, to permit significant investments in one year, and then allow the municipality to declare the intended use unlawful in a later year.[27] (emphasis added)

35. Similarly, the Appellants are estopped from re-arguing that "they had no meaningful opportunity to respond" to the subject development permit application for a liquor store. The SDAB determined in its

[24] Notice of Decision of the SDAB, dated November 19, 2024, at paras. 90- 111 (2024-003 Notice of Decision)
[25] Sihota v Edmonton (City), 2013 ABCA 43 (CanLII), paras. 14 & 15 (Sihota v City of Edmonton)
[26] Sihota v Edmonton (City), 2013 ABCA 43 (CanLII), para. 14 (Sihota v City of Edmonton)
[27] Sihota v Edmonton (City), 2013 ABCA 43 (CanLII), para. 15 (Sihota v City of Edmonton)

November 2024 Notice of Decision that the Development Authority's "only obligation is notification, and the [LUB] does require the Development Authority to do more, such as take into account any comments received."[28] The Development Authority met its obligation to give notice and exceeded it, in fact, by giving notice to the Appellants (see paragraph 5 herein).

36. The Appellants' argument in Appendix "A" (Para. 21(g)) that the Development Authority "failed to comply with its duty to accommodate "MCFN" itself fails because there can be no duty to accommodate without a concomitant duty to consult.

37. Returning to the main issue before the SDAB, the Appellants argue that crime, alcohol addiction, and social disorder caused by alcohol abuse are causally related to the legal sale of liquor in Fort Chipewyan (see paragraphs 24 and 25 of the Appellants' Memorandum of Argument, filed January 15, 2026), and therefore it is in the greater public interest of the residents of Fort Chipewyan and surrounding reserves to not have any legal liquor stores. A liquor store, the Appellants argue, is an incompatible use with the entirety of the hamlet, not simply with adjacent uses.

38. This causal connection is incorrect. Fort Chipewyan has been without a liquor store since HEP Liquor Store closed in March 2025. Since that time, the illegal and unregulated sale of liquor ("bootlegging") has been rampant. The lack of a lawful regulated liquor store to serve the residents of Fort Chipewyan has not resulted in a decrease in the consumption of liquor in the hamlet. [29]

39. The availability of liquor in Fort Chipewyan has not diminished; it has instead gone underground, replaced by bootlegging. With bootlegging comes increased crime (bootlegging is itself a crime) and increased consumption of hard liquor over beer because it is more efficient to bootleg hard liquor than beer. And the extortionate cost of bootlegged liquor (at least 4X the cost of regulated liquor) is causing some household budgets to be compromised and is turning some other citizens towards the consumption of illicit drugs (eg, crack cocaine, meth), and dangerous alcohol-based products such as hand sanitizer and mouthwash.[30]

40. The crime data for Fort Chipewyan relied on by the Appellants appears to be grossly inflated or otherwise misleading. The Appellants refer to RCMP data for three-quarters of 2024 (to October 21st) in which there were 697 reported "occurrences" of which 328 were reported as involving alcohol. And for 2025 to August 21st there were 241 "incidents" (see paragraph 25 of the Appellants' Memorandum of

[28] Notice of Decision of the SDAB, dated November 19, 2024, at para. 112 (2024-003 Notice of Decision)
[29] Testimony of the Applicant, Daniel Roy, to be heard at the hearing of this Appeal, based on his discussions with local RCMP; letters to the SDAB in respect of this Appeal from RMWB Ward 2 Councillors Kendrick Cardinal and Greg Marcel.
[30] Testimony of the Applicant, Daniel Roy, to be heard at the hearing of this Appeal, based on his discussions with local RCMP; letters to the SDAB in respect of this Appeal from RMWB Ward 2 Councillors Kendrick Cardinal and Greg Marcel.

Argument, filed January 15, 2026). However, "reported occurrences" and "incidents" are not necessarily criminal occurrences or incidents. Nor are these 2025 incidents all "alcohol related" as is the claim made by MCFN in its letter of August 21, 2025, in response to RMWB's Notice to Adjacent Property Owners (see the final paragraph of page 2 of the August 21st letter, at Schedule "B" herein). In fact, the volume of arrests in Fort Chipewyan from January 1, 2022, to January 11, 2026, totaled 155 (see spreadsheet attached as Schedule "C").[31]

41. The SDAB relied on the foregoing data from the Appellants regarding the number of "occurrences" in 2024 in drawing the conclusion that "in the Board's view, the number of alcohol-related occurrences as compared to the local population is high."[32] And in considering the planning issue of compatible uses, it inferred that the proposed liquor store use was incompatible with the broader community because "if the presence of one liquor store causes or contributes to these statistics, there is no reason to believe that a second liquor store would not cause or contribute to further occurrences."[33]

42. The circumstances are different with this current liquor store development permit. There are currently no liquor stores in Fort Chipewyan yet there is evidence that liquor is nevertheless widely available because of bootlegging. Denying the Applicant a development permit for a liquor store would not stem the issue of alcohol abuse in Fort Chipewyan. In fact, maintaining the status quo would only exacerbate the abuse of alcohol, illicit drugs, and harmful products that contain alcohol but are not meant to be ingested. Having a lawful regulated liquor store would be preferable to the current circumstance.

43. Also, the data that the Appellants relied on in the First Appeal and now this Second Appeal appears to be vague if not also inflated. The statistics provided by the Applicant are a record of actual criminal charges laid by the Fort Chipewyan RCMP and the aggregate number is significantly less over a longer period than the number of "occurrences" or "incidents" relied on by the Appellants. Further, there is little indication which of these alleged crimes involved alcohol.

IX. Relief Requested

44. For the foregoing reasons, the Applicant respectfully asks that the SDAB deny this Appeal.

[31] Spreadsheet provided by Fort Chipewyan RCMP by email to Daniel Roy on January 19, 2026.
[32] Notice of Decision of the SDAB, dated November 19, 2024, at para. 124 (2024-003 Notice of Decision)
[33] Notice of Decision of the SDAB, dated November 19, 2024, at para. 125 (2024-003 Notice of Decision)

Schedule "A"
RMWB's Notice to Adjacent Property Owners

July 17, 2025

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2025-DP-00169 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by Planning & Development Services to develop a **Liquor Store, Office, and Warehouse development** at the property listed above.

The intent is to have a temporary Liquor Store for up to one year, to be replaced with a **permanent Liquor Store, Office, and Warehouse development**.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

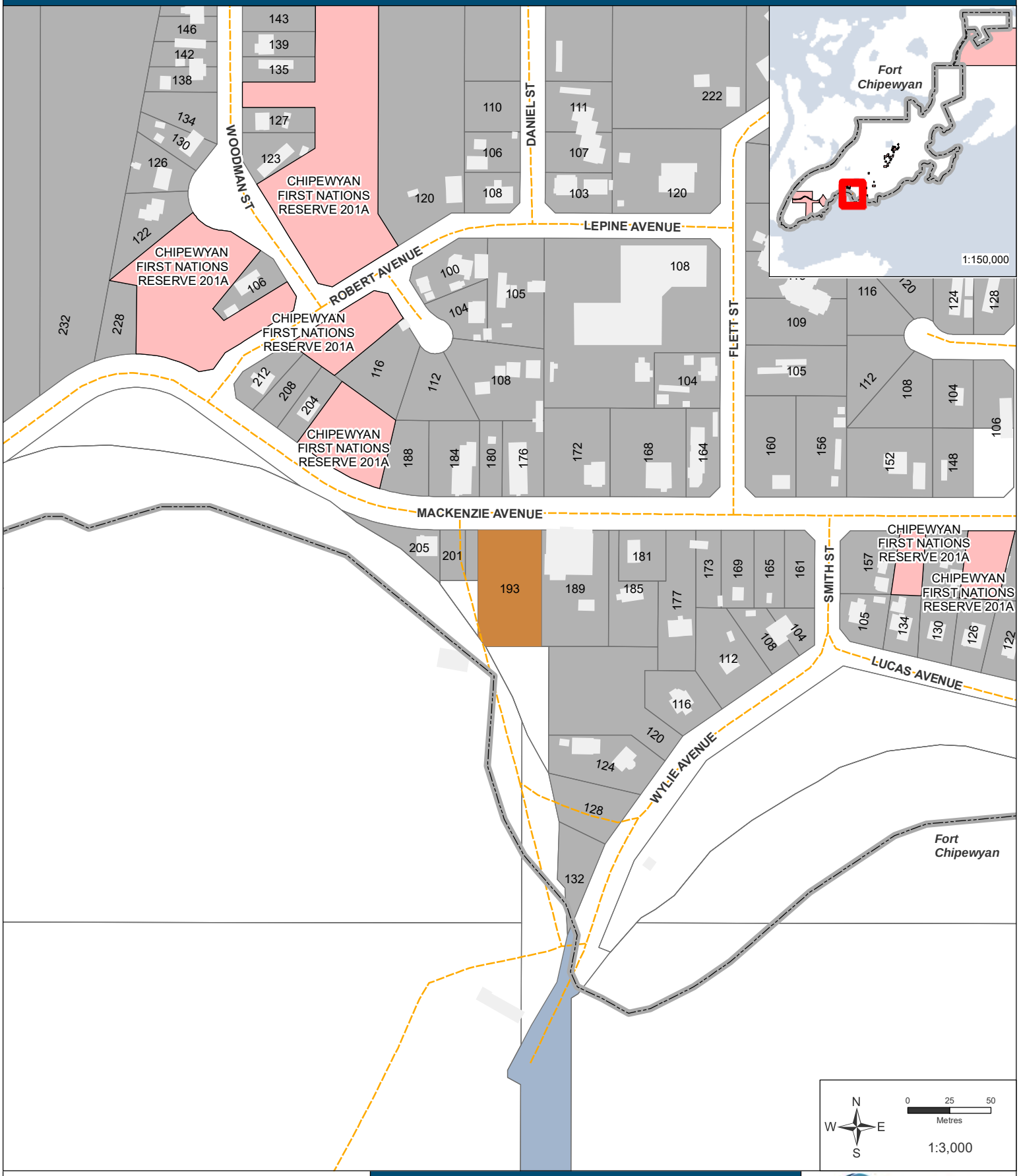
We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 7, 2025**. All comments received will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Jesse.Tjepkema@rmwb.ca
Mail: Jesse.Tjepkema, Planner II
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Phyllis.Agyemang@rmwb.ca
Mail: Phyllis Agyemang, Planner I
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Adam,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear President Cardinal,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Tuccaro

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

Schedule "B"
Appellants' Response to the Notice to Adjacent Property Owners

MIKISEW CREE
FIRST NATION

August 21, 2025

Regional Municipality of Wood Buffalo

Dear Sir/Madam:

Re: Mikisew Objection to Liquor Store Permit
Notice of Development Application 2025-DP-00169 – Liquor Store

---

Please consider the enclosed Mikisew Cree First Nation's objection – again – to the resubmission of an application for the same revoked permit for a liquor store in the heart of our community, Fort Chipewyan.

Mikisew was successful at the Court of Appeal in challenging the municipality's first attempt [redacted] unity at this location (193 Mackenzie Avenue, Lot 3; Block [redacted] Appeal, citing the Board's decision, stated:

> [redacted] those safety considerations [concerning alcohol use in the community] The Board concludes that the proposed development is not compatible with the adjacent uses. . . .
>
> 138. As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses . . . The development permit is revoked.[1]

Having been successful all the way to the Court of Appeal, Mikisew did not receive proper notice of the re-submitted application from the Regional Municipality of Wood Buffalo (RMWB). **Tab 1** is a copy of the email from our member where our Nation became aware of this resubmissions when, on August 12, 2025.

---

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board),* 2025 ABCA 69 (CanLII), at para 7.

MIKISEW CREE
FIRST NATION

After receiving this email and upon review of emails, it appeared that the generic email (from a previously unknown sender and not indicating RMWB in the subject line) went undetected as junk in the chief and ceo emails only. Please send all notices to our band office and also to chiefandcouncil@mikisewcree.ca with a read receipt to ensure this does not happen again.
It also does not appear that our legitimate expectations regarding notice, throughout the community, were met this time around. For example, some of our Council live in the immediate vicinity of 193 Mackenzie Avenue, and did not receive a notice regarding this application.

Moreover, this will be the second time the notice period is condensed in the middle of summer - a time when our members and Nation are exercising their Treaty and inherent rights, but also precisely on the day (July 16, 2025) when we were in Ottawa meeting with Prime Minster Carney at the widely advertised First Nations Summit.

Notwithstanding our objections to the adequacy, manner and timing of notice, we are [redacted] days of becoming aware of this application. Given this time [redacted]esults of an updated member survey when they become [redacted]

We submit as follows and enclosed:

Mikisew reiterates the safety considerations with a liquor store in community, with easy access for members with substance abuse issues but most importantly easy access for our youth. At the hearing before the SDAB Board, Mikisew advised the board of youth suicides that occurred under the influence of alcohol. Moreover, it is obvious that alcohol relates to serious safety issues in our small community. Enclosed at **Tab 2** is a copy of the incidents this year alone, until August 14, 2025, that are alcohol related. There are 241 incidents for a community of approximately 1000. This is extraordinary given the limited policing resources in our community.

MIKISEW CREE
FIRST NATION

Indeed, our Nation's employees and officials have noticed a decline in youth drinking in the community since the closure of the illegal liquor store (HEP). This has been a welcome improvement.

We also remind RMWB that under Treaty 8 the Crown promised us they would control the sale of liquor in our territory. Fort Chipewyan is predominantly Mikisew members. We enclose therefore at **Tab 3** the expert opinion of Dr. Darcy Lindberg in this regard. The Crown cannot evade its obligations by delegating permitting powers to the municipality.

Granting this licence has at least the *potential* to impact our Treaty relationship and Treaty rights, if not infringe them. Our claim to protection from liquor sales under Treaty 8 is credible as evidenced in Dr. Lindbergh's report. As such there is a duty to consult that arises. Since at least 2017, it is now clear that administrative bodies, such as municipalities, can and must discharge the duty to consult. Recognition of a duty to consult owing to Mikisew is evident in the consultation policy.

[redacted]indfall in resource revenue sharing from the impacts to our [redacted]ands development. By contrast, despite our constitutional [redacted] nothing in the way of revenue sharing. In February, 2024, [redacted]unding that was provided to RMWB by the federal public safety department for addictions and prevention measures, which our community was not made aware of. Instead, RMWB has proposed to contribute to the problem by approving a liquor permit in our community.

In addition, we know from research conducted following the Imperial Kearl spill that the land dispossession caused by industrial disturbance caused mental health harm to our members and, therefore, by extension, potential for further substance abuse issues in our community. RMWB has done nothing to assist in mitigating this real problem. By contrast, Mikisew has called a State of Emergency.

MIKISEW CREE
FIRST NATION

Even if RMWB maintains they are exempt from the duty to consult, please be advised that RMWB is not exempt from considering whether an application is in the public interest[2] and whether it is compatible with the surrounding use.[3] It is not in the public interest nor is it compatible with the surrounding use, as already found by the municipality's own board, to contribute to substance abuse and intergenerational trauma in a predominantly First Nation community like Fort Chipewyan through the sale of liquor at 193 Mackenzie Avenue.

In closing, given the short and dishonourable window of time to respond, again, we are enclosing and relying on our previous submissions, **Tab 4,** also submitted in haste, in response to RMWB's proposal to approve this permit again.

We trust this is sufficient to put this issue to rest and join us in protecting our community.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

Encl (4)

cc. *Chiefandcouncil@mikisewcree.ca*
ceo@mikisewcree.ca
RMWB via email

[2] *Municipal Government Act*, RSA 2000, c M-26, s 617; *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 43.
[3] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 14.

Thursday, August 21, 2025 at 10:15:34 Mountain Daylight Time

Subject: Re: Liquor Store
Date: Thursday, August 21, 2025 at 10:15:33 AM Mountain Daylight Saving Time
From: Orlagh O'Kelly

From: Danny Mercredi <ATIA 20(1) [redacted]>
Sent: Tuesday, August 12, 2025 9:42:43 PM
To: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>
Cc: Councillor Bonnie Fraser <bonnie.fraser@mikisewcree.ca>; Councillor Sherri McKenzie <sherri.mckenzie@mikisewcree.ca>; Councillor Tammie Tuccaro <tammie.tuccaro@mikisewcree.ca>; Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>; Councillor Dillon Whitehead <dillon.whitehead@mikisewcree.ca>; Councillor Roxanne Marcel <roxanne.marcel@mikisewcree.ca>
Subject: Fwd: Liquor Store

Sent from my iPhone

Begin forwarded message:

> **From:** Danny Mercredi <ATIA 20(1) [redacted]>
> **Date:** August 12, 2025 at 9:41:12 PM MDT
> **To:** permit.inquiries@rmwb.ca
> **Subject: Liquor Store**
>
> ALERT ! ‼️
>
> Sharing;
>
> The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss.

It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.🪶🪶🪶🪶🪶🪶🪶🪶

Sent from my iPhone

	Occ #	Unit	Type
1)	20241023280	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
2)	20241036543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
3)	20241054768	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
4)	20241059007	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
5)	20241069343	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
6)	20241075514	G DIV FORT SMITH DETACHMENT	Wellbeing Check (FIP)
7)	20241091533	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
8)	20241099092	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
9)	20241099707 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
10)	2024110974 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
11)	20241119125	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
12)	20241139722	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

13)	2024114313	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
14)	2024114599 0	K DIV FORT CHIPEWYAN DETACHMENT	Moving Traffic - Speeding Violations - Provincial/Territorial
15)	2024115236 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
16)	2024116787 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
17)	2024117002 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
18)	2024117174 9	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
19)	2024119280 1	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
20)	2024121993 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
21)	2024122141 9 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
22)	2024123322 4	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
23)	2024123370 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
24)	2024124015	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
25)	2024125020 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
26)	2024126662 5	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)

27)	2024126751 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
28)	2024128139 9	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
29)	2024128766	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
30)	2024131840 4	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
31)	2024135376 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
32)	20241367	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
33)	2024138466 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
34)	2024138606 1	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
35)	2024139775 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
36)	2024140251 9	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
37)	2024142406 6	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
38)	2024143177 3 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
39)	2024143578 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
40)	2024146241 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

41)	2024146632 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
42)	2024146763 7	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
43)	2024147676 8	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
44)	2024148892 5	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
45)	2024154366 1	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
46)	2024154930 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
47)	2024155316 4 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
48)	2024157424 8	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
49)	2024158145 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
50)	2024158380 7	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
51)	2024158735 0	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
52)	2024158991 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
53)	2024159939 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
54)	2024160442 7	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)

55)	20241616415	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
56)	20241622022	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
57)	20241622419 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
58)	20241622685	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
59)	20241622922	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
60)	20241623091	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
61)	20241623092	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
62)	20241658284	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
63)	20241690459	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
64)	20241691259	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
65)	2024169140	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
66)	20241704295	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
67)	20241705467	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)
68)	20241713189	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities

69)	2024172216 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
70)	2024175155 1	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
71)	2024178404 0	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
72)	2024179644 2	K DIV FORT CHIPEWYAN DETACHMENT	Discharge firearm with intent 244 CC (FIP)
73)	2024179666 6	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
74)	2024179884 9	K DIV FORT CHIPEWYAN DETACHMENT	Harassing communications 372(3) CC (FIP)
75)	2024180090 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
76)	2024183733 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
77)	2024183827 2	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
78)	2024184563 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
79)	2024186837 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
80)	2024186966 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
81)	2024188708 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
82)	2024193208	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)

83)	2024194219	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
84)	2024203767	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
85)	2024208841	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
86)	2024211397	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
87)	2024240605	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
88)	2024251908	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
89)	202425940	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
90)	2024261551	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
91)	2024269059	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
92)	2024300733	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
93)	2024310987	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
94)	2024321251	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
95)	2024332052	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
96)	2024348366	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

97)	2024353525 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
98)	2024379617	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
99)	2024392612	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
100)	202444740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
101)	202445084	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
102)	2024462788	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
103)	20244736	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
104)	2024481133	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
105)	2024487768	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
106)	2024490598	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
107)	2024502124	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
108)	2024518740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
109)	2024519114	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
110)	2024520788	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial

111)	2024520867	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
112)	20245327	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
113)	2024538558	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
114)	2024549440	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
115)	2024556047	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
116)	2024562648	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
117)	2024574278	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
118)	2024574938	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
119)	2024580844	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
120)	2024581200	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
121)	2024592833	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
122)	2024600378	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
123)	2024601552	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
124)	2024645716	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)

125)	2024669230	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
126)	2024672954	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
127)	2024674935	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
128)	2024706941	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
129)	2024712379	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
130)	2024712380	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
131)	2024713044	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
132)	2024714943	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
133)	2024720054	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
134)	2024721174	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
135)	2024727281	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
136)	2024727378	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
137)	2024731966	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
138)	2024732763	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities

139)	2024733800 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
140)	2024733897	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
141)	2024759119	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
142)	2024767401	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
143)	2024772115	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
144)	2024778655	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
145)	2024817368	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
146)	2024824782	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
147)	2024827924	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
148)	202482871 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
149)	202484914	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
150)	2024851590	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
151)	2024862040	K DIV FORT CHIPEWYAN DETACHMENT	Operation While Impaired (Alcohol And Drug) / Over 80mg% Of Vessel / Aircraft / Railway 320.14(1)(a)/(d) CC
152)	202487584	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

153)	202487906	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
154)	2024879593	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
155)	2024897855	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
156)	2024909110	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
157)	202491967	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
158)	2024927289	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
159)	2024981470 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
160)	2024993773	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
161)	2024998728	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
162)	2024999150	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
163)	2025102724 6	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
164)	2025103532 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
165)	2025103540 3	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
166)	2025103659 8	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)

167)	20251037882	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
168)	2025106946	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
169)	20251101181	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
170)	20251106890	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
171)	20251114593	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
172)	2025111498	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
173)	20251120669	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
174)	2025112977	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
175)	2025114679	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
176)	2025114806	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
177)	2025114927	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
178)	2025115744	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
179)	202511669	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
180)	2025117208	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC

181)	2025118023 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
182)	2025118515 2	K DIV FORT CHIPEWYAN DETACHMENT	Unwanted person
183)	2025118672	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
184)	2025128736	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
185)	202513337	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
186)	2025142963	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
187)	2025145353	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
188)	2025160447	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
189)	2025204227	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
190)	2025209553	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
191)	2025222597	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial
192)	2025233500	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
193)	2025239986	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
194)	2025240695	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial

195)	2025252833	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
196)	202526476	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
197)	202526543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
198)	2025269588	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
199)	2025288103 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
200)	2025308025	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
201)	2025326580	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
202)	2025340119	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)
203)	2025373011	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
204)	2025376486	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
205)	2025380331	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
206)	2025395438	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
207)	2025407036	K DIV FORT CHIPEWYAN DETACHMENT	Mischief to motor vehicle 430(3)&(4) CC
208)	2025408535	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency

209)	2025410932 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
210)	2025414298	K DIV FORT CHIPEWYAN DETACHMENT	Possession for the Purpose of Trafficking - Schedule I: Cocaine 5(2) CDSA (FIP)
211)	2025419309	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
212)	2025445959	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
213)	2025483085 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
214)	202551716	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
215)	2025529443	K DIV FORT CHIPEWYAN DETACHMENT	Dangerous Driving - Provincial/Territorial
216)	202553174	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
217)	2025547037	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
218)	2025604106	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
219)	2025628925	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
220)	2025727571	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
221)	2025727828	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
222)	202572818	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

223)	2025728647	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
224)	2025729034	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
225)	2025729110	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
226)	2025731578	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
227)	2025732080	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
228)	2025745441	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
229)	2025748970	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
230)	2025749226 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
231)	2025762178	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
232)	2025765390	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
233)	2025771753	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
234)	2025775922	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
235)	2025776272	G DIV FORT SMITH DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
236)	2025832834	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

237)	2025907409	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
238)	2025909649	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
239)	2025915907	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
240)	2025937711	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
241)	2025974050	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 21, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Cree Law Informs Treaty 8:

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It

---

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

6. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

MIKISEW CREE FIRST NATION

ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

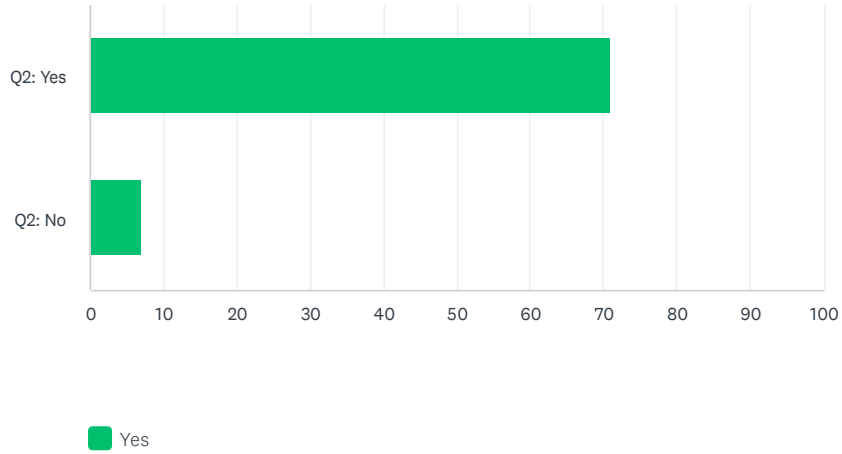
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

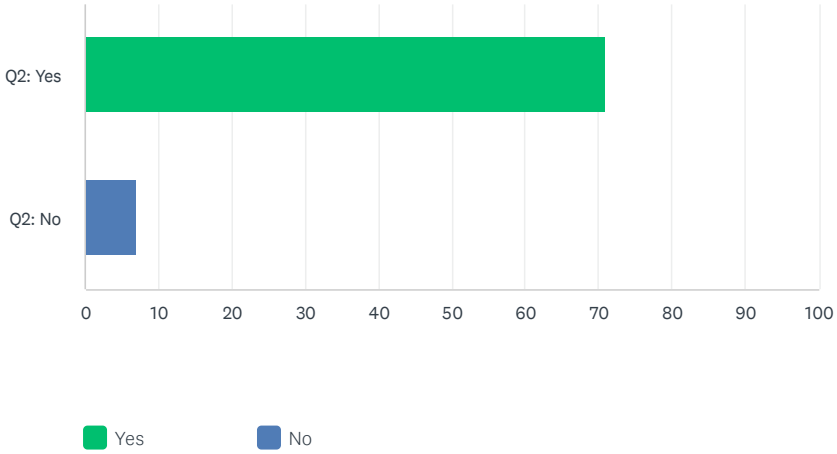


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

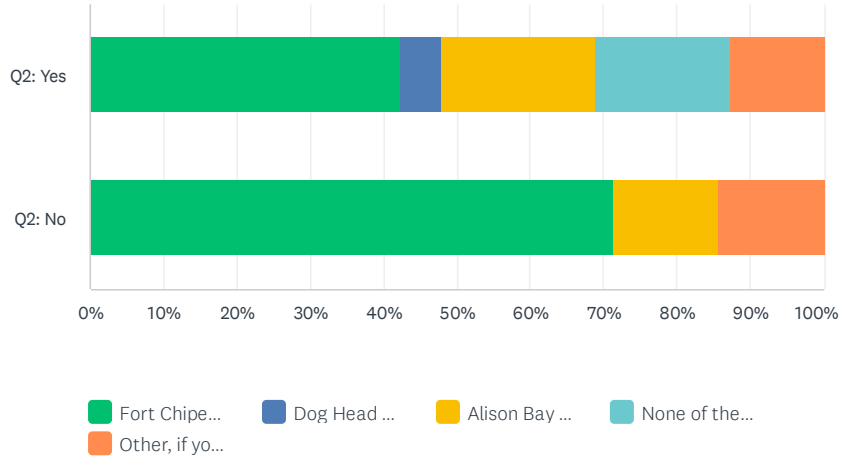
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

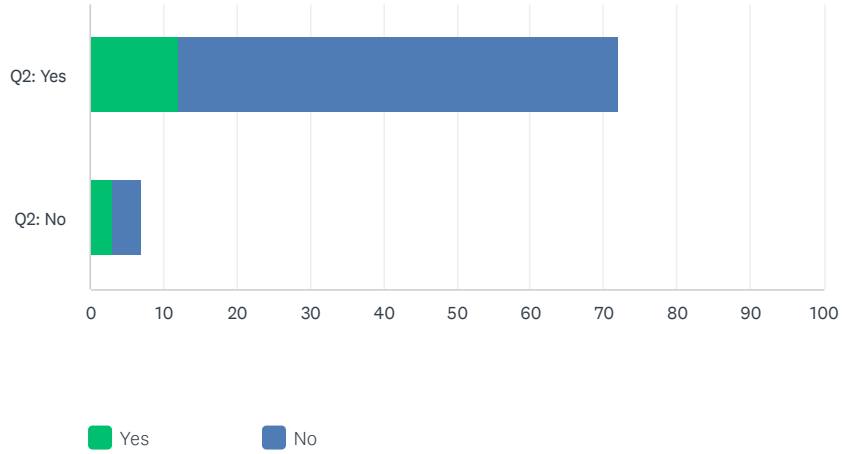
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

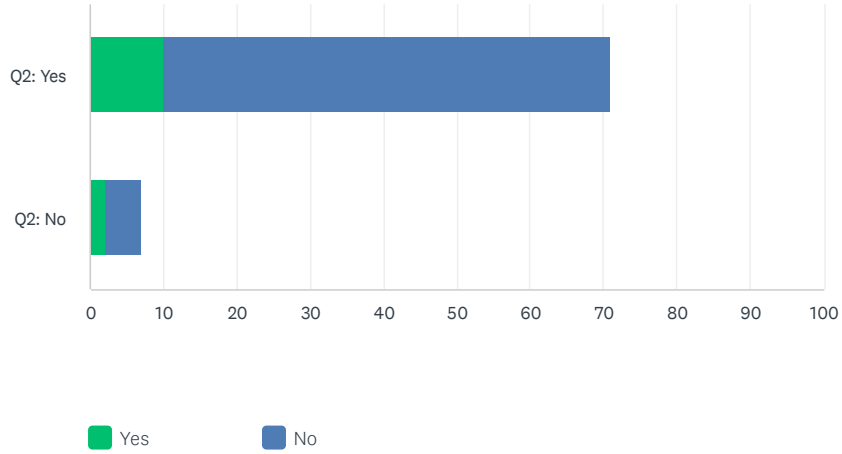
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

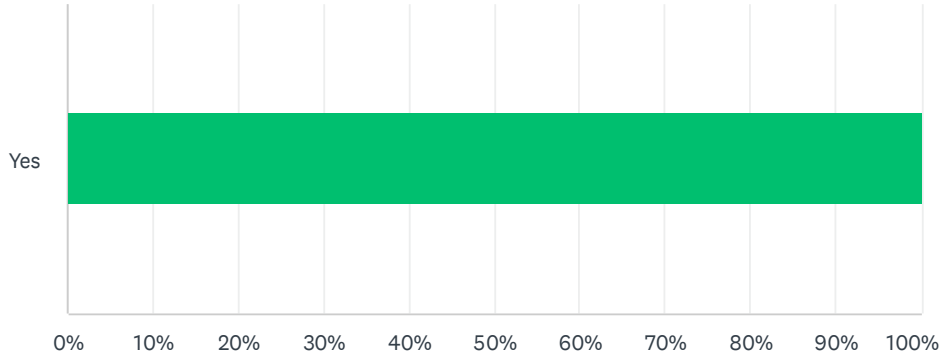
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

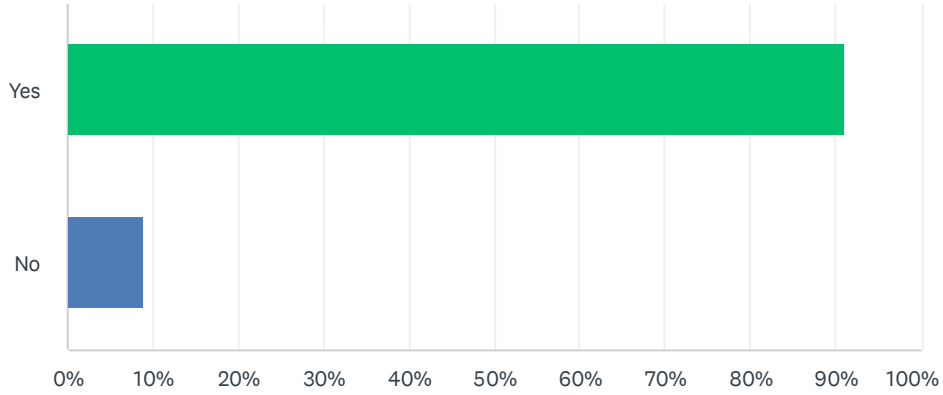
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

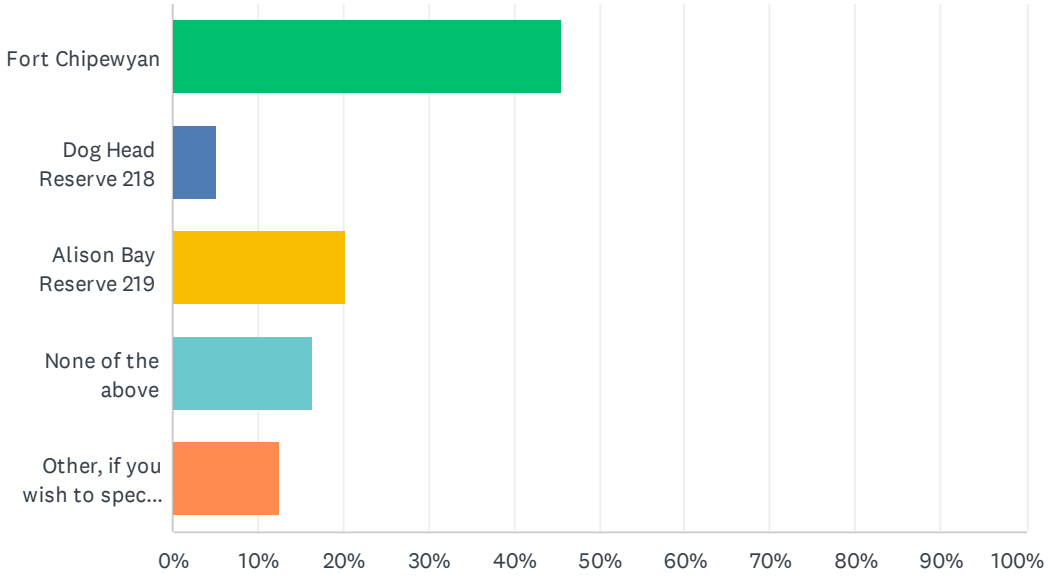
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

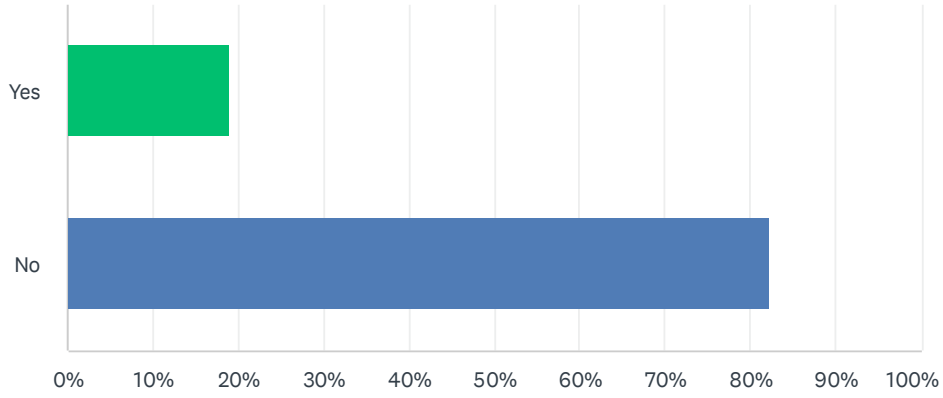
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

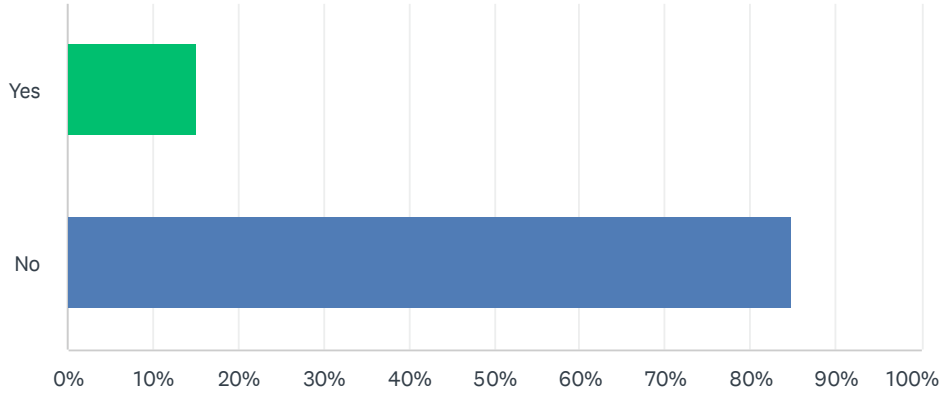
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

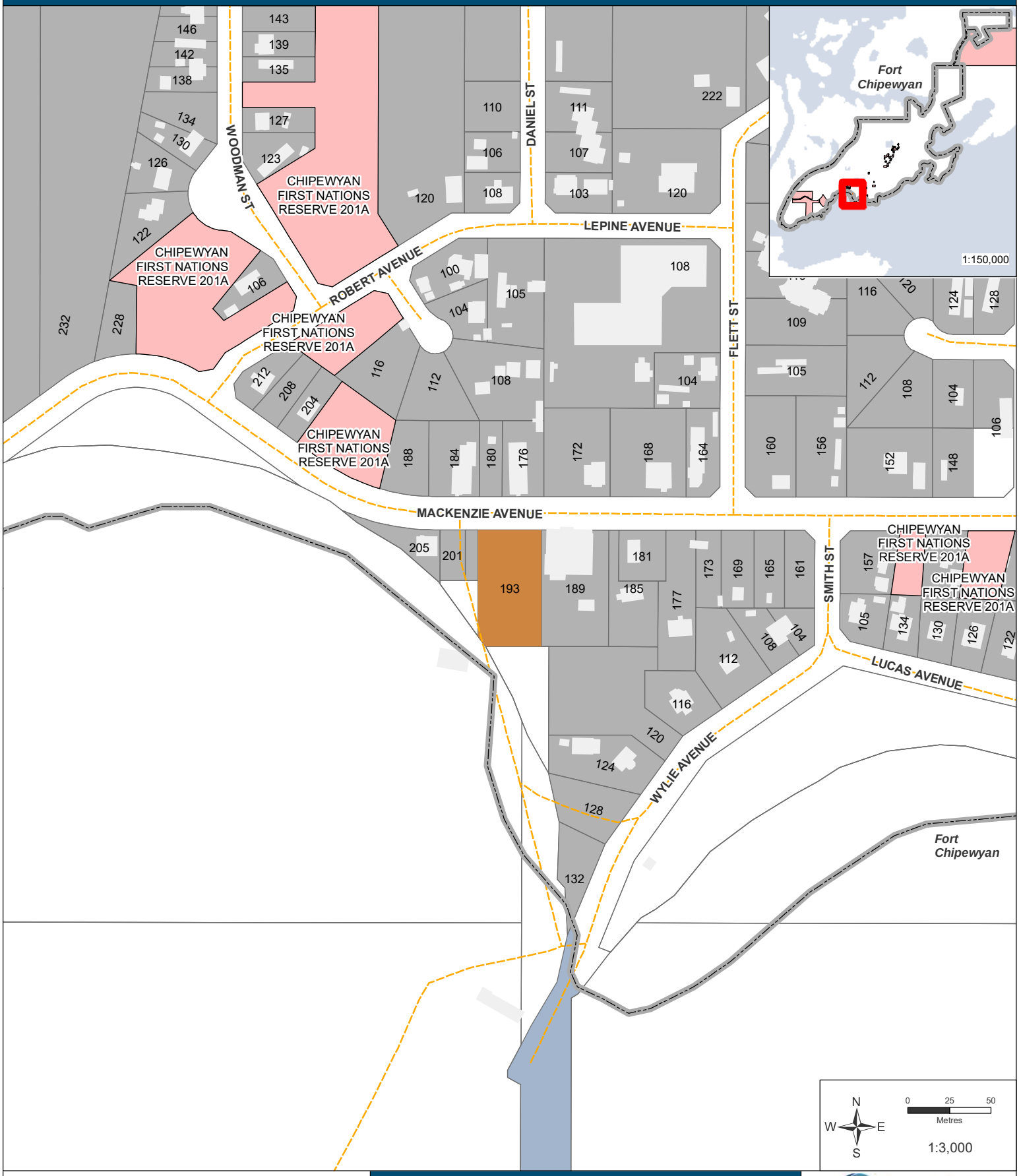
	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:		TOTAL
Q2: Yes		100.00% 40	97.56% 40
Q2: No		100.00% 1	2.44% 1
Total Respondents	41		41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Adam,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear President Cardinal,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

REGIONAL MUNICIPALITY OF WOOD BUFFALO

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Tuccaro

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

Schedule "C"
RCMP Crime Statistics for Fort Chipewyan from January 1, 2022, to January 11, 2026

1)	20221294	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-01-01 2:59
2)	20222317	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-01-01 9:41
3)	202220298	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-01-06 2:21
4)	202224481	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-01-06 23:12
5)	2022120011 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-01-29 5:25
6)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-01-29 22:00

7)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-01-30 0:21
8)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-02-01 6:17
9)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-02-02 17:46
10)	2.022E+09	K DIV FORT MCMURRAY CITY DET WATCH FOUR	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-02-04 2:45
11)	2022152766 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-02-05 16:25

12)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-02-07 23:24
13)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-02-08 0:19
14)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-02-27 18:11
15)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-03-06 18:11
16)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-03-12 3:09

17)	2.022E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2022-03-26 12:51
18)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-08-17 0:53
19)	20221168985 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-08-17 21:20
20)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-08-26 1:45
21)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-08-26 19:27

22)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-08-27 2:23
23)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)	2022-10-19 2:51
24)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-10-28 0:19
25)	2.022E+10	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-11-01 2:21
26)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2022-11-06 20:52

27)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2022-11-19 11:38
28)	2.022E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2022-12-01 2:19
29)	202345398	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-01-10 21:07
30)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with undertaking 145(4) CC (FIP)	2023-01-26 4:29
31)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-01-28 6:58

32)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-02-06 21:48
33)	2023197155 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-02-12 2:06
34)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-02-16 0:58
35)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-02-25 7:12
36)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-02-25 12:02

37)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-02-26 6:41
38)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2023-02-26 11:03
39)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-02-26 17:33
40)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-03-30 2:50

41)	2.023E+09	K DIV FORT CHIPEWYAN DETACHMENT	Uttering Threats Against Property or an Animal 264.1(1)(b)&(c) CC (FIP)	2023-04-02 4:50
42)	2023496575 [V]	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)	2023-04-15 2:38
43)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-05-05 23:54
44)	2023694436 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Arson - Disregard for Human Life 433 CC (FIP)	2023-05-20 16:09
45)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC	2023-05-21 15:42

46)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)	2023-06-28 23:48
47)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-08-01 4:34
48)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Public Mischief 140(2) CC	2023-08-29 1:16
49)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-09-24 11:48
50)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-09-24 13:00

51)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-11-25 10:01
52)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-11-29 0:30
53)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-12-10 5:07
54)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-12-28 0:00
55)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2023-12-29 23:32

56)	2.023E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2023-12-30 5:03
57)	202464183 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault on Police Officer 270(2) CC (FIP)	2024-01-15 17:11
58)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-02-28 22:26
59)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-03-03 20:20
60)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-03-03 20:26

61)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-03-11 3:34
62)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-03-17 15:57
63)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-03-23 2:34
64)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-03-23 6:33
65)	2.024E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-03-23 8:03

66)	2024453682 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-04-07 18:14
67)	2024465333 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-04-10 2:00
68)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-05-03 23:38
69)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace	2024-05-05 5:34
70)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Municipal Bylaws - Other	2024-05-07 0:53

71)	2024670672 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-05-18 11:14
72)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)	2024-05-18 17:13
73)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC	2024-05-24 1:29
74)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC	2024-05-25 1:34
75)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)	2024-05-26 3:06

76)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)	2024-05-26 3:16
77)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-06-09 22:40
78)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-06-15 3:15
79)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace	2024-06-22 4:54
80)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-06-28 0:06

81)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)	2024-07-26 20:27
82)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace	2024-07-27 5:24
83)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace	2024-07-27 5:25
84)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Aggravated Assault 268(2) CC (FIP)	2024-08-09 1:19
85)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2024-08-10 15:59

86)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)	2024-08-12 4:26
87)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-08-13 16:37
88)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)	2024-08-16 12:24
89)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-08-20 2:53
90)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Aggravated Assault 268(2) CC (FIP)	2024-08-20 22:13
91)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace	2024-08-21 13:27

92)	20241221419 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-08-22 5:48
93)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-08-29 21:35
94)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-08-30 0:09
95)	20241359749 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)	2024-09-15 7:10
96)	20241384665 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace	2024-09-19 17:11

97)	20241386061 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only	2024-09-19 22:58
98)	20241424066 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-09-26 19:40
99)	20241431773 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities	2024-09-28 3:43
100)	20241488925 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention	2024-10-08 21:04
101)	20241537477 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2024-10-17 20:30

102)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)	2024-10-18 15:24
103)	20241553164 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-10-20 18:30
104)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2024-10-30 16:36
105)	20241612173 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2024-11-01 1:55
106)	20241704163 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2024-11-20 0:41

107)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)	2024-11-20 9:29
108)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-12-08 5:06
109)	2.024E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2024-12-29 5:49
110)	20251888	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-01-01 4:48
111)	20252111	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial	2025-01-01 6:24

112)	202515530 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-01-04 4:43
113)	202527245	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)	2025-01-07 7:50
114)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-01-31 20:01
115)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace	2025-02-01 0:09
116)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-02-08 5:52

117)	2025225611 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-02-20 1:11
118)	2.025E+09	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-03-01 4:12
119)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-03-03 1:55
120)	2.025E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-03-18 20:56
121)	2025394566 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-03-26 17:41

122)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC	2025-05-03 10:33
123)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-05-06 3:25
124)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)	2025-05-13 5:44
125)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities	2025-06-13 20:51
126)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-06-14 6:22

127)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-06-15 1:47
128)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC	2025-06-27 0:43
129)	2.026E+09	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-07-02 4:24
130)	2025997458 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-07-12 19:36
131)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-07-31 21:35

132)	20251159770 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC	2025-08-09 21:06
133)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-08-14 14:01
134)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-08-30 3:18
135)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-08-31 10:16
136)	20251318659 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC	2025-09-06 1:50

137)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)	2025-09-13 6:25
138)	20251419887 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-09-24 0:12
139)	20251424267 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-09-24 16:44
140)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-09-29 20:51
141)	20251484231 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-10-05 17:03
142)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-10-07 3:24

143)	20251496075 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Break and Enter - Residence 348(1) CC (FIP)	2025-10-07 21:07
144)	20251513810 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-10-09 20:55
145)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)	2025-10-19 3:48
146)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-10-19 12:48
147)	20251587160 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Break and Enter - Residence 348(1) CC (FIP)	2025-10-25 2:56

148)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC	2025-11-10 3:58
149)	20251675638 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)	2025-11-11 18:00
150)	20251749618 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2025-11-26 21:46
151)	20251753281 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-11-27 15:27
152)	2.025E+10	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-12-13 23:58

153)	2.025E+10	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2025-12-22 19:46
154)	202645543 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)	2026-01-11 0:58
155)	202648654 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC	2026-01-11 21:51

REPORT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD

File:	SDAB 2025-007
Appellants:	Mikisew Cree First Nation (Cree-ations Enterprises Ltd., Mistee Seepee Development Corporation Ltd., and 1112958 Alberta Ltd.
Subject:	Development Permit 2025-DP-00169
Legal Description:	Lot 3, Block 10, Plan 5642NY
Civic Address:	193 Mackenzie Avenue, Fort Chipewyan
Land Use Designation:	HC – Hamlet Commercial
Development Permit Application:	**2025-DP-00169**
Development Permit Approval:	**September 26, 2025**
Appeal Application Date:	**October 17, 2025**

Introduction

1. This appeal stems from the approval of Development Permit 2025-DP-00169 (*Approved Development Permit: Attachment 1*), which authorizes the development of a "Permanent Liquor Store, Office, and Warehouse Sales," along with a temporary liquor store to operate for up to one year while the permanent building is under construction (see *Land Use Bylaw 99/059 Definitions: Attachment 2*).

2. The development is located at 193 MacKenzie Avenue, Fort Chipewyan, legally described as Lot 3, Block 10, Plan 5642NY (the "Subject Property") (*Subject Property Map: Attachment 3*).

3. Under Land Use Bylaw 99/059, the proposed uses are classified as Discretionary Uses within the HC – Hamlet Commercial District and therefore fall under the authority of the Development Officer to approve (*Land Use Bylaw 99/059, Section 110 HC - Hamlet Commercial District: Attachment 18*).

4. A notice was mailed to all the Fort Chipewyan hamlet addresses in the municipal database as well as an email notification to the leadership and offices of the Athabasca Chipewyan First Nation, Fort Chipewyan Métis Nation, and Mikisew Cree First Nation to notify them of the receipt of the development permit application (*Public Notice-Pre Decision: Attachment 4*).

5. The approval of Development Permit 2025-DP-00169 was publicly posted on the Regional Municipality of Wood Buffalo's website, and notifications were distributed to

property owners within the hamlet of Fort Chipewyan. Notifications were also sent to the leadership and offices of the Athabasca Chipewyan First Nation, Fort Chipewyan Métis Nation, and Mikisew Cree First Nation (*Public Notice – Post Decision: Attachment 5*). Typically, the standard notification radius for adjacent property owners is 100 meters.

6. A similar development was previously approved under Development Permit 2023-DP-00125 (*Development Permit Approval 2023-DP00125:* Attachment *6*). That approval was appealed and subsequently 2023-DP-00125 was revoked by the SDAB (*Notice of Decision SDAB 2024-003: Attachment 7*).

Chronology

7. On May 27, 2025, the Development Authority received a development permit application for a Liquor Store, Office, and Warehouse Sales.

8. On June 3, 2025, the Development Authority initiated the property file review and planning review and circulated the application to relevant internal and external agencies for comments.

9. On July 16, 2025, notice of the development permit application was emailed from the Planning and Development Director's Office to the leadership and administrative offices of the Athabasca Chipewyan First Nation, Fort Chipewyan Métis Nation, and Mikisew Cree First Nation (*Pre-Decision Notice Email from Director: Attachment 8*).

10. On July 17, 2025, a notice of the development permit application was mailed to all residents of the Hamlet of Fort Chipewyan to advise them that the Development Authority had received the development permit application for the Subject Property.

11. By August 21, 2025, the Development Authority had received two emails from individual residents of Fort Chipewyan (*Pre-Decision Resident Emails: Attachment 9*) and one letter from Mikisew Cree First Nation, signed by Chief Tuccaro on behalf of the Nation's membership (*Pre-Decision Mikisew Cree First Nation Letter: Attachment 10*). Overall, the feedback opposed the development of the liquor store. Comments referred to the current issues within the community related to drug and alcohol, including escalation of crime in the community.

12. Between August 1 and September 24, 2025, the Development Authority worked with the applicant to address comments provided by internal and external reviewers, primarily related to engineering requirements. Additional clarification and updated information were requested by the underground services and development engineering teams. Specifically, the applicant was required to submit revised site plans showing the sanitary lines, waterlines, and CC valve location, as well as a stamped design for the retaining wall depicted in the drawings.

13. The applicant was advised that the development permit application could only advance to the decision stage once all comments had been fully and satisfactorily addressed.

14. On September 24, 2025, the applicant submitted revised plans to the Development Authority reflecting the feedback from the Development Engineering Department. The updated plans were accepted by the Development Engineering Department and subsequently approved by the engineering technician assigned to this application.

15. On September 26, 2025, the Development Authority approved and issued Development Permit 2025-DP-00169 with conditions, including Condition #3 which required the temporary liquor store to be removed by September 12, 2026.

16. On October 2, 2025, the Development Permit approval was advertised on the Regional Municipality of Wood Buffalo's website. This is standard for all discretionary use approvals (*Development Approval Advertisement: Attachment 11*)

17. On October 3, 2025, Indigenous and Rural Relations staff hand-delivered notices of decision to residents of the Fort Chipewyan hamlet. Due to ongoing Canada Post strike, mail delivery was unavailable. To ensure residents were properly informed and had sufficient time to submit comments before the appeal deadline, hand delivery was determined to be the most effective and reliable method to get the notices out.

18. Additionally, Indigenous and Rural Relations staff emailed the Development Permit decision notices to the leadership and offices of Athabasca Chipewyan First Nation**,** Mikisew Cree First Nation, and the Fort Chipewyan Métis Nation (*Post-Decision Notice Email: Attachment 12*)**.**

Discussion

19. The Development Authority determined that there were no justifiable planning reasons to refuse the Development Permit. The Development Permit application is in alignment with planning policies, including the Municipal Development Plan (2024) and the Fort Chipewyan Area Structure Plan (2018), as well as Land Use Bylaw 99/059.

20. Section 6.3.2E(g) and (h) of the Municipal Development Plan*, Municipal Development Plan: Attachment 13*) highlight the importance of locating small-scale retail uses near the community core. These policies emphasize that infill development should be supported to make more efficient use of underutilized lands, both within the community core and surrounding areas.

21. According to the Fort Chipewyan Area Structure Plan, the Subject Property is situated within the designated "Community Core" area (*Fort Chipewyan Area Structure Plan Generalized Land Use Concept Map: Attachment 14*). The Community Core is envisioned to be the heart of the Hamlet and a hub for commercial, institutional and residential uses. The Community Core is intended to be a vibrant, compact and mixed-use area with services and businesses that serve the community (*Community Core Definition, Fort Chipewyan Area Structure Plan: Attachment 15*). Furthermore, existing vacant industrial lands in the Community Core have been identified to provide opportunities for development that respects the nearby Lake Athabasca. Based on the

Municipality's available digital imagery, the Subject Property has sat vacant at least as far back as 2011 (*Aerial Images 193 MacKenzie Avenue 2011, 2018 & 2023: Attachment 16*).

22. The Fort Chipewyan Area Structure Plan further supports the development of retail commercial, public service, and residential uses within the Community Core, as outlined in Policy 3.2.1. Additionally, Policy 3.3.1 allows a mix of commercial uses including retail uses in the Community Core (*Fort Chipewyan Area Structure Plan, Attachment 17*).

23. The Subject Property is designated as HC-Hamlet Commercial in Land Use Bylaw 99/059 (Section 110). Liquor Store, Office, and Warehouse Sales are all Discretionary Uses- Development Officer in this district (*Land Use Bylaw 99/059, Attachment 18*).

24. As part of the Development Authority's decision-making process, the "Truth and Reconciliation Commission of Canada's Call to Action document was reviewed. Nothing explicitly assigns municipalities a specific role regarding the use and access to legal alcohol purchases.

25. The Development Authority noted that the proposed liquor store meets all applicable development standards.

26. According to Laux, Planning Law and Practice in Alberta (Fourth Edition) pages 9-17,

> "If the application is for a conforming discretionary use, the development authority has the discretion to approve it or not. However, the authority must have a sound planning reason for refusing a discretionary use. If no such reason exists, the authority will likely have abused its discretion."

27. While there were some concerns from Fort Chipewyan residents and Mikisew Cree First Nation, the concerns appeared to be centered around regulating the user rather than land use planning. After reviewing these submissions, the Development Authority found no planning-based reasons to deny the Development Permit. In the Development Authority's opinion, approval was consistent with municipal policy as set out in the Municipal Development Plan and Area Structure Plan as well as with the Land Use Bylaw.

Recommendation:

28. THAT the Subdivision and Development Appeal Board uphold the decision of the Development Authority.

Rationale:

29. Based on the merits of the Development Permit Application, the Development Authority found no grounds to refuse the application. While the Development Authority

acknowledges the two emails received by concerned citizens and the email from Mikisew Cree First Nation, the proposal is consistent with the applicable statutory plans and the land use bylaw. The temporary use ensures short-term continuity of service, while the permanent development supports long-term planning objectives related to commercial infill and mixed-use growth within the Community Core as supported by the Municipal Development Plan (2024) and Fort Chipewyan Area Structure Plan (2018).

Attachments:

1. Approved Development Permit 2025-DP-00169
2. Land Use Bylaw 99/059 Definitions
3. Subject Property Map
4. Public Notice- Pre-Decision
5. Public Notice- Post-Decision
6. Development Permit Approval 2023-DP-00125
7. Notice of SDAB Decision. SDAB 2024-003
8. Pre-Decision Email from Director
9. Pre-Decision Resident Emails
10. Pre-Decision Mikisew Cree First Nation Letter
11. Development Permit Approval Advertisement
12. Post-Decision Notice Email
13. Section 6.3.2E(g) &(h), Municipal Development Plan
14. Fort Chipewyan Area Structure Plan Generalized Land Use Concept Map
15. Community Core Definition, Fort Chipewyan Area Structure Plan
16. Aerial Images 193 MacKenzie Avenue 2011, 2018 & 2023
17. Fort Chipewyan Area Structure Plan Policy 3.2.1 and 3.31
18. Land Use Bylaw 99/059, Section 110 HC - Hamlet Commercial District

Prepared by:

Phyllis Agyemang, Planner II, Planning and Development.

Shailesh Makwana, Supervisor, Planning and Development.

Submitted January 22, 2026.

9909 Franklin Avenue, Fort McMurray, Alberta, Canada, T9H 2K4 www.rmwb.ca
Anzac · Conklin · Draper · Fort Chipewyan · Fort Fitzgerald · Fort MacKay
Fort McMurray · Gregoire Lake Estates · Janvier · Mariana Lake · Saprae Creek Estates

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number
2025-DP-00169

September 26, 2025

Applicant	**Owner**
DANIEL ROY ATIA 20(1) [redacted] ATIA 20(1)	DANIEL ROY ATIA 20(1) [redacted]

RE: Permanent Liquor Store, Office & Warehouse Sales building (with a temporary liquor store operating for up to one year while permanent building is completed)
193 MACKENZIE AVENUE
Lot: 3 Block: 10 Plan: 5642NY

Your application for a development permit at the above location has been approved by the Development Officer. This approval is subject to the conditions as outlined in the enclosed Development Permit.

PLEASE READ PERMIT CONDITIONS CAREFULLY.

This development permit shall expire and no longer be valid after one year from the date of decision of the permit if no construction has been initiated. Any other necessary permits shall be in place prior to commencement of any construction or occupancy. In the case of a change of use within an existing structure, where no significant construction of reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

IMPORTANT NOTE

1. Under the Municipal Government Amendment Act, this approval may be appealed within twenty one (21) days after the day of decision being posted. Should this decision be appealed within twenty one (21) days after the Date of Decision, this permit shall not become effective until the Subdivision and Development Appeal Board has determined the appeal and the Permit may be modified or nullified thereby. Commencement of the approved Development prior to expiry of the appeal period is at your own risk.
2. An appeal shall contain statement of the grounds of appeal and shall be delivered personally or by registered mail so as to reach the Secretary of the Subdivision and Development Appeal Board, 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4 within the prescribed time period of twenty one (21) days.
3. Upon delivery of Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a fee of $1000.00.

Compliance with other legislation - A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out development in accordance with:

a. the requirements of the Safety Codes Act, Environment Protection and Enhancement Act and Natural Resources Conservation Board Act;

b. the requirements of any other Federal, Provincial, or Municipal statue, regulation code or standard; and

c. the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

The Municipality is not responsible for not does the Municipality have any obligation whatsoever to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

REGIONAL MUNICIPALITY OF WOOD BUFFALO
Planning & Development Department
per:

September 26, 2025

Date

Phyllis Agyemang
Planner I
Planning and Development Dept.
Regional Municipality of Wood Buffalo
phyllis.agyemang@rmwb.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number
2025-DP-00169

Applicant: Daniel Roy **Issued :** September 26, 2025

Development Permit

193 MACKENZIE AVENUE

	Lot	Block	Plan		Section	Township	Range	
	3	10	5642NY		7	112	7	

New Commercial Industrial or Institutional Development

Permanent Liquor Store, Office & Warehouse Sales building (with a temporary liquor store operating for up to one year while permanent building is completed)

Advertisement Date: October 2, 2025

- **This development was approved by the Development Officer and is subject to the conditions attached to this permit.**
- **All conditions stated on this development permit must be complied with.**
- **You have one year from Date of Decision to commence construction. All appropriate building/mechanical permits must be applied for and issued. In the case of a change of use within an existing structure where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.**

Regional Municipality of Wood Buffalo
Planning & Development Department
per:

ATIA 20(1)

Issued : September 26, 2025
Date

Phyllis Agyemang
Planner I
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
phyllis.agyemang@rmwb.ca

Advisory Notes:

1. Any signage proposed for this development shall require a separate application and approval.
2. The sump shall be installed so that discharge is as per the requirements of the Sewage Bylaw.
3. The developer shall install all appropriate signage at access/egress locations in accordance with the requirements of the Engineering Department.
4. Site services shall be in accordance with the Engineering Standards of the Regional Municipality of Wood Buffalo – Fort McMurray Urban Service Area and the standards set by the Franchise Utilities operating within the Fort McMurray Urban Service Area.
5. A Utility Installation Permit is required from the developer and shall be obtained from Engineering Services Division prior to installing underground utilities.
6. It shall be the developer's responsibility and expense to terminate, at the main, all sanitary and water services which will not be utilized in this development.
7. If a route permit is required for this development, it shall be applied for through the Planning and Development Department.
8. Any damage to the streets, sidewalks, curbs or landscaped boulevards caused by this development shall be the full responsibility of the developer to restore.
9. A Health Certificate may be required for this development. Please contact the Health Inspector for the necessary information.
10. A Municipal Business License may be required for this development. Please contact the Licensing Enforcement Officer for information and an application, if required.
11. The Alberta Fire Code applies in and around buildings existing or being constructed on a site. Complete project plans and specifications, construction fire safety plans, and fire related activities requiring Fire Prevention Permits shall be reviewed by the Fire Authority prior to the commencement of any work related thereto. Inquiries and permit applications shall be submitted to the Fire Authority.
12. All Federal, Provincial and Municipal statutes and regulations shall be met, including the Alberta Building Code.

Conditions:

1 This development is classified as a Liquor Store, Office and Warehouse Sales and is a Discretionary Use in the HC- Hamlet Commercial District.
2 The business must have all valid licenses/approvals from the provincial government prior to starting operations and shall be in compliance with the provincial legislation.
3 The 18.3 meter x 3.7 meter temporary building shall be removed from the site no later than September 12, 2026.
4 The 18.3 meter x 3.7 meter temporary building shall be receive all required Safety Code Permits under the Safety Codes Act required for a commercial space.
5 Construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
6 Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to occupancy of the permanent structures.
7 The garbage and waste material shall be stored in weather-proof and animal-proof containers and shall be visually screened in a manner compatible with the design and external materials of the principal buildings on the site. If a wood screen fence is used, it shall be constructed in accordance with drawing 10-301 of the Engineering Servicing Standards.
8 The building location, orientation, capacity and/or use shall be as indicated on the approved drawings. Any changes to the approved plans shall be submitted to the Development Officer for further approval.
9 A minimum of 19 on-site parking stalls shall be provided as indicated on the approved plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material and shall be completed prior to the issuance of an Occupancy Permit. Should a seasonal allowance be required for paving the parking lot, the developer shall provide a written request for the seasonal allowance together with an automatically renewable and irrevocable letter of credit equal to 100 percent of the cost of paving the parking lot. A minimum of 2of the required stalls shall be accessible parking stalls.These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
10 A minimum of one loading space shall be provided for this development. Loading shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets or lands.
11 All parking stalls shall be graded such that no slope in any direction is less than 0.5% and not more than 4%, to the satisfaction of the Development Officer. All soft landscaped areas shall have a minimum slope of 2% away from buildings.
12 A final site grading plan shall be prepared to the satisfaction of the Engineering Department and shall be approved prior to occupancy of any buildings.
13 The applicant may need to enter into a Development Agreement with the Municipality to pay for the installation of public utilities, other than telecommunication systems or works, which are necessary to serve the development.
14 Any excess fill must be deposited on a site approved by the Municipality. Please contact the Engineering Department and/or the Environmental Branch of the Public Works Department.
15 Any and all easements required by the Municipality or any franchise utility as a result of this development shall be provided by the developer at no cost to the Municipality or any franchise utility and shall be registered on title by Utility Right-of-Way Plan.
16 Should it be necessary to alter any on site Municipal or franchise utilities, all cost shall be borne by the developer.
17 There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development construction. The developer may apply to the Development Officer to utilize these lands.
18 All on site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent residential properties.

19 Any required removal or modification of existing on-site underground storage tanks and the management of identified contaminants shall be undertaken to the satisfaction of the appropriate authorities prior to the construction of the approved development and all applicable permits received from the local Fire Authority.

20 Engineering securities of $40,000 in total [including (a) $10,000 for 1 approach, (b) $20,000 for service connections ($10,000/water + $10,000/sanitary each), and (c) $10,000 for a new storm outfall, shall be provided before issuance of the development permit. This is also a damage deposit for any damage to municipal property including roads, sidewalks, curb and gutter, underground infrastructure, boulevard, parks, URWs. All must be restored to original or better condition.

21 A Development Completion Certificate is required and shall be applied for by the applicant on completion of the conditions of development and prior to occupancy

22 Before any construction starts, the applicant shall ensure that the site is fully fenced, as per the approved fencing plan, in order to prevent any damage to Municipal infrastructure and landscaping surrounding the site, to ensure controlled and safe access and egress of the site, and to provide safe pedestrian access on and through any municipal lands adjacent to the site. The site access locations shall be established as per the fencing plan and will be maintained and operated to the satisfaction of the Development Authority. The fencing is to remain in place and in good working condition until all construction activities have ceased and a Full Development Completion Certificate has been issued

23 The applicant shall provide security in a form acceptable to the Municipality in the amount of $7,150.00 as a guarantee for the installation and maintenance of the construction fencing.

24 A water meter permit may be required. Please contact Underground Services Division for details at 780-799-7493. 780-788-1456 ext. 5832

25 A service connection permit may be required. Please apply at https://www.rmwb.ca/en/permits-and-development/applications-licences-and-permits.aspx.

26 Construction activities will be completed in adherence to all environment and regulatory requirements which include, but are not limited to the Federal Fisheries Act and the Provincial Environmental Protection and Enhancement Act. Construction activities will implement effective sediment control measures at all stages of construction until disturbed soil has been addressed and the fish bearing water body is effectively protected from any impacts.

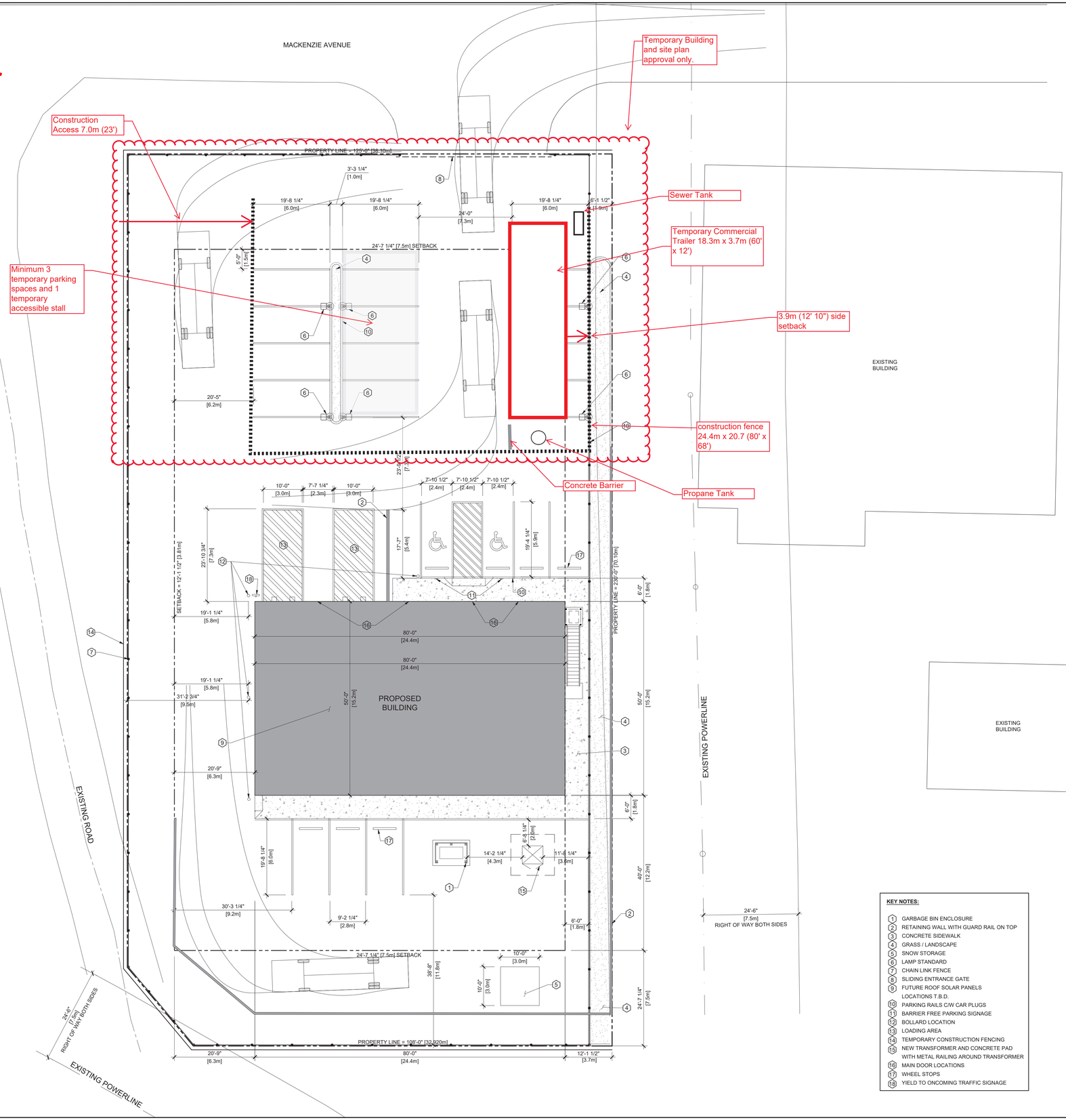
27 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695 or follow up on our permitting website: https://aca.woodbuffalo.ab.ca/citizenaccess/

Docusign Envelope ID: EE49C79D-4CAA-490E-ADCC-9B0842E7E430

Temporary Site Plan.
Valid for up to one year from approval.

ATIA 20(1)

1 of 4



LEGAL DESCRIPTION

LOT:	3
BLOCK:	10
PLAN:	5642NY
ADDRESS:	193 MACKENZIE AVENUE FORT CHIPEWYAN, AB T0P 1B0

SITE DATA

LUB ZONING:	HC - HAMLET COMMERCIAL
SITE AREA:	28577.792 ft² (2654.964 m²)
BUILDING FOOTPRINT:	4000 ft² (371.612 m²)

GROSS FLOOR AREAS

MAIN FLOOR:		4000 ft² (371.612 m²)
LIQUOR STORE	-	672 ft² (62.43 m²)
OFFICE	-	828 ft² (76.92 m²)
STORAGE	-	2500 ft² (232.26 m²)
MEZZANINE FLOOR:		1500 ft² (139.355m²)
STORAGE	-	1500 ft² (139.355m²)
TOTAL GROSS FLOOR AREA:		5500 ft² (510.967m²)

BUILDING HEIGHT
MAXIMUM HEIGHT: 26'-0" (7.925m)

PARKING INFORMATION

PARKING STALLS REQUIRED:		
LIQUOR STORE	-	6 (8.5 / 100 m²)
OFFICE	-	3 (2.8 /100 m²)
STORAGE	-	5 (1.1/100 m²)
TOTAL PARKING STALLS REQUIRED	-	14
PARKING STALLS PROVIDED	-	19

PAVED PARKING LOT WITH PAINTED LINES (NORTH & WEST SIDE OF PROPOSED BLDG.)
GRAVEL PARKING LOT (SOUTH SIDE OF THE PROPOSED BLDG.)
ALL PARKING ACCESS ROAD ARE ONE-WAY TRAFFIC

ATIA 20(1)

Accepted:

BIPUL BHOWMIK, M. Eng., P. Eng., PMP
Municipal Engineer, Development Engineering
Planning & Development Services

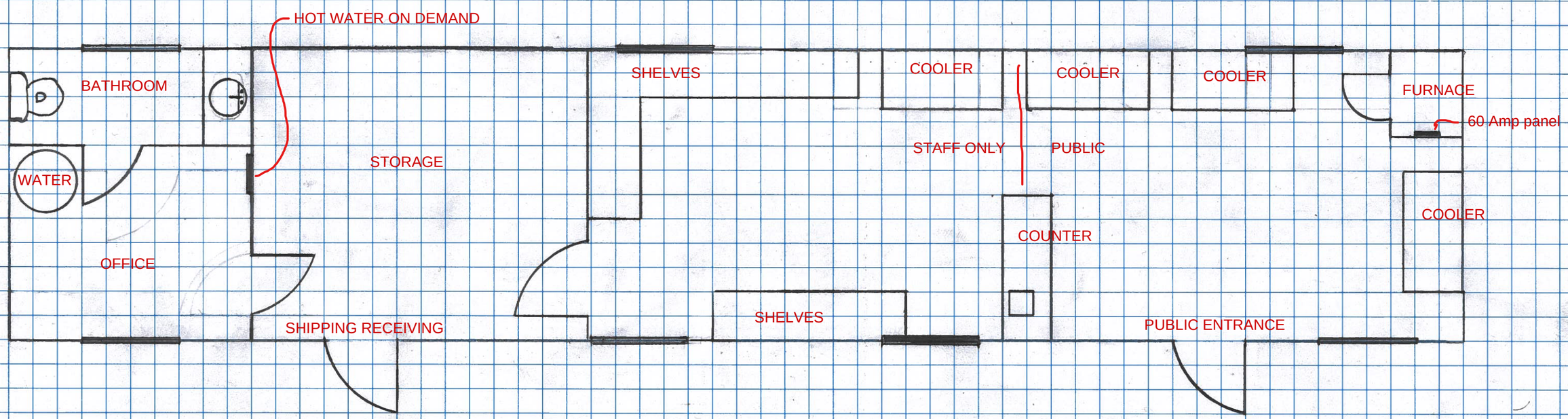
9/26/2025

KEY NOTES:

1. GARBAGE BIN ENCLOSURE
2. RETAINING WALL WITH GUARD RAIL ON TOP
3. CONCRETE SIDEWALK
4. GRASS / LANDSCAPE
5. SNOW STORAGE
6. LAMP STANDARD
7. CHAIN LINK FENCE
8. SLIDING ENTRANCE GATE
9. FUTURE ROOF SOLAR PANELS LOCATIONS T.B.D.
10. PARKING RAILS C/W CAR PLUGS
11. BARRIER FREE PARKING SIGNAGE
12. BOLLARD LOCATION
13. LOADING AREA
14. TEMPORARY CONSTRUCTION FENCING
15. NEW TRANSFORMER AND CONCRETE PAD WITH METAL RAILING AROUND TRANSFORMER
16. MAIN DOOR LOCATIONS
17. WHEEL STOPS
18. YIELD TO ONCOMING TRAFFIC SIGNAGE

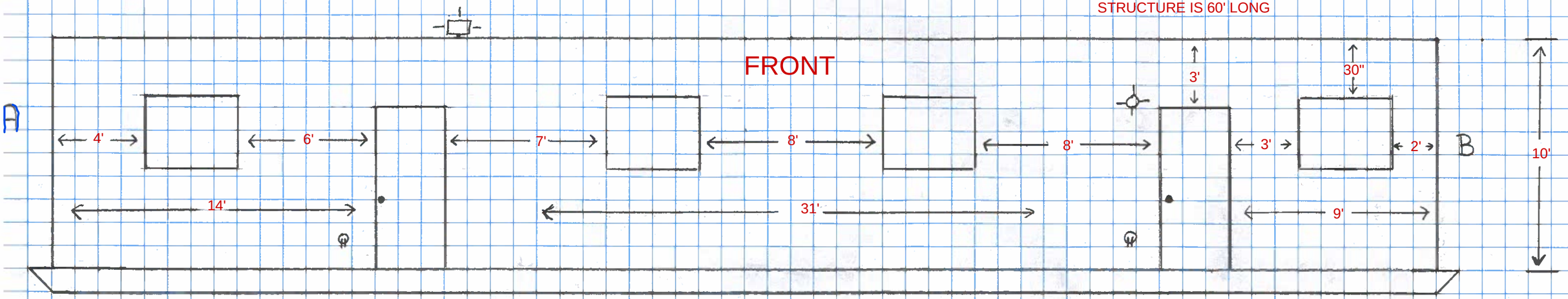
G:\2022\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE_LIQUOR.DWG
LAYOUT: A1.1
PLOTTED BY: GREGORIO NISPEROS
PAPER SIZE: ARCH D
PLOT DATE: February 2, 2024

1261446 Alberta Ltd.
193 Mackenzie Blvd.
Fort Chipewyan, Ab
Stage 1, Temporary Liquor Store

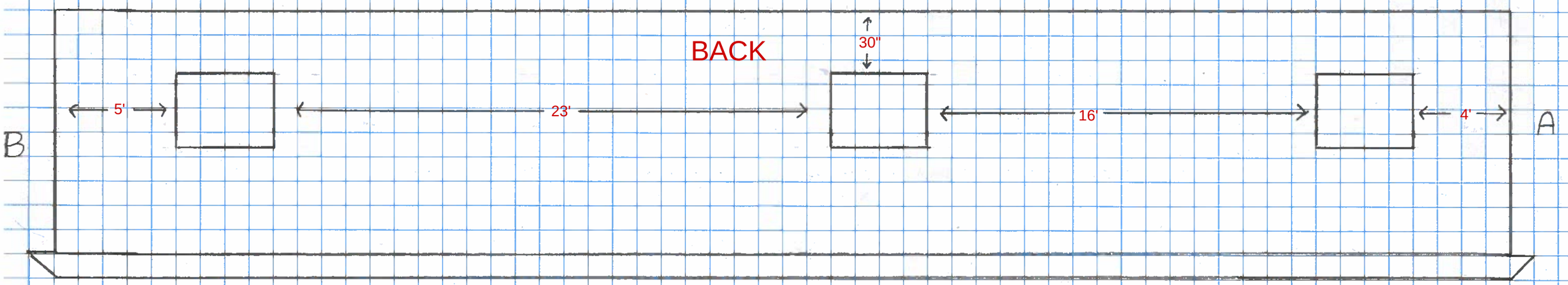


12' x 60'
720sqft
scale: 1square = 1'

STRUCTURE IS 60' LONG



ALL WINDOW ARE 3' x 4'
ALL DOORS ARE 3' x 7'

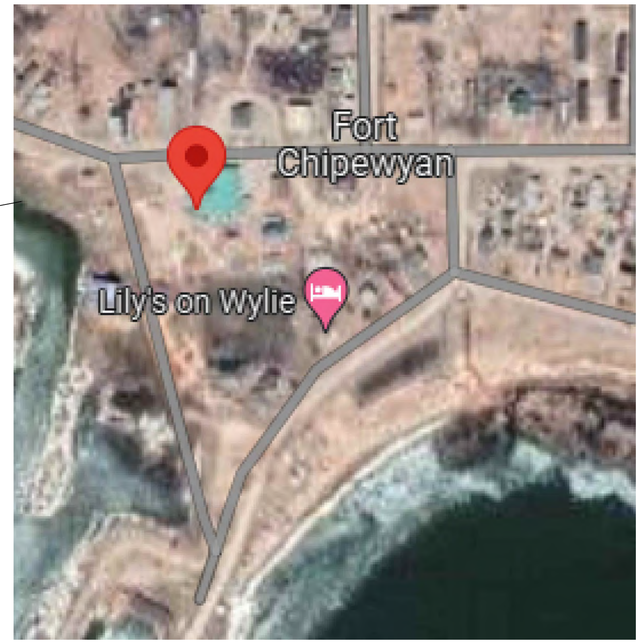


SCALE IS 1 SQUARE = 1'

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

REGIONAL MUNICIPALITY OF WOOD BUFFALO

LOCATION



KEY PLAN

PROJECT :

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

CIVIL DRAWINGS

ISSUED FOR DEVELOPMENT PERMIT - 24 SEPT 2025

PROJECT NO.: 23-2279-003

DRAWING LIST	
SHEET NO.	**SHEET DESCRIPTION**
G-001	COVERSHEET & INDEX PAGE
V-101	SURVEY PLAN
C-101	GRADING PLAN
C-102	WATER SERVICE PLAN
C-103	SANITARY SEWER PLAN

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

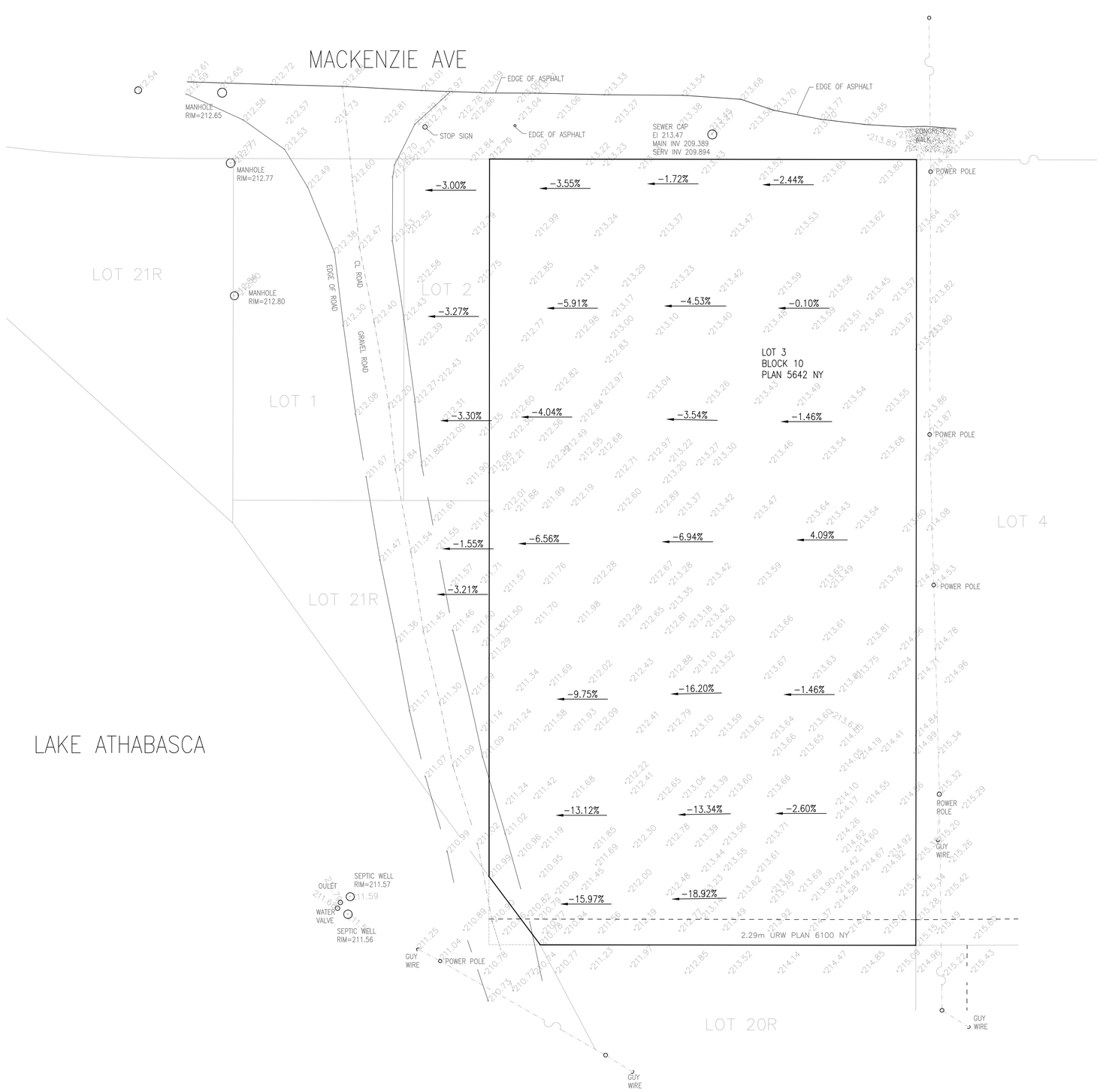
CONSULTANT

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
ELECTRICAL | CIVIL CONSULTING
9918 - 75 AVENUE Phone: (780) 468-5477
EDMONTON, AB. T6E 1J2
office@twsengineering.com www.twsengineering.com

G:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Des & CAD\23-2279-003C-20250924-EA.dwg G-001 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

TWS-CAD-DWG



ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

NO.	DATE	DESCRIPTION
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign ATIA 20(1)
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
CIVIL | ENVIRONMENTAL | CIVIL SURVEYING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

SURVEY PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

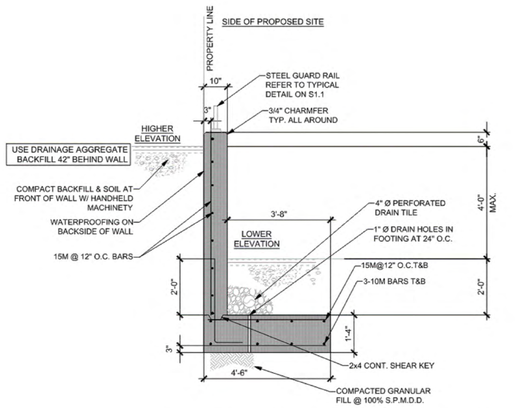
PROJECT NO.	DRAWING NO.
23-2279-003	V-101

G:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\CV2 Working Des & CAD\23-2279-003C-20250924-EA.dwg V-101 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

TWS-CAD-DWG#

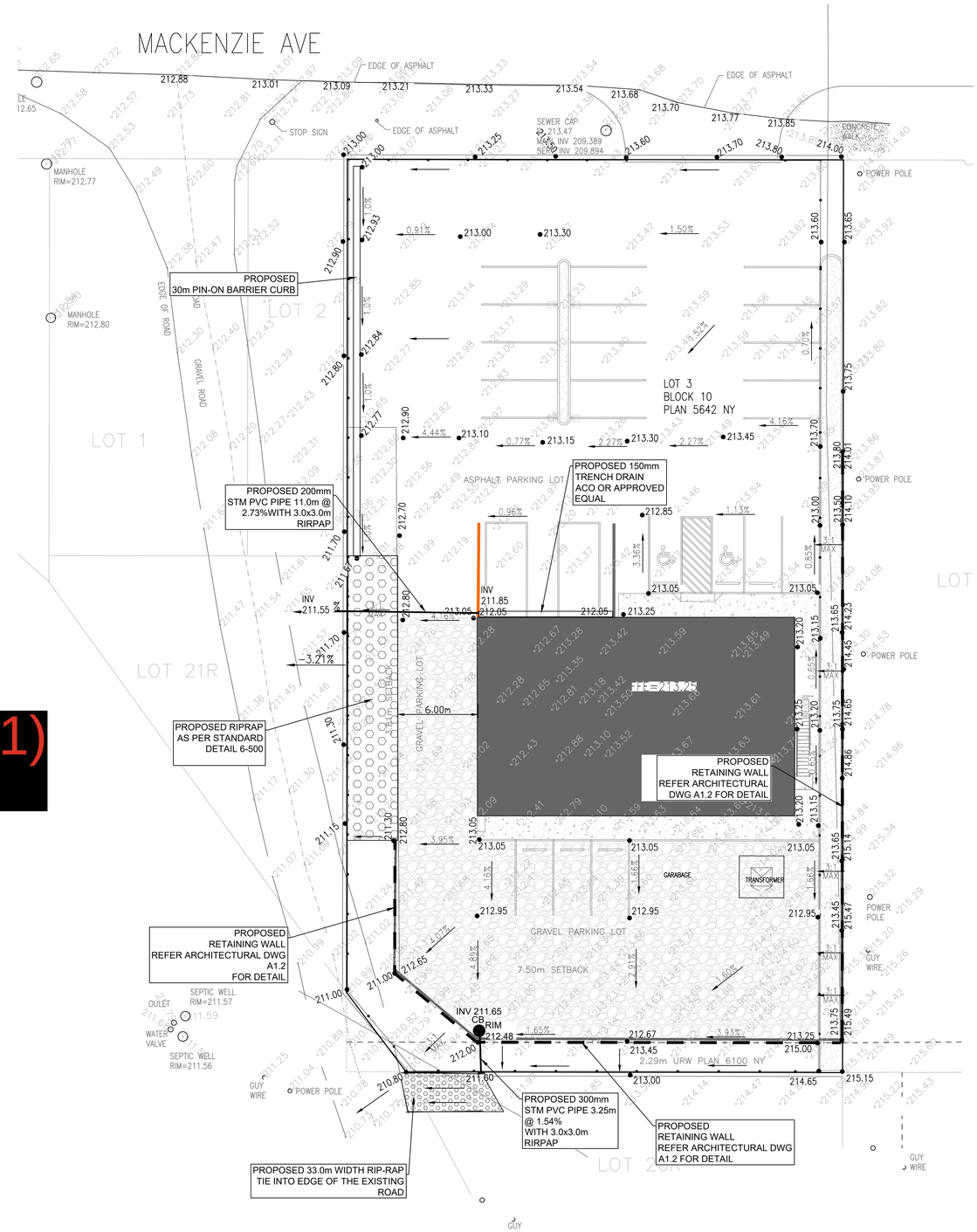
Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

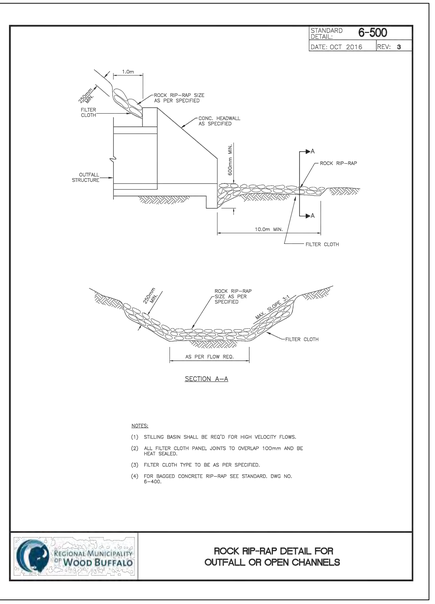


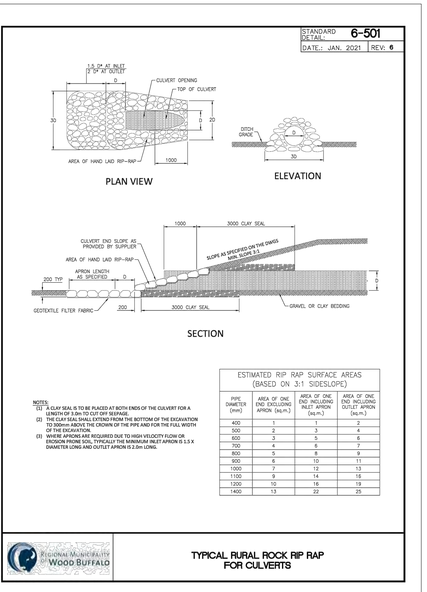
DETAIL - CONCRETE RETAINING WALL @ PROPERTY LINE

SCALE: 3/4" = 1'-0"

- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS







PROFESSIONAL ENGINEER ALBERTA MICHAEL KORTEN
ATIA 20(1)
106880
2025-09-24

ATIA 20(1)

ACCEPTED: 2025-DP-00169

ATIA 20(1)
Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

REGIONAL MUNICIPALITY OF WOOD BUFFALO

NOTES:

1. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
2. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- 213.30 PROPOSED ELEVATION
- x 213.30 EXISTING ELEVATION
- 0.77% PROPOSED SLOPE
- GRAVEL
- CONCRETE
- RETAINING WALL
- PROPOSED STORM PIPE
- PROPOSED CATCHBASIN
- RIPRAP

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2024.08.29	ADDED RETAINING WALL,TRENCH DRAIN, STORM
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

ATIA 20(1)
Sign
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta
PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL
MUNICIPAL | CIVIL CONSULTING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

GRADING PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

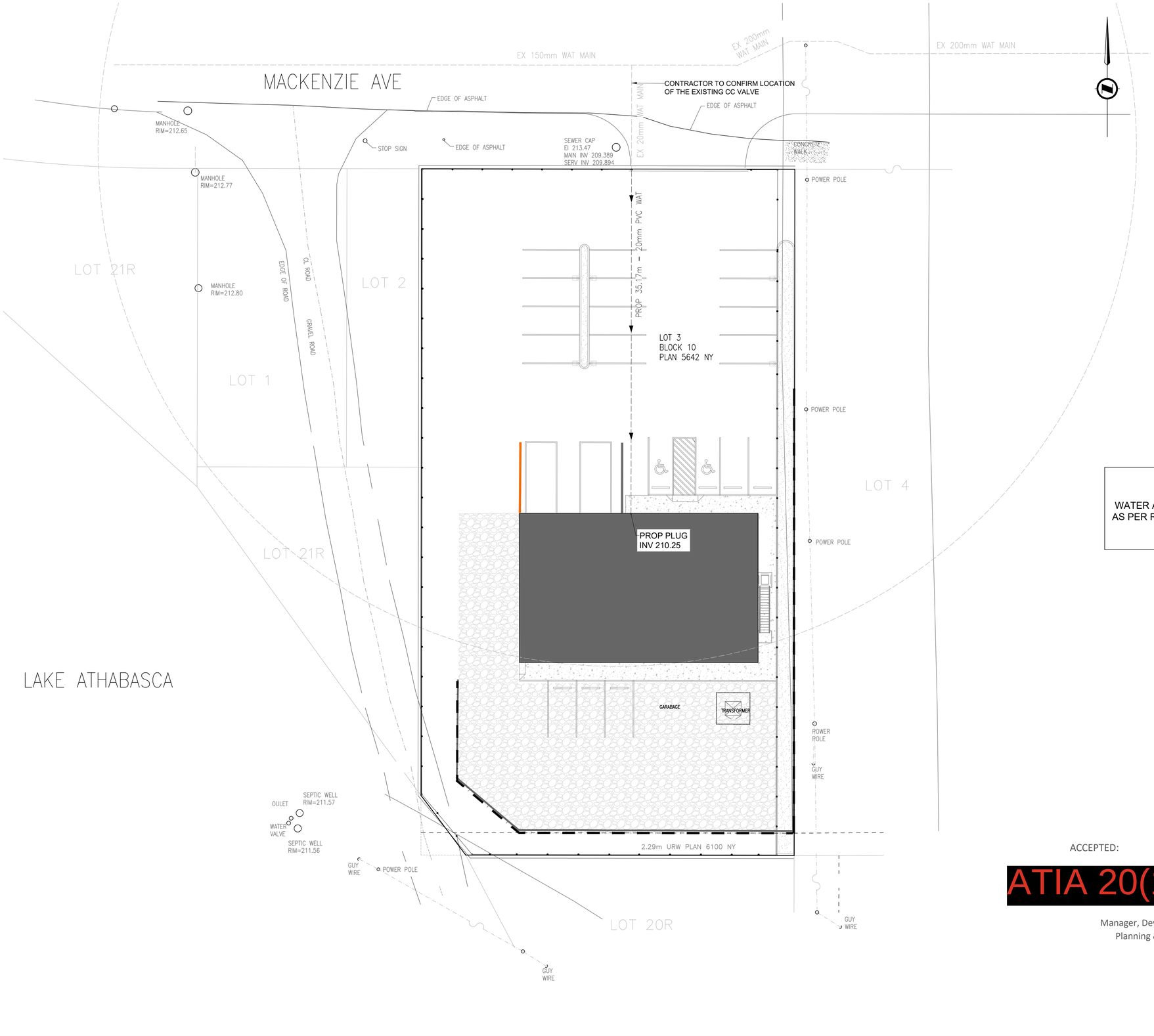
PROJECT NO.	DRAWING NO.
23-2279-003	C-101

TWS-CAD-DWG

C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-101 Sep. 24, 2025 11:54 AM - Eugene Apartain

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



WATER AND SANITARY LINES TO BE INSULATED AS PER RMWB ENGINEERING STANDARDS

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Qureshi

Manager, Development Engineering |Engineering
Planning & Development Services Division

9/25/2025

Regional Municipality of Wood Buffalo

NOTES:

1. ALL PIPE SIZES ARE IN MILLIMETER AND ALL DIMENSIONS ARE IN METER UNLESS OTHERWISE NOTED.
2. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
3. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- PROP PW 20 PVC — WATER MAIN
- EX PW 150 TYPE — EXISTING WATER MAIN
- EXISTING MANHOLE
- EXISTING OVERHEAD POWER LINE
- GRAVEL
- CONCRETE
- RETAINING WALL

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2025.09.11	REVISED WATER MAIN SIZE
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign ATIA 20(1)
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL | ELECTRICAL | CIVIL CONSULTING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

WATER SERVICE PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

PROJECT NO.	DRAWING NO.
23-2279-003	C-102

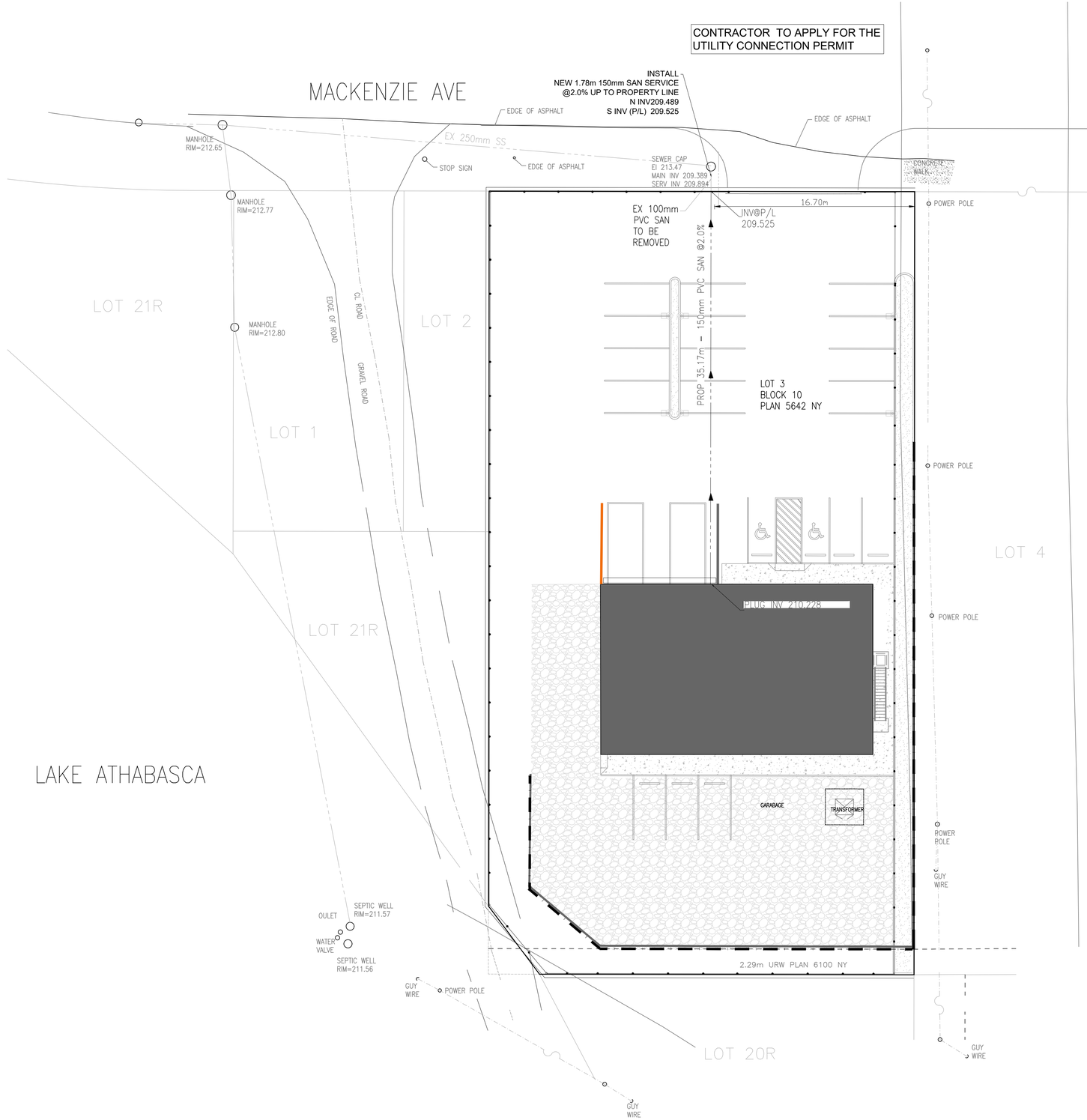
TWS-CAD-DWG#

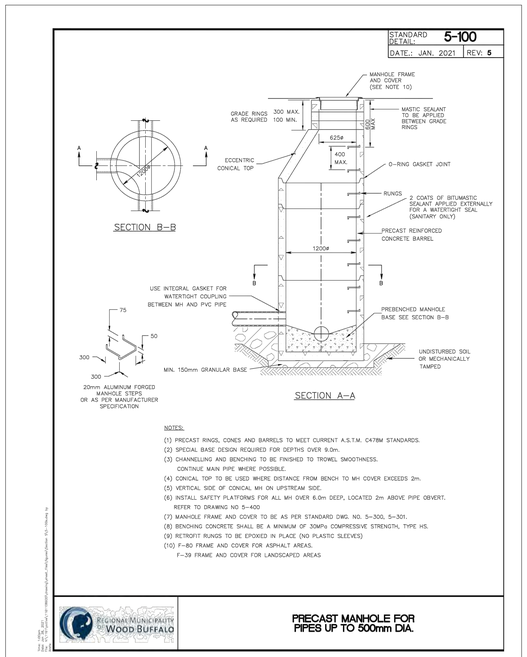
C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\CV2 Working Dwg & CAD\23-2279-003C-20250924-E4.dwg C-102 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972

CONTRACTOR TO APPLY FOR THE UTILITY CONNECTION PERMIT





WATER AND SANITARY LINES TO BE INSULATED AS PER RMWB ENGINEERING STANDARDS

ACCEPTED: 2025-DP-00169

ATIA 20(1)

Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

Regional Municipality of Wood Buffalo

NOTES:

1. ALL PIPE SIZES ARE IN MILLIMETER AND ALL DIMENSIONS ARE IN METER UNLESS OTHERWISE NOTED.
2. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
3. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- PROP SS 100 PVC — SAN SEWER
- EX SS 250 TYPE — EXISTING SAN SEWER
- EXISTING MANHOLE
- EXISTING OVERHEAD POWER LINE
- GRAVEL
- CONCRETE
- RETAINING WALL

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign ATIA 20(1)
Date
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta

PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL | MECHANICAL | ELECTRICAL | CIVIL CONSULTING

PROJECT NAME
LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE
SANITARY SEWER PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

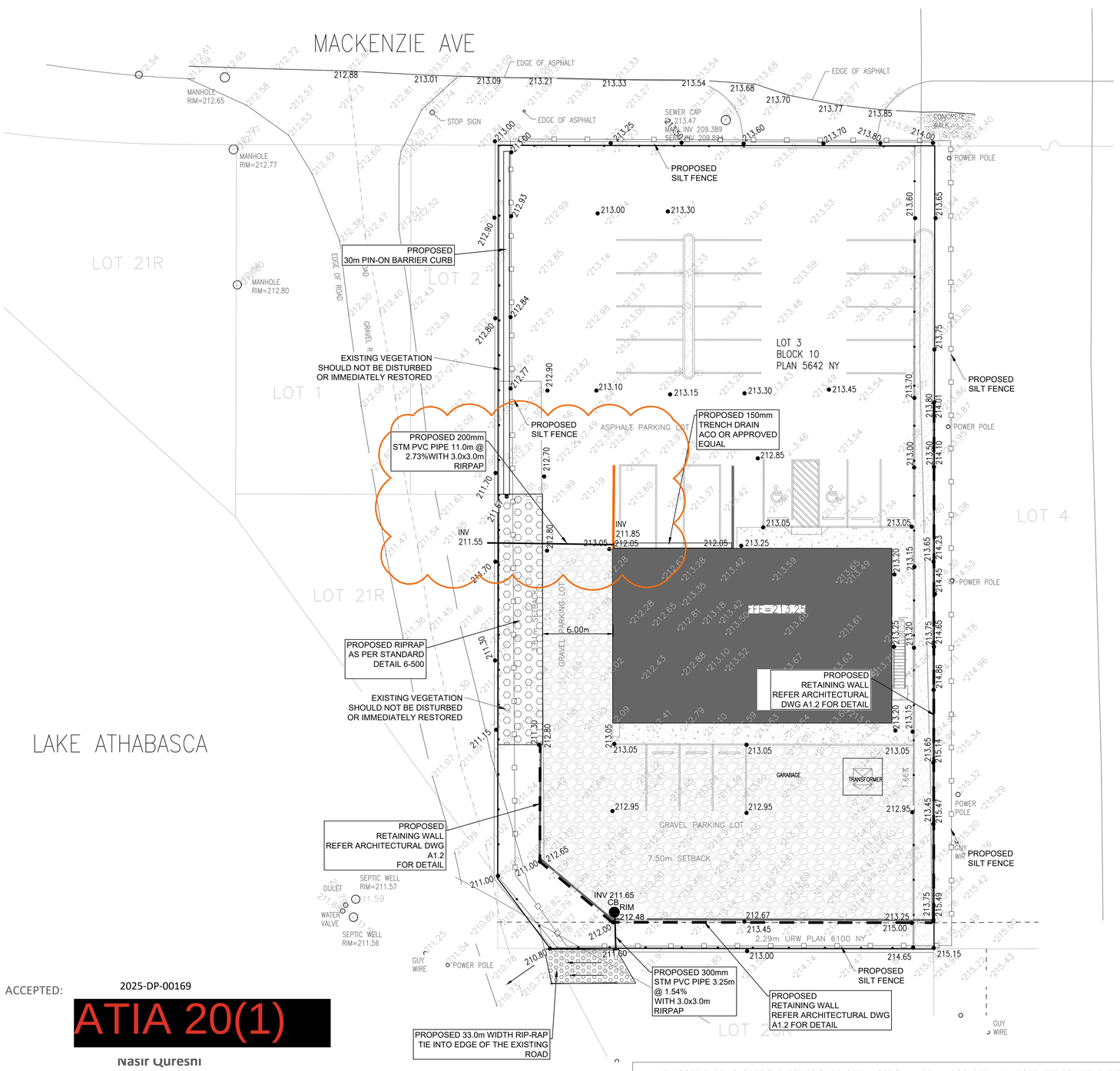
PROJECT NO.	DRAWING NO.
23-2279-003	C-103

C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-103 Sep. 24, 2025 11:54 AM - Eugene Apartsin

Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE

TWS-CAD-DWG#

Docusign Envelope ID: 75D4898E-DA56-485C-89BE-0062D4AC3972



ALL EXPOSED EARTH SLOPES SUBJECT TO SURFACE RUNOFF SHALL BE LANDSCAPED AND VEGETATED TO PREVENT THE MOBILIZATION AND EROSION OF SILTS AND MATERIALS FROM THE SLOPE. EROSION CONTROL BLANKETS OR STRAW / COCO-MATTING SHALL BE INSTALLED AT THE DEVELOPER'S COST AT THE DIRECTION AND DISCRETION OF THE MUNICIPALITY IF THERE IS AN IDENTIFIED RISK OF EROSION PRIOR TO THE ESTABLISHMENT OF VEGETATION ON SLOPES.

ACCEPTED: 2025-DP-00169

ATIA 20(1)

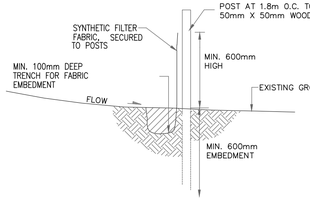
Nasir Quresni
Manager, Development Engineering |Engineering
Planning & Development Services Division
9/25/2025

EROSION & SEDIMENT CONTROL GENERAL NOTES

1. THE OWNER/DEVELOPER MUST CONFORM TO THE REQUIREMENTS OF THE RMWB EROSION AND SEDIMENTATION CONTROL GUIDELINES AND FIELD MANUAL
2. FUTURE LOT DEVELOPERS/BUILDERS MUST PROVIDE AND IMPLEMENT A DETAILED EROSION AND SEDIMENTATION CONTROL PLAN AT THE TIME OF DEVELOPMENT OF EACH INDIVIDUAL LOT CONFORMING TO THE RMWB SECTION 6.25 EROSION AND SEDIMENT CONTROL AND SECTION 12 EROSION AND SEDIMENT CONTROL MEASURES.
3. THE CONTRACTOR ACKNOWLEDGES THAT SURFACE EROSION AND SEDIMENT RUNOFF RESULTING FROM THE CONSTRUCTION OPERATIONS HAS POTENTIAL TO CAUSE A DETRIMENTAL IMPACT TO ANY DOWNSTREAM WATERCOURSE OR SEWER, AND THAT ALL CONSTRUCTION OPERATIONS THAT MAY IMPACT UPON WATER QUALITY SHALL BE CARRIED OUT IN A MANNER THAT STRICTLY MEETS THE REQUIREMENTS OF ALL APPLICABLE LEGISLATION AND REGULATIONS.
4. AS SUCH THE CONTRACTOR SHALL BE RESPONSIBLE FOR CARRYING OUT THEIR OPERATIONS, AND SUPPLYING AND INSTALLING ANY APPROPRIATE CONTROL MEASURES, SO AS TO PREVENT SEDIMENT LADEN RUNOFF FROM ENTERING ANY SEWER OR WATERCOURSE WITHIN OR DOWNSTREAM OF THE WORKING AREA.
5. THE CONTRACTOR ACKNOWLEDGES THAT NO ONE MEASURE IS LIKELY TO BE 100% EFFECTIVE FOR EROSION PROTECTION AND CONTROLLING SEDIMENT RUNOFF AND DISCHARGES FROM THE SITE. THEREFORE, WHERE NECESSARY THE CONTRACTOR SHALL IMPLEMENT ADDITIONAL MEASURES ARRANGED IN SUCH A MANNER AS TO MITIGATE SEDIMENT RELEASE FROM THE CONSTRUCTION OPERATIONS AND ACHIEVE SPECIFIC MAXIMUM PERMITTED CRITERIA WHERE APPLICABLE. SUGGESTED ON-SITE MEASURES MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING METHODS: SEDIMENT PONDS, FILTER BAGS, PUMP FILTERS, SETTLING TANKS, SILT FENCES, STRAW BALES, FILTER CLOTHS, CATCH BASIN FILTERS, CHECK DAMS AND/OR BERMS, OR OTHER RECOGNIZED TECHNOLOGIES AND METHODS AVAILABLE AT THE TIME OF CONSTRUCTION. SPECIFIC MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF TOWN OF ST ALBERT CONTRACT SPECIFICATION SECTION 01 35 43 WHERE APPROPRIATE, OR IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
6. WHERE, IN THE OPINION OF THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY, THE INSTALLED CONTROL MEASURES FAIL TO PERFORM ADEQUATELY, THE CONTRACTOR SHALL SUPPLY AND INSTALL ADDITIONAL OR ALTERNATIVE MEASURES AS DIRECTED BY THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY. AS SUCH, THE CONTRACTOR SHALL HAVE ADDITIONAL CONTROL MATERIALS ON SITE AT ALL TIMES WHICH ARE EASILY ACCESSIBLE AND MAY BE IMPLEMENTED BY HIM AT A MOMENT'S NOTICE.
7. PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL SUBMIT TO THE CONTRACT ADMINISTRATOR SIX COPIES OF A DETAILED EROSION AND SEDIMENT CONTROL PLAN (ESCP). THE ESCP WILL CONSIST OF A WRITTEN DESCRIPTION AND DETAILED DRAWINGS INDICATING THE ON-SITE ACTIVITIES AND MEASURES TO BE USED TO CONTROL EROSION AND SEDIMENT MOVEMENT FOR EACH STEP OF THE WORK.

CONTRACTOR'S RESPONSIBILITIES FOR EROSION & SEDIMENT CONTROL

1. THE CONTRACTOR SHALL ENSURE THAT ALL WORKERS, INCLUDING SUB-CONTRACTORS, IN THE WORKING AREA ARE AWARE OF THE IMPORTANCE OF THE EROSION AND SEDIMENT CONTROL MEASURES AND INFORMED OF THE CONSEQUENCES OF THE FAILURE TO COMPLY WITH THE REQUIREMENTS OF ALL REGULATORY AGENCIES.
2. THE CONTRACTOR SHALL PERIODICALLY, AND WHEN REQUESTED BY THE CONTRACT ADMINISTRATOR, CLEAN OUT ACCUMULATED SEDIMENT DEPOSITS AS REQUIRED AT THE SEDIMENT CONTROL DEVICES, INCLUDING THOSE DEPOSITS THAT MAY ORIGINATE FROM OUTSIDE THE CONSTRUCTION AREA. ACCUMULATED SEDIMENT SHALL BE REMOVED IN SUCH A MANNER THAT PREVENTS THE DEPOSITION OF THIS MATERIAL INTO ANY SEWER OR WATERCOURSE AND AVOIDS DAMAGE TO THE CONTROL MEASURE. THE SEDIMENT SHALL BE REMOVED FROM THE SITE AT THE CONTRACTOR'S EXPENSE AND MANAGED IN COMPLIANCE WITH THE REQUIREMENTS FOR EXCESS EARTH MATERIAL AS SPECIFIED ELSEWHERE IN THE CONTRACT.
3. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO THE CONTRACT ADMINISTRATOR ANY ACCIDENTAL DISCHARGES OF SEDIMENT MATERIAL INTO EITHER THE WATERCOURSE OR THE STORM SEWER SYSTEM. FAILURE TO REPORT WILL CONSTITUTE A BREACH OF THIS SPECIFICATION AND THE CONTRACTOR MAY ALSO BE SUBJECT TO THE PENALTIES IMPOSED BY ANY APPLICABLE REGULATORY AGENCY. APPROPRIATE RESPONSE MEASURES, INCLUDING ANY REPAIRS TO EXISTING CONTROL MEASURES OR THE IMPLEMENTATION OF ADDITIONAL CONTROL MEASURES, SHALL BE CARRIED OUT BY THE CONTRACTOR WITHOUT DELAY.
4. THE SEDIMENT CONTROL MEASURES SHALL ONLY BE REMOVED WHEN, IN THE OPINION OF THE CONTRACT ADMINISTRATOR, THE MEASURE OR MEASURES, IS NO LONGER REQUIRED. NO CONTROL MEASURE MAY BE PERMANENTLY REMOVED WITHOUT PRIOR AUTHORIZATION FROM THE CONTRACT ADMINISTRATOR. ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE REMOVED IN A MANNER THAT AVOIDS THE ENTRY OF ANY EQUIPMENT, OTHER THAN HAND-HELD EQUIPMENT, INTO ANY WATERCOURSE, AND PREVENTS THE RELEASE OF ANY SEDIMENT OR DEBRIS INTO ANY SEWER OR WATERCOURSE WITHIN OR DOWNSTREAM OF THE WORKING AREA. ALL ACCUMULATED SEDIMENT SHALL BE REMOVED FROM THE WORKING AREA AT THE CONTRACTOR'S EXPENSE AND MANAGED IN COMPLIANCE WITH THE REQUIREMENTS FOR EXCESS EARTH MATERIAL.
5. WHERE, IN THE OPINION OF EITHER THE CONTRACT ADMINISTRATOR OR A REGULATORY AGENCY, ANY OF THE TERMS SPECIFIED HEREIN HAVE NOT BEEN COMPLIED WITH OR PERFORMED IN A SUITABLE MANNER, OR AT ALL, THE CONTRACT ADMINISTRATOR OR REGULATORY AGENCY HAS THE RIGHT TO IMMEDIATELY WITHDRAW ITS PERMISSION TO CONTINUE THE WORK BUT MAY RENEW ITS PERMISSION UPON BEING SATISFIED THAT THE DEFAULTS OR DEFICIENCIES IN THE PERFORMANCE OF THIS SPECIFICATION BY THE CONTRACTOR HAVE BEEN REMEDIED.



SILT FENCE

STILT FENCE NOTES

1.SILT FENCE TO BE INSPECTED WEEKLY (MIN) AND AFTER ANY RAIN EVENTS

2.FABRIC TO BE TRENCHED IN, TIGHT AND CONSISTENT BETWEEN ALL POSTS.

3.ADD ADDITIONAL POST AS REQUIRED.

4.OVERALL FENCE INSTALLATION TO BE INSTALLED IN STRATEGIC SEMI-CIRCLES, WITH THE CROWN OF THE CURVE TO BE IN DIRECTION OF THE WATER FLOW. THE INTENT IS TO INCREASE STABILIZATION AND EFFECTIVENESS OF THE FENCE.

5.AT FACE ALL POST TO BE REMOVED AND FABRIC TO BE CUT FLUSH WITH GROUND - DO NOT PULL FENCE FABRIC FROM TRENCH

6.SEDIMENT TO BE REMOVED WHEN ACCUMULATION REACHES ⅓ OF FENCE HEIGHT

7.SEDIMENT TO BE REMOVED TO AN OFFSITE LOCATION

8.SECURELY ATTACH FILTER FABRIC TO UPSTREAM SIDE POST.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

NOTES:

1. ALL WORK AND MATERIALS ARE AS DESCRIBED IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO "ENGINEERING SERVICING STANDARDS AND DEVELOPMENT PROCEDURES" AND THE "STANDARD CONSTRUCTION SPECIFICATIONS" OR AS OTHERWISE APPROVED BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."
2. CONNECTION TO, OR ALTERATION OF, EXISTING MUNICIPAL-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE MANAGER OF DEVELOPMENT SERVICES IN THE ENGINEERING DEPARTMENT."

LEGENDS:

- 213.30 — PROPOSED ELEVATION
- 213.30 — EXISTING ELEVATION
- 0.77% — PROPOSED SLOPE
- GRAVEL
- CONCRETE
- RETAINING WALL
- PROPOSED STORM PIPE
- PROPOSED CATCHBASIN
- RIPRAP

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
G	2024.08.29	ADDED RETAINING WALL,TRENCH DRAIN, STORM
F	2024.05.08	ISSUED FOR DEVELOPMENT PERMIT
E	2024.05.02	ISSUED FOR APPROVAL
D	2024.03.14	ISSUED FOR APPROVAL
C	2024.01.31	ISSUED FOR APPROVAL
B	2023.11.06	ISSUED FOR APPROVAL
A	2023.08.14	ISSUED FOR APPROVAL

SEAL / PERMIT STAMP

Sign: ATIA 20(1)
Date:
PERMIT N
The Association of Professional Engineers Geologists and Geophysicists of Alberta
PERMIT # 2276
2025-09-24

CONSULTANT NAME

TWS Engineering Ltd.
STRUCTURAL & MECHANICAL ELECTRICAL (LOW) CONSULTING

PROJECT NAME

LAKESIDE LIQUOR
193 MACKENZIE AVE, FORT CHIPEWYAN, AB
LOT 3 BLOCK 10 PLAN 5642NY

TITLE

EROSION CONTROL PLAN

APPROVED BY	CHECKED BY	DRAWN BY
MHE	EA	RB

SCALE	DATE
1:200	SEP 24/25

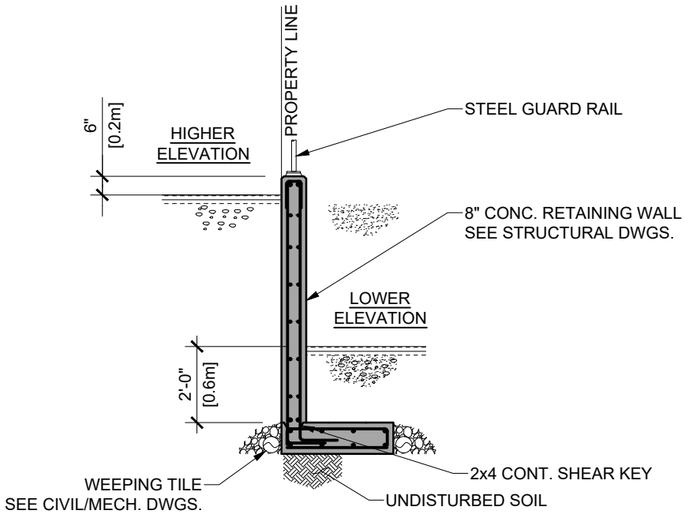
PROJECT NO.	DRAWING NO.
23-2279-003	C-104

Page 281

TWS-CAD-BWG

C:\2023\2200 - 2299\2279 Vertical Building\23-2279-003 Fort Chipewyan Store\C\2 Working Dwg & CAD\23-2279-003C-20250924-EA.dwg C-104 Sep. 24, 2025 11:55 AM - Eugene Apertain

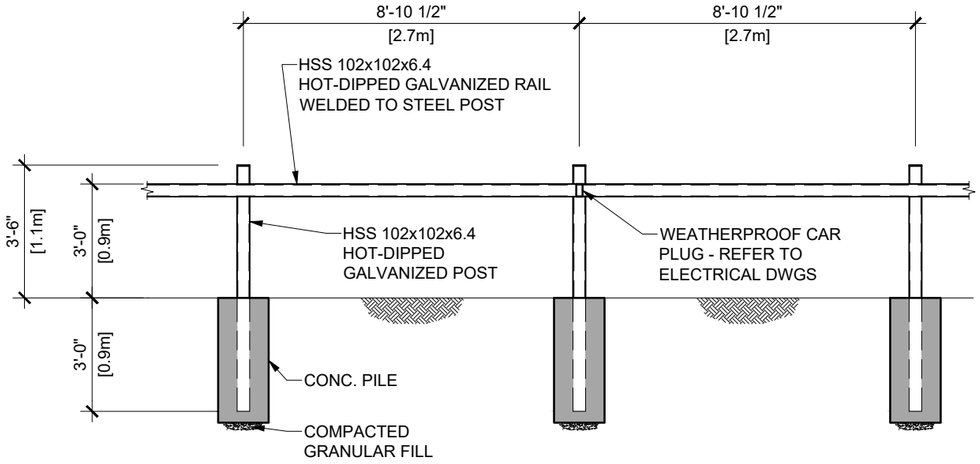
Last Saved: Sep. 24, 2025 11:53 AM By: EUGENE



DETAIL - CONCRETE RETAINING WALL @ PROPERTY LINE

SCALE: 1/4" = 1'-0"

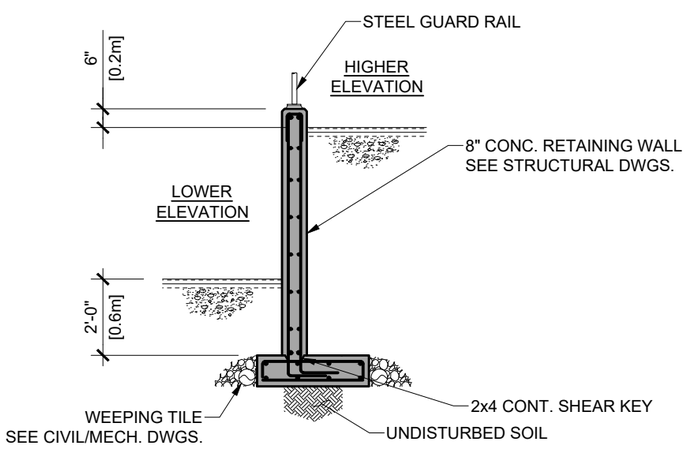
- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS



DETAIL - CAR PARK RAILING

SCALE: 1/4" = 1'-0"

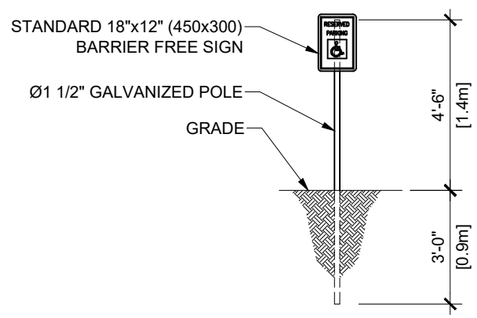
- SEE SITE PLAN FOR EXTENT AND LOCATIONS



DETAIL - CONCRETE RETAINING WALL

SCALE: 1/4" = 1'-0"

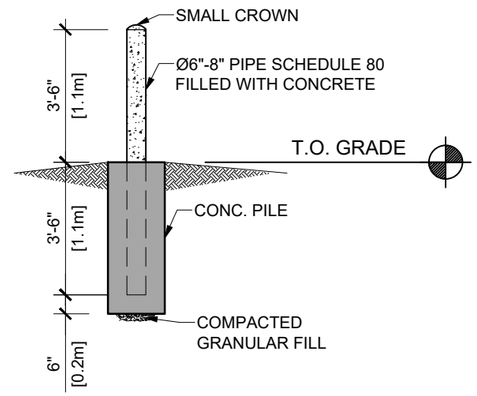
- SEE SITE PLAN FOR RETAINING WALL EXTENT AND LOCATIONS



DETAIL - BARRIER FREE PARKING SIGNAGE

SCALE: 1/4" = 1'-0"

- SEE SITE PLAN FOR EXTENT AND LOCATIONS



DETAIL - BOLLARD CONSTRUCTION

SCALE: 3/4' = 1'-0"

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

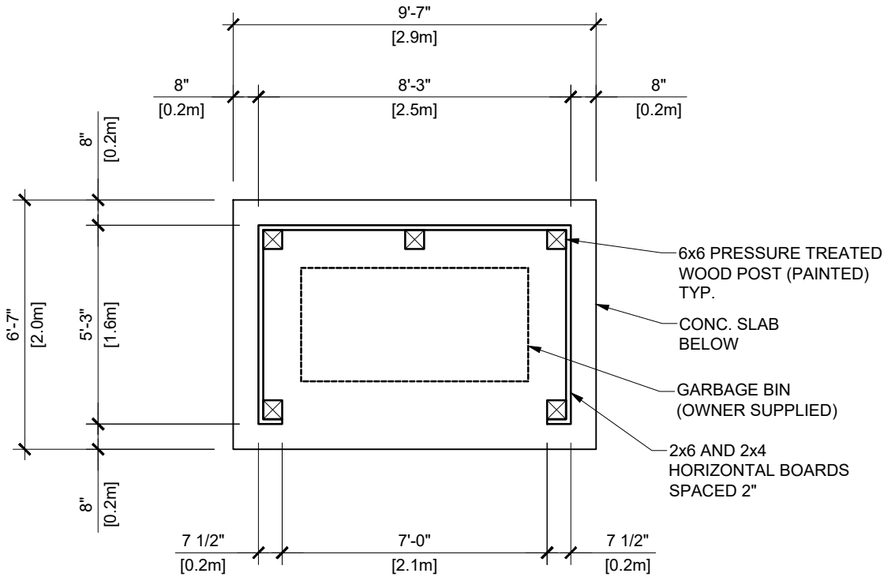
SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

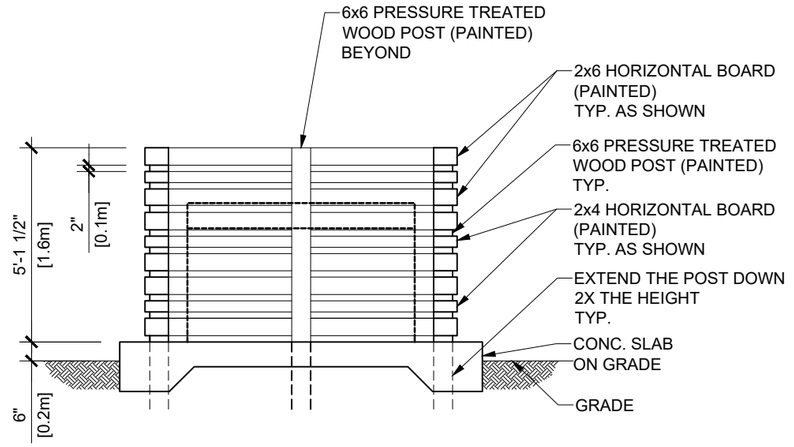
TITLE
SITE PLAN DETAILS

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A1.2

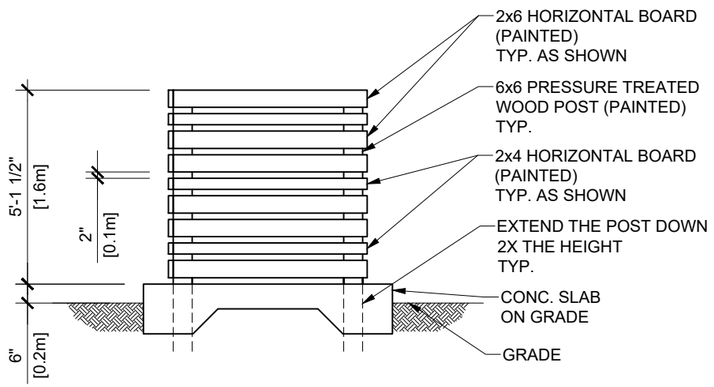
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A1.2
PAPER SIZE: ANSI B
PLOTTED BY: GREGORIO NISPEROS
PLOT DATE: February 2, 2024
G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS



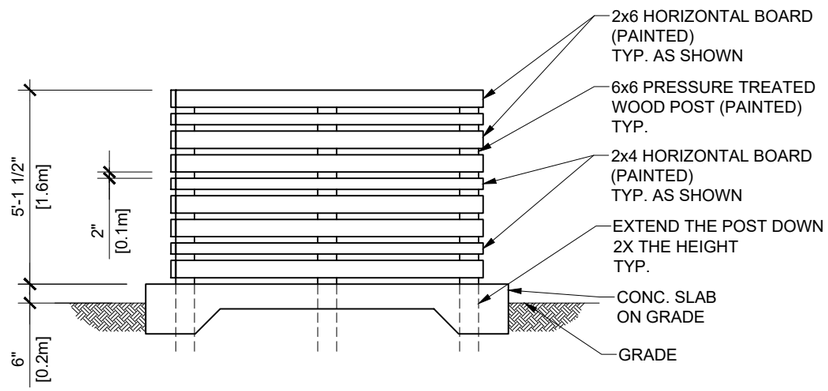
PLAN



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

DETAIL - GARBAGE BIN ENCLOSURE

SCALE: 1/4" = 1'-0"

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
SITE PLAN DETAILS

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A1.3

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A1.3
PAPER SIZE: ANSI B
PLOTTED BY: GREGORIO NISPEROS
PLOT DATE: February 2, 2024

BUILDING CONSTRUCTION

EXTERIOR WALLS
EIFS ON STEEL STUD WALLS

FLOOR
FINISHED FLOORING ON SLAB ON GRADE

ROOF
SPS ROOF SYSTEM ON METAL ROOF DECK

LIMITING DISTANCE CALCULATIONS

	E CLASSIFICATION (NORTH WALL)	E CLASSIFICATION (SOUTH WALL)	E CLASSIFICATION (EAST WALL)	E CLASSIFICATION (WEST WALL)
LIMITING DISTANCE:	115'-6" (35.3m)	64'-7" (19.7m)	6'-3" (1.9m)	32'-10" (10m)
WALL LENGTH:	80'-0" (24.4m)	80'-0" (24.4m)	50'-0" (15.2m)	50'-0" (15.2m)
WALL HEIGHT:	25'-0" (7.6m)	22'-0" (6.7m)	27'-6" (8.4m)	27'-6" (8.4m)
RATIO:	XXX	XXX	XXX	XXX
AREA OF UNPROTECTED	356 ft^2 (33.1m^2)	42 ft^2 (3.9 m^2)	0	0
OPENINGS CALCULATED	17.13%	2.30%	0%	0%
FROM TABLE				
FIRE RATING REQUIRED	2 HR	2 HR	2 HR	2 HR
COMBUSTIBLE CONSTRUCTION ALLOWED	Y	N	N	N
COMBUSTIBLE CLADDING ALLOWED	N	N	N	N

- CONSTRUCTION OF EXPOSED BUILDING FACE AS PER 2019 ABC 3.2.3.7.

WALL SCHEDULE

MARK	LOCATION	DESCRIPTION
W1	EXTERIOR WALL	EXTERIOR FINISH 2" EIFS INSULATION (RAIN SCREEN) ROLL ON AIR BARRIER (VP) 1/2" DENGLASS SHEATHING 6" x 20 Ga. STEEL STUDS @ 16" O.C. R22 BATT INSULATION 6 mil POLY VAPOUR BARRIER 2 LAYERS 5/8" GYPSUM BOARD WALL FINISH
W2	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 6" STEEL STUDS @ 16" O.C 5/8" GYPSUM BOARD WALL FINISH
W3	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 3 5/8" STEEL STUDS @ 16" O.C 5/8" GYPSUM BOARD WALL FINISH
W4	INTERIOR WALL	WALL FINISH 5/8" GYPSUM BOARD 6" STEEL STUDS @ 16" O.C. 6" MINERAL FIBER INSULATION 5/8" GYPSUM BOARD WALL FINISH -OR- INSULATED METAL PANELS (IMP) FOR COLD STORAGE APPLICATION

WINDOW SCHEDULE

MARK	WIDTH	HEIGHT	COUNT	DESCRIPTION
A1	7'-0"	1'-6"	4	EXTERIOR WINDOW
A2	10'-0"	8'-0"	1	MAIN ENTRANCE WINDOW AROUND DOUBLE SLIDING DOOR

DOOR SCHEDULE

MARK	WIDTH	HEIGHT	COUNT	DESCRIPTION
D1	3'-4"	7'-0"	2	EXTERIOR MANDOOR
D2	6'-0"	8'-0"	1	MAIN ENTRANCE DOUBLE SLIDING DOOR
D3	8'-0"	8'-0"	1	STORAGE ROOM OVERHEAD DOOR
D4	10'-0"	12'-0"	1	COLD STORAGE ROOM OVERHEAD DOOR
D5	3'-4"	7'-0"	1	TYPICAL MANDOOR
D6	6'-0"	7'-0"	1	TYPICAL DOUBLE MANDOOR

FIRE RATINGS, ETC REQUIRED
- FLOOR ASSEMBLIES SHALL BE FIRE SEPARATIONS AND, IF OF COMBUSTIBLE CONSTRUCTION, SHALL HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
- MEZZANINES SHALL HAVE, IF OF COMBUSTIBLE CONSTRUCTION, A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
- ROOF ASSEMBLIES SHALL HAVE, IF OF COMBUSTIBLE CONSTRUCTION, A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN.
- LOADBEARING WALLS, COLUMNS AND ARCHES SUPPORTING AS ASSEMBLY REQUIRED TO HAVE A FIRE-RESISTANCE RATING SHALL
  i) HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 45 MIN,
  OR
  ii) BE OF NONCOMBUSTIBLE CONSTRUCTION. - 1 HR 1 HR FRR/FIRE SEPARATION AND MECHANICAL UTILITY ROOMS.
- 2 HR FRR/FIRE SEPARATION BETWEEN SUITES.
- FIRE ALARM SYSTEM IS NOT REQUIRED.
- STANDPIPE & HOSE SYSTEM IS NOT REQUIRED.

SETBACK REQUIREMENTS

MINIMUM LOT AREA: 465m^2
MINIMUM LOT WIDTH: 16.0m
MINIMUM YARD SETBACKS
FRONT: AT THE DISCRETION OF THE DEVELOPMENT OFFICER
SIDE: 4.5m OR 10% OF THE LOT WIDTH, WHICHEVER IS LESS
REAR: 7.5m
MAXIMUM HEIGHT: 10.0m

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

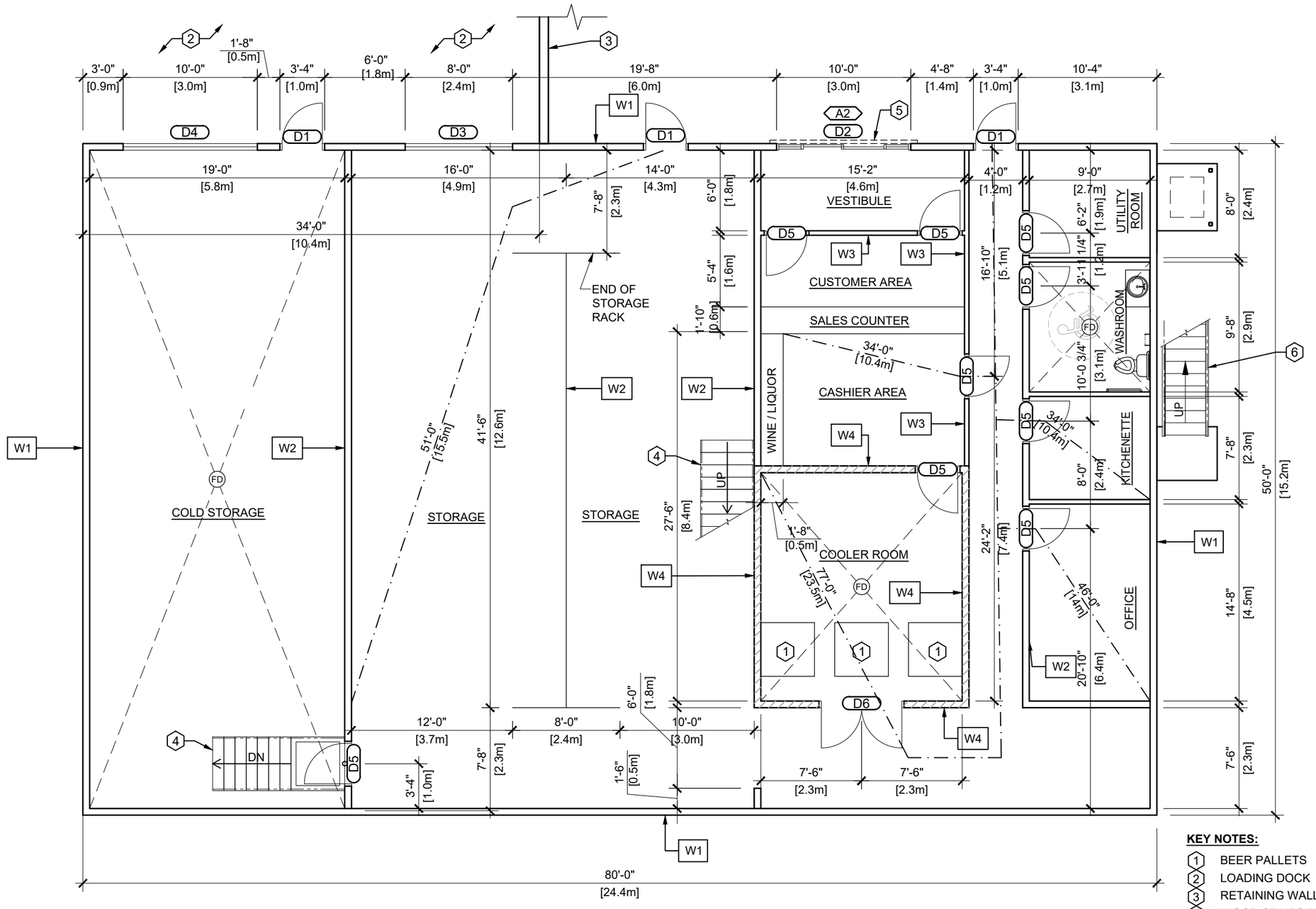
SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
PROJECT INFORMATION, CODE ANALYSIS, & SCHEDULES

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A1.4

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A1.4
PLOTTED BY: GREGORIO NISPEROS



KEY NOTES:

1. BEER PALLETS
2. LOADING DOCK
3. RETAINING WALL
4. WOOD STAIRS / LANDING WITH HANDRAIL / GUARDRAIL
5. SECURITY ROLL OVER AT FRONT ENTRANCE
6. EXTERIOR STEEL LADDER WITH STEEL FRAMING LANDING AND HANDRAIL / GUARDRAIL

NORTH

MAIN FLOOR PLAN

SCALE: 1/8" = 1'-0"

1. SEE WALL SCHEDULE ON DRAWING A1.4
2. SEE DOOR & WINDOW SCHEDULES ON DRAWING A1.4

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

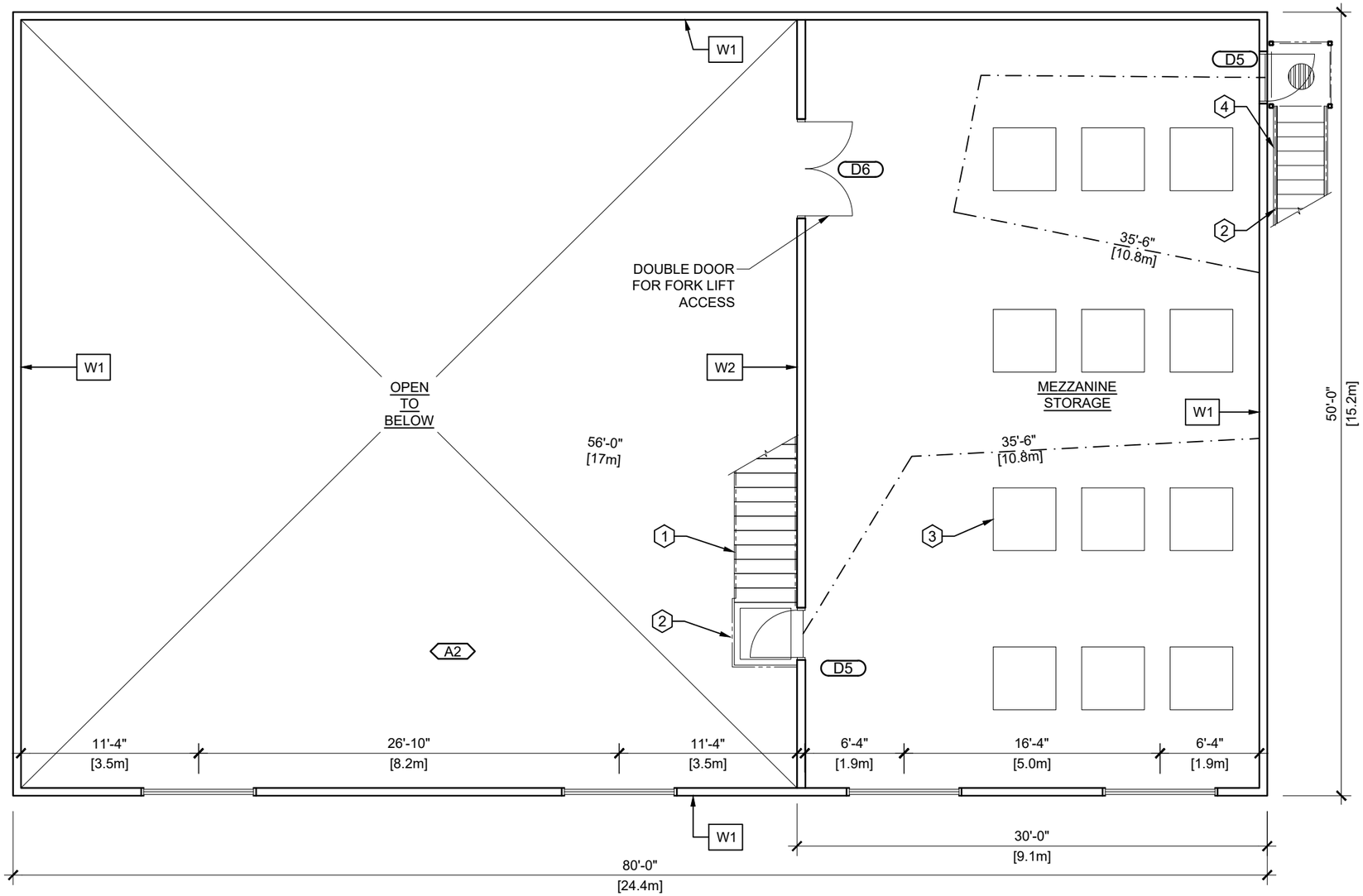
SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
MAIN FLOOR PLAN

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A2.1

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A2.1
PLOTTED BY: GREGORIO NISPEROS



KEY NOTES:

1. WOOD STAIR WITH WOOD FRAMING LANDING
2. GUARD RAIL / HANDRAIL
3. PALLETS STORAGE
4. STEEL STAIR WITH STEEL FRAMING LANDING

MEZZANINE PLAN

SCALE: 1/8" = 1'-0"

NORTH

1. REFER TO WALL SCHEDULE ON DRAWING A1.4
2. SEE DOOR & WINDOW SCHEDULES ON DRAWING A1.4

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

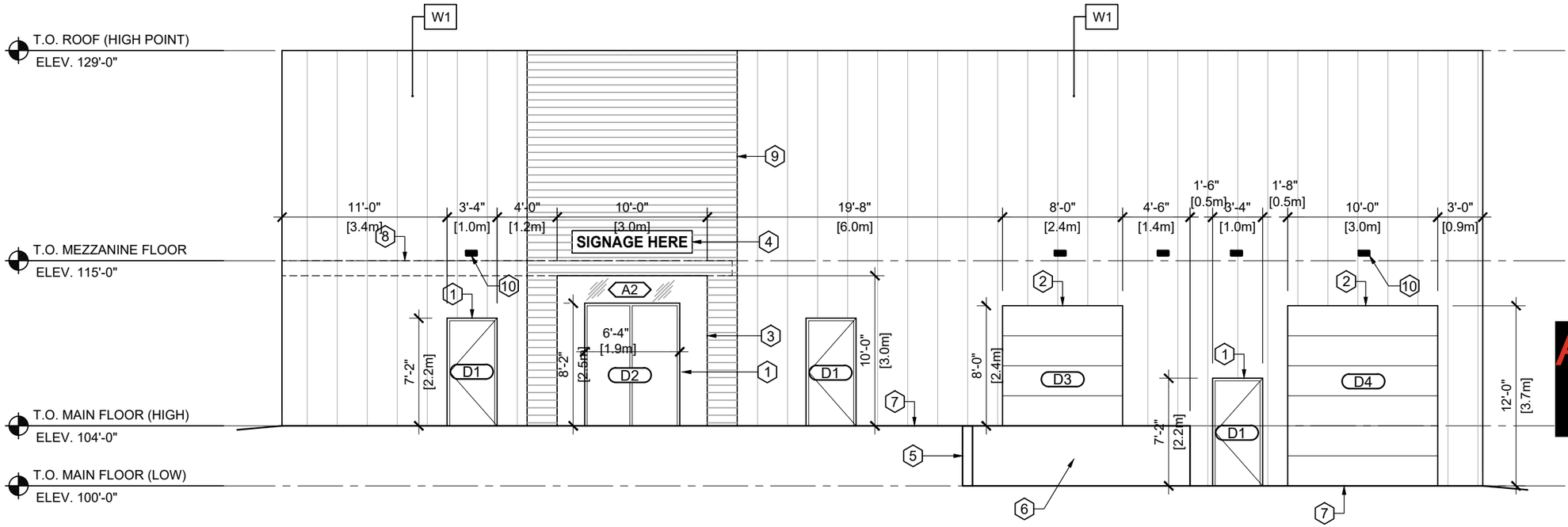
SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
MEZZANINE PLAN

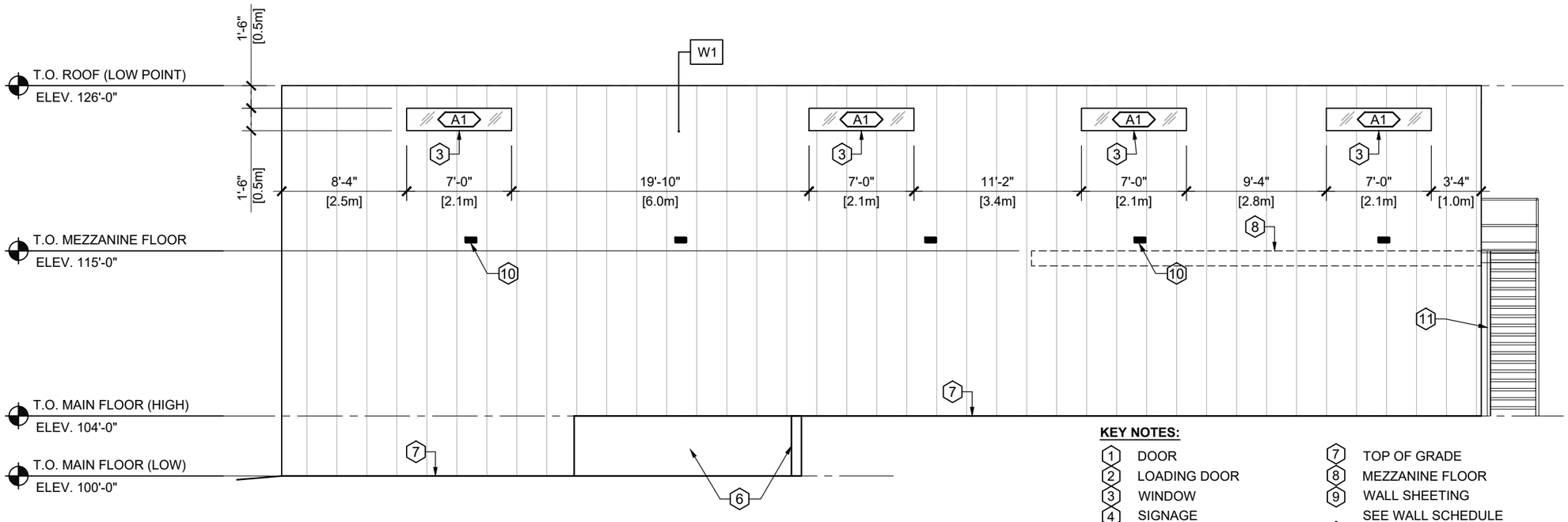
PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A2.2

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A2.2
PLOTTED BY: GREGORIO NISPEROS



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

KEY NOTES:

1. DOOR
2. LOADING DOOR
3. WINDOW
4. SIGNAGE
5. RETAINING WALL
6. CONCRETE WALL
7. TOP OF GRADE
8. MEZZANINE FLOOR
9. WALL SHEETING SEE WALL SCHEDULE
10. EXTERIOR LIGHTING
11. EXTERIOR STEEL STAIR WITH STEEL FRAMING LANDING AND STEEL GUARD RAIL

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

ATIA 20(1)

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE	DATE
AS SHOWN	FEB 02/24

PROJECT

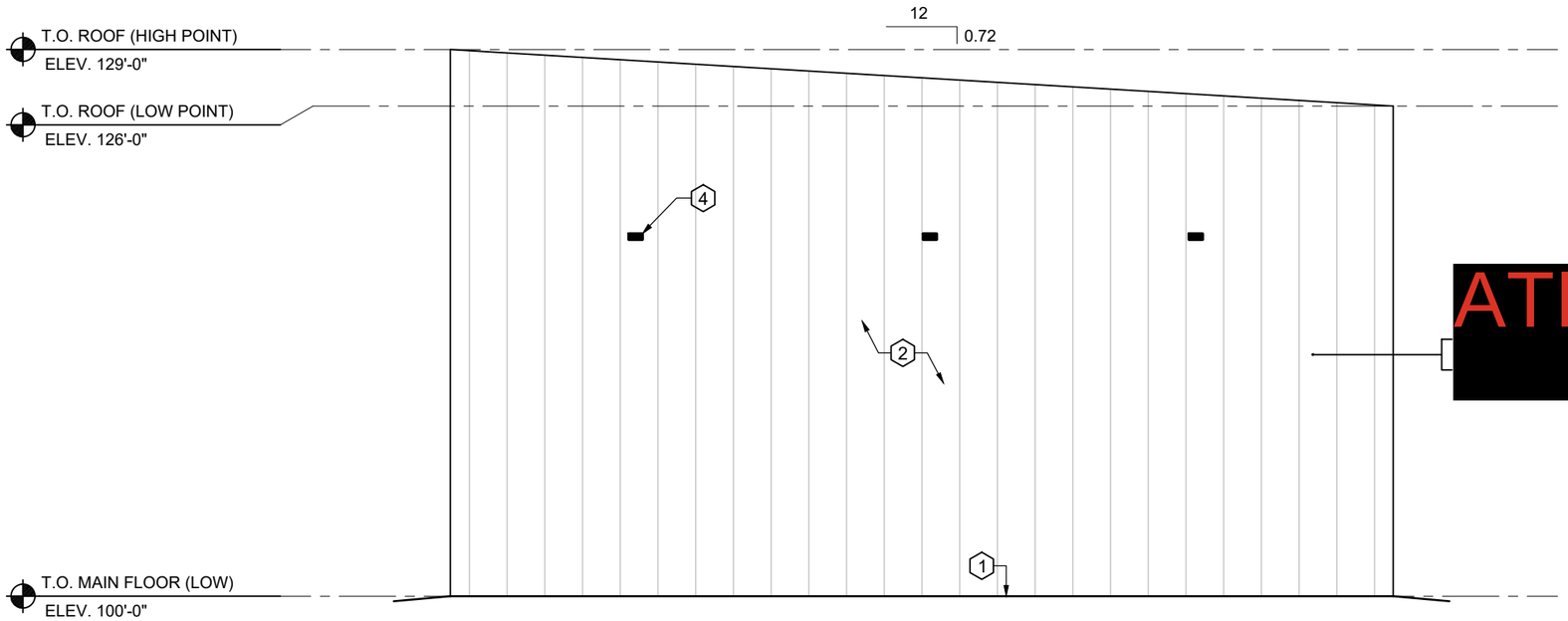
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE

EXTERIOR ELEVATIONS

PROJECT NUMBER	DRAWING NUMBER
23-2279-003	A3.1

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKING\DETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
PAPER SIZE: ANSI B
PLOT DATE: February 2, 2024
LAYOUT: A3.1
PLOTTED BY: GREGORIO NISPEROS

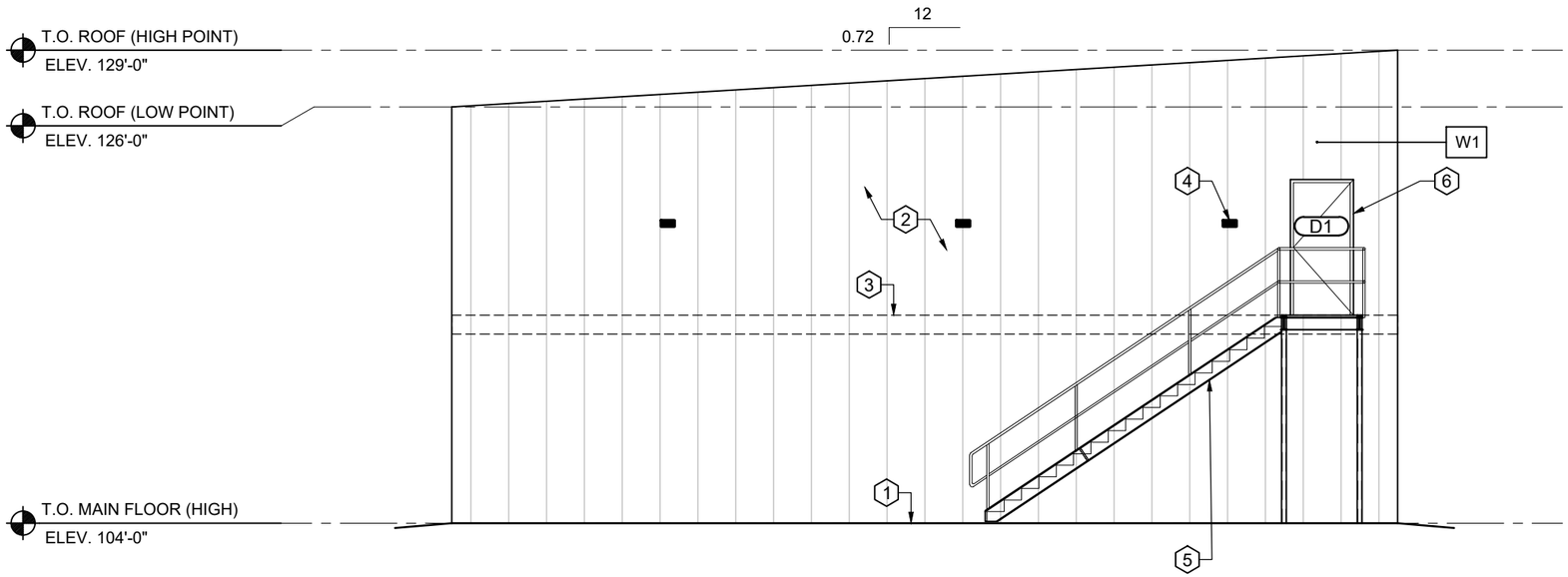


ATIA 20(1)

4 of 4

WEST ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"

KEY NOTES:

1. TOP OF GRADE
2. WALL SHEETING
3. MEZZANINE FLOOR
4. EXTERIOR LIGHTING
5. EXTERIOR STEEL STAIR WITH STEEL LANDING
6. EXTERIOR DOOR

TWS Engineering Ltd.
9918 - 75 AVENUE
EDMONTON, AB. T6E 1J2
office@twsengineering.com
Phone: (780) 468-5477
Fax: (780) 465-5368
www.twsengineering.com

NO.	DATE	REVISIONS
E	2023-11-06	ISSUED FOR REVIEW & COORDINATION
F	2024-02-02	ISSUED FOR REVIEW & COORDINATION

PERMIT

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED	CHECKED	DRAWN
AO	AO	MF

SCALE: AS SHOWN
DATE: FEB 02/24

PROJECT
LAKESIDE LIQUOR
FORT CHIPEWYAN, AB

TITLE
EXTERIOR ELEVATIONS

PROJECT NUMBER: 23-2279-003
DRAWING NUMBER: A3.2

G:\2023\2200 - 2299\2279 VERTICAL BUILDING\23-2279-003 FORT CHIPEWYAN STORE\R\3 2D WD\WORKINGIDETAILS\23-2279-003R_LAKESIDE LIQUOR.DWG
LAYOUT: A3.2
PAPER SIZE: ANSI B
PLOTTED BY: GREGORIO NISPEROS
PLOT DATE: February 2, 2024

Land Use Bylaw 99/059 Definitions

Section 10. Definitions
In the Land Use Bylaw 99/059, unless the context requires otherwise:

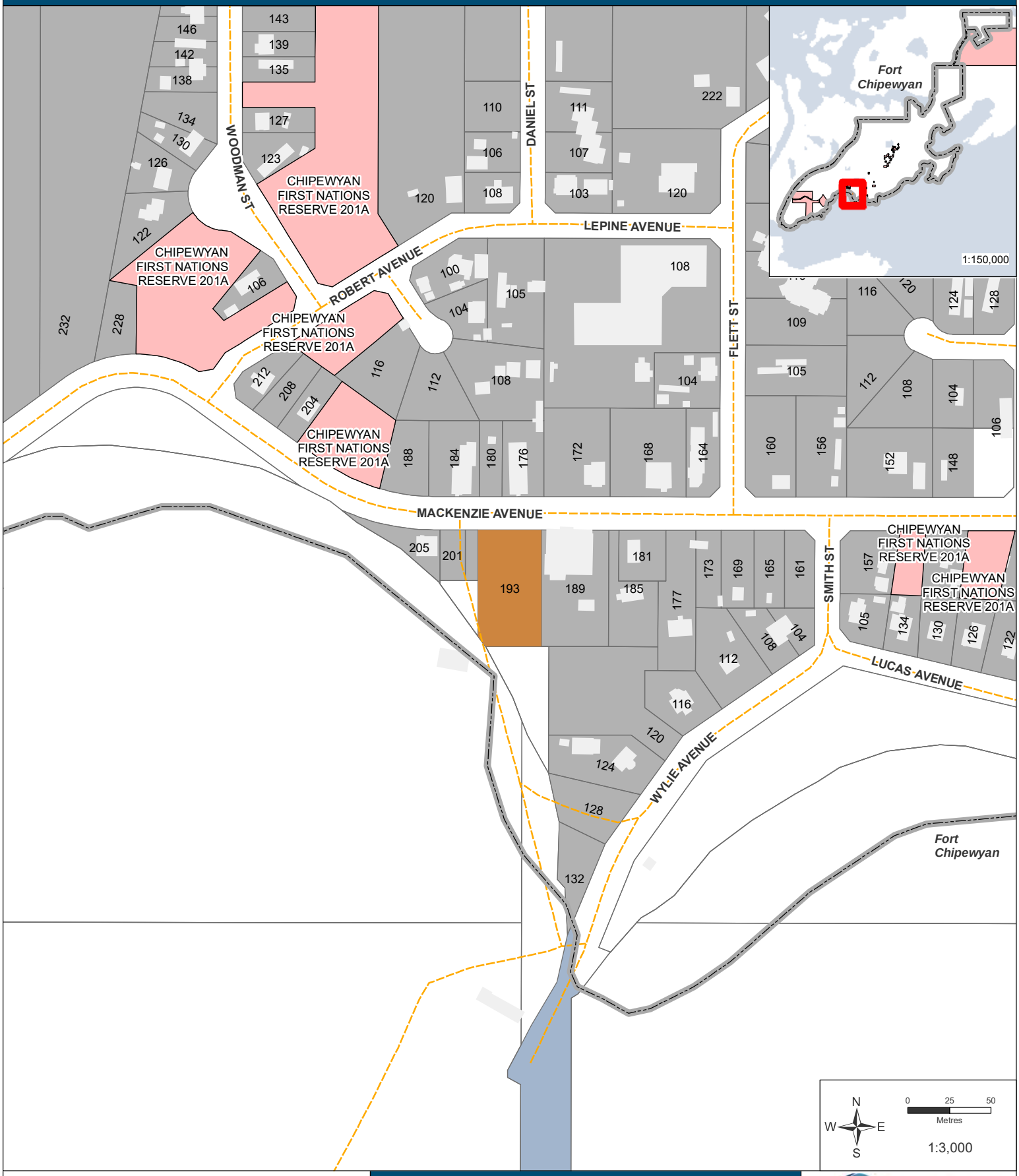
LIQUOR STORE means a building or part of a building used for the display and retail sale of alcoholic beverages for consumption off-site.

OFFICE means a development that provides professional, management, administrative, and similar office and business support services, and financial services. (BL 08/001)

WAREHOUSE SALES means development for the use of a large enclosed warehouse type building where a range of goods are displayed and/or stored for wholesale or retail sales.

SUBJECT PROPERTY MAP
Notification

ATTACHMENT 3



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

ATTACHMENT 4

July 17, 2025

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2025-DP-00169 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by Planning & Development Services to develop a **Liquor Store, Office, and Warehouse development** at the property listed above.

The intent is to have a temporary Liquor Store for up to one year, to be replaced with a **permanent Liquor Store, Office, and Warehouse development**.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

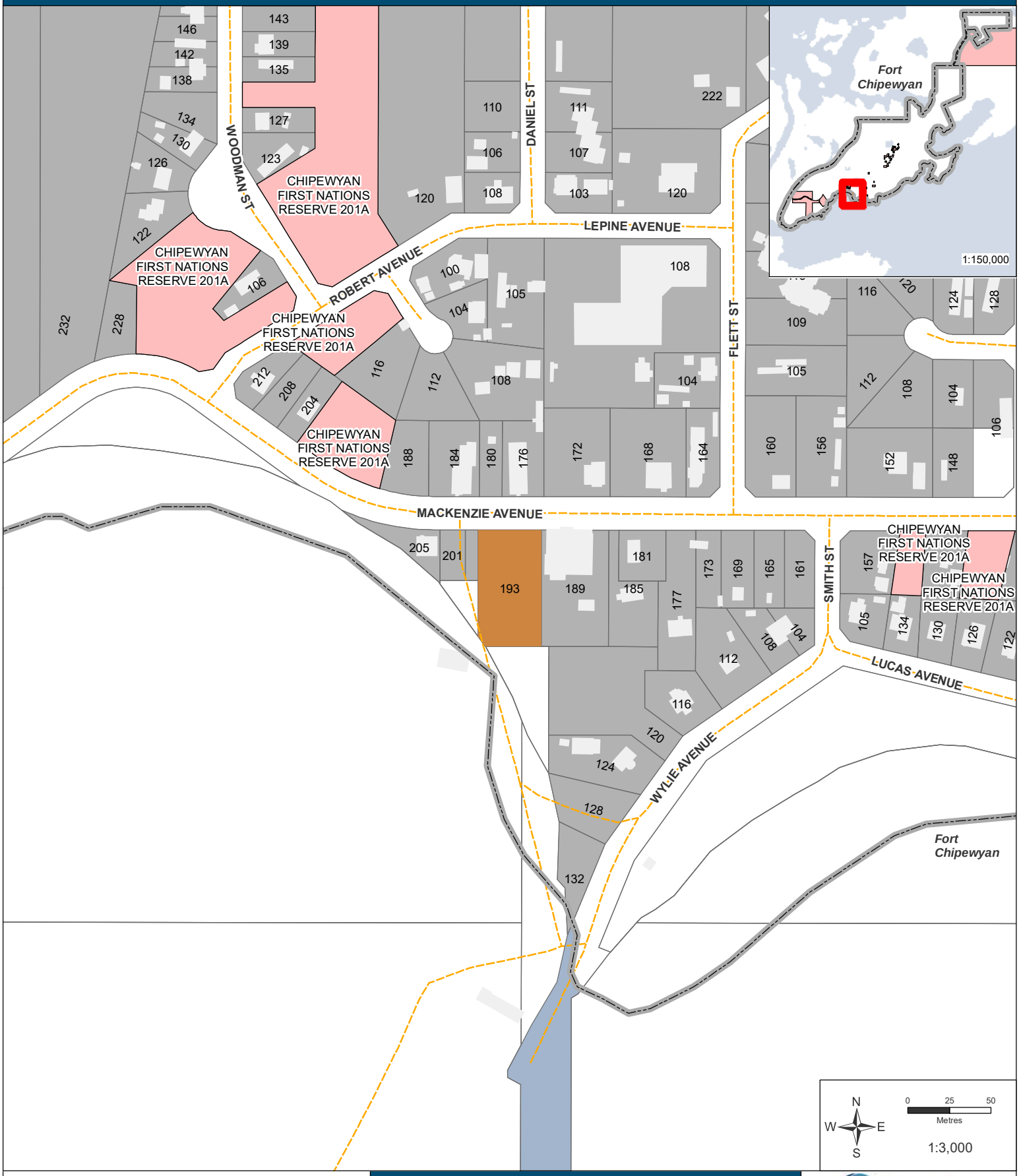
We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 7, 2025**. All comments received will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Jesse.Tjepkema@rmwb.ca
Mail: Jesse.Tjepkema, Planner II
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Phyllis.Agyemang@rmwb.ca
Mail: Phyllis Agyemang, Planner I
Planning & Development Services
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Adam,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear President Cardinal,

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

July 16, 2025

Notice of Development Application 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Tuccaro

I am writing to inform you that the Regional Municipality of Wood Buffalo has received a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposal includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development before a decision is made.

The subject property is zoned **HC – Hamlet Commercial**, where Liquor Store, Office, and Warehouse are considered **Discretionary Uses**. Discretionary Uses are those that may be approved, by the Development Authority but are subject to a **21-day appeal period** following a decision.

We understand the sensitivity of this matter and the concerns that have been raised in the past. In the spirit of transparency we want to ensure that you have the opportunity to submit any comments or concerns for consideration.

If you would like to provide feedback, please submit your comments in writing by **4:30 p.m. on August 7 2025**, so they can be reviewed by the Development Authority before a decision is made. If no response is received, it will be understood that there are no objections or concerns.

You may reach out to **Jesse Tjepkema**, Planner II, Development Officer, via email at Jesse.Tjepkema@rmwb.ca or by phone at 780 793 1131.

Sincerely,

Amanda Owens
Director, Planning & Development Services
Planning and Development
Regional Municipality of Wood Buffalo

September 26, 2025

NOTICE TO FORT CHIPEWYAN RESIDENTS

Application for Development Permit 2025-DP-00169
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue
FORT CHIPEWYAN, ALBERTA

It was the decision of the Development Officer to approve Development Permit **2025-DP-00169** which allows the Applicant to develop a **Liquor Store, Office and Warehouse** at the above-named site. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

You are being informed of this development because you are a resident of Fort Chipewyan. You have the right to appeal this decision to the Subdivision and Development Appeal Board. If you wish to exercise this right, written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division or the Fort Chipewyan municipal contact office and must be forwarded to:

By mail: The Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

If you have questions regarding the application, please contact the undersigned. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Phyllis Agyemang, Planner I
Planning & Development Services
Phyllis.Agyemang@rmwb.ca | *780-743-7084*

October 3, 2025

Notice of Development Permit Approval 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Adam,

I am writing to inform you that the Regional Municipality of Wood Buffalo has approved a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposed development includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development on the decision made.

If you wish to exercise your right to appeal this decision to the Subdivision and Development Appeal Board, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division, the Fort Chipewyan municipal contact office, or online at www.rmwb.ca and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4
By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

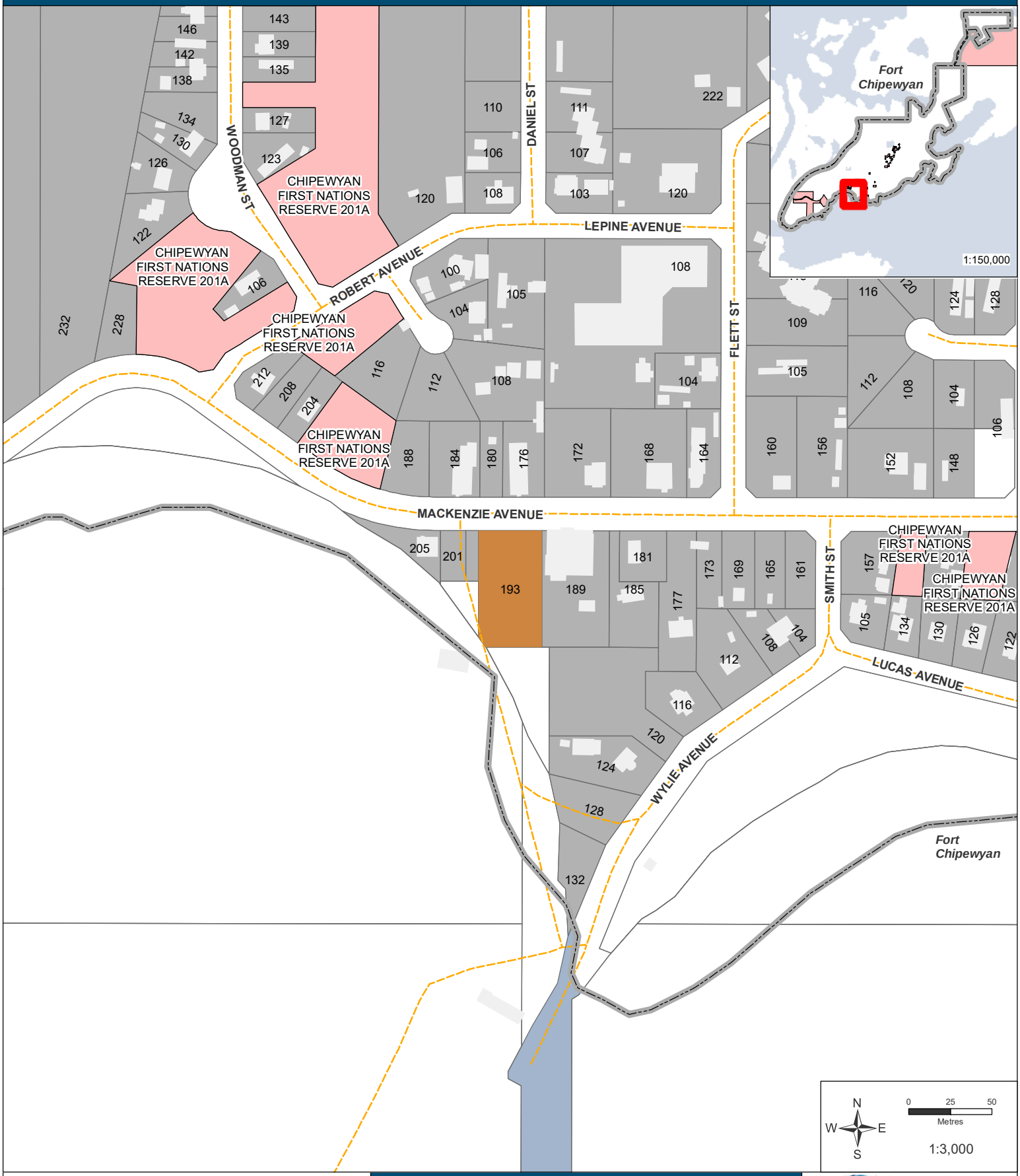
If you have questions regarding the application, please contact **Phyllis Agyemang**, Planner I, Development Officer, via email at **Phyllis.Agyemang@rmwb.ca** or by phone at 780-743-7084. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Regional Municipality of Wood Buffalo

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

October 3, 2025

Notice of Development Permit Approval 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear President Cardinal,

I am writing to inform you that the Regional Municipality of Wood Buffalo has approved a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposed development includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development on the decision made.

If you wish to exercise your right to appeal this decision to the Subdivision and Development Appeal Board, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division, the Fort Chipewyan municipal contact office, or online at www.rmwb.ca and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

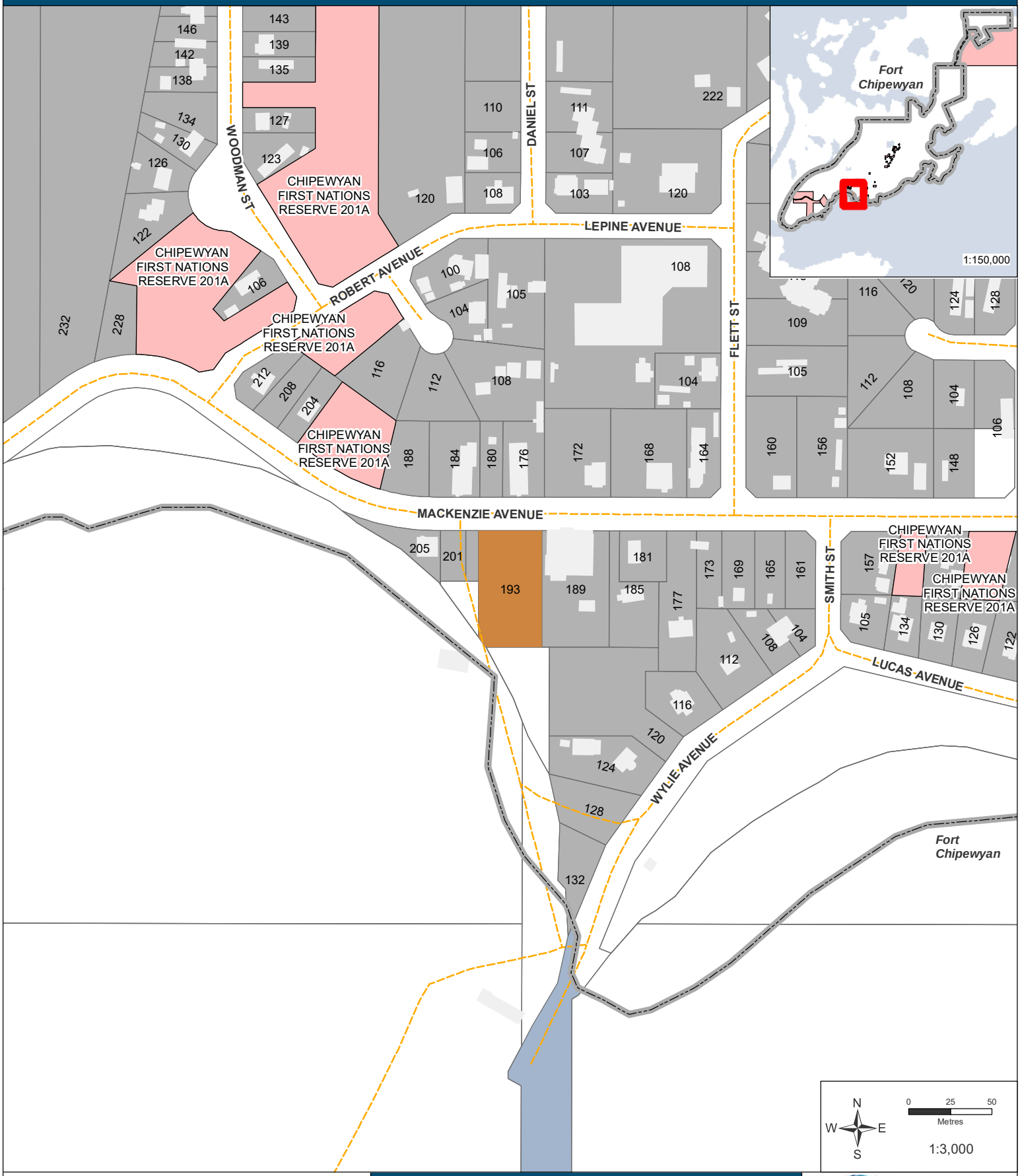
If you have questions regarding the application, please contact **Phyllis Agyemang**, Planner I, Development Officer, via email at **Phyllis.Agyemang@rmwb.ca** or by phone at 780-743-7084. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Regional Municipality of Wood Buffalo

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

October 3, 2025

Notice of Development Permit Approval 2025-DP-00169: Liquor Store, Office, and Warehouse

Dear Chief Tuccaro

I am writing to inform you that the Regional Municipality of Wood Buffalo has approved a development application for the proposed establishment of a Liquor Store, Office, and Warehouse at **193 Mackenzie Avenue (Lot 3; Block 10; Plan 5642NY)** in **Fort Chipewyan**.

The proposed development includes the establishment of a **temporary liquor store** for a period of up to one year, followed by a **permanent development** that will include a liquor store, office, and warehouse. A physical copy of the Development Permit 2025-DP-00169 is available at the Fort Chipewyan municipal contact office.

As part of our community engagement process, we are reaching out to all Nations and residents who may be impacted by this proposed development on the decision made.

If you wish to exercise your right to appeal this decision to the Subdivision and Development Appeal Board, a written notice of appeal must be received by the Secretary of the Subdivision and Development Appeal Board within 21 days of the date of this notice. Appeal Forms are available from the Planning and Development Services Division, the Fort Chipewyan municipal contact office, or online at www.rmwb.ca and must be forwarded to:

By mail: Regional Municipality of Wood Buffalo
Attention: Legislative Services
9909 Franklin Avenue – 7th Floor
Fort McMurray, AB, T9H 2K4

By e-mail: SDAB@rmwb.ca

If a reply is not received by **October 17, 2025** it shall be assumed that you have no comments or concerns regarding this application. Any major concerns arising from this circulation will be heard by the Subdivision and Development Appeal Board.

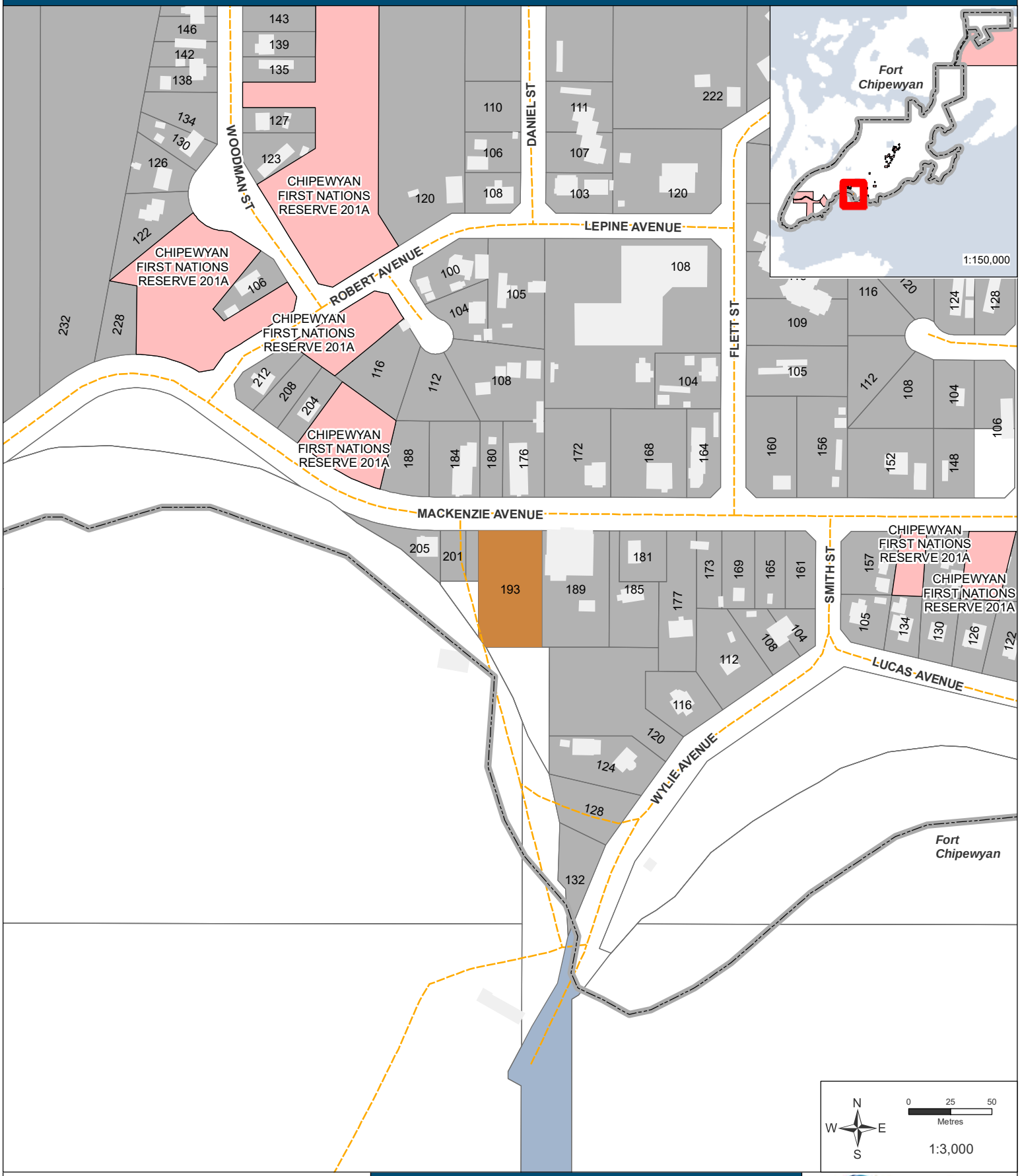
If you have questions regarding the application, please contact **Phyllis Agyemang**, Planner I, Development Officer, via email at **Phyllis.Agyemang@rmwb.ca** or by phone at 780-743-7084. Questions regarding the appeal process must be directed to the Clerk of the Subdivision & Development Appeal Board at 780-743-7001 or email SDAB@rmwb.ca.

Sincerely,

ATIA 20(1)

Amanda Owens
Director, Planning & Development Services
Regional Municipality of Wood Buffalo

SUBJECT PROPERTY MAP
Notification



Subject Area
Survey Parcels
Adjacent Owners (Fort Chipewyan)
First Nation Reserves

193 Mackenzie Avenue
Lot 3, Block 10, Plan 5642NY

Regional Municipality of Wood Buffalo

Map Produced by the Geographic Information Systems Group
Task: 25061603
20 Jun 2025

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number
2023-DP-00125

August 16, 2024

Applicant

DANIEL ROY
ATIA 20(1) [redacted]
ATIA 20(1)

Owner

DANIEL ROY
ATIA 20(1) [redacted]

RE: Liquor Store, Office & Warehouse Sales
193 MACKENZIE AVENUE
Lot: 3 Block: 10 Plan: 5642NY

Your application for a development permit at the above location has been approved by the Development Officer. This approval is subject to the conditions as outlined in the enclosed Development Permit.

PLEASE READ PERMIT CONDITIONS CAREFULLY AND RETURN A SIGNED COPY TO OUR OFFICE.

This development permit shall expire and no longer be valid after one year from the date of decision of the permit if no construction has been initiated. Any other necessary permits shall be in place prior to commencement of any construction or occupancy. In the case of a change of use within an existing structure, where no significant construction of reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

IMPORTANT NOTE

1. Under the Municipal Government Amendment Act, this approval may be appealed within twenty one (21) days after the day of decision being posted. Should this decision be appealed within twenty one (21) days after the Date of Decision, this permit shall not become effective until the Subdivision and Development Appeal Board has determined the appeal and the Permit may be modified or nullified thereby. Commencement of the approved Development prior to expiry of the appeal period is at your own risk.
2. An appeal shall contain statement of the grounds of appeal and shall be delivered personally or by registered mail so as to reach the Secretary of the Subdivision and Development Appeal Board, 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4 within the prescribed time period of twenty one (21) days.
3. Upon delivery of Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a fee of $1000.00.

Compliance with other legislation - A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out development in accordance with:

a. the requirements of the Safety Codes Act, Environment Protection and Enhancement Act and Natural Resources Conservation Board Act;

b. the requirements of any other Federal, Provincial, or Municipal statue, regulation code or standard; and

c. the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

The Municipality is not responsible for not does the Municipality have any obligation whatsoever to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

REGIONAL MUNICIPAILITY OF WOOD BUFFALO
Planning & Development Department
per:

August 16, 2024

Date

Nabil Malik
Planner III
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
Nabil.Malik@rmwb.ca

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Permit Number
2023-DP-00125

Applicant: Daniel Roy **Issued :** August 16, 2024

Development Permit

193 MACKENZIE AVENUE

	Lot	Block	Plan		Section	Township	Range	
	3	10	5642NY		7	112	7	

New Commercial Industrial or Institutional Development

Liquor Store, Office & Warehouse Sales

Advertising Date August 29, 2024

- **This development was approved by the Development Officer and is subject to the conditions attached to this permit.**
- **All conditions stated on this development permit must be complied with.**
- **You have one year from Date of Decision to commence construction. All appropriate building/mechanical permits must be applied for and issued. In the case of a change of use within an existing structure where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.**

Regional Municipality of Wood Buffalo
Planning & Development Department
per:

ATIA 20(1)

Issued : August 16, 2024
Date

Nabil Malik
Planner III
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
Nabil.Malik@rmwb.ca

Advisory Notes:

1. Any signage proposed for this development shall require a separate application and approval.
2. Any sump required for the development shall be installed so that discharge is as per the requirements of the Sewage Bylaw.
3. The developer shall install all appropriate signage at access/egress locations in accordance with the requirements of the Engineering Department.
4. Site services shall be in accordance with the Engineering Standards of the Regional Municipality of Wood Buffalo.
5. A Utility Installation Permit is required from the developer and shall be obtained from Engineering Services Division prior to installing underground utilities.
6. It shall be the developer's responsibility and expense to terminate, at the main, all sanitary and water services which will not be utilized in this development.
7. If a route haul permit is required for this development, it shall be applied for through the Planning and Development Department.
8. Any damage to the streets, sidewalks, curbs or landscaped boulevards caused by this development shall be the full responsibility of the developer to restore.
9. All required Safety Code permits under the Safety Code Act in the: building, mechanical,electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695.
10. A Health Certificate may be required for this development. Please contact the Health Inspector for the necessary information.
11. A Municipal Business License is required for this development. Please contact the Licensing Enforcement Officer for information and an application.
12. The Alberta Fire Code applies in and around buildings existing or being constructed on a site. Complete project plans and specifications, construction fire safety plans, and fire related activities requiring Fire Prevention Permits shall be reviewed by the Fire Authority prior to the commencement of any work related thereto. Inquiries and permit applications shall be submitted to the Fire Authority.
13. All Federal, Provincial and Municipal statutes and regulations shall be met, including the Alberta Building Code.

Conditions:

1 The business must have all valid licenses/approvals from the provincial government prior to starting operations and shall be in compliance with the provincial legislation.
2 This development is classified as a Liquor Store, Office and Warehouse Sales and is a Discretionary Use in the HC- Hamlet Commercial District.
3 Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to occupancy.
4 Construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
5 The garbage and waste material shall be stored in weather-proof and animal-proof containers and shall be visually screened in a manner compatible with the design and external materials of the principal buildings on the site. If a wood screen fence is used, it shall be constructed in accordance with drawing 10-301 of the Engineering Servicing Standards.
6 The building location, orientation, capacity and/or use shall be as indicated on the approved drawings. Any changes to the approved plans shall be submitted to the Development Officer for further approval.
7 A minimum of 19 on-site parking stalls shall be provided as indicated on the approved plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material and shall be completed prior to the issuance of an Occupancy Permit. Should a seasonal allowance be required for paving the parking lot, the developer shall provide a written request for the seasonal allowance together with an automatically renewable and irrevocable letter of credit equal to 100 percent of the cost of paving the parking lot. A minimum of 2of the required stalls shall be accessible parking stalls. These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
8 A minimum of one loading space shall be provided for this development. Loading shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets or lands.
9 All parking stalls shall be graded such that no slope in any direction is less than 0.5% and not more than 4%, to the satisfaction of the Development Officer. All soft landscaped areas shall have a minimum slope of 2% away from buildings.
10 A final site grading plan shall be prepared to the satisfaction of the Engineering Department and shall be approved prior to occupancy of any buildings.
11 The applicant may need to enter into a Development Agreement with the Municipality to pay for the installation of public utilities, other than telecommunication systems or works, which are necessary to serve the development.
12 Any excess fill must be deposited on a site approved by the Municipality. Please contact the Engineering Department and/or the Environmental Branch of the Public Works Department.
13 Any and all easements required by the Municipality or any franchise utility as a result of this development shall be provided by the developer at no cost to the Municipality or any franchise utility and shall be registered on title by Utility Right-of-Way Plan.
14 Should it be necessary to alter any on site Municipal or franchise utilities, all cost shall be borne by the developer.
15 There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development construction. The developer may apply to the Development Officer to utilize these lands.
16 All on site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent residential properties.

17 Before any construction starts, the applicant shall ensure that the site is fully fenced, as per the approved fencing plan, in order to prevent any damage to Municipal infrastructure and landscaping surrounding the site, to ensure controlled and safe access and egress of the site, and to provide safe pedestrian access on and through any municipal lands adjacent to the site. The site access locations shall be established as per the fencing plan and will be maintained and operated to the satisfaction of the Development Authority. The fencing is to remain in place and in good working condition until all construction activities have ceased and a Full Development Completion Certificate has been issued.

18 Any required removal or modification of existing on-site underground storage tanks and the management of identified contaminants shall be undertaken to the satisfaction of the appropriate authorities prior to the construction of the approved development and all applicable permits received from the local Fire Authority.

19 A Development Completion Certificate is required and shall be applied for by the applicant on completion of the conditions of development and prior to occupancy.

20 A water meter permit may be required. Please contact Underground Services Division for details at 780-799-7493. 780-788-1456 ext. 5832

21 A service connection permit may be required. Please apply at https://www.rmwb.ca/en/permits-and-development/applications-licences-and-permits.aspx.

22 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695 or follow up on our permitting website: https://aca.woodbuffalo.ab.ca/citizenaccess/

23 Engineering securities of $40,000 in total [including (a) $10,000 for 1 approach, (b) $20,000 for service connections ($10,000/water + $10,000/sanitary each), and (c) $10,000 for a new storm outfall, shall be provided before issuance of the development permit. This is also a damage deposit for any damage to municipal property including roads, sidewalks, curb and gutter, underground infrastructure, boulevard, parks, URWs. All must be restored to original or better condition.

24 Construction activities will be completed in adherence to all environment and regulatory requirements which include, but are not limited to the Federal Fisheries Act and the Provincial Environmental Protection and Enhancement Act. Construction activities will implement effective sediment control measures at all stages of construction until disturbed soil has been addressed and the fish bearing water body is effectively protected from any impacts.

25 The applicant shall provide security in a form acceptable to the Municipality in the amount of $7,150.00 as a guarantee for the installation and maintenance of the construction fencing.

26 The hours of operation for the Liquor Store is limited to:
9:00am- 6:00pm, Monday to Sunday.
Outside of the permitted hours of operation, the sale of alcohol or any other products is prohibited and the premises shall remain closed to the public .

FILE NO.	**SDAB 2024-003**
APPLICATION No.:	**2023-DP-00125**
DEVELOPMENT:	**Liquor Store, Office and Warehouse**
LAND USE DESIGNATION:	**HC – Hamlet Commercial District**
LEGAL DESCRIPTION:	**Lot 3, Block 10, Plan 5642NY**
CIVIC ADDRESS:	**Fort Chipewyan, Alberta**

IN THE MATTER OF AN APPEAL filed with the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board ("the Board") pursuant to Sections 685 and 686 of the *Municipal Government Act*, R.S.A 2000, c. M-26, the Appeal Hearing was held via hybrid format on Monday, October 28, 2024 with members of the Board in the Jubilee Centre, 7th Floor Boardroom, 9909 Franklin Avenue, Fort McMurray, Alberta and the parties attending virtually.

BETWEEN:

Appeal 1 - Daniel Roy ("Appellant 1") represented by Robert Homersham, Counsel for the Appellant

Appeal 2 - Mikisew Cree First Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises; and
Mistee Seepee Development Corporation Ltd (collectively "Appellant 2") represented by Orlagh O'Kelly, Counsel for the Appellant

-and-

The Regional Municipality of Wood Buffalo ("the Respondent")

BEFORE:

D. Cleaver (Chair)
K. Carruthers
N. Mahgoub
T. Morris

Administration:

H. Fredeen, Clerk for the Subdivision and Development Appeal Board
S. Soutter, Manager, Legislative Services

[1] This hearing deals with 2 appeals in relation to Development Permit No. 2023-DP-00125 issued to Mr. Daniel Roy for a Liquor Store, Office and Warehouse at 193 Mackenzie Avenue, Fort Chipewyan, AB, legally described as Lot 3, Block, 10, Plan 5642NY (the "Lands"). Mr. Roy (Appellant 1) filed an appeal against Condition 26, which imposed limits on the hours of operations. A second appeal was filed by Mikisew Cree First Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises; and Mistee Seepee Development Corporation Ltd (collectively "Appellant 2") against the issuance of the Development Permit.

[2] The Board determined that it would hold one hearing in relation to both appeals, since both appeals were related to the same Development Permit. The hearing was opened by the Board on September 19, 2024. At that hearing, the Development Authority requested an adjournment due to the lack of availability of the Planner who handled the file. Following submissions from the parties, the Board adjourned the hearing to October 28, 2024 and set out exchange dates for the parties.

[3] Appellant 2 provided notice to the parties (and included argument in their written submissions) that they would be arguing that the Municipality and the Development Authority had failed to comply with their duty to consult. Following exchanges of correspondence amongst the parties regarding whether the hearing set for October 28, 2024 would address only the question of the Board's jurisdiction or would address both the jurisdictional question and the merits, the Board directed that all parties be ready to present their cases on both the jurisdictional question and the merits of the appeal on October 28, 2024.

[4] On September 19, 2024 and October 28, 2024, following the introduction of the Board, the Chair confirmed with the parties in attendance that there were no objections to the constitution of the Board. None of the Board members identified any reason they could not hear the appeals.

PRELIMINARY ISSUES

[5] The Board outlined the process that it was going to follow which included that the Board would sit until 8.30 pm and then, if it could not complete the hearing, adjourn to another date.

[6] The Board advised the parties that its standard practice is to permit the Appellant, Applicant and Development Authority 20 minutes for their presentations, and to allow 5 minutes for those parties for closing. The Board provides affected persons 5 minutes to make their presentations. The Board advised that it was aware that the Court of Appeal grants parties 30 minutes to make their presentations for permissions to appeal and 45 minutes on a full appeal. The Board noted that planning matters are to be dealt with expeditiously and in a timely manner. With that, the Board was prepared to be flexible recognizing that all parties need to be provided with procedural fairness. Since the hearing

started at 4.00 pm, the Board would be sitting for 4.5 hours on October 28, 2024. The Board proposed that each party would be provided with one hour for their main presentations (by counsel) and that there would be questioning possible following that. Those individuals speaking in support of the party would be given 5 minutes to speak, before questioning was available to the other parties. The Board identified the following speakers:

a. For Appellant 1 – Daniel Roy, Guy Thacker, Charlie Frazer and Bruce Inglis;

b. For Appellant 2 - Chief Billy-Joe Tuccaro, Councillor Paul Tuccaro, CEO Kerrie Ceretzke and Mitchel Bowers.

[7] The Board advised the Board's standard practice is not to allow cross examination, and all questions should be through the Chair.

[8] The Board asked whether the parties had any objections to the process. None of the parties raised any objections to the identified process.

[9] Appellant 1 asked whether the jurisdictional questions from Appellant 2 would be addressed as a preliminary matter, suggesting that it would be better for the preliminary question to be argued first.

[10] Appellant 1:

a. noted that the initial suggestion of Appellant 2 was to use the October 28, 2024 hearing date to schedule further hearings;

b. wanted the Board to come to a decision as soon as reasonably possible because the permit was applied for in 2023;

c. suggested that the time on October 28, 2024, be used to address the jurisdictional issue and that the Board can determine that issue during the hearing or adjourn until it makes its decision on that point;

d. advised that the question of jurisdiction is not pre-emptory. The Board must decide what is properly within its jurisdiction and cannot hear all of the evidence and then sort it out; and

e. argued that all of the evidence is in the hearing package. There are other issues that Appellant 2 has raised that are non-constitutional and before the Board. Appellant 1 is not suggesting that Appellant 2 does not have an appeal or that it is only a constitutional challenge. However, Appellant 2's constitutional challenge is outside the jurisdiction of the Board, and the Board must make that decision before proceeding.

[11] In response, Appellant 2:

a. argued that they had raised as a possibility using the hearing on October 28, 2024 to address the jurisdictional question in relation to whether the Board had the ability to hear and discharge the duty to consult, but Appellant 1 had disagreed;

b. would like the issues of consultation and the merits of the appeal to be heard together;

c. took issue with the characterization of their concerns as purely constitutional on the basis that it suggested a racial basis for the complaints;

d. argued that their concerns are community-based, and the issues can be framed in a number of avenues. They were prepared to proceed on all fronts as the Board suggested; and

e. argued that hearing the matter separately raises procedural fairness issues, particularly since they had previously proposed splitting the issues of jurisdiction and merit. The appeal is about the health of the community. Appellant 2 argued that splitting the jurisdictional hearing from the merit hearing without notice would be procedurally unfair.

[12] The Municipality:

a. stated that the Board is the master of its own procedure and suggested that there may be some practical clarity afforded by first dealing with Appellant 1's characterization of the preliminary issue of the jurisdiction of the Board, in the same way that the Board makes a determination at the outset of a hearing regarding whether parties are affected;

b. stated that if the Board only rules on the question of jurisdiction, the Board may be left going back and forth between the parties' submissions; and

c. supported all matters being heard, but for the benefit of all, the Municipality would prefer to address the jurisdictional matters at the outset with the Board deciding and if it proceeds on a full hearing, then it can come back to the planning matters.

[13] Following consideration of the submissions of the parties, the Board determined that it would hear the submissions of the parties on jurisdiction and merit together. The evidence dealing with jurisdiction and the merits of the appeal appear to be intertwined. The Board was of the view that attempting to separate out the questions of merit and jurisdiction might take more time than hearing the evidence and argument together. The Board is mindful that the parties wish for an expeditious hearing and that this matter has already been adjourned once. All of these submissions (on the jurisdictional question and on the merits) are within the Board's hearing package and the Board is able to consider the argument on

jurisdiction as well as the merits and make a decision. The Board has weighed the parties' right to a full and fair hearing and their right to an expeditious resolution of the planning merits. The Board is of the view that procedural fairness is accorded to all parties by having the jurisdictional question and the merits of the appeals dealt with at the same time.

[14] The Chair confirmed that everyone in attendance had the full hearing package prepared for the hearing. There were no objections to any of the exhibits. The Board marked the exhibits received as set out at the end of this decision. There were no further written submissions not previously provided to the Board that any party wished to include.

[15] The appeals were filed in time, in accordance with s. 686 of the *Municipal Government Act, RSA 2000, c M-26* (the "MGA").

MERIT HEARING

Summary of Hearing

[16] The following is a brief summary of the oral and written evidence and arguments submitted to the Board.

Submission of the Development Authority

[17] The Development Authority spoke to Exhibit 12, the submissions of the Development Authority. The lands are zoned Hamlet Commercial in the Regional Municipality Wood Buffalo's Land Use Bylaw ("LUB"). The development permit application for a liquor store, office and warehouse sales was approved subject to conditions on August 16, 2024. The Development Authority noted that Alberta Gaming, Liquor and Cannabis (AGLC) allows liquor stores to operate from 9.00 am-2.00 am on Mondays through Sundays. Outside of the hours listed, the sale of alcohol is prohibited. Condition 26 of the development permit approval limits the hours of operation from 9.00 am – 6.00 pm, Monday to Sunday. The AGLC retail liquor store handbook is found at Exhibit 12, Attachment 14 at page 203.

[18] The LUB provides that the uses of liquor store, office and warehouse sales are discretionary in the Hamlet Commercial district and the Development Authority is able to approve the uses with or without conditions. It is within the authority of the Board to consider the appeal. Given the nature of the use, the development permit application was referred to Municipal Planning Commission ("MPC") (Exhibit 12, Attachment 13).

[19] The Development Authority identified deficiencies within the application and advised the Applicant on July 19, 2023. On July 19, 2023, the missing information was provided to the Development Authority. On July 21, 2023, the application was elevated to MPC for enhanced community engagement.

[20] The Applicant was advised that interested parties could appeal the decision to the Subdivision and Development Appeal Board. On July 25, 2023 the Development Authority circulated the application to internal and external stakeholders (page 159 of the hearing package) with a response date for comments of August 17, 2023.

[21] The Development Authority was of the view that enhanced engagement was required to address community concerns about alcohol. Section 17.2.b of the LUB states that the Development Authority may refer to the Municipal Planning Commission permitted or discretionary uses that the Development Authority wishes to refer. The normal process of the Development Authority is to notify adjacent property owners within a 100-metreradius of a proposed development and to circulate the application to internal and external reviewers. The Development Authority did circulate the application to the internal and external reviewers, but due to the concerns about the broader community, notifications were also sent to all property owners within the Fort Chipewyan hamlet boundary, posted at the community hall in the community, and provided to the three First Nations- Athabasca Chipewyan First Nation, the Fort Chipewyan Métis Nation and the Mikisew Cree First Nation ("MCFN"). The Development Authority provided a deadline of August 17, 2023 for residents and reviewers to provide comments. The decision to notify property owners exceeded the Municipality's standard process and was within the discretionary authority of the Development Authority.

[22] On August 17, 2023, the Development Authority was notified by the Municipality's Indigenous and Rural Relations Department that community leadership had requested a one-week extension to the August 17, 2023 deadline and the deadline was moved to August 25, 2023. The Development Authority received comments from internal reviewers such as Engineering, Safety Codes and the Regional Emergency Services Department. By August 25, 2023, the Development Authority received 9 letters from individual residents of Fort Chipewyan. The Development Authority received a letter from the MCFN signed by Chief Tuccaro. None of those letters expressed support for the development. Those responding referred to current issues within the community relating to drugs and alcohol including the escalation of crime within the community. Between September 2023 and June 2024, the Development Authority worked with the Applicant to address the comments from the internal and external reviewers. There was a period between December 2023 and February 2024 during which the Applicant was not in communication with the Development Authority by reason of the agent not being able to fulfill their duties. In July 2024, the Development Authority was ready to render a decision having received all required information. The major items requested by the reviewers were addressed by the Applicant. This included submitting new technical drawings required by Emergency Services and other reviewing agencies.

[23] On August 16, 2024, the Development Authority approved and issued Development Permit No. 2023-DP-00125 with conditions, including condition 26 which restricted the hours of operation of the liquor store. The Development Authority stated that there was no justifiable planning reason to refuse the application. The Development Permit Application was in alignment with the Municipal Development Plan and the Fort Chipewyan Area Structure Plan 2018 and the regulations in the Land Use Bylaw (see Exhibit 12, page 193).

[24] Section C.2.4 of the Municipality's Municipal Development Plan emphasizes the importance of balanced growth in Fort Chipewyan and encourages development near the community core to direct development into the area to optimize the use of under-utilized lands.

[25] Under the Fort Chipewyan Area Structure Plan, the property is situated within the designated Community Core, which is envisioned to be the heart of the hamlet and hub for commercial, institutional and residential uses. Existing vacant industrial lands have been identified to provide opportunities for development. The Fort Chipewyan Area Structure Plan supports the development of retail commercial, public service and residential uses within the community core and allows a mix of commercial uses.

[26] The LUB has zoned the lands as Hamlet Commercial (section 110). Liquor store, office and warehouse sales are all discretionary uses within that district.

[27] The Development Authority imposed the condition restricting hours of operation pursuant to the authority granted under section 27.2(a) of the LUB.

[28] The Development Authority noted that there were no grounds to refuse the application. However, considering the feedback from community members and the letter from Chief Tuccaro on behalf of the MCFN, it was important for the Development Authority to address the concerns raised. Therefore, the Development Authority imposed conditions restricting the hours of operation which it felt was appropriate and were aimed to mitigate a primary community concern regarding the accessibility and availability of alcoholic beverages.

[29] Counsel for the Development Authority addressed the Board's role as a constitutional decision maker. The question of the duty to consult was a constitutional question. Treaty rights that arise from the oral tradition were considered in the case of *Clyde River* (located in Exhibit 14). The decision by the Supreme Court of Canada in the *Clyde River* case is accompanied by a second case, *Chippewas of the Thames First Nation v. Enbridge* (also found in Exhibit 14).

[30] Paragraph 19 of the Clyde River case states:

> *[19] The duty to consult seeks to protect Aboriginal and treaty rights while furthering reconciliation between Indigenous peoples and the Crown (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43, [2010] 2 S.C.R. 650, at para. 34). It has both a constitutional and a legal dimension (R. v. Kapp, 2008 SCC 41, [2008] 2 S.C.R. 483, at para. 6; Carrier Sekani, at para. 34). Its constitutional dimension is grounded in the honour of the Crown (Kapp, at para. 6). This principle is in turn enshrined in s. 35(1) of the Constitution Act, 1982, which recognizes and affirms existing Aboriginal and treaty rights (Taku River Tlingit First Nation v. British Columbia (Project Assessment Director), 2004 SCC 74, [2004] 3 S.C.R. 550, at para. 24). And, as a legal obligation, it is based in the Crown's assumption of sovereignty over lands and resources formerly held by Indigenous peoples (Haida, at para. 53).*

[31] Counsel for the Development Authority noted that *Cldye River* states that the duty to consult has a constitutional and legal dimension. The constitutional component is enshrined in section 35(1) of the *Constitution Act, 1982*, which recognizes existing Treaty Rights and its legal obligation on the Crown.

[32] For the purposes of what is before the Board, the duty to consult and the duty to accommodate arising from it are constitutional questions. The Board is bound by provincial legislation which includes the *Administrative Procedures Jurisdiction Act*, RSA, 2000, c. A-3 and the *Designation of Constitutional Decision Makers Regulation* (see Exhibit 14). The Board is not a constitutional decision maker within the scope of the Regulation. As a result of the comments in *Clyde River*, the Board cannot hear the constitutional questions including whether the duty to consult and the duty to accommodate are triggered or were fulfilled in this case.

[33] On the merits of the appeal, if the Board determines that this is a matter properly before it, the question is whether alcohol and the regulation of it is properly before the Board. Counsel for the Development Authority referenced the case of *Neskonlith v. Salmon Arm* 2012 BCCA 379 at page 379. That case addressed the question of whether municipalities have a duty to consult, holding that municipalities have insufficient resources or powers to respond to the duty to consult. That decision has been criticized but has been followed in a number of cases. The argument that the *Neskonlinth* case should be reconsidered in light of *Clyde River* and *Chippewas of the Thames First Nation* has not yet been decided. Based on cases and the Regulation, existing case law supports that planning decisions do not require municipalities to discharge the Crown's duty to consult. The British Columbia decision in *Neskonlith* is not binding in Alberta, but it is persuasive. There is no case law in Alberta leading to the conclusion that municipalities do have a duty to consult.

[34] Counsel for the Development Authority referenced the Protocol Agreement between the MCFN and the Municipality. Section 13.1 of the Agreement states that it is non-binding. It is intended to set up and continue a path to Truth and Reconciliation and to incorporate principles from the final Report on Truth and Reconciliation. Counsel for the Development Authority referred the Board to various sections of the Protocol Agreement including section. 5.7 which states that nothing in the agreement diminishes the duty to consult with the MCFN by other law.

[35] The Development Authority met the conventional engagement requirements under the MGA and the LUB. In the context of its role, the Development Authority is not required to render reasons for approval. Only if there is a refusal is it required to issue reasons. The Board will issue its reasons and that aspect of providing full and frank disclosure of decision making will be part of the record.

[36] The Development Authority did not take issue with the position that anyone in the hamlet and the neighbouring reserves being affected. There are no hard and fast lines for what constitutes “community”.

[37] In relation to the role of the Board following its consideration of the question of jurisdiction, the Development Authority is to describe how it came to its decision, review the statutory framework of the use (discretionary use) and respond to questions about procedure considering the application. The Development Authority has attempted to be objective and neutral in its submissions. The Development Authority stated that it has a duty when an application is made to it to process the application and engage the community. The Development Authority has met those expectations in the conventional sense. With discretionary permit decisions, the Development Authority is bound by the land use policies (under section 622 of the MGA), the development regulations including the *Matters Relating to Subdivision and Development Regulation* and by the LUB as well as any statutory plans, here the Municipal Development Plan and the Fort Chipewyan Area Structure Plan.

[38] The refusal of a discretionary use requires a sound planning reason. The Development Authority felt there was no sound planning reason to refuse the development permit.

[39] The Development Authority provided its rationale for the imposition of condition 26. Section 640(2)(4) and sections 26 and 27 of the LUB give the Development Authority the ability to impose conditions for permitted and discretionary uses. The condition must be for a valid planning purpose and not be imposed in bad faith, or for discriminatory, retroactive or vague reasons or be uncertain.

[40] In imposing condition 26, the Development Authority was responding to concerns of the community. It is a valid planning condition responding to circumstances that are unique to Fort Chipewyan and in the circumstances, the condition is fair and reasonable. It is not unusual for an applicant to come back and request that a condition be amended or discharged based on evidence of operation. The Development Authority stated the condition was a reasonable one and within the jurisdiction of the Development Authority to impose.

[41] The Development Authority met the standard of what was traditionally applied in planning applications and went beyond the normal terms of engagement. There is potentially an evolving scope of engagement with indigenous communities. The Municipality entered a Protocol Agreement agreeing to engagement. The Development Authority believes it met the duty to engage in accordance with the legislation and the limited scope that had been delegated by the province of Alberta. The Development Authority is not the Crown. The honour of the Crown does not devolve to municipalities in Alberta.

[42] In response to questions from Mr. Roy, the Development Authority stated:

a. The notice of the development permit application went to every address in Fort Chipewyan and in the First Nations surrounding it which was not the standard process for notifying parties. The normal process is to use a 100-metre radius for notification. In this instance, the Development Authority sent letters to every address available by Canada post as well as to the three First Nations;

b. The notification to the Regional Emergency Services was to the Fire Marshall group relating to life safety matters;

c. They reached out to the RCMP of Fort Chipewyan which provided basic statistics about potential crime attributed to alcohol;

d. In response to the question of whether the imposition of condition 26 was based upon concerns about availability of alcohol raised by the MCFN and other community members, the Development Authority was asked whether it had any evidence that reducing the hours will have the effect that was hoped. The Development Authority advised that it had done an environmental scan for other jurisdictions in Alberta and Canada about hours of operation where hours of operation were limited for similar reasons. The Development Authority looked at uses such as cannabis and liquor stores. In some jurisdictions, hours were limited if they were near schools or places of worship. Based upon the comments and letters received, the Development Authority felt the condition regarding hours was appropriate. One of the issues in Fort Chipewyan is crime in the evenings. The Development Authority is aware of crime that occurs in the hamlet and that it occurs more often in the evening. That was the rationale to limit hours of operation to limit crime that the community is experiencing;

e. In response to a question regarding whether the Development Authority took into account the hours of operation of the first liquor store within the community which is open to 10:00 p.m. most days, the Development Authority stated that it was aware of the first liquor store, but that liquor store did not have a legal permit with the Municipality. The last time it had a valid development permit was in 2014. The Municipality is in the process of working with the property owner to bring it into compliance. When making its decision on this development permit application, the Development Authority did not consider the existing business operating illegally;

f. The Development Authority was not aware of any separation distances for liquor stores within the statutory plans or the LUB;

g. The Development Authority was not provided with the letters of support (Exhibit 4 and 13) for the development during the pre-notification process. The Development Authority did not receive the letters after notification of approval had been provided. The letters of support came in only during the appeal process to this Board which is when the Development Authority became aware of that support. The Development Authority therefore did not factor in the letters of support in its decision.

h. When the Development Authority was considering restrictions, it notified Mr. Roy about the limitation of hours.

[43] In response to questions from MCFN, the Development Authority stated:

a. It acknowledged the letters that had been received from interested parties during the communication with the community between July and August 2023 and when the permit had been approved. For the MCFN, the leadership met with the Mayor, who spoke with Chief Tuccaro regarding the development application and the concerns that the MCFN had in relation to the application;

b. The Municipality's response to MCFN was to acknowledge receipt of the letters and to note that they would be considered as part of the development approval process;

c. It reached out to the RCMP as it would for any external reviewer of a development permit application. The RCMP do not officially provide feedback. The Constable provided crime statistics for 2023 which were taken into consideration making the decision. The Development Authority examined the provisions of the statutory plans (Municipal Development Plan and Area Structure Plan);

d. Fort Chipewyan is unique given its geographic location and its access by way of air or winter road only. It is Alberta's oldest settlement. The Applicant had to do an historical and cultural review.

e. The Development Authority worked with the Municipality's consultation group and supported them. The Development Authority was aware of the Protocol Agreement. It went above and beyond at the process under the MGA and the LUB and allowed for engagement in the community within the confines of what the Development Authority is allowed to do. It was a longer and more thorough process than the ordinary process. Generally, the Development Authority does not send notices to all addresses before a decision. The Development Authority extended the radius to include the community hall and the First Nations' contact offices. The Development Authority allowed the residents to reach through to the Development Authority to answer questions, and the Development Authority answered questions orally which were then transcribed to respect the oral tradition. The Development Authority received only nine letters. Based on that, the Development Authority believed that it had met the Protocol Agreement and met the obligation of the Development Authority to work with Indigenous communities;

f. There was no consultation through the process but rather engagement. This is a different process with a higher degree of communication. It was not just notification; they also took the feedback. The Development Authority stated that it wanted to treat everyone fairly, regardless of use. The Development Authority does not regulate morality but land use;

g. The decision by the Development Authority to go beyond the 100-metres was an elevation of the ordinary process and another level of transparency, accountability and engagement.

[44] In response to Board questions, the Development Authority stated:

a. The evidence of the environmental scan to justify the hours and how it would reduce the issues in the community was not included in the materials brought before the Board;

b. In response to questions about whether the Development Authority had any other information about whether reducing the hours would achieve the result that they had hoped, the Development Authority could not guarantee that the reduced hours would reduce the impact which was identified in the various letters sent to the Development Authority. The Development Authority's view was that the two comments heard most about their concerns was access and availability to alcohol and the impacts on crime. The position of the Development Authority was they could limit some of those issues relating to availability by limiting hours of operation and access.

Submissions of Appellant 1 - Mr. Roy

[45] Counsel for Appellant 1 addressed the jurisdictional question first. He stated constitutional questions are not within the purview of the Board. The arguments about the duty to consult arising from Aboriginal and Treaty rights in s. 35(1) of the *Constitution Act* were outside the jurisdiction of the Board. The duty to consult is based upon Treaty 8. The MCFN argues that the heightened duty is articulated in the Supreme Court of Canada decision of *Clyde River* and applies to tribunals and delegates of the Crown. In fact, *Clyde River* states the opposite. He referenced paragraph 36 of the case which states as follows:

> *[36] Generally, a tribunal empowered to consider questions of law must determine whether such consultation was constitutionally sufficient if the issue is properly raised. The power of a tribunal "to decide questions of law implies a power to decide constitutional issues that are properly before it, absent a clear demonstration that the legislature intended to exclude such jurisdiction from the tribunal's power" (Carrier Sekani, at para. 69). Regulatory agencies with the authority to decide questions of law have both the duty and authority to apply the Constitution, unless the authority to decide the constitutional issue has been clearly withdrawn (R. v. Conway, 2010 SCC 22, [2010] 1 S.C.R. 765, at para. 77). It follows that they must ensure their decisions comply with s. 35 of the Constitution Act, 1982 (Carrier Sekani, at para. 72).*

[46] Counsel for Appellant 1 reviewed the regulation under the *Administrative Procedures and Jurisdiction Act* noting section 2 states that only the decision makers listed in Column 1 of the Schedule have the jurisdiction to determine questions of constitutional law. The Subdivision and Development Appeal Board is not listed in Schedule 1 and therefore does not have jurisdiction to address any constitutional questions. The issues raised by the MCFN are important but are not questions over which the Board has any jurisdiction. The questions of the obligation of the Development Authority regarding a duty to consult, whether a common law or Treaty Right, is not part of the Board's jurisdiction. Paragraph 19 of *Clyde River* notes that the duty to consult has a constitutional dimension grounded in the honour of the Crown which is enshrined in section 35 of the *Constitution Act*, recognizing and affirming existing Aboriginal and Treaty Rights.

[47] Whether the duty to consult is arrived at through honour of the Crown, whether it is a specific Treaty Right in Treaty 8 or whether it exists in some common law form, those questions are constitutional. It is clear from the Designation of Constitutional Decision Makers Regulation and *Clyde River* that a tribunal does not have jurisdiction to make this decision, if there is clear exception. There is a clear exception in the Regulation. In regard to the question of whether the Development Authority was the delegate of the Crown, Counsel for Appellant 1 stated those questions and whether the duty was met through the consultation undertaken by the Development Authority are valid questions but not for this

Board.

[48] The Board must determine whether the Development Authority had a non-constitutional duty to consult with the neighbours. Appellant 1's position was that there was extended consultation regarding the development permit application. There was an extended period for receiving comments, prompted by the notification to every municipal address in Fort Chipewyan and giving notice to the various First Nations and Métis Nations in and around Fort Chipewyan. The Development Authority gave evidence about the standard required by the MGA and LUB and that it was met. The obligation under the planning legislation is to notify "affected parties" and the term "affected parties" is elastic. The Development Authority erred on the side of caution by giving notice to the whole of Fort Chipewyan and the surrounding Nations. It did not just send notices but received comments with regard to the larger community and took those into account.

[49] The next question properly before the Board is whether the Development Authority's decision is reasonable. There is no obligation under the MGA or the LUB to give reasons for the approval, but only for approval. Taken into account the concerns raised by the MCFN regarding the effects of alcohol on the community, the Development Authority's response went beyond the typical consultation process. Appellant 1 does not object to the heightened notice and the Development Authority taking into account those responses. However, Appellant 1 wishes to separate that activity from the duty to consult with affected parties.

[50] Counsel for Appellant 1 stated that the Protocol Agreement is a non-binding instrument to collaborate on a range on matters of municipal interest. Section 6.1 identifies areas of mutual interest including section. 6.1(e) land planning, zoning and land use. There is no protocol imposing specific engagement or consultation. It is not meant to be imposed at an individual development permit level.

[51] Counsel for Appellant 1 referred to Exhibit 15 to address why the imposition of condition 26 should be removed. The Development Authority sought to mitigate the effects of alcohol on the basis that if alcohol cannot be purchased in the evening, it should mitigate the issues of alcoholism and crime associated with alcohol consumption. The other liquor store is operating illegally and selling liquor into the evening and has been allowed to sell alcohol since 2014 without approval. There is an inconsistency of action between the approval for Appellant 1 having limited hours as compared to an unlicensed activity which is selling alcohol into the evening. It is patently unfair and is an unreasonable and uneven treatment between the two liquor stores.

[52] There were 128 letters of support for Appellant 1. Each letter objects to the restriction of operating hours at 6:00 p.m. noting that a closing time of 6:00 p.m. would not be convenient for those who will patronize the business due to family or work commitments. There is unfair competition. The Development Authority is unfairly benefitting the illegally existing liquor store in terms of its ability to sell alcohol into the evenings while Appellant 1 will be restricted from doing so. The environmental scan referenced by the Development Authority did not include those where liquor stores were adjacent to reserves or First Nations. If the planning argument is made about proliferation, this is not a proliferation argument. The Alberta Gaming Liquor Cannabis (AGLC) handbook sets out hours of operation from 9:00 a.m. to 2:00 a.m. and discusses the training that is required including crime prevention through environmental design. The specific rules of the AGLC are more than adequate to address what condition 26 is attempting to address. The condition is attempting to address not who the alcohol is sold to, but to address those who are intoxicated. Nothing in the AGLC handbook says that reducing operating hours is effective or that it is a means to reduce alcohol related crime. Counsel for Appellant 1 urged the Board to remove condition 26 and uphold the approval. There is no evidence from the Development Authority that restricting the hours of operation will properly address the issues raised, and the condition was not imposed for valid planning purpose.

Daniel Roy

[53] Mr. Roy indicated that he has lived in the community for 24 years. He bought the land and proposed to build a new liquor store to replace the existing one. Mr. Roy had 128 letters in support from local residents, all of legal age. He stated that there is no more crime now (with one liquor store) than when there were two liquor stores. His position is that his liquor store would be safer because the current liquor store is located in a dark area. His liquor store will be within a lit area. He is put at a competitive disadvantage to the existing liquor store due to the hours of operation imposed upon his development permit.

[54] Mr. Roy stated that such an early closing time will cause bootlegging to thrive. He suggested 9.00 pm would be a reasonable closing time and is happy to work with the community.

Ernest Thacker

[55] Mr. Thacker spoke in support of Mr. Roy's appeal. He stated that the existing liquor store is congested and has been broken into. It has also being set on fire. There should be a better use of that property. Mr. Thacker suggested that a liquor store in the downtown where lighting is good and the roads are good would be better. There is already alcohol sold at various places in the community, including a beer garden and the community hall. There are fights outside of the existing liquor store.

Charlie Fraser

[56] Mr. Fraiser spoke in support of Mr. Roy's appeal. He is 85 years old and was born and raised in Fort Chipewyan. He had concerns regarding the existing liquor store. He wants to have a better liquor store in town.

Bruce Inglis

[57] Mr. Inglis spoke to the need to have a level playing field and for there to be consistent oversight of the whole community. There are complex issues at play but they should be dealt with at other levels of government. He has lived in the region for 69 years and 60 of them in Fort Chipewyan. The downtown core had been vibrant but has been losing businesses. If there is no access, bootlegging will occur. He hopes that this is taken into account. It is not possible to solve the problem of alcohol with a single prohibition.

Submissions of Appellant 2 – Mikisew Cree First Nation Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises, Mistee Seepee Development Corporation Ltd

[58] Counsel for Appellant 2 stated that there is no binding legal authority stating that the Municipality is not the Crown. It would be absurd to allow the Provincial Crown to abdicate its obligations as the Crown to the Municipality. The Municipality, the Development Authority and this Board are akin to the Natural Resources Conservation Board referenced in the *Clyde River* decision. They exercise delegated powers on behalf of the Crown and are an emanation of the Crown to which the honour of the Crown applies. In *Fort McKay First Nation vs. Prosper Petroleum Ltd., the Court* considered the Alberta Energy Regulator (the AER) and whether it could engage in the duty to consult. The legislation governing the AER specifically ousts the duty to consult which is always at stake. The hamlet has 2 First Nation reserves close by.

[59] Counsel for Appellant 2 asked whether a person's right to do business supersedes the First Nations right to say no. The Truth and Reconciliation component of the Report on Truth and Reconciliation means that Appellant 2 is more than just another stake holder. Counsel for Appellant 2 advised that the question of compatibility will be spoken to by the individuals who will speak on behalf of Appellant 2.

[60] The parties are committed to Truth and Reconciliation as evidenced by the Protocol Agreement. Counsel for Appellant 2 reviewed various provisions of the Protocol Agreement including sections 4.1.a and 5.3a. The Protocol Agreement required more than notification. It required engagement which was not satisfied by the notice. Notice to the community was not collaboration. Section 6.1.e of the Protocol Agreement references land use planning, which is the topic before the Board today. The Protocol Agreement created legitimate expectations by Appellant 2 that they would have engagement and collaboration on the granting of a permit. The concerns of Appellant 2 are not concerns about establishing business priorities or making the core of the hamlet vibrant. Their

concerns are about a liquor store in the core of the community, the impact on their Treaty Rights and the health and public interest of the community.

[61] Exhibit 16, Appendix 9 is a letter from Dr. Darcy Lindberg, who provides an opinion stating that it is an express promise in Treaties 6, 7 and 8 to not have intoxicating substances in the MCFN territory.

[62] Appellant 2 owns and manages property within Fort Chipewyan and the land titles are included for the properties owned by the three corporations.

[63] MCFN responded as soon as it could to the notifications by the Municipality, given the wild fire and the election which happened. Despite the letter from Chief Tuccaro to the Municipality, there was no consultation. The rights of one person (the person applying for the development permit) should not be put above the rights of the residents who are part of the Treaty, who are 583 of the thousand residents of the hamlet.

[64] Alcohol has a significant effect on the community. The survey which was conducted overwhelmingly was in opposition to the liquor store. Eighty four percent of the individuals who responded opposed the liquor store. This is in contrast to the *pro forma* letters received in support of Appellant 1's development permit application. The Board was urged to read the comments on the survey which are individual and which note the impacts.

[65] Appellant 2 provided crime statistics as part of its submissions. The RCMP advised that 697 crimes occurred in Fort Chipewyan in the previous year and 328 (almost half) were alcohol related. Of the 87 prisoners held in the RCMP detachment in 2023, 69 were intoxicated by alcohol. These are valid concerns that need to be considered.

[66] Appellant 2 understands that the granting of the permit is discretionary, but the use is not compatible with neighbouring uses. There are valid concerns of the community that it is detrimental to the health, safety, convenience and general welfare of the community. The current liquor store operating is causing issues with regard to property damage, etc. While Appellant 2 shares the goals of revitalizing the core of the hamlet, in this instance, the Board must look at neighbouring properties to determine the impact on them. Bootlegging already thrives and is not a reason to grant the permit. Section 617 of the MGA speaks to the public interest. The Board does not need to go to the duty to consult. Appellant 2 is the public and deserves to have their concerns heeded.

[67] The Board was urged to consider that once Appellant 2 was engaged in the process, they should have a meaningful opportunity to respond, which means engagement and collaboration. Counsel for Appellant 2 disputed that the Municipality went above and beyond its obligations. In Appellant 2's view, the Protocol Agreement was not exceeded.

[68] In relation to the question of whether the decision point is a constitutional question over which the Board has no jurisdiction, Counsel for Appellant 2 pointed to section 10 of the *Administrative Procedures and Jurisdiction Act* which defines a question of constitutional law as:

> *10(d) "question of constitutional law" means*
>
> *(i) any challenge, by virtue of the Constitution of Canada or the Alberta Bill of Rights, to the applicability or validity of an enactment of the Parliament of Canada or an enactment of the Legislature of Alberta, or*
>
> *(ii) a determination of any right under the Constitution of Canada or the Alberta Bill of Rights.*

[69] Appellant 2's position was that there was no constitutional question arising in the issues before the Board. *Clyde River,* paragraph 19 applies in this case. Unlike the AER whose legislation precludes the duty to consult (s. 21), the Board's jurisdiction to consider consultation is not ousted. *Clyde River* notes that there is both a constitutional and a legal obligation in the duty to consult. Therefore, there is a legal component owed to Appellant As a result, the duty to consult is not constitutional and is triggered in this case.

[70] Counself for Appellant 2 referenced paragraph 14 of the *Paul First Nation v. Parkland (County),* 2006 ABCA 128 (exhibit 14) which stated that there was no duty of consultation regarding privately owned lands. Appellant 2's position is that the *Paul* case is overturned by the *Clyde River* decision, noting paragraph 29 of the *Clyde River* decision:

> *[29] By this understanding, the NEB is not, strictly speaking, "the Crown". Nor is it, strictly speaking, an agent of the Crown, since — as the NEB operates independently of the Crown's ministers — no relationship of control exists between them (Hogg, Monahan and Wright, at p. 465). As a statutory body holding responsibility under s. 5(1)(b) of COGOA,* ***however, the NEB acts on behalf of the Crown when making a final decision on a project application. Put plainly, once it is accepted that a regulatory agency exists to exercise executive power as authorized by legislatures, any distinction between its actions and Crown action quickly falls away. In this context, the NEB is the vehicle through which the Crown acts. Hence this Court's interchangeable references in Carrier Sekani to "government action" and "Crown conduct" (paras. 42-44). It therefore does not matter whether the final decision maker on a resource project is Cabinet or the NEB. In either case, the decision constitutes Crown action that may trigger the duty to consult****. As Rennie J.A. said in dissent at the Federal Court of Appeal in Chippewas of the Thames, "[t]he duty, like the*

> *honour of the Crown, does not evaporate simply because a final decision has been made by a tribunal established by Parliament, as opposed to Cabinet" (para. 105). The action of the NEB, taken in furtherance of its statutory powers under s. 5(1)(b) of COGOA to make final decisions respecting such testing as was proposed here, clearly constitutes Crown action. (emphasis added)*

[71] The *Neskonlith* case is not binding. Counsel for Appellant 2 urged the Board not to find it persuasive. Municipalities are governments "in mini" and have powers delegated to them by the Crown in right of the Province. The Province cannot avoid the duty to consult by delegation.

[72] Both the *Paul* and case of *Kappo v. SDAB (Municipal District of Greenview No. 16),* 2003 ABCA 146 are not good law. Under section 687 (3)(c) of the MGA, the Board has the remedial power to address the duty to consult. If the Municipality has not discharged the duty to consult, the Board must discharge that duty.

[73] Counsel for Appellant 2 referenced the article written by Paul Daly who spoke about an analogy between charter values and charter rights. A similar analysis must be done here. If there is a gap, it is not clear where Appellant 2 could go to challenge it and what the constitutional challenge would be. If there is no availability to consider issues before the Board in relation to a live issue, then there is likely no remedy. Such a conclusion is contrary to the rule of law and to the United Nations Declaration on the Rights of Indigenous Peoples, and section 96 of the *Constitution Act*.

[74] Appellant 2 opposes appeal 1. They recognize that it is a fair comment to question how limited hours ameliorate issues regarding alcohol. Their response is that the way to address it is not to have liquor stores in the first place. The fact that the first liquor store has been allowed without a permit since 2014 is not relevant. The proliferation argument also does not justify having this liquor store.

Chief Tuccaro

[75] Chief Tuccaro spoke to the impact that alcohol has on the community. He is not against the sale of alcohol, but is concerned about the impact that it has on the community both in relation to safety, and drunk driving, etc. He stated that there are problems and did not want those problems contributed to by the addition of another liquor store. He spoke to the significant negative personal impacts which alcohol has had on himself and his family.

Councilor Paul Tuccaro

[76] Councilor Tuccaro noted the damage that alcohol can do in terms of the community, including domestic violence. He stated that a new liquor store will come at the cost of health and safety of the community and that the choice today sets the tone for the community. He stated that there are unfortunate incidents including safety and road accidents. He stated that as a community, they have acknowledged the serious repercussions due to an increase in alcohol including crime and domestic violence and the impact on people.

CEO Kerri Ceretzke

[77] Kerri Ceretzke, Acting Chief Executive Officer for MCFN, and the Director of Education and the principal of the school, spoke to the impact which alcohol has had on her family and to students with whom she has had dealings. She stated that making liquor more accessible is not appropriate. She spoke to the significant negative personal impacts which alcohol has had on herself and the school community.

[78] Upon conclusion, the Chair asked the parties present, if they felt that they had a sufficient opportunity to present their evidence and argument to the Board. No issues were brought to the Board's attention.

Mitchel Bowers

[79] Mr. Bowers stated that the MCFN has consulted with the Municipality on various statutory plans, including the Municipal Development Plan and the Area Structure Plan. There has been consultation on 21 infrastructure projects between 2013 and 2024 including projects dealing with water supply, winter roads, etc. Despite section 5.4.b of the Protocol Agreement indicating the MCFN has the right to establish necessary engagement, they did not get that opportunity because this matter was not brought to the joint committee despite the concerns raised.

Findings Of Fact

[80] In addition to the specific facts set out under the Board's reasons, the Board makes the following findings of fact:

a. The Lands are municipally described as 193 Mackenzie Avenue, Fort Chipewyan, AB and legally described as Lot 3, Bloc, 10, Plan 5642NY.

b. The Lands are located in the HC – Hamlet Commercial District.

c. The proposed development is a Liquor Store, Office and Warehouse.

d. The proposed development is a discretionary use in the Hamlet Commercial District.

Decision

[81] **The Subdivision and Development Appeal Board decides as follows:**

a. **Question jurisdiction -** The Board concludes that it is bound by the two Alberta cases which confirm the Board has no jurisdiction to decide questions of the sufficiency of the duty to consult.

b. **Development Authority duty to consult** - the Board finds there is no such obligation on the Development Authority.

[82] **Appeal 1 is denied**

[83] **Appeal 2 is granted. Development** Permit 2023-DP-00125 is **revoked.**

Reasons for The Decision

[84] The Board notes that its jurisdiction is found within section 687(3) of the *Municipal Government Act, RSA 2000, c.M-26* (the "MGA"). In making this decision, the Board has examined the provisions of the Municipal Development Plan, the Fort Chipewyan Area Structure Plan and the LUB and has considered the oral and written submissions by and on behalf of the Development Authority, Appellant 1, Appellant 2 as well as those persons speaking to both appeals.

Affected Persons

[85] The first question the Board must determine is whether the Appellants as well as those individuals who made written submissions and appeared before the Board are affected persons. The Board notes that no party raised any objection with any other party's participation but wishes to address this question for completeness.

[86] As the person whose development permit is under appeal, Appellant 1 is affected by this appeal.

[87] Appellant 2 is comprised of the Mikisew Cree First Nation acting through 1112958 Alberta Ltd., Cree-Ations Enterprises; and Mistee Seepee Development Corporation Ltd. The corporations own land within Fort Chipewyan. The First Nation has lands within close proximity to the hamlet, as well as having members living in the hamlet. Based on those facts, the Board finds that Appellant 2 is affected.

[88] All of those individuals who provided oral submissions to the Board live in Fort Chipewyan. In light of the fact that the individuals are part of a close-knit community, the Board is of the view that they are all affected by the proposed development.

Issues to be Decided

[89] The ultimate question facing the Board is under section 687(3)(c): whether the Board should "confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own". However, in order to make that determination, the Board must determine the following issues:

a. Does the Board have the jurisdiction to determine whether the Development Authority met what is alleged to be their duty to consult?

b. If yes, has the Development Authority met that duty?

c. If no, what is the nature of the use of the proposed development and is the use authorized under the LUB as a permitted or discretionary use?

d. Given the nature of the use under the LUB, is the use compatible with neighbouring uses?

e. In relation to condition 26, should the condition be confirmed, revoked or varied?

a. Does the Board have the jurisdiction to determine whether the Development Authority met what is alleged to be their duty to consult?

[90] There was a preliminary question raised about whether the Board has the jurisdiction to determine questions regarding the sufficiency of consultation. Appellant 2's grounds of appeal included the argument that the Regional Municipality of Wood Buffalo or the Development Authority did not consult with Appellant 2 or breached Treaty No. 8. The Board must consider the scope of its jurisdiction to determine if it can consider these arguments and sets out a very brief summary of the positions of the parties on the questions that form part of the larger question.

[91] Appellant 2 argued that:

a. the Development Authority had a duty to consult, which it did not fulfill. The duty is a provincial duty which is delegated to the municipality in the creation of the municipality, and thus to the Development Authority and the Board in their creation. Appellant 2's argument was that the notices provided in 2023 were only notices, but not engagement. Appellant 2 also argued that if the Development Authority failed to fulfil its duty to consult, then this Board had the jurisdiction to consider the duty to consult and to fulfill that duty.

b. The Protocol Agreement compelled consultation in relation to planning matters and that the duty was not fulfilled.

c. The *Clyde River* case noted that the duty to consult had a legal as well as a constitutional component and as a result, the imposition of the duty to this case was not constitutional. In any event, Appellant 2 argued that under the definition of "constitutional question" found in section 10(d) of the *Administrative Procedures and Jurisdiction Act,* the question was not a constitutional question, so the Board had jurisdiction to answer this question.

d. *Clyde River* overturned the *Paul* and *Kappo* cases, which in Appellant 2's view are no longer good law.

[92] By contrast, Appellant 1 argued:

a. the Development Authority did not have a duty to consult. The Development Authority went above and beyond the duties set out in the MGA and the LUB, through the extended notification and engagement process which it conducted in 2023. The Board does not have a role in the duty to consult.

b. The Protocol Agreement is non-binding, and the references to planning matters does not compel consultation.

c. The *Clyde River* case expressly notes that the duty to consult is a constitutional question. Under section 2 of the Designation of Administrative Decision Makers Regulation, this Board is not listed as having the ability to determine questions of constitutional law.

d. *Clyde River* overturned the *Paul* and *Kappo* cases, which in Appellant 2's view were no longer good law.

[93] The Development Authority stated:

a. Based on *Neskonlith*, municipalities do not have a duty to consult.

b. The Development Authority met and exceeded the duties set out in the MGA and the LUB, through the extended notification and engagement process which it conducted in 2023.

c. The duty to consult is a constitutional question and the Board is not authorized to answer questions of constitutional law.

d. The Protocol Agreement is non-binding.

[94] The Board will examine the questions which arise.

Is the Board a constitutional decision maker capable of determining questions of constitutional law, such that it must assess the duty to consult?

[95] In considering this question, the Board first looked to the *Administrative Procedures and Jurisdiction Act*. The Board notes that this act contains a list of constitutional decision makers in Schedule 1 of the *Designation of Constitutional Decision Makers Regulation*, which does not include the Board. The Board found this strong evidence that the Board is not constitutionally competent to make a decision on the sufficiency of consultation.

[96] In further considering this matter, the Board considered the argument put forward by Appellant 2 that the "question" was not a constitutional question as defined in section 10(d) of the *Administrative Procedures and Jurisdiction Act.* The Board carefully examined the definition.

> *10(d) "question of constitutional law" means*
>
> > *(i) any challenge, by virtue of the Constitution of Canada or the Alberta Bill of Rights, to the applicability or validity of an enactment of the Parliament of Canada or an enactment of the Legislature of Alberta, or*
> >
> > *(ii) a determination of any right under the Constitution of Canada or the Alberta Bill of Rights.*

[97] *While the issue of the sufficiency of con*sultation does not fall under section 10(d)(i), it does appear to fall under section 10(d)(ii). Appellant 2 argued that Treaty 8 includes a right to be free from intoxicating substances. Paragraph 19 of *Clyde River* states:

> *The duty to consult . . . . has both a constitutional and a legal dimension . . . . Its constitutional dimension is grounded in the honour of the Crown (Kapp, at para. 6). This principle is in turn enshrined in* s. 35(1) *of the Constitution Act, 1982, which recognizes and affirms existing Aboriginal and treaty rights . . . . And, as a legal obligation, it is based in the Crown's assumption of sovereignty over lands and resources formerly held by Indigenous peoples (Haida, at para. 53).*

[98] This paragraph (quoted by all parties to the Board) notes the constitutional component of the duty to consult. Based on this comment from the Supreme Court, the Board is persuaded that the determination of the question about the duty to consult is a determination of a right under the Constitution of Canada under section 10(d)(ii) and therefore out of the scope of the Board's jurisdiction under the *Administrative Procedures and Jurisdiction Act.*

[99] Appellant 1 raised the *Paul* case and the *Kappo* case, citing them for the proposition that the issue of the Board's jurisdiction in relation to the duty to consult has been decided by the Court of Appeal. Based on those cases, Appellant 1 argued that this Board has no jurisdiction to consider Appellant 2's argument about the sufficiency of the duty to consult. Appellant 2 argued that *Clyde River* overturns those cases so the Board is no longer bound by them.

[100] In considering this question, the Board notes that the *Paul* and *Kappo* cases are from the Court of Appeal and are directly on this point. At paragraph 12, *Kappo v. Subdivision and Development Appeal Board (Municipal District of Greenview No. 16), 2003 ABCA 146* states:

> *[12] There is nothing in the MGA which gives the SDAB the power to determine constitutional issues nor is there a general power given to SDABs to determine issues of law. In Cuddy Chicks Ltd. v. Ontario (Labour Relations Board), 1991 CanLII 57 (SCC), [1991] 2 S.C.R. 5, 81 D.L.R. (4th) 121 (Cuddy Chicks), the Supreme Court held that an administrative tribunal which has been given power to interpret law holds a concomitant power to determine whether that law is constitutionally valid. Section 52(1) of the Constitution Act neither specifies which bodies may rule on constitutional issues nor confers jurisdiction on an administrative tribunal. Jurisdiction over the parties, subject matter and remedy sought must be conferred on the administrative body by its enabling legislation.*

[101] In *Paul First Nation v. Parkland (County),* 2006 ABCA 128, the Court states:

> *[12] I conclude that there is no duty on the part of the SDAB to consult with the Paul Band, nor need the SDAB ensure that Burnco consult with the Paul Band as there is no obligation on the part of Burnco to consult with it: See Haida, para. 52-56. First, a SDAB does not possess the authority to decide constitutional issues. In Paul v. British Columbia (Forest Appeals Commission), 2003 SCC 55, [2003] 2 S.C.R. 585, the Supreme Court determined that inferior tribunals could decide constitutional issues provided they had the jurisdiction to decide general issues of law. However, SDABs do not have the jurisdiction to decide general issues of law: Kappo v. SDAB (Municipal District of Greenview No. 16), 2003 ABCA 146, sub nom. Sturgeon Lake Cree Nation v. Greenview (Municipal District) No. 16, 14 Alta. L.R. (4th) 250, leave to appeal to S.C.C. refused (2004), 361 A.R. 200 ("Kappo"). Therefore, SDABs are precluded from deciding constitutional issues. The issues presented by the Paul Band are constitutional.*
>
> *[13] Even if the reasoning in Kappo is incorrect, recent provincial legislation that is now in force restricts most inferior tribunals from deciding constitutional questions: Designation of Constitutional Decision Makers Regulation, Alta. Reg. 69/2006. SDABs are not included in the category of decision makers that enjoy the jurisdiction to decide constitutional issues. Therefore, if this matter was referred back to the SDAB, it could not entertain the issues posed by the Paul Band.*

[102] These cases expressly provide specific direction that subdivision and development appeal boards do not have the jurisdiction to determine constitutional issues. The *Paul* case also confirms that the Board itself does not have a duty to consult.

[103] While the Board recognizes that *Clyde River* is a Supreme Court of Canada case, it does not mention either of the above 2 cases. In light of the binding nature of the two Alberta Court of Appeal cases, and the fact that *Clyde River* does not mention the two Alberta cases, and does not expressly overrule them, the Board is not persuaded that these cases have been overruled. The Board therefore concludes that it is bound by the two Alberta cases which confirm the Board has no jurisdiction to decide questions of the sufficiency of the duty to consult.

Does the Municipality and thus the Development Authority have a duty to consult?

[104] In light of the Board's conclusion that it does not have jurisdiction to answer constitutional questions, it is not necessary for the Board to answer this question. If the Board were required to answer this question, the Board provides its comments, below.

[105] The first argument raised by Appellant 2 was that the Municipality has a duty to consult which is delegated by the Province when it established the Municipality, and through the Municipality's creation of the Development Authority and Board, to them. Appellant 2 did not provide any case authority in support of its argument but stated that the Province could not rid itself of the duty to consult by delegating powers. In contrast, the Development Authority referenced the *Neskonlith* case.

[106] The only case authority before the Board on this question is the *Neskonlith* case from British Columbia, which is not a binding precedent. However, cases from other jurisdictions can be persuasive, particularly when there are no legal authorities on point from Alberta. The Board notes that *Neskonlith* specifically addresses whether the duty to consult extends to municipalities. In light of the fact that case is directly on point to the issue raised by the parties, the Board finds the case to be persuasive. In the absence of any express recognition from any other court that there is a duty to consult on municipalities, the *Neskonlith* case provides direction that municipalities do not have a duty to consult.

Did the Protocol Agreement obligate the Development Authority and on appeal this Board to consult?

[107] Appellant 2 argued that the Protocol Agreement created, if not legal obligations, then a legitimate expectation of consultation by the Development Authority in relation to development permits.

[108] Appellant 1 and the Development Authority indicated that the Protocol Agreement was non-binding.

[109] In order to determine whether there was some form of "non-constitutional", but legal obligation to consult, the Board has considered Appellant 2's argument that the Protocol Agreement imposes that obligation on the Municipality, and thus the Development Authority.

[110] In examining the Protocol Agreement, the Board notes that section 3.1(d) of that Agreement references that the purpose of the Agreement is to "formalize an engagement process with the MCFN **on municipal projects, programs policies or decisions** that are of interest to, or may have impact on the MCFN." Read purposively, the Board is of the view that this section is a recognition that the intention was to deal with municipal projects, rather than private projects on private land. This reading is supported by the evidence of Mr. Bowers (see paragraph [79]) which indicated that the Municipality had previously engaged with MCFN on other municipal projects. There was no evidence that the Protocol Agreement had been previously used to engage with MCFN on private development. The Board is therefore not persuaded that the MCFN had a reasonable expectation that the Protocol Agreement would be used to impose engagement obligations in relation to private development on private lands.

[111] Further, the Board notes that section 13.1 of the Protocol Agreement indicates that the Agreement is not binding and not intended to be actionable. The Board understands section 13.1 to mean that the MCFN would not be able to sue on the Agreement. By extension, the Board interprets section 13.1 to mean that Appellant 2 cannot use the Agreement as the basis for an appeal.

[112] In considering whether the Development Authority met the obligations of the MGA and the LUB for notification, the uncontradicted evidence before the Board was that the LUB requires notification of 100 m from the proposed development. The LUB obligation is only notification, and does not require the Development Authority to do more, such as take into account any comments received. The evidence here was that the notices were sent to each address in the hamlet, which the Board interprets as well beyond the 100 m of the LUB. Since the LUB only requires notification of 100 m and the Development Authority provided notices to the whole hamlet, the Board finds that the Development Authority met its statutory obligations for notices.

[113] The Board also notes that Appellant 2 argued that there was an obligation on the Development Authority to provide reasons for its approval. The Board notes section 642(4) of the MGA which requires a development authority to provide reasons, but only if the application is refused. In this case, the application was not refused; it was approved with conditions. In the absence of any statutory or regulatory requirement to provide reasons for approval, the Board finds there is no such obligation on the Development Authority.

c. If no, what is the nature of the use of the proposed development and is the use authorized under the LUB as a permitted or discretionary use?

[114] Even though the Board does not have jurisdiction to consider the duty to consult, that is not the end of the appeal. Appellant 1 agreed that Appellant 2 could still argue the merits of the planning case. The Board then needs to assess the planning merits of the appeals.

[115] The first question then is what is the nature of the proposed development? Appellant 1 applied for a Liquor Store, Office and Warehouse. There was no dispute among the parties that the proposed development fell within the definitions for these uses, and as a result of that consensus, the Board finds as a fact that the uses are Liquor Store, Office and Warehouse.

[116] The Board notes that the uncontradicted evidence before the Board is that these uses are discretionary in the Hamlet Commercial District and based on that uncontradicted evidence, the Board finds so as a fact.

d. Given the nature of the use under the LUB, is the use compatible with neighbouring uses?

[117] Since the use is discretionary, the Board must consider the compatibility of the proposed development with neighbouring uses.

> [14] The object and purpose of a discretionary use is to allow the development authority to assess the particular type and character of the use involved, including its intensity and its compatibility with adjacent uses.[1]

[118] Although the above quote speaks to "adjacent uses", the Board interprets the word "adjacent uses" as requiring an assessment of the compatibility of the proposed development with the uses in the area. Using a purposive interpretation, the Board believes that interpreting the words "adjacent uses" to mean only the uses immediately adjacent to the proposed development would be contrary to the purpose of part 17 as noted in section 617 which seeks to achieve orderly, economical and beneficial development without infringing on the rights of individuals for any public interest except to the extent necessary for the overall greater public interest.

[119] The Board understands that in coming to a determination of whether the proposed development is compatible, it must weigh the interests of Appellant 1 in its development permit against the impacts of that development on the community.

[120] In this case, the question is how broad that community is. The Board notes that the Development Authority sent notices of the development to the entire hamlet. The Board infers from the Development Authority's broad notification that the Development Authority considered that the entire hamlet would be affected by the proposed development. The evidence before the Board was that Fort Chipewyan is a unique community. There was no disagreement that it is geographically isolated, and is accessible only by plane, or, in winter, by winter road. In the Board's view, given these circumstances (the geographic location, its isolation and the broad notification by the Development Authority), the Board must examine the impact of the proposed development on the entirety of the hamlet, and not a subset of it.

[121] The Board has examined the evidence put forward by both Appellants regarding the question of compatibility.

[122] The Board understood Appellant 1 to argue that the imposition of condition 26 (decreased hours of operation) would not achieve the result of less effect of alcohol.

[1] Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board), 2009 ABCA 261.

[123] Appellant 2 provided evidence of crime statistics linked to alcohol and provided survey results which provided comments about the impact of alcohol on various members of the community.

[124] At page 1055/1104, Appellant 2 provided a letter from the RCMP indicating that as of October 21, 2024, the RCMP received 697 occurrences in 2024, of which 328 were alcohol related (the breakdown of occurrences is listed, but not repeated here). The RCMP also advised that in 2024, the detachment lodged 87 prisoners of which 69 were intoxicated by alcohol. The evidence before the Board is that the population of Fort Chipewyan is approximately 1,000 people. In the Board's view, the number of alcohol-related occurrences as compared to the local population is high. The impact of alcohol on the community was also evident in the evidence of Chief Tuccaro, Councilor Tuccaro and K. Ceretzke, and the survey results provided by Appellant 2.

[125] The Board considers safety considerations to be a valid planning consideration for the Board to consider when making a determination about compatibility. The evidence presented by Appellant 2 indicates that alcohol is, at least, a factor in the occurrences occurring in the community. The Board presumes that at least some of the alcohol comes from the existing liquor store in the community. Based on these statistics, the Board infers that if the presence of one liquor store causes or contributes to these statistics, there is no reason to believe that a second liquor store would not cause or contribute to further occurrences. The Board draws the inference that the proposed development would be at least a factor in creating or contributing to safety concerns in the hamlet.

[126] The Board has also considered the evidence presented from the letters in support of Appellant 1 and the survey presented by Appellant 2. The Board finds the evidence of Appellant 1 less persuasive, as the letters in support are form letters. Appellant 2's evidence by contrast included the survey results listed at page 1078: individual responses, which speak to the impact of liquor sales. The Board finds the individualized responses more persuasive than a form letter where the person need only sign their name, but did not express a view of compatibility which was individual to that person.

[127] The Board also considered the time period when the letters were drafted and collected. The Board is less persuaded by the form letters submitted by Appellant 1 because they were submitted only in response to the appeal. The survey submitted by Appellant 2 were prepared in 2023. The Board is of the view that the survey results express comments of the community generally since they were submitted before the development permit application was approved.

[128] The Board is aware that there were 78 respondents to the survey and Appellant 1 provided 128 form letters. The Board is not persuaded merely by the numbers. As noted above, the Board finds the individual responses more persuasive than the mere signing of a person's name on a form prepared by someone else.

[129] The Board noted the argument put forward by Appellant 1, that the Board should not consider a proliferation argument. The Board does not consider Appellant 2's argument to be an argument based on proliferation and the Board does not consider the potential of a second liquor store to be one where there is a "proliferation" of liquor stores. Rather, the Board notes the evidence provided by Appellant 2 of the impact of alcohol sales and is of the view that the proposed development would have a similar impact on the community, causing safety concerns. As a result of those safety considerations, the Board concludes that the proposed development is not compatible with the adjacent uses.

e. In relation to condition 26, should the condition be confirmed, revoked or varied?

[130] The final question for the Board to consider is whether the imposition of condition 26, regarding a restriction on the hours of operation would address the incompatibility such that the Board could affirm the imposition of condition 26, and thus find that the proposed development is compatible.

[131] The Board recognizes that the Development Authority imposed condition 26 in an attempt to address the concerns identified by the community about the proposed development. However, the Board notes that the Development Authority did not include in the hearing package the results of its environmental scan from other jurisdictions. As a result, the Board has no evidence to base any conclusion about the effectiveness of condition 26.

[132] The Board has also considered the argument that there is no evidence that the reduction of operating hours would assist in addressing the safety concerns (which was advanced by Appellant 1).

[133] By contrast, Appellant 2 urged the Board to conclude that the way to address the incompatibility is to revoke the development permit.

[134] There was no evidence before the Board about the efficacy of imposing condition 26 and whether reducing the hours of operation would decrease the impact on safety. The statistics from the RCMP did not identify whether the occurrences were in the evening (which might be impacted by reduced operating hours) or whether they were during the day.

[135] In the absence of more specific information, the Board does not have tools to refine the impact of the incompatibility. The Board notes that Appellant 1 has suggested that there is no evidence that condition 26 will address the concerns. In the absence of this evidence, the Board is of the view that it is left with a "black or white" choice. Appellant 1 suggests that condition 26 won't ameliorate the impact from alcohol sales. The Board was not presented with any other argument or suggested conditions which might address the incompatibility which the Board has found arises from the proposed development. In the absence of any other presented options or conditions, the Board concludes that there is no condition it could impose to address the incompatibility, and condition 26 would not

appear to be effective in doing so.

[136] As a result of the above, the Board finds that condition 26 does not address the incompatibility of the proposed development.

[137] Without any solutions proposed to the Board to address the incompatibility, the Board finds that the proposed development is incompatible.

[138] As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses, the Board denies appeal 1 and upholds appeal 2. The development permit is revoked.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 19th day of November 2024.

FOIP section 17(1)

CHAIR:
Dean Cleaver

APPENDIX "A"

DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

Exhibit #	Description	Filing Date
	Subject Area Map	**2024-09-08**
P1.	Request for Postponement	2024-08-12
P2.	Merit Hearing Availability – Orlagh O'Kelly (1 page)	2024-09-19
1.	Notice of Appeal – Daniel Roy (2 page)	2024-08-22
2.	Development Permit (6 pages)	2024-08-22
3.	Commentary in Support of the Appeal – Beverely Tourangeau (1 page)	2024-09-10
4.	Written Letters of Support re: Liquor Store – Appellant (97 pages)	2024-09-12
5.	Evidence Disclosure – Planner's Report (15 pages)	2024-09-13
6.	Notice of Appeal – Orlagh O'Kelly (9 pages)	2024-09-19
7.	Written Submission re Hours of Operation – Orlagh O'Kelly (1 page)	2024-09-19
8.	Municipality Email Correspondence re: Oral Presentation time limitations (3 pages)	2024-09-25
9.	Appellant R. Homersham re Oral Presentation time limitations (1 page)	2024-09-27
10.	Appellant O. O'Kelly re Oral Presentation time limitations (2 pages)	2024-09-27
11.	Written Submission – Mary Kutschke (1 page)	2024-10-04
12.	Planner's Report re: 2023-DP-00125 (60 pages)	2024-10-15
13.	Written Letters of Support re: Liquor Store – Appellant (31 pages)	2024-10-18
14.	Evidence Disclosure - Applicant D. Roy vs. Mikisew Cree First Nations (616 pages)	2024-10-21
15.	Evidence Disclosure -Appellant D. Roy vs. RMWB (129 pages)	2024-10-21
16.	Evidence Disclosure – Appellant O. O'Kelly (124 pages)	2024-10-22

APPENDIX "B"

REPRESENTATIONS

Person Appearing	Capacity
Chris Davis	Legal Counsel, Regional Municipality of Wood Buffalo
Nabil Malik	Development Officer, Regional Municipality of Wood Buffalo
Shailesh Makwana	Development Authority Supervisor, Regional Municipality of Wood Buffalo
Robert Homersham	Legal Counsel, Appellant 1
Daniel Roy	Appellant 1
Guy Thacker	Fort Chipewyan Resident
Charlie Frazer	Fort Chipewyan Resident
Bruce Inglis	Fort Chipewyan Resident
Orlagh O'Kelly	Legal Counsel, Appellant 2
Chief Billy-Joe Tuccaro	Mikisew Cree First Nation
Councilor Paul Taccaro	Mikisew Cree First Nation
CEO Keri Ceretzke	Mikisew Cree First Nation
Mitchel Bowers	Mikisew Cree First Nation

From: Kelly Johnson on behalf of Amanda Owens
To: kendrick.cardinal@fortchipmetis.ca; ATIA 20(1)
Cc: Amanda Owens; Dennis Fraser; Jesse Tjepkema
Subject: Notice of Development Application - 193 Mackenzie Avenue, Fort Chipewyan
Date: Wednesday, July 16, 2025 4:38:00 PM
Attachments: 2025.07.16 - Fort Chipewyan Metis - Notice of Development Application .pdf

---

Good afternoon;

Please see attached correspondence, sent on behalf of Amanda Owens, Director, Planning & Development Services.

Please do not hesitate to contact our office if there are any questions or concerns.

Many thanks,

Logo

Kelly Johnson *[she, her, hers]*
Senior Administrative Assistant
Office of the Director
Planning and Development Services
T: 780-743-7880 **M** : 587-919-6551
kelly.johnson@rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᔨᐟᐤ | Nistawâyâw | Ełídlı Kuę́
Alberta T9H 2K4

I humbly acknowledge that we are located on Treaty 8 Land, the traditional territory of the Cree and Dene, and Métis peoples.

How did we do? Provide anonymous feedback on your experience with RMWB Planning & Development Services to help us improve our services.
Planning & Development Services Customer Satisfaction Survey | Participate Wood Buffalo (rmwb.ca)

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

From: Kelly Johnson on behalf of Amanda Owens
To: aadam@acfn.com; maggie.farrington@acfn.com
Cc: Amanda Owens; Dennis Fraser; Jesse Tjepkema
Subject: Notice of Development Application - 193 Mackenzie Avenue, Fort Chipewyan
Date: Wednesday, July 16, 2025 4:39:00 PM
Attachments: 2025.07.16 - ACFN - Notice of Development Application .pdf

---

Good afternoon;

Please see attached correspondence, sent on behalf of Amanda Owens, Director, Planning & Development Services.

Please do not hesitate to contact our office if there are any questions or concerns.

Many thanks,

Logo

Kelly Johnson *[she, her, hers]*
Senior Administrative Assistant
Office of the Director
Planning and Development Services
T: 780-743-7880 **M** : 587-919-6551
kelly.johnson@rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᔨᐟᐤ | Nistawâyâw | Ełídlı Kuę́
Alberta T9H 2K4

I humbly acknowledge that we are located on Treaty 8 Land, the traditional territory of the Cree and Dene, and Métis peoples.

How did we do? Provide anonymous feedback on your experience with RMWB Planning & Development Services to help us improve our services.
Planning & Development Services Customer Satisfaction Survey | Participate Wood Buffalo (rmwb.ca)

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

From: Kelly Johnson on behalf of Amanda Owens
To: chief@mikisewcree.ca; ceo@mikisewcree.ca
Cc: Amanda Owens; Dennis Fraser; Jesse Tjepkema
Subject: Notice of Development Application - 193 Mackenzie Avenue, Fort Chipewyan
Date: Wednesday, July 16, 2025 4:39:00 PM
Attachments: 2025.07.16 - MCFN - Notice of Development Application.pdf

---

Good afternoon;

Please see attached correspondence, sent on behalf of Amanda Owens, Director, Planning & Development Services.

Please do not hesitate to contact our office if there are any questions or concerns.

Many thanks,

Logo

Kelly Johnson *[she, her, hers]*
Senior Administrative Assistant
Office of the Director
Planning and Development Services
T: 780-743-7880 **M** : 587-919-6551
kelly.johnson@rmwb.ca
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᔨᐟᐤ | Nistawâyâw | Ełídlı Kuę́
Alberta T9H 2K4

I humbly acknowledge that we are located on Treaty 8 Land, the traditional territory of the Cree and Dene, and Métis peoples.

How did we do? Provide anonymous feedback on your experience with RMWB Planning & Development Services to help us improve our services.
Planning & Development Services Customer Satisfaction Survey | Participate Wood Buffalo (rmwb.ca)

STATEMENT OF CONFIDENTIALITY: The information contained in this email message and any attachments may be confidential and legally privileged and is for the use of the intended recipient(s) only. If you are not an intended recipient, please: (1) notify me immediately by replying to this message; (2) do not use, disseminate, distribute or reproduce any part of the message or any attachment; and (3) destroy all copies of this message and any attachments. Thank you.

Outlook

File number 2025-dp-00169

From Scott Flett <ATIA 20(1)
Date Thu 8/7/2025 1:55 PM
To Jesse Tjepkema <Jesse.Tjepkema@rmwb.ca>

External Message - Please be cautious when opening links or attachments in email

Hello Jesse,
I have concerns about the planned location of the liquor store in Fort Chipewyan as it is in close proximity to a residential and beach area.

My present experience with residing across from the beach is the partying that takes place now which will only get worse with this proposed liquor store.

Scott Flett

From: ATIA 20(1)
To: Jesse Tjepkema
Cc: Phyllis Agyemang
Subject: Liquor Store
Date: Tuesday, August 12, 2025 9:39:39 PM

External Message - Please be cautious when opening links or attachments in email

ALERT ! !!

Sharing;

The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss. It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.

MIKISEW CREE
FIRST NATION

August 21, 2025

Regional Municipality of Wood Buffalo

Dear Sir/Madam:

Re: Mikisew Objection to Liquor Store Permit
Notice of Development Application 2025-DP-00169 – Liquor Store

---

Please consider the enclosed Mikisew Cree First Nation's objection – again – to the resubmission of an application for the same revoked permit for a liquor store in the heart of our community, Fort Chipewyan.

Mikisew was successful at the Court of Appeal in challenging the municipality's first attempt [redacted] unity at this location (193 Mackenzie Avenue, Lot 3; Block [redacted] Appeal, citing the Board's decision, stated:

> [redacted] those safety considerations [concerning alcohol use in the community] The Board concludes that the proposed development is not compatible with the adjacent uses. . . .
>
> 138. As a result of the Board's conclusion that the proposed development is incompatible with the neighbouring uses . . . The development permit is revoked.[1]

Having been successful all the way to the Court of Appeal, Mikisew did not receive proper notice of the re-submitted application from the Regional Municipality of Wood Buffalo (RMWB). **Tab 1** is a copy of the email from our member where our Nation became aware of this resubmissions when, on August 12, 2025.

---

[1] *Roy v Wood Buffalo (Subdivision and Development Appeal Board),* 2025 ABCA 69 (CanLII), at para 7.

MIKISEW CREE
FIRST NATION

After receiving this email and upon review of emails, it appeared that the generic email (from a previously unknown sender and not indicating RMWB in the subject line) went undetected as junk in the chief and ceo emails only. Please send all notices to our band office and also to chiefandcouncil@mikisewcree.ca with a read receipt to ensure this does not happen again.
It also does not appear that our legitimate expectations regarding notice, throughout the community, were met this time around. For example, some of our Council live in the immediate vicinity of 193 Mackenzie Avenue, and did not receive a notice regarding this application.

Moreover, this will be the second time the notice period is condensed in the middle of summer - a time when our members and Nation are exercising their Treaty and inherent rights, but also precisely on the day (July 16, 2025) when we were in Ottawa meeting with Prime Minster Carney at the widely advertised First Nations Summit.

Notwithstanding our objections to the adequacy, manner and timing of notice, we are [redacted] days of becoming aware of this application. Given this time [redacted]esults of an updated member survey when they become [redacted]

We submit as follows and enclosed:

Mikisew reiterates the safety considerations with a liquor store in community, with easy access for members with substance abuse issues but most importantly easy access for our youth. At the hearing before the SDAB Board, Mikisew advised the board of youth suicides that occurred under the influence of alcohol. Moreover, it is obvious that alcohol relates to serious safety issues in our small community. Enclosed at **Tab 2** is a copy of the incidents this year alone, until August 14, 2025, that are alcohol related. There are 241 incidents for a community of approximately 1000. This is extraordinary given the limited policing resources in our community.

MIKISEW CREE
FIRST NATION

Indeed, our Nation's employees and officials have noticed a decline in youth drinking in the community since the closure of the illegal liquor store (HEP). This has been a welcome improvement.

We also remind RMWB that under Treaty 8 the Crown promised us they would control the sale of liquor in our territory. Fort Chipewyan is predominantly Mikisew members. We enclose therefore at **Tab 3** the expert opinion of Dr. Darcy Lindberg in this regard. The Crown cannot evade its obligations by delegating permitting powers to the municipality.

Granting this licence has at least the *potential* to impact our Treaty relationship and Treaty rights, if not infringe them. Our claim to protection from liquor sales under Treaty 8 is credible as evidenced in Dr. Lindbergh's report. As such there is a duty to consult that arises. Since at least 2017, it is now clear that administrative bodies, such as municipalities, can and must discharge the duty to consult. Recognition of a duty to consult owing to Mikisew is evident in the consultation policy.

[redacted]indfall in resource revenue sharing from the impacts to our [redacted]ands development. By contrast, despite our constitutional [redacted] nothing in the way of revenue sharing. In February, 2024, [redacted]unding that was provided to RMWB by the federal public safety department for addictions and prevention measures, which our community was not made aware of. Instead, RMWB has proposed to contribute to the problem by approving a liquor permit in our community.

In addition, we know from research conducted following the Imperial Kearl spill that the land dispossession caused by industrial disturbance caused mental health harm to our members and, therefore, by extension, potential for further substance abuse issues in our community. RMWB has done nothing to assist in mitigating this real problem. By contrast, Mikisew has called a State of Emergency.

MIKISEW CREE
FIRST NATION

Even if RMWB maintains they are exempt from the duty to consult, please be advised that RMWB is not exempt from considering whether an application is in the public interest[2] and whether it is compatible with the surrounding use.[3] It is not in the public interest nor is it compatible with the surrounding use, as already found by the municipality's own board, to contribute to substance abuse and intergenerational trauma in a predominantly First Nation community like Fort Chipewyan through the sale of liquor at 193 Mackenzie Avenue.

In closing, given the short and dishonourable window of time to respond, again, we are enclosing and relying on our previous submissions, **Tab 4,** also submitted in haste, in response to RMWB's proposal to approve this permit again.

We trust this is sufficient to put this issue to rest and join us in protecting our community.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro
Mikisew Cree First Nation

Encl (4)

cc. *Chiefandcouncil@mikisewcree.ca*
ceo@mikisewcree.ca
RMWB via email

[2] *Municipal Government Act*, RSA 2000, c M-26, s 617; *Fort McKay First Nation v Prosper Petroleum Ltd*, 2020 ABCA 163 (CanLII), at para 43.
[3] *Rossdale Community League (1974) v. Edmonton (Subdivision and Development Appeal Board),* 2009 ABCA 261 (CanLII), at para 14.

Thursday, August 21, 2025 at 10:15:34 Mountain Daylight Time

Subject: Re: Liquor Store
Date: Thursday, August 21, 2025 at 10:15:33 AM Mountain Daylight Saving Time
From: Orlagh O'Kelly

From: Danny Mercredi [redacted] >
Sent: Tuesday, August 12, 2025 9:42:43 PM
To: Chief Billy-Joe Tuccaro <chief@mikisewcree.ca>
Cc: Councillor Bonnie Fraser <bonnie.fraser@mikisewcree.ca>; Councillor Sherri McKenzie <sherri.mckenzie@mikisewcree.ca>; Councillor Tammie Tuccaro <tammie.tuccaro@mikisewcree.ca>; Councillor Paul Tuccaro <paul.tuccaro@mikisewcree.ca>; Councillor Dillon Whitehead <dillon.whitehead@mikisewcree.ca>; Councillor Roxanne Marcel <roxanne.marcel@mikisewcree.ca>
Subject: Fwd: Liquor Store

Sent from my iPhone

Begin forwarded message:

> **From:** Danny Mercredi [redacted]
> **Date:** August 12, 2025 at 9:41:12 PM MDT
> **To:** permit.inquiries@rmwb.ca
> **Subject: Liquor Store**
>
> ALERT ! ‼️
>
> Sharing;
>
> The increasing presence and promotion of liquor stores in many First Nation communities are deeply troubling, especially given the ongoing struggles with alcohol addiction faced by many members. Alcohol is widely recognized as one of the most harmful drugs, capable of destroying families, health, and community cohesion. By allowing the proliferation of liquor stores, it feels as though opportunities to support members in overcoming addiction and promoting healthier lifestyles are being overlooked. Instead of fostering environments that empower recovery and well-being, these stores often contribute to the cycle of dependence and loss.

It is crucial for communities and leadership to prioritize initiatives that help members get off alcohol and build stronger, healthier futures.🪶🪶🪶🪶🪶🪶🪶🪶

Sent from my iPhone

	Occ #	Unit	Type
1)	20241023280	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
2)	20241036543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
3)	20241054768	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
4)	20241059007	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
5)	20241069343	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
6)	20241075514	G DIV FORT SMITH DETACHMENT	Wellbeing Check (FIP)
7)	20241091533	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
8)	20241099092	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
9)	20241099707 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
10)	2024110974 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
11)	20241119125	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
12)	20241139722	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

13)	2024114313	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
14)	2024114599 0	K DIV FORT CHIPEWYAN DETACHMENT	Moving Traffic - Speeding Violations - Provincial/Territorial
15)	2024115236 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
16)	2024116787 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
17)	2024117002 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
18)	2024117174 9	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
19)	2024119280 1	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
20)	2024121993 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
21)	2024122141 9 [M,Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
22)	2024123322 4	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
23)	2024123370 7	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
24)	2024124015	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
25)	2024125020 5	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
26)	2024126662 5	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)

27)	2024126751 2	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
28)	2024128139 9	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
29)	2024128766	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
30)	2024131840 4	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
31)	2024135376 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
32)	20241367	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
33)	2024138466 5	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
34)	2024138606 1	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
35)	2024139775 3	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
36)	2024140251 9	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
37)	2024142406 6	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
38)	2024143177 3 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
39)	2024143578 9	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
40)	2024146241 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

41)	20241466320	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
42)	20241467637	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
43)	20241476768	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
44)	20241488925	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
45)	20241543661	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
46)	20241549309 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
47)	20241553164 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
48)	20241574248	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
49)	20241581453	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
50)	20241583807	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
51)	20241587350	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
52)	20241589916	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
53)	20241599399	K DIV FORT CHIPEWYAN DETACHMENT	Suspicious Person/ Vehicle/ Property
54)	20241604427	K DIV FORT CHIPEWYAN DETACHMENT	Assault With Weapon or Causing Bodily Harm 267 CC (FIP)

55)	20241616415	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
56)	20241622022	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
57)	20241622419 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
58)	20241622685	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
59)	20241622922	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
60)	20241623091	K DIV FORT CHIPEWYAN DETACHMENT	Assist General Public
61)	20241623092	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
62)	20241658284	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
63)	20241690459	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
64)	20241691259	K DIV FORT CHIPEWYAN DETACHMENT	Crime Prevention
65)	2024169140	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
66)	20241704295	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
67)	20241705467	K DIV FORT CHIPEWYAN DETACHMENT	Sexual Assault 271 CC (FIP)
68)	20241713189	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities

69)	2024172216 2	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
70)	2024175155 1	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
71)	2024178404 0	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
72)	2024179644 2	K DIV FORT CHIPEWYAN DETACHMENT	Discharge firearm with intent 244 CC (FIP)
73)	2024179666 6	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
74)	2024179884 9	K DIV FORT CHIPEWYAN DETACHMENT	Harassing communications 372(3) CC (FIP)
75)	2024180090 6	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
76)	2024183733 3	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
77)	2024183827 2	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
78)	2024184563 3	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
79)	2024186837 8	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
80)	2024186966 0	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
81)	2024188708 9 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
82)	2024193208	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)

83)	2024194219	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
84)	2024203767	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
85)	2024208841	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
86)	2024211397	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
87)	2024240605	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
88)	2024251908	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
89)	202425940	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
90)	2024261551	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
91)	2024269059	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
92)	2024300733	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
93)	2024310987	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
94)	2024321251	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
95)	2024332052	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
96)	2024348366	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

97)	2024353525 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
98)	2024379617	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
99)	2024392612	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
100)	202444740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
101)	202445084	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
102)	2024462788	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
103)	20244736	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
104)	2024481133	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
105)	2024487768	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
106)	2024490598	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
107)	2024502124	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial
108)	2024518740	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
109)	2024519114	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
110)	2024520788	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial

111)	2024520867	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
112)	20245327	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
113)	2024538558	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Offences Only
114)	2024549440	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
115)	2024556047	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
116)	2024562648	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
117)	2024574278	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
118)	2024574938	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
119)	2024580844	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
120)	2024581200	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
121)	2024592833	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
122)	2024600378	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
123)	2024601552	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
124)	2024645716	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)

125)	2024669230	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
126)	2024672954	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
127)	2024674935	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
128)	2024706941	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
129)	2024712379	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
130)	2024712380	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
131)	2024713044	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
132)	2024714943	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
133)	2024720054	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
134)	2024721174	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
135)	2024727281	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
136)	2024727378	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
137)	2024731966	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
138)	2024732763	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities

139)	2024733800 [M]	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
140)	2024733897	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
141)	2024759119	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
142)	2024767401	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
143)	2024772115	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
144)	2024778655	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
145)	2024817368	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
146)	2024824782	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Damage to property 430(3)&(4) CC
147)	2024827924	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
148)	202482871 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
149)	202484914	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
150)	2024851590	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
151)	2024862040	K DIV FORT CHIPEWYAN DETACHMENT	Operation While Impaired (Alcohol And Drug) / Over 80mg% Of Vessel / Aircraft / Railway 320.14(1)(a)/(d) CC
152)	202487584	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

153)	202487906	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Offences Only
154)	2024879593	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
155)	2024897855	K DIV FORT CHIPEWYAN DETACHMENT	Breach of Peace
156)	2024909110	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
157)	202491967	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
158)	2024927289	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
159)	2024981470 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
160)	2024993773	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
161)	2024998728	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
162)	2024999150	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
163)	2025102724 6	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
164)	2025103532 8	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
165)	2025103540 3	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
166)	2025103659 8	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)

167)	20251037882	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
168)	2025106946	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
169)	20251101181	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
170)	20251106890	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
171)	20251114593	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
172)	2025111498	K DIV FORT CHIPEWYAN DETACHMENT	Other theft under $5000 334(b) CC
173)	20251120669	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
174)	2025112977	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
175)	2025114679	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
176)	2025114806	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
177)	2025114927	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
178)	2025115744	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
179)	202511669	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Other Activities
180)	2025117208	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC

181)	2025118023 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
182)	2025118515 2	K DIV FORT CHIPEWYAN DETACHMENT	Unwanted person
183)	2025118672	K DIV FORT CHIPEWYAN DETACHMENT	Uttering threats against a person 264.1(1)(a) CC (FIP)
184)	2025128736	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
185)	202513337	K DIV FORT CHIPEWYAN DETACHMENT	Other Provincial/Territorial Statutes (not otherwise specified) - Other Activities
186)	2025142963	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
187)	2025145353	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
188)	2025160447	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
189)	2025204227	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
190)	2025209553	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
191)	2025222597	K DIV FORT CHIPEWYAN DETACHMENT	Other Non-Moving Traffic - Provincial/Territorial
192)	2025233500	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol and drug) / over 80mg% of a Motor Vehicle 320.14(1)(a)/(d) CC
193)	2025239986	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
194)	2025240695	K DIV FORT CHIPEWYAN DETACHMENT	Other Moving Traffic Violations - Provincial/Territorial

195)	2025252833	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
196)	202526476	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
197)	202526543	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
198)	2025269588	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
199)	2025288103 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
200)	2025308025	K DIV FORT CHIPEWYAN DETACHMENT	Mental Health Act - Other Activities (FIP)
201)	2025326580	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency
202)	2025340119	K DIV FORT CHIPEWYAN DETACHMENT	Failure to comply with order 145(5) CC (FIP)
203)	2025373011	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
204)	2025376486	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
205)	2025380331	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
206)	2025395438	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
207)	2025407036	K DIV FORT CHIPEWYAN DETACHMENT	Mischief to motor vehicle 430(3)&(4) CC
208)	2025408535	K DIV FORT CHIPEWYAN DETACHMENT	Assistance to Canadian Provincial/Territorial Dept/Agency

209)	2025410932 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
210)	2025414298	K DIV FORT CHIPEWYAN DETACHMENT	Possession for the Purpose of Trafficking - Schedule I: Cocaine 5(2) CDSA (FIP)
211)	2025419309	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
212)	2025445959	K DIV FORT CHIPEWYAN DETACHMENT	911 Act - Other Activities
213)	2025483085 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
214)	202551716	K DIV FORT CHIPEWYAN DETACHMENT	Traffic Collision(s) - Property Damage - Reportable
215)	2025529443	K DIV FORT CHIPEWYAN DETACHMENT	Dangerous Driving - Provincial/Territorial
216)	202553174	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
217)	2025547037	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
218)	2025604106	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
219)	2025628925	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
220)	2025727571	K DIV FORT CHIPEWYAN DETACHMENT	Operation while impaired (alcohol)/over 80mg% of Motor Vehicle 320.14(1)(a)/(b) CC
221)	2025727828	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
222)	202572818	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

223)	2025728647	K DIV FORT CHIPEWYAN DETACHMENT	Assault 266 CC (FIP)
224)	2025729034	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
225)	2025729110	K DIV FORT CHIPEWYAN DETACHMENT	Wellbeing Check (FIP)
226)	2025731578	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
227)	2025732080	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
228)	2025745441	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
229)	2025748970	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
230)	2025749226 [Fv]	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
231)	2025762178	K DIV FORT CHIPEWYAN DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
232)	2025765390	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
233)	2025771753	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
234)	2025775922	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
235)	2025776272	G DIV FORT SMITH DETACHMENT	Liquor Act (Provincial/Territorial) - Offences Only
236)	2025832834	G DIV FORT SMITH DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

237)	2025907409	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC
238)	2025909649	K DIV FORT CHIPEWYAN DETACHMENT	Disturbing the peace/Causing a disturbance 175(1) CC
239)	2025915907	G DIV FORT SMITH DETACHMENT	Mental Health Act - Other Activities (FIP)
240)	2025937711	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - damage to property (except motor vehicle) 430(3)&(4) CC
241)	2025974050	K DIV FORT CHIPEWYAN DETACHMENT	Mischief - Obstruct enjoyment of property 430(3)&(4) CC

Report of Dr. Darcy Lindberg (PhD, LLM, JD, BA)

Provided on
October 21, 2024

1. Introduction

This is an opinion on the Crown's oral promises to Mikisew Cree First Nation during the creation of Treaty 8 to control intoxicants from trade and sale within Mikisew Cree First Nation's (MCFN) territories. These oral promises result in an implicit Treaty right of protection from intoxicants. In my opinion, the promises of a continuation of a 'way of life' within Treaty 8, as well as the the historical inclusion of terms dealing with control of intoxicants in treaties that preceded Treaty 8 support the finding of an implicit right from protection from intoxicants in Treaty 8. The interpretation of the promises and terms of Treaty 8 are informed by Cree law. Below I have outlined my opinion that has led me to this conclusion.

2. "Way of Life" Promises and Treaty 8

In the lead up to and negotiations of Treaty 8, the Crown made particular assurances to both Cree and Dene signatories that the treaty would not interfere with each peoples' respective way of life. ("the way of life promise"). Mikisew Cree First Nation would have understood the way of life promise as a protection of *nêhiyaw pimâtisiwin* or Cree way of living. Or to put another way, the maintenance of nêhiyaw pimâtisiwin was an oral but express term of the treaty. Historical records of the negotiations of Treaty 8 support this, including assurances of the maintenance of the Cree "way of life" by Crown representatives in the lead up to Treaty 8. For example, A.J. McKenna describes providing the same assurances to Indigenous peoples in Fort Chipewyan in 1899. In a letter to Clifford Sifton, he states:

> "The chief difficulty in dealing with the Indians in this country arose from the fact that they believed that the making of the treaty would lead to interference with their hunting upon which they must depend for a living….There should be as little interference as possible with hunting and fishing here."[1]

The treaty commissioners confirmed this in the negotiations of Treaty 8. As reported in the treaty commissioners' report:

[1] LAC, MG27 IID15 (Sifton papers), reel C-490, J. A. J. McKenna to Clifford Sifton, 26 July 1899, 8 – 10

> "We assured them that the treaty would not lead to any forced interference with their mode of life".[2]

Intoxication or the use of intoxicants was and is not considered a practice in accordance with nêhiyaw pimâtisiwin, and was and is seen as harmful towards it. This was commonly understood by both Cree peoples and Crown representatives around 1899. For example, in 1898, Inspector Snyder of the NWMP discusses the non-disruption of a way of life in a potential treaty. Significantly, Snyder ties in the maintenance of Cree and Dene ways of life with the prevention of liquor trading in the Fort Chipewyan area. Snyder states:

> "I had several long talks with the natives who came to see me in bodies...they were particularly troubled about is that they should be compelled to take treaty and live on reserves. I informed these Indians that they would not be compelled to take treaty and that their freedom would in no wise be interfered with, that the police were there more for their protection than for any interference with their ways, and so long as they obeyed the laws, the police would not trouble them, but that the police would prevent the white trappers setting out poison and fires, and the traders from trading liquor."[3]

In my opinion, MCFN would have understood that the continuation of nêhiyaw pimâtisiwin as an express term of the treaty, and that would include a right to protection from non-Indigenous ways of life that would harm MCFN living and ways of being.

3. Alcohol regulation and Treaty 6:

Controlling the exchange of intoxicants was long an issue in prior treaties between the Crown and Indigenous peoples. In particular, prohibiting intoxicants from being sold or traded was a common term discussed within the negotiations of previous treaties between Cree peoples and the Crown. For example, the written terms of Treaty 6 state:

> "Her Majesty further agrees with Her said Indians that within the boundary of Indian reserves, until otherwise determined by Her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or

[2] Canada *Sessional Papers* 1900, no. 14, Report of the Department of Indian Affairs for the year 1899, Report of Commissioners for Treaty No. 8, D. Laird, J. H. Ross, and J. A. J. McKenna, 22 September 1899, xxxv - xxxvi.
[3] Canada *Sessional Papers* 1898, no. 15, Report of the Commissioner of the North-West Mounted Police Force 1897, Appendix M, "Patrol Report -- Inspector A. E. Snyder, Edmonton to Jasper House, Athabasca District, 1897", 28 October 1897.

> hereafter to be enacted, to preserve Her Indian subjects inhabiting the reserves or living elsewhere within Her North-west Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced."[4]

Note this prohibition was not limited to reserves as it involved those "inhabiting reserves or living elsewhere within Her North-west Territories". [5]

Treaty 4, also involving Cree peoples and signed in 1874 at Fort Ellice and Fort Qu'Appelle, had a similar clause prohibiting the sale of alcohol to Cree (as well as Saulteaux and Stoney) signatories. These two treaties – two preceding agreements involving Cree peoples and the Crown - would provide an understanding of what the Crown intentions were for Treaty 8 and conditioned Cree signatories of the treaty to seek similar oral terms, including those requiring a right to control intoxicants.

Cree peoples within Treaty 8 territory had knowledge of the terms of Treaty 6 and expected similar terms. J. A. Macrae, a Department of Indian Affairs Inspector at the time leading up to Treaty 8, wrote to Treaty commissioner McKenna about this expectation:

> "[T]he Wood Crees and halfbreeds around Lesser Slave Lake who are closely connected with some of the Edmonton Indians may be found imbued with an intention to demand all those things which the Crees from the South always claim they were promised, and blame the Government for not embodying in the written treaty, asserting that they were amongst the terms".[6]

4. Alcohol Regulation and Treaty 7:

The control of intoxicants on Indigenous territories continued to be a significant issue during the lead up to and creation of Treaty 7. A large impetus for the Blackfoot peoples to sign Treaty 7 was protection from whiskey trading that was occurring in Blackfoot territories prior to the treaty. In 1874, Colonel James Macleod led the North West Mounted Police into the territory to

[4] Treaty No. 6, online: Government of Canada < https://www.rcaanc-cirnac.gc.ca/eng/1100100028710/1581292569426>
[5] Ibid.
[6] LAC, RG10, Vol. 3848, file 75236-1, J. A. Macrae to J. A. J. McKenna, 3 December 1898.

stop the trade of whiskey by Americans to the Blackfoot. Lieutenant Governor David Laird recalled this history to Blackfoot, Nakoda Sioux and Tsuu Tina chiefs on Oct 17th, 1877:

> "The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, quarrel amongst your selves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done".[7]

Curiously, an express alcohol prohibition clause is absent from the written terms of Treaty 7. While a written clause regarding control of intoxicants on Indigenous territories that was in the preceding treaties was absent, it is uncontroversial that a prohibition of alcohol trading was a significant and immediate issue during the negotiation of Treaty 7.[8]

5. Cree Law Informs Treaty 8:

From the perspective of Cree signatories, Treaty 8 is rooted in and interpreted through *nêhiyaw wiyasiwewin* or Cree law. It is trite to say that nêhiyaw wiyasiwewin has been used by Cree societies since time immemorial, including by the band of families that would become Mikisew Cree First Nation after Treaty 8. Cree law informed each part of the negotiations and the ultimate formation of Treaty 8, and has been operating within the treaty relationship ever since.

There are foundational legal principles that are integral to the continuation of nêhiyaw pimâtisiwin (Cree way of life) including those that govern treaty relationships between Cree peoples and other nations. A primary principle involving Cree treaty making is wîtaskêwin. Wîtaskêwin translates generally into 'living on the land together' or 'living in peace together'. It

---

[7] Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories* (Toronto: Coles Publishing Company, 1971) at 267.

[8] It is entirely possible that both the Blackfoot peoples and the treaty commissioners saw the NWMP as an answer to the question of alcohol trading, and did not find the need to put it as an explicit treaty term, as the challenge with alcohol trading was already being dealt with when Treaty 7 was completed. Another possible reason for the removal in the written terms of Treaty 7 (and thus subsequently in the written terms of Treaty 8 and beyond) was the development of the *Indian Act*. Section 79 of the *Indian Act*, enacted in 1876 included the following clause that prohibited the sale of liquor to Indigenous peoples: "79. Whoever sells, exchanges with, barters, supplies or gives to any Indian or non-treaty Indian in Canada, any kind of intoxicant or causes or procures the same to be done, or attempt the same or connives thereat, or opens or keeps, or causes to be. opened or kept, on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, exchanged or given, or is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian, shall, on conviction thereof before any judge, stipendiary magistrate or two justices of the peace, upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not less than one month nor exceeding six months, with or without hard labour". See s. 79, The Indian Act, R.S.C. 1876, c. 14.

implies an obligation to ensure each other's good living on a territory. In a government-to-government context, it implies a respect of the autonomy of the other nation that one lives in close relations with. This includes dialogue and consultation on actions taken that would affect the health and good living of another's citizens and members. In the context of decisions on the sale of intoxicants within MCFN territories, wîtaskêwin may obligate the Crown to respect MCFN autonomy on an issue that is central to the well-being of its members.

Another significant principle regarding government-to-government relations is wâhkôtowin. The common translation for wahkôtowin is 'the law that governs relationships'. In a governance context, it ensures a metaphorical kinship between governments with material obligations that flow between these governments in a wahkôtowin relationship. One of the obligations is for governments who hold this type of government-to-government kinship is to provide good assistance towards the good living of the other government. In the context of control of intoxicants within MCFN territory, a full application of this principle would obligate the Crown to consult with MCFN when making decisions regarding the sale of intoxicants on their territory.

6. Conclusion:

The above supports my opinion that the Crown's oral promises to signatories on behalf of MCFN during the creation of Treaty 8, created an implied treaty right to control intoxicants from trade and sale within MCFN territories. The historical record shows that alcohol prohibition was an express concern in historic treaty negotiations between the Crown and Cree peoples, including within the lead up to Treaty 8. The way of life promises within Treaty 8 included protection from influences that would a harm the continuation and maintenance of nehiyaw pimatisiwin, or Cree way of life. Finally, the operation of Cree treaty principles through Cree law creates a duty to consider and consult with MCFN regarding the administration of intoxicants in its territories.

MIKISEW CREE FIRST NATION

MIKISEW CREE FIRST NATION
ALLISON BAY INDIAN RESERVE #219
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1BO
PHONE: (780) 697-3740 FAX: (780) 697-3826

August 17, 2023

VIA ELECTRONIC MAIL

Nabil Malik, Planner III
Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB, T9H 2K4

Dear Mssrs. Malik and Williamson:

Re: File Number 2023-DP-00125- Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY
193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

I am a resident of Fort Chipewyan and the duly elected Chief of the Mikisew Cree First Nation ("**Mikisew**"). I write on my own behalf, and on behalf of Mikisew Cree First Nation, to strongly oppose the above noted application for a Liquor Store, Office and Warehouse in the centre of Fort Chipewyan, at 193 Mackenzie Avenue ("**Application**") - a discretionary permit application under the *Land Use Bylaw No. 99/059*.[1]

I also write with the support and unanimous approval of the Mikisew Chief and Council, and 84.51 per cent of the 71 Mikisew members who were able to participate in a Mikisew initiated survey, opened on August 15, 2023 and closed on August 17, 2023 ("**Survey**").[2]

1. **No Notice and No Consultation**

The July 28, 2023, Notice to Adjacent Property Owners, invited those who "live within the hamlet boundaries of Fort Chipewyan" to provide any concerns or comments on the proposed Application. I am a resident of Fort Chipewyan.[3]

---

[1] RMWB Bylaw No. 99/059: available at: https://www.rmwb.ca/en/mayor-council-and-administration/resources/Documents/Landusebylaw/Consolidated-Land-Use-Bylaw-99-059.pdf.

[2] Tab 2, Survey – Comparison of Responses by Mikisew members versus not: Q4: "Do you agree with a Liquor Store being licensed in the RMWB Hamlet of Fort Chipewyan?" and All Data from Survey.

[3] Tab 1, Notice dated July 28, 2023, Notice to Adjacent Property Owners.

However, to my knowledge, no similar notice was provided to Mikisew members living in the neighbouring Dog Head Reserve 218 and Allison Bay Reserve 219. No consultation occurred with Mikisew's leadership. At minimum, we find this to be in breach of the spirit of "Reconciliation" and the Truth and Reconciliation Commission's Calls to Action. We also note that Mikisew has been provided no information or records relating to this Application as would normally be applicable such a decision, including the information and data on any harms/impacts assessment of another liquor store in our small community.

Similarly, the limited time and lack of notice has restricted our ability to respond. Nevertheless, given the gravity of the proposal to our community, we have marshalled the best response possible in the three (3) days since we officially took office (August 14, 2023).

2. Duty Consult

By failing to even notify our Nation, Mikisew submits that the Regional Municipality of Wood Buffalo ("**RMWB**") has already breached the duty to consult and the honour of the Crown.

The "duty to consult" arises where there is a potential impact to aboriginal and Treaty rights, as protected under section 35 of the *Constitution Act, 1982*. Treaty 8 includes explicit written promises. It also includes oral promises, gleaned from the Crown's official records and our own oral histories. These in turn guide the duty to consult and the honour of the Crown, the latter which always applies to our relations.

Crown records on Treaty 8

Crown records confirm that Treaty 8 was intended to protect our health and to control the liquor trade. In the short time we had to prepare, we can offer you the following to support this assertion.

First, according to Dr. Pat McCormack's research of Crown records, a primary impetus for Treaty 8 was to control the "liquor trade".[4]

Second, the Crown records around Treaty 8 confirm that promises were made in relation to our health, for instance, as follows: "We assured them, however, that the Government would always be ready to avail itself of any opportunity of affording medical service just as it provided that the physician attached to the Commission should give free attendance to all Indians whom he might find in need of treatment as he passed through the country."[5]

Oral promises in Treaty 8

Our oral histories confirm what was promised in Treaty 6 – our people would be protected from the scourge of "fire water" and alcohol would be restricted, if not prohibited on reserves.[6] For example, an interpreter during those negotiations explained as followed:

---

[4] Patricia A. McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s*, UBC press, 2010, at pp. 166-167.

[5] Treaty No. 8 Made June 21, 1899 and Adhesions, Reports, Etc. R. Duhamel, FRSC Queen's Printer and Controller of Stationery Ottawa, 1966, 1899, Cat No.: Ci 72-0866, IAND Publication No. QS-0576-000-EE-A-16, available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572.

[6] This is the thesis in Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours*), University of Regina Press, 2016.

> "They asked for an ox and a cow [for each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers; **the exclusion of fire water in the whole of Saskatchewan**; a further increase in agricultural implements as the band advanced in civilization; freedom to cut timber on Crown lands; liberty to change the site of the reserves before the survey; free passages over Government bridges or scows; other animals, a horse, harness and wagon, and cooking stove for each chief; a free supply of medicines; a hand mill to each band; and lastly, that in case of war they should not be liable to serve."[7]

Alexander Morris explained that this was indeed part of the oral promises. According to an INAC Treaty 6 report, Alexander Morris noted that the "**exclusion of intoxicating liquor** and the provision of schools had already been offered in the proposed terms."

Harold Johnson, the late Woodland Cree person and lawyer, also noted that Treaty 6 included this oral promise. Although less documented by written records and although time does not permit the inclusion of the basis for this position, Mikisew submits that Treaty 8 included the same oral promise.[8]

Conclusion on Treaty, Duty to Consult and Honour of the Crown

Allowing the Application will impact not only Mikisew' Treaty rights, but the solemn Treaty relationship between Mikisew and the Crown, as represented by the municipality, a creature of provincial statute in this case, responsible with the administration of municipal affairs.[9] This certain impact gives rise to at least a potential impact on the Mikisew's Treaty Rights, giving rise to a duty to consult which was in no way complied with. Further and/or in the alternative, the requirement to consider the "public interest" and the Honour of the Crown should have at least required notice to and consultation with Mikisew in this process.[10]

3. Mikisew and RMWB

We are concerned that RMWB will take an individualistic approach to this Application, failing to consider the interests of Mikisew as collective. As such, we remind RMWB that, according to our records, a majority of Fort Chipewyan residents are Mikisew members. An estimated 583 Fort Chipewyan residents of approximately 1000 are Mikisew members.

Further our reserves are neighbouring the hamlet of Fort Chipewyan, separated only by federal Crown lands. Indeed, our communities are intertwined, and our reserve residents depend on many services and businesses in Fort Chipewyan. It would be incorrect to consider this Application, given its effects on our members, as disconnected from Mikisew and our members living on reserve. Although Mikisew can pass

---

[7] John Leonard Taylor, *Treaty Research Report Treaty Six (1876)*, Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1985 at p.

[8] Harold Johnson, *Firewater: How Alcohol Is Killing My People (and Yours)*, University of Regina Press, 2016.

[9] Felix Hoehn and Michael Stevens, Local Governments and the Crown's Duty to Consult, 2018 55-4 *Alberta Law Review* 971, 2018 CanLIIDocs 88, ; Angela D'Elia Decembrini and Shin Imai, Supreme Court of Canada Cases Strengthen Argument for Municipal Obligation to Discharge Duty to Consult: Time to Put Neskonlith to Rest, 2019 56-3 *Alberta Law Review* 935, 2019 CanLIIDocs 364.

[10] See for example: *Fort McKay First Nation v Prosper Petroleum* Ltd, 2020 ABCA 163 (CanLII), at para 39; *Three Sisters Mountain Village Properties Ltd. v Town of Canmore*, 2022 ABLPRT 671 (CanLII), at paras 186-192; *AltaLink Management Ltd. v. Alberta (Utilities Commission)*, 2021 ABCA 3424; *Municipal Government Act*, RSA 2000, c M-26, s 686. (3)(c).

its own intoxicant by-laws under the *Indian Act* or its inherent powers, they cannot control the flow from Fort Chipewyan onto reserve if a new liquor store is permitted by RMWB. Neither is such a unilateral approach consistent with the Calls To Action (which include local governments) and the RMWB's own Policy.[11]

4. The effects of Alcohol on Mikisew and the community

Alcohol is a known agent of harm in our community. It perpetuates and enhances intergenerational traumas. It is a leading, if not the leading, cause of crime in Fort Chipewyan. Due to time constraints, we do not have the data from the Royal Canadian Mounted Police, but anecdotally, we know that alcohol and drugs have caused and contributed to many violent crimes in our community.

It is important that RMWB know that, historically, alcohol was used as an agent of genocide[12], at worst, or as tool in bad faith dealings with First Nations.[13] When approaching this Application, it is expected that RMWB be aware of this past.

Further, and consistent with what our Chief and Council know about alcohol's impacts on our community, our Survey's 42 comments were unanimously not in support of the Application, stating for example:

> "My only comment is that people know how much alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone."
>
> "We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leadership and RCMP can barely even handle all the crime, addiction, and abuse happening now with 1 liquor store."
>
> "RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!"[14]

---

[11] Call to Action #43, 57:; RMWB, *Council Policy: Public Engagement, PRC-130*, May 10, 2022;RMWB, *Responding to the Truth and Reconciliation Commission's Calls to Action: Principles for a Collaborative Pathway Forward*.

[12] Saggers, Sherry; Gray, Dennis (2 November 1998). *Dealing with Alcohol: Indigenous Use in Australia, New Zealand and Canada*. Cambridge University Press. ISBN 9780521629775; Lesley Elena (2019). "Cultural Impairment and the Genocidal Potential of Intoxicants: Alcohol use in Colonial North America". *Genocide Studies and Prevention*. **13** (1): 88–97. doi:10.5038/1911-9933.13.1.1622.O. Laughland and T.Silverstone, "Liquid genocide: alcohol destroyed Pine Ridge reservation – then they fought back", *The Guardian* September 29, 2017.

[13] *"Benjamin Franklin, The Autobiography of Benjamin Franklin, Section Fourty Eight"* where Benjamin Franklin stated, among other thing that the Indians were promised that if "they continue sober during the Treaty" they would be given plenty rum when the Treaty concluded in 1788. See also the Toronto Purchase, *Treaty 13*, where 96 gallons of rum was included in the explicit terms of the Treaty in 1805.

[14] Tab 3, Survey – Comments in response to Q6.

In relation to the final comment, Mikisew has requested the data from RCMP. We understand that this data, too, reflects that a high proportion of criminal/violent incidents in Fort Chipewyan and on reserve involve alcohol. We will provide this information as soon as we receive the same.

Finally, we also understand that there are several negative health effects from alcohol, either through these acute violent incidents (stabbings, beatings, shootings, drinking and driving and suicides) or through chronic health issues, known to often be caused by alcohol. For example, cancer is the leading cause of death in Canada and the use of alcohol is believed to cause nearly 7,000 of those cancer deaths each year.[15] After looking at this data and others, Harold Johnson calculated that approximately half of his people (Woodland Cree in Saskatchewan) would die an alcohol related death. We have requested the information regarding alcohol and community health from Nunee Health and will, also, provide any response to RMWB as soon as possible.

5. Conclusion: requested Decision

We ask that you consider the present and historical harm of alcohol in our community, which includes the majority of Fort Chipewyan residents, in denying the Application.

In the alternative, if you are considering approving the Application, we ask for a further opportunity to provide more fulsome submissions than those above.

We welcome, going forward, collaboration to create, as the respondents to the Survey suggest, a gathering place or a mental health centre instead of another liquor store.

If you have any questions about the above or enclosed, we would be pleased to discuss further. Your attention to this matter is appreciated.

Hiy Hiy,

ATIA 20(1)

Chief Billy-Joe Tuccaro,
Mikisew Cree First Nation

cc. Mayor Sandy Bowman and RMWB Council (council@rmwb.ca and mayor@rmwb.ca)
Minister of Indigenous Relations, Rick Wilson (ir.ministeroffice@gov.ab.ca)
Minister of Indigenous Services Canada, Patty Hajdu (patty.hajdu@parl.gc.ca)
Dennis Fraser, Indigenous Relations RMWB (dennis.fraser@rmwb.ca)

[15] Canadian Centre on Substance Use and Addiction, *Canada's Guidance on Alcohol and Health: Final Report*, January 2023, pages 10-11.

July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

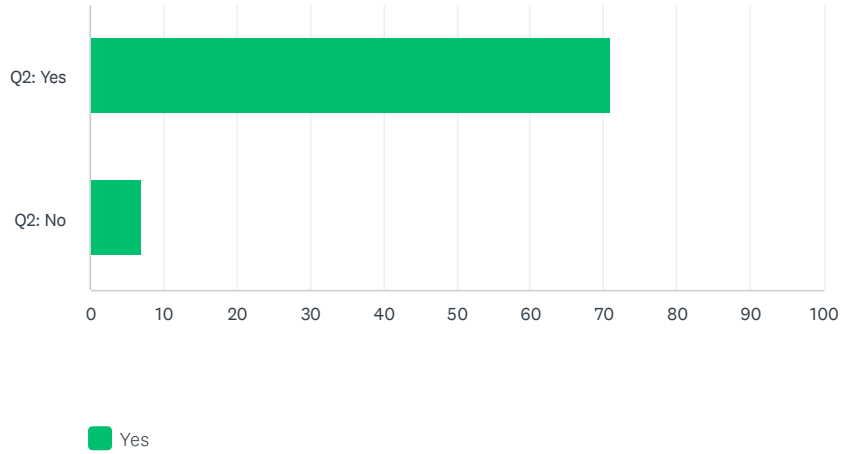
Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

Answered: 78 Skipped: 0

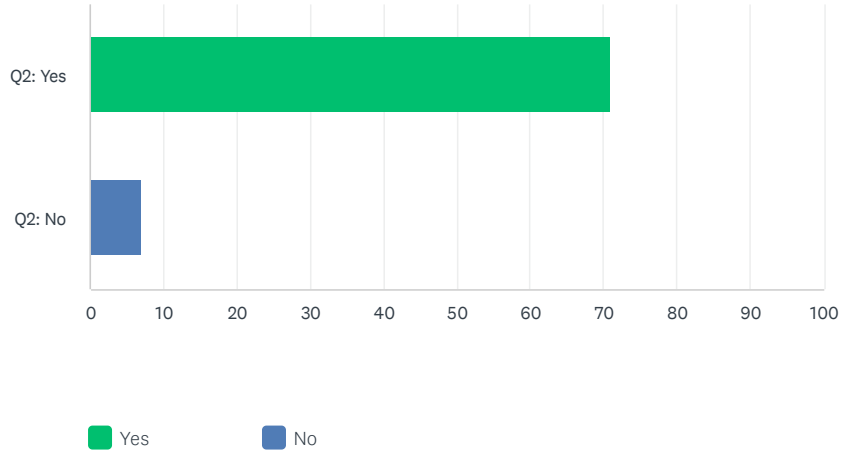


	YES	TOTAL
Q2: Yes (A)	100.00% 71	91.03% 71
Q2: No (B)	100.00% 7	8.97% 7
Total Respondents	78	78

	IF YOU ARE WILLING, PLEASE PROVIDE YOUR NAME AND/OR STATUS NUMBER FOR THE SOLE PURPOSE OF CONFIRMING YOU ARE A MCFN MEMBER (IF YOU DO NOT WISH TO ANSWER, PLEASE ENTER N/A)	TOTAL
Q2: Yes (A)	57	57
Q2: No (B)	4	4

Q2 Are you a MCFN member?

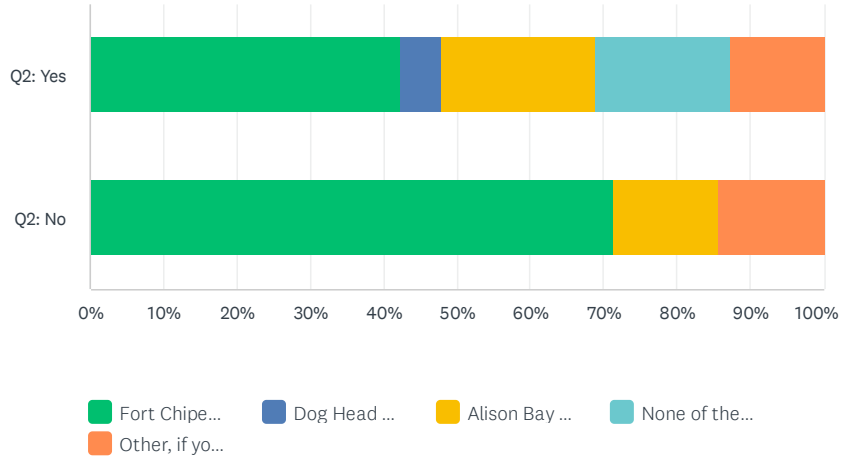
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	100.00% 71	0.00% 0	91.03% 71
Q2: No (B)	0.00% 0	100.00% 7	8.97% 7
Total Respondents	71	7	78

Q3 Where do you live:

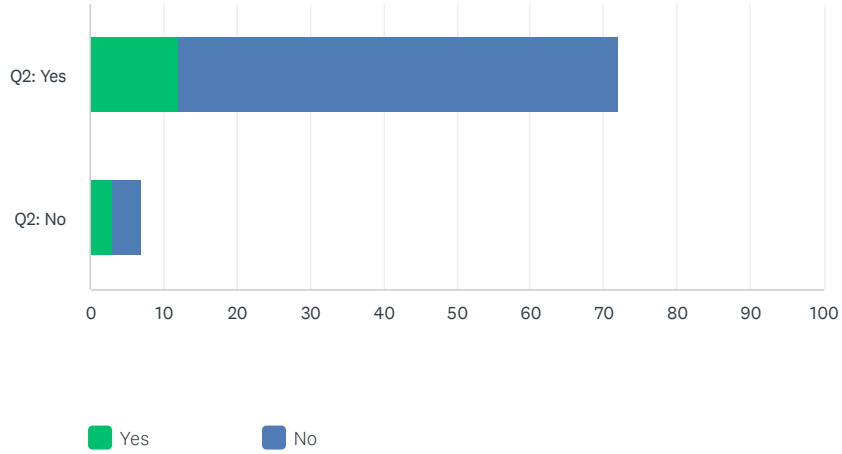
Answered: 78 Skipped: 0



	FORT CHIPEWYAN	DOG HEAD RESERVE 218	ALISON BAY RESERVE 219	NONE OF THE ABOVE	OTHER, IF YOU WISH TO SPECIFY WHERE YOU LIVE:	TOTAL
Q2: Yes (A)	42.25% 30	5.63% 4	21.13% 15	18.31% 13	12.68% 9	91.03% 71
Q2: No (B)	71.43% 5	0.00% 0	14.29% 1	0.00% 0	14.29% 1	8.97% 7
Total Respondents	35	4	16	13	10	78

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

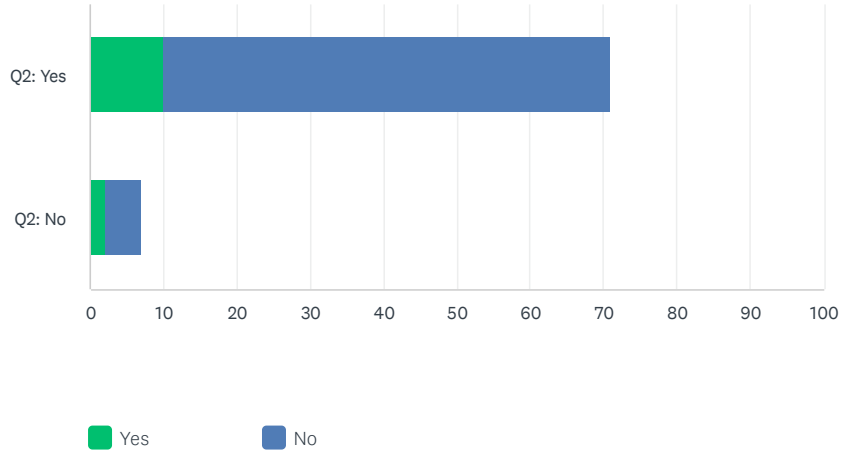
Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	16.90% 12	84.51% 60	92.31% 72
Q2: No (B)	42.86% 3	57.14% 4	8.97% 7
Total Respondents	15	64	78

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 78 Skipped: 0



	YES	NO	TOTAL
Q2: Yes (A)	14.08% 10	85.92% 61	91.03% 71
Q2: No (B)	28.57% 2	71.43% 5	8.97% 7
Total Respondents	12	66	78

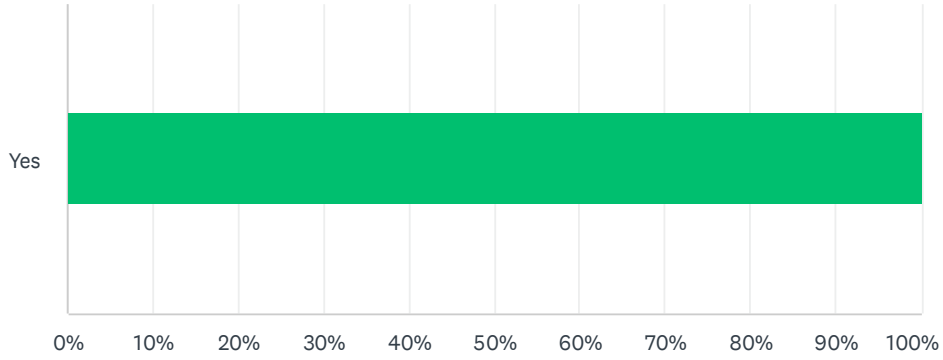
Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

Q1 You are being asked to participate in a survey to better understand how MCFN members, living in Fort Chipewyan, Alison Bay or Dog Head , consider the application to licence a liquor store in Fort Chipewyan (the Hamlet), which is adjacent to MCFN reserve land. The data from the survey will be used to inform MCFN's position in response tot his liquor store application. The survey has only three questions. The survey is being conducted by MCFN, initiated by Chief and Council. It should take less than 3 (three) minutes to complete).PARTICIPATION: Your participation in this survey is voluntary. You may refuse to take part in the survey or exit the survey at any time without penalty. You are free to decline to answer any question you do not wish to answer for any reasons. BENEFITS: In completing this survey to the best of your ability, you will help MCFN develop a position on this application that is informed by MCFN members living in Fort Chipewyan, Dog Head or Alison Bay.RISKS: Since this survey is on the topic of alcohol on and near reserve, there is a risk that you may find this process suesntive and answering them may cause emotion discomfort/triggering. If you need additional support please call the 24-hour Hope for Wellness Help Line 1-855 242 3310.CONFIDENTIALITY: Your name will not be attached the information you provide, and all results will be anonymous. Your survey answers will be stored in a password protected electronic format. Your name and/or status number, if provided, will only be used to confirm you are a MCFN member.CONTACT: If you have any questions about completing the survey, please contact the MCFN Health Department.ELECTRONIC CONSENT: Please select your choice below. Clicking on the "Yes" button indicates that:- You have read the survey information provided above - You voluntarily agree to participate- You are 18 years of age or older- You understand the survey will take 3 minutes to complete1. I consent to participate in the survey, as described above

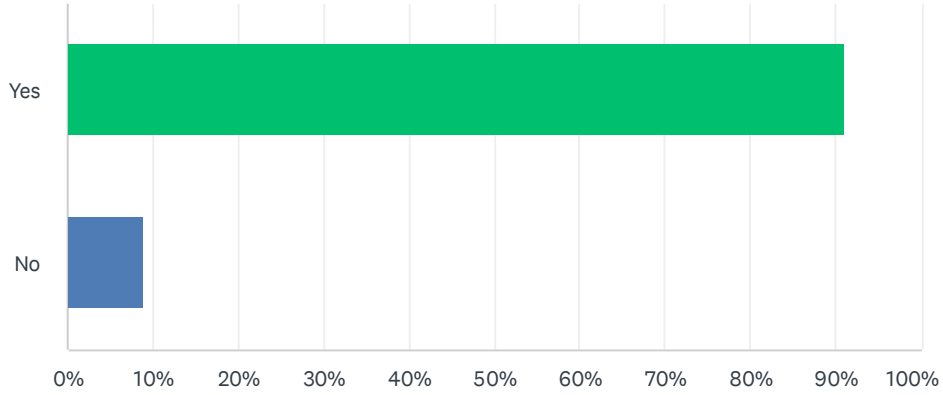
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	79
Total Respondents: 79		

Q2 Are you a MCFN member?

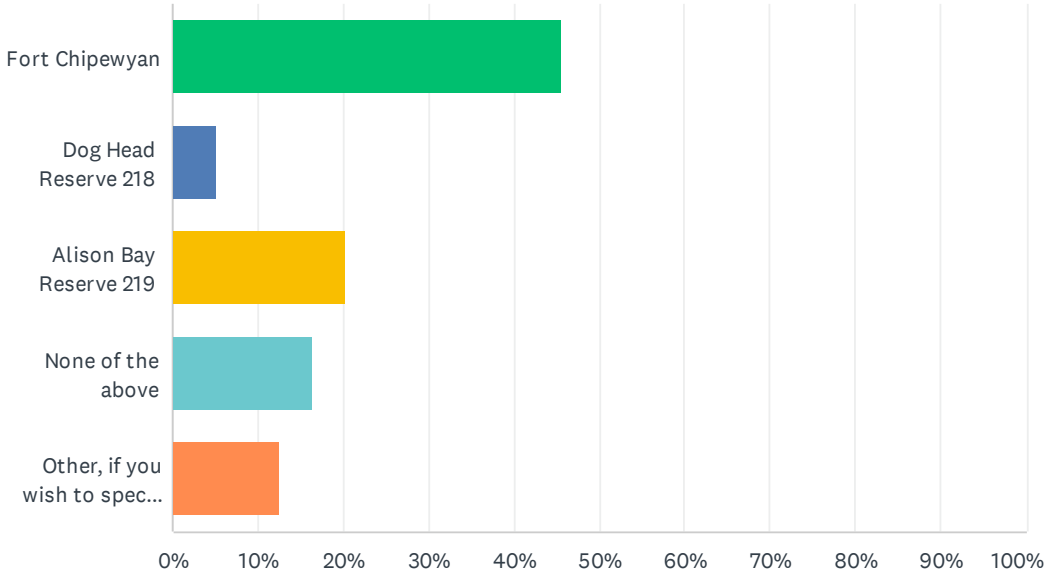
Answered: 78 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	91.03%	71
No	8.97%	7
Total Respondents: 78		

Q3 Where do you live:

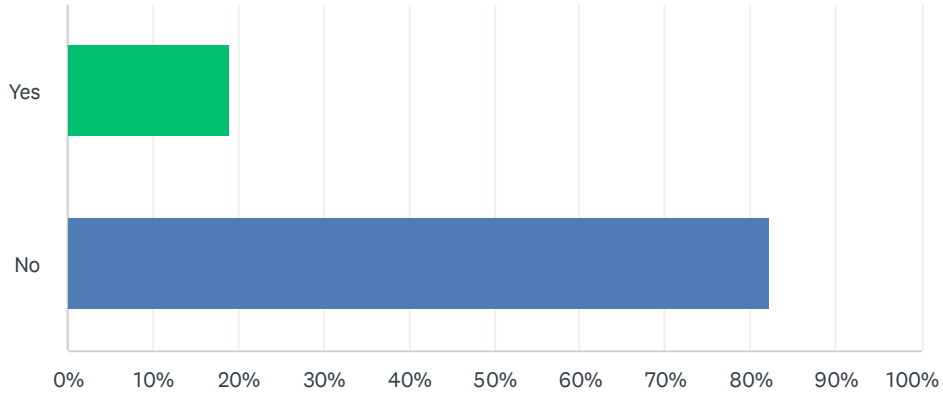
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fort Chipewyan	45.57%	36
Dog Head Reserve 218	5.06%	4
Alison Bay Reserve 219	20.25%	16
None of the above	16.46%	13
Other, if you wish to specify where you live:	12.66%	10
TOTAL		79

Q4 Do you agree with another Liquor Store being licensed in the RMWB hamlet of Fort Chipewyan?

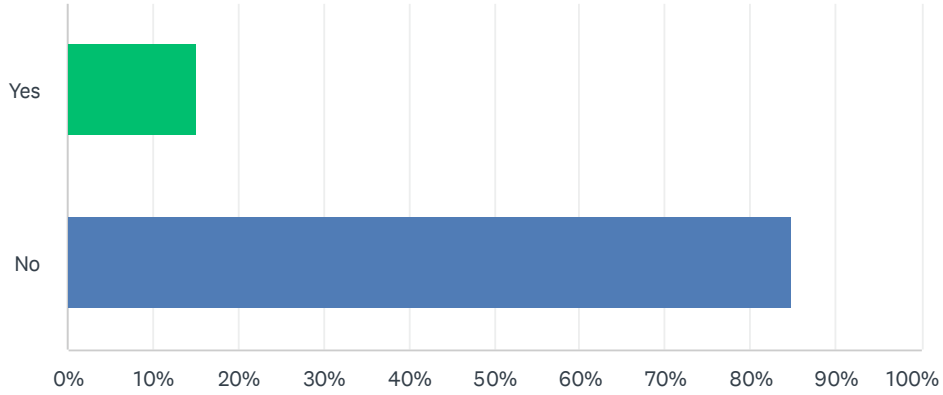
Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	18.99%	15
No	82.28%	65
Total Respondents: 79		

Q5 Do you agree with a Liquor Store being licensed on a MCFN reserve?

Answered: 79 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	15.19%	12
No	84.81%	67
Total Respondents: 79		

Q6 Do you have any comments regarding this survey:

Answered: 42 Skipped: 37

Q6 Do you have any comments regarding this survey:

Answered: 41 Skipped: 37

	DO YOU HAVE ANY COMMENTS REGARDING THIS SURVEY:	TOTAL
Q2: Yes	100.00% 40	97.56% 40
Q2: No	100.00% 1	2.44% 1
Total Respondents	41	41

#	Q2: YES	DATE
1	The liquor store that's in question isn't on a reserve, not sure why this is a question.	8/16/2023 8:24 PM
2	We have a major drug and alcohol problem in community with the 1 liquor store. This contributes to the mental health crisis we are still currently in. The thought of putting another liquor store in town is outrageous and would cause even more damage to this community. Leaderships and RCMP can barley even handle all the crime, addiction, and abuse happening now with 1 liquor store.	8/16/2023 2:37 PM
3	I strongly disagree to even have a liquor store in Fort chip let alone another. Our community suffers with addiction with alcohol /drugs. You really think that brining another liquor store would do good for our community. Alcohol doesn't cure trauma/depression. Why not open a clinic that specializes in mental health and addictions. Get out people on the right track not feeding their addiction by adding another liquor store. I believe Fort Chipewyan should be a dry reserve. A community I know in MB has a dry reserve, to see the beauty in the community. The activity's for the children and more job opportunity's for the adults is amazing. I strongly disagree having another liquor store. Although I don't live in Fort chip I see from a far how liquor/drugs affects the community.	8/16/2023 2:21 PM
4	We don't need another liquor store in Fort Chipewyan.	8/16/2023 1:06 PM
5	A big fat No for putting up another liquor store please don't let this happen who ever is trying to do this should worry about all what's happening with drugs and alcohol so No no for putting up another problem	8/16/2023 11:53 AM
6	Liquor stores destroys families and lives. Not needed in such a tiny place lije Ft. Chipewyan.	8/16/2023 7:20 AM
7	Don't need better liquor store. We would do better if there was no liquor store in Fort Chipewyan	8/16/2023 6:04 AM
8	We do not want another liquor store. We don't want more problems with drugs and alcohol. Please and thanks	8/16/2023 5:15 AM
9	RMWB should get the statistics from the RCMP on the crime rates in Fort Chip that are directly related to alcohol and base their decision on that!	8/16/2023 12:43 AM
10	We don't need more liquor stores	8/16/2023 12:35 AM
11	100% not in support of having another liquor store.	8/15/2023 11:40 PM
12	Open a Tim Hortons	8/15/2023 11:33 PM
13	We have a major issue in the community with alcohol and drugs right now. Why have 2 liquor stores open when we don't even have one AA meeting place that is open 24 hrs a day people have problems all the time not just 9-5 during working hours. If ppl have some place to go in the evening and even to camp a safe place for kids to to go when they're parents are partying and on drugs so they can provided for and protected as the cops can't do anything at peoples residence. I would like to know who applied for the liquor store seems like they don't care for the ppl except just to make dollar at peoples expense and the children that have to live with it.	8/15/2023 11:31 PM
14	My only comment is that people know how alcohol and hard drugs affect our community. To want to get another liquor store is a backstab to us community members who argue against it. Instead of opening another liquor store (when we already have one), I suggest alternative options like building a library or a community space where older teens can gather and engage in positive activities. This way, we focus on creating a healthier and more supportive environment for everyone	8/15/2023 11:16 PM
15	Profiting from addictions is gross.	8/15/2023 11:09 PM
16	Unacceptable as our people are struggling enough with alcohol and drugs.	8/15/2023 7:35 PM
17	Why do we need another liquor store when the one we have here has already ruined young lives we need a damn treatment centre that people can actually go to, also why make another liquor store when there should be a cannabis store	8/15/2023 5:10 PM
18	We have enough problems with one liquor store here and with the meth and crack situation, and violence against our members like myself. I STRONGLY DISAGREE this this liquor store. We as members are already losing our young ones mind set to this problem.	8/15/2023 5:05 PM
19	Too much addictions within the community. It does more harm than good. Death comes from Liquor and my people are tired of seeing all the death.	8/15/2023 3:10 PM
20	Our community does not need another liquor store!!!!!	8/15/2023 3:06 PM
21	the last thing we need is another liquor store, let alone one. i don't agree with this at all.	8/15/2023 2:52 PM

22	We have enough problems as it is in Fort chip just because someone doesn't wanna walk up a hill doesn't mean we need another place of alcohol that is ruining our community as a nation mikisew should be against this. this liquor store should be denied. Everyone always blames liquor and the liquor store when something happens I flat out say NO thank you to this liquor store application.	8/15/2023 2:52 PM
23	Alcohol addiction is a very high in this community and we do not need another one!!!!	8/15/2023 2:32 PM
24	We don't need another liquor outlet	8/15/2023 2:23 PM
25	We have enough tragedy in Fort Chipewyan without another liquor store	8/15/2023 2:04 PM
26	N/A	8/15/2023 1:59 PM
27	Liquor ruined our culture and the way the world sees us as people, we shouldn't even have one on our land let alone two. Have more cultural healing instead of poison	8/15/2023 1:50 PM
28	Make something useful. The last thing the community needs is another liquor store. What idiot even proposed that idea.	8/15/2023 1:44 PM
29	I'm a non drinking individual, making a sober community and banning liquor will make an issue worth. People will find a way to drink one way or another, most likely in an dangerous manner. Whether there's 2 liquor stores or not, isn't the issue.	8/15/2023 1:39 PM
30	Think back on when they had the VLT's. it hurt the families. and the children mostly,,,,,there enough drugs in Ft. Chip without a liquor. Store,,,,,,big mistake. Don't don't. do. . it plz,,,,,,you will make the family pitiful. ,,,,,especially the children,,,,	8/15/2023 1:30 PM
31	It doesn't matter to me we will never stop the liquor can't even evict people from homes or stop the hard drugs what's the difference	8/15/2023 1:26 PM
32	Alcohol and drugs have a big impact on our community in regards to violence and suicides, as a member we should not condone this behaviour and should be helping our nation succeed in life and sobriety	8/15/2023 1:19 PM
33	It's time for healing not more destruction. Liquor is killing the people! Invest in a rehabilitation center please!!!	8/15/2023 1:08 PM
34	There are enough social problems in the community. There is gang violence associated with drug use, children are able to access alcohol from the established liquor store here. We do not need another liquor store. We need adequate programs for the families and children to deal with the existing problems and trauma.	8/15/2023 1:05 PM
35	alcohol is killing our people and is a breach of our treaty	8/15/2023 12:57 PM
36	It's a ridiculous idea to even think about bringing more alcohol into the community, when we all know there is already a severe crisis with our younger people ! They no not need another liquor store they need a rehabilitation centre or a facility to go to get clean and get healthy , why is the chief and council not worried about the health of our people !??? they do not care about the next generation??	8/15/2023 12:44 PM
37	With all the alcohol and drug related problems in our community, I hope this doesn't get approved.	8/15/2023 12:44 PM
38	Why are you going to get another liquor store on the reserve when there is one already not to mention the issues the reserve is facing this last two years. This is absolutely reckless for chief and council to profit off of addictions that have brought so much crazy behaviours. Why don't you make effort to do better for our members!	8/15/2023 12:41 PM
39	One is good enough make a dame rehab center	8/15/2023 12:37 PM
40	Drugs and alcohol are a big problem in the community, there does not need to be another liquor store. We are trying to get our people clean and healthy, not add to the problem. Ive moved away from chip because there has been far too much violence because of drugs and alcohol in the community.	8/15/2023 12:36 PM

#	Q2: NO	DATE
1	too much problems in this community with drugs and alcohol already another liquor store is just gonna make things worst for the community	8/17/2023 11:14 AM

Regional Municipality of Wood Buffalo

ATTACHMENT 11

Development Permits - October 2, 2025

- Oct 02, 2025

- Public Notices (/news/public-notices/)

Date of Notice: **October 02, 2025**

Appeal to be filed by: **October 23, 2025**

Development Permit Number	Development	Civic Address Lot/Block/Plan
THE FOLLOWING DEVELOPMENT PERMITS WERE APPROVED:		
2025-DP-00347	Home Business – Limited Clients may visit Residence Charcuterie and Belgian Chocolate	224 Grosbeak Way Lot 14, Block 34, Plan 0725263
2025-DP-00127 (/media/2foiry2i/2025-dp-00127-quarryridge_qrshopsltd-3.pdf)	New Commercial Industrial or Institutional Development Retail Store, General: Permitted Use (combined area 837 sq.m.) Food Service, Minor: Permitted	1013 Quarry Ridge Drive Lot 9, Block 1, Plan 2520897

Development Permit Number	Development	Civic Address Lot/Block/Plan
2025-DP-00169	Use, and Food Service, Drive-Through: Discretionary Use (combined area 526 sq.m.) New Commercial Industrial or Institutional Development Permanent Liquor Store, Office & Warehouse Sales building	193 Mackenzie Avenue Lot 3, Block 10, Plan 5642NY

THE FOLLOWING DEVELOPMENT VARIANCES WERE APPROVED:

2025-VC-00016	32% Decrease of the Side yard setback to 0.68m for the Accessory building	363 Prospect Drive Lot 150, Block 5, Plan 0923934

For Information on the appeal process please contact the Clerk of the Appeal Board:

Subdivision and Development Appeal Board

9909 Franklin Avenue Fort McMurray AB T9H 2K4

T: 780 743 7001 F: 780 743 7028 Email SDAB@rmwb.ca (mailto:SDAB@rmwb.ca)

Subscribe (/subscribe/) Back to News Search (/news/)

Contact Us

PULSE

Submit a request (https://pulse.rmwb.ca/Submit)

Phone: 780-743-7000
(tel:17807437000) **Toll free**: 1-800-973-9663 (tel:1-8009739663)

Subscribe for RMWB updates

Stay up to date on the services, programs and projects in your neighbourhood!

Subscribe (https://www.rmwb.ca/subscription-messaging/)

Regional Municipality of Wood Buffalo

9909 Franklin Avenue
Fort McMurray Alberta T9H 2K4

Phone: 780-743-7000
(tel:17807437000) **Toll free**: 1-800-973-9663 (tel:1-8009739663)

Resources

News (/news/)
Sitemap (/sitemap/)
Privacy Policy (/privacy-policy/)
Contact Us (/contacts-directory/)

Connect With Us

Facebook (https://www.facebook.com/rmwoodbuffalo) Instagram (https://www.instagram.com/rmwoodbuffalo/?hl=en) Linkedin (https://ca.linkedin.com/company/regional-municipality-of-wood-buffalo) Twitter (https://twitter.com/RMWoodBuffalo) YouTube (https://www.youtube.com/user/rmwbwebmaster)

© 2026 Regional Municipality of Wood Buffalo Privacy Policy (https://www.rmwb.ca/privacy-policy/)
Sitemap (https://www.rmwb.ca/sitemap/) Made with Govstack (https://www.govstack.com/)

From: Kelly Johnson
To: Phyllis Agyemang; Shailesh Makwana
Subject: FW: Notice of Development Permit Approval – Fort Chipewyan
Date: Monday, October 6, 2025 12:52:26 PM
Attachments: image001.png
Fort Chipewyan - Leadership Letter- MCFN (003).pdf

FYI

Kelly Johnson *[she, her, hers]*
Senior Administrative Assistant
Office of the Director
Planning and Development Services
T : 780-743-7880 | M : 587-919-6551

From: Danielle Brown <Danielle.Brown@rmwb.ca> **On Behalf Of** Dennis Fraser
Sent: Friday, October 3, 2025 4:17 PM
To: chief@mikisewcree.ca
Cc: Feather Bourque-Jenner <Feather.Bourque-Jenner@rmwb.ca>; Dennis Warr <Dennis.Warr@rmwb.ca>; Dennis Fraser <Dennis.Fraser@rmwb.ca>; Amanda Owens <Amanda.Owens@rmwb.ca>
Subject: Notice of Development Permit Approval – Fort Chipewyan

Good Afternoon Chief Tuccaro,

Please find attached a letter from the Director of Planning & Development Services.

This letter provides notice of a recently approved development permit (2025-DP-00169) for a proposed liquor store, office, and warehouse at 193 Mackenzie Avenue in Fort Chipewyan.

The attachment outlines the details of the approval, the community engagement, and information on how to exercise the right to appeal the decision should you wish to do so.

If you have any questions about the application or appeal process, the contact details for the Planning and Development Services team are included in the letter,

Warm Regards,

Danielle Brown
Senior Administrative Assistant
Indigenous and Rural Relations

T: 780-788-1672
9909 Franklin Avenue

From: Kelly Johnson
To: Phyllis Agyemang; Shailesh Makwana
Subject: FW: Notice of Development Permit Approval – Fort Chipewyan
Date: Monday, October 6, 2025 12:52:02 PM
Attachments: Fort Chipewyan - Leadership Letter - ACFN.pdf
image001.png

FYI

Kelly Johnson *[she, her, hers]*
Senior Administrative Assistant
Office of the Director
Planning and Development Services
T : 780-743-7880 | M : 587-919-6551

From: Danielle Brown <Danielle.Brown@rmwb.ca> **On Behalf Of** Dennis Fraser
Sent: Friday, October 3, 2025 4:20 PM
To: aadam@acfn.com
Cc: Dennis Warr <Dennis.Warr@rmwb.ca>; Feather Bourque-Jenner <Feather.Bourque-Jenner@rmwb.ca>; Amanda Owens <Amanda.Owens@rmwb.ca>
Subject: Notice of Development Permit Approval – Fort Chipewyan

Good Afternoon Chief Adam,

Please find attached a letter from the Director of Planning & Development Services.

This letter provides notice of a recently approved development permit (2025-DP-00169) for a proposed liquor store, office, and warehouse at 193 Mackenzie Avenue in Fort Chipewyan.

The attachment outlines the details of the approval, the community engagement, and information on how to exercise the right to appeal the decision should you wish to do so.

If you have any questions about the application or appeal process, the contact details for the Planning and Development Services team are included in the letter,

Warm Regards,

Danielle Brown
Senior Administrative Assistant
Indigenous and Rural Relations

T: 780-788-1672
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᔨᐤ | Nistawâyâw | Ełídlı̨

From: Kelly Johnson
To: Phyllis Agyemang; Shailesh Makwana
Subject: FW: Notice of Development Permit Approval – Fort Chipewyan
Date: Monday, October 6, 2025 12:51:38 PM
Attachments: Fort Chipewyan - Leadership Letter - Fort Chipewyan Metis.pdf
image001.png

FYI

Kelly Johnson *[she, her, hers]*
Senior Administrative Assistant
Office of the Director
Planning and Development Services
T : 780-743-7880 | M : 587-919-6551

From: Danielle Brown <Danielle.Brown@rmwb.ca> **On Behalf Of** Dennis Fraser
Sent: Friday, October 3, 2025 4:22 PM
To: Kendrick.Cardinal@fortchipmetis.ca
Cc: Feather Bourque-Jenner <Feather.Bourque-Jenner@rmwb.ca>; Dennis Warr <Dennis.Warr@rmwb.ca>; Amanda Owens <Amanda.Owens@rmwb.ca>
Subject: Notice of Development Permit Approval – Fort Chipewyan

Good Afternoon President Cardinal,

Please find attached a letter from the Director of Planning & Development Services.

This letter provides notice of a recently approved development permit (2025-DP-00169) for a proposed liquor store, office, and warehouse at 193 Mackenzie Avenue in Fort Chipewyan.

The attachment outlines the details of the approval, the community engagement, and information on how to exercise the right to appeal the decision should you wish to do so.

If you have any questions about the application or appeal process, the contact details for the Planning and Development Services team are included in the letter,

Warm Regards,

Danielle Brown
Senior Administrative Assistant
Indigenous and Rural Relations

T: 780-788-1672
9909 Franklin Avenue
Fort McMurray | ᓂᐢᑕᐊᔨᐣ | Nistawâyâw | Eɬídlı̨

FORT CHIPEWYAN

Nestled on the northwest shore of Lake Athabasca and next to one of the largest national parks in the world, Fort Chipewyan is one of the northern communities in the Municipality. Isolated by nature, Fort Chipewyan is only accessed by plane or boat in summer and ice road in winter.

Fort Chipewyan was named after the Chipewyan people first living in the area. Established as a trading post in 1788 by the Northwest Trading Company, Fort Chipewyan is the oldest settlement in all of Alberta. Trapping and fishing are still enjoyed by residents of Fort Chipewyan. Many of the residents of Fort Chipewyan are Mikisew Cree First Nation, Athabasca Chipewyan First Nation, and Fort Chipewyan Métis, and these Rights-holding Partners have come together on various initiatives such as the Three Nations Energy Corporation to improve community resiliency and the lives of all residents. Unlike most of the Municipality, oil and gas development has little impact on Fort Chipewyan, with the community historically hosting a bustling commercial fishing industry. Fort Chipewyan is home to 847 residents (2021 Census), making it the second largest community in the Municipality.

6.3.2E Fort Chipewyan Development Concept

The Municipality

a) The Municipality will work with community organizations and residents to understand and collaboratively address land constraints. Where a desire and ability to develop municipal land for housing is demonstrated, the Municipality may divest the land.

b) The Municipality should work closely with local organizations, Rights-holding Partners, and other stakeholders to coordinate land swaps, where appropriate, to help consolidate land to promote economic and housing opportunities.

c) The Municipality will continue to be an active partner for collaboration opportunities to support economic growth in Fort Chipewyan.

d) The Municipality will support the provision of a range of housing in the community in order to satisfy the needs of all ages and income levels.

Employment Lands

e) The Municipality is supportive of any initiatives to restablish commercial fishing industry that historically employed many Fort Chipewyan residents.

f) Recognizing the tourism potential of Fort Chipewyan, the Municipality supports development of tourism-related industries and infrastructure, including sport fishing, staging for adventure tourism, and recreational boating.

Community Core

g) To provide proximity to the services and amenities, new lands for future residential, institutional uses, small-scale retail should be concentrated near the Community Core.

h) Infill development will be encouraged to make efficient use of underutilized lands both in the Community Core and surrounding areas.

Protected Natural Areas

i) The Municipality will minimize encroachment of industrial development in residential areas using greenbelts as per the Green Network concept.

j) The Municipality will work with the community to integrate greenbelt into the Regional Blue and Green Networks

k) Development in areas significant to the community or environmentally sensitive will be limited to ensure these areas remain protected.

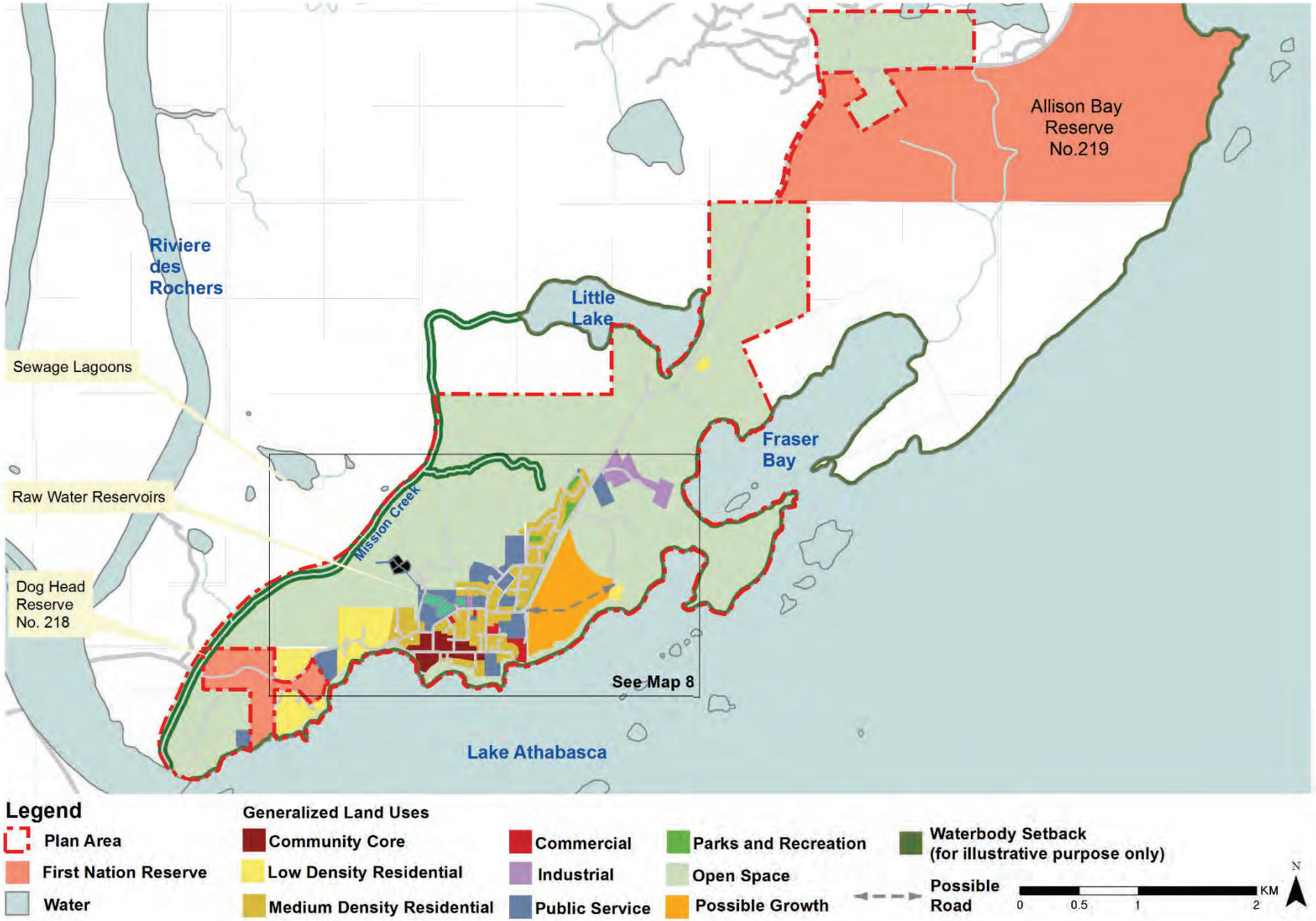
l) Lakefront areas will be protected, preserved, and made accessible to all.

m) Local food production will be encouraged to ensure a more self-sustaining community.

Transportation

n) The Municipality will promote the safe and efficient use of the Fort Chipewyan Airport considering the size and remoteness of the community.

o) The Municipality will continue advocating to senior levels of government for the development of a permanent all-seasons road to Fort Chipewyan.



MAP 7: GENERALIZED LAND USE CONCEPT

ATTACHMENT 15

GENERALIZED LAND USE CONCEPT AND LAND USE CLASSIFICATIONS

Map 7 and Map 8 show the proposed Generalized Land Use Concept for Fort Chipewyan. These maps provide an illustration of the approximate locations of future land uses. The land use classifications are described below. Map 9 identifies the location of the Possible Growth area in relation to environmental and built constraints.

Community Core

The Community Core is the heart of the Hamlet and a hub for commercial, institutional and residential uses. The Community Core is intended to be a vibrant, compact and mixed-use area with services and businesses that serve the community. The existing development pattern of commercial uses, public services, office space, single detached dwellings and manufactured homes, and Elders housing will continue. New opportunities for live-work housing and higher density residential forms, such as four-plexes and low-rise apartments, could help increase housing supply and benefit residents from proximity to services. Existing vacant industrial lands in the Community Core provide opportunities for further development, including light industrial activities that respect nearby Lake Athabasca.

Commercial

The Commercial area is intended to allow for the development of commercial and retail uses outside of the Community Core.

Industrial

The Industrial area is intended for a wide range of general industrial uses, such as warehousing, office buildings, lay-down yards and service uses. Industrial land use is identified primarily east of McDermot Avenue, away from residential areas. Here, Industrial areas are intended to accommodate a range of light and medium industrial uses. In the downtown, Industrial lands are intended to be low intensity in nature to ensure that they do not negatively affect surrounding uses through the generation of emissions, noise, odors and other nuisances.

Low Density Residential

The Low Density Residential area is intended to preserve the existing rural character. The Low Density Residential area is intended to provide housing, primarily in the form of single detached dwellings and manufactured homes.

Medium Density Residential

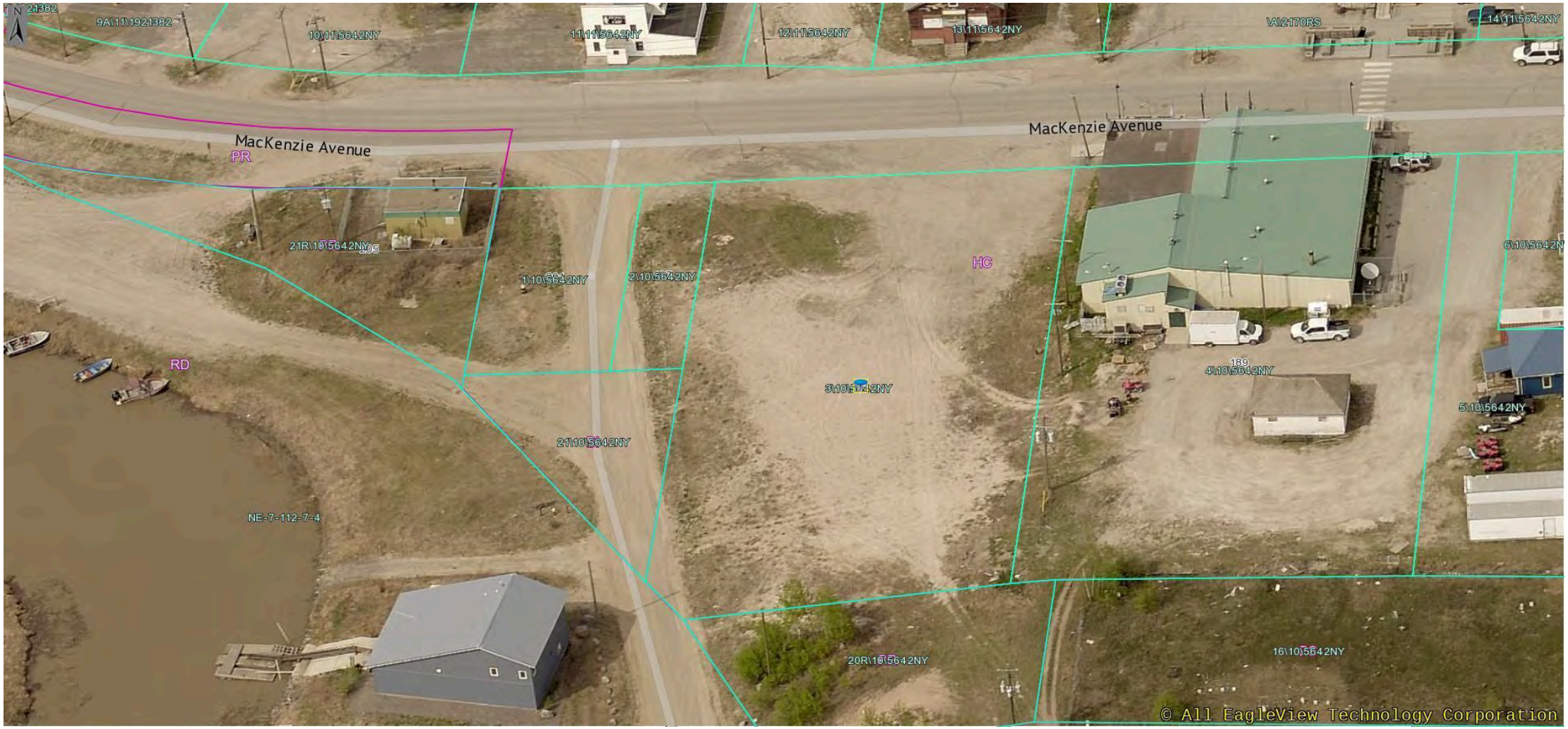
The Medium Density Residential area is intended to allow for a range of housing types and other compatible community services within the existing residential areas that surround the Community Core. The existing development pattern consists largely of single detached dwellings and manufactured homes, with some multi-unit housing forms near the Community Core. Where lands are suitable, new multi-unit developments and developments suitable for Elders could help diversify and increase the supply of housing.

193 MacKenzie Avenue (May-July 2011)

ATTACHMENT 16

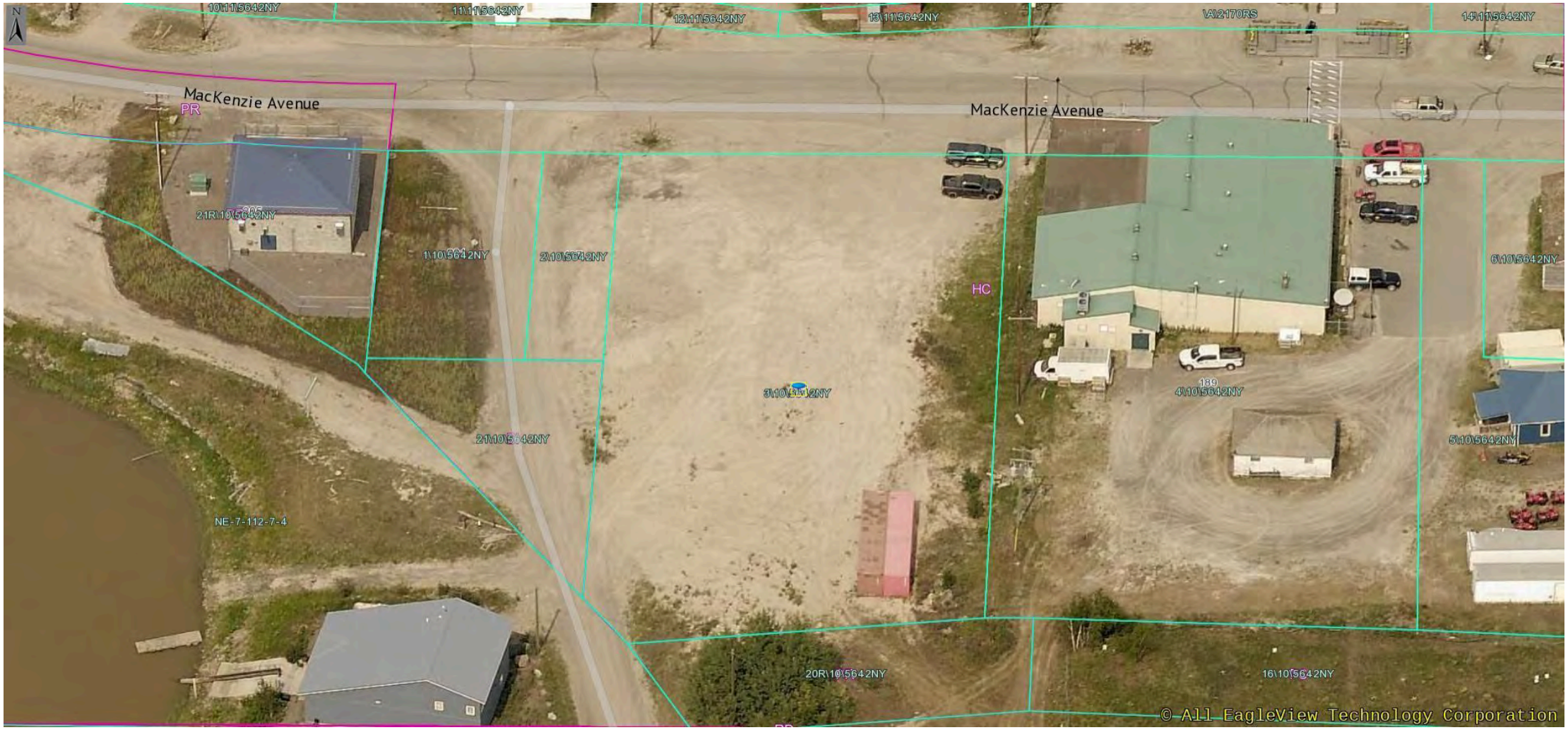
05/24/2011

193 MacKenzie Avenue (May 2018)



05/22/2018

193 MacKenzie Avenue (July 2023)



07/20/2023

Objective 3.2 Support the establishment of a vibrant, mixed use core area

In areas identified as Community Core:

3.2.1 Retail commercial, public service, and residential uses will be directed to locate in the Community Core, as shown on Map 7 and Map 8. Uses may include but are not limited to retail development, health and education services, community gathering spaces, and housing. Tourism-related commercial uses will also be encouraged.

3.2.2 New developments will be encouraged to demonstrate enhancements to the public realm. Examples include street furniture, public art, landscaping, street facing plazas, lighting, wayfinding, connections to pedestrian paths and street facing retail uses.

Objective 3.3 Provide increased opportunities for local retail and commercial activities

In areas identified as Community Core or Commercial:

3.3.1 A mix of commercial uses, such as offices, restaurants, grocery stores, gas bars and car washes, and other retail uses, will be allowed.

3.3.2 Amenities and tourism-related commercial uses, such as restaurants, cafes, vehicle rentals, supply stores and local art galleries, will be allowed.

3.3.3 Tourist accommodations, such as bed and breakfasts, lodges and hotels, will be allowed.

3.3.4 Development will be required to demonstrate compatibility with adjacent uses.

In areas identified as Community Core, Low Density Residential, Medium Density Residential or Possible Growth:

3.3.5 Home businesses, home occupations, live-work developments and bed and breakfasts will be allowed.

(e) Floor Area Ratio (maximum): 5.0 **(BL 09/017)**
(f) Landscaping as per Section 72 of Part 5 (General Regulations).

109.6 Regulations for Residential Units Above Ground Floor Commercial

(a) residential dwelling units and commercial premises shall not be permitted on the same storey of a building;
(b) the residential dwelling units shall have at grade access that is separate from the access for commercial premises. Direct access from a residential dwelling unit to a commercial premises shall not be permitted;
(c) a minimum of 4.0 sq. meters of private amenity area shall be provided for each dwelling unit in the building;
(d) on-site parking for the residential dwelling unit shall be provided in accordance with the parking requirements for apartment buildings in Part 7 of this bylaw. Parking for the residential units shall be provided in addition to the parking requirements for the commercial premises; and
(e) where a building contains residential dwelling units above commercial premises, all parking for the residential use shall be provided on-site. Shared parking, off-site parking and or/money in lieu of parking for the residential units shall not be permitted.

(BL 02/002)

110. HC - Hamlet Commercial District

110.1 Purpose

The purpose of this District is to provide for commercial development in established hamlets.

110.2 Permitted Uses

The following are permitted uses:

(a) **DELETED (BL 05/013)**
(b) Gas Bar **(BL 04/012)**
(c) Hotel
(d) Motel
(e) Retail Store, Convenience and General
(f) Service Station, Major and Minor

110.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

(a) Accessory Buildings
(b) Animal Service Facility, major and minor **(BL 04/012)**
(c) Auctioneering Facility
(d) Automotive Equipment and Repair
(e) Automotive/ Recreational Vehicle Sales and Rentals
(f) Business Support Facility
(g) Child Care Facility

(h) Commercial Entertainment Facility
(i) Commercial Recreation Facility, Indoor and Outdoor
(j) Community Service Facility
(k) Contractor, Limited
(l) **DELETED (BL 05/013)**
(m) Drinking Lounge, Major **(BL 05/013)**
(n) Drinking Lounge, Minor **(BL 05/013)**
(o) Dwelling Units above Ground Floor Commercial only on Lots 3-8, Block 16, Plan 832 2978; Lots 9, 15, 17-18, Block 17, Plan 832 2978; Lots 16A-16B, Block 17, Plan 902 3066; Lots 1-4, Block 3, Plan 792 0314; Lots 1-3, 5-7, Block 11, Plan 792 0314 (Hamlet of Anzac) **(BL 08/037)**
(p) **DELETED (BL 05/013)**
(q) Equipment Rental
(r) Essential Public Service
(s) Farmers Market/ Flea market
(t) Financial Institution
(u) Food Service, Drive-In or Drive-Through **(BL 05/013)**
(v) Food Service, Major Restaurant **(BL 05/013)**
(w) Food Service, Minor Restaurant **(BL 05/013)**
(x) Food Service, Mobile Catering **(BL 05/013)**
(y) Food Service, Take Out Restaurant **(BL 05/013)**
(z) Funeral Home
(aa) Greenhouse / Nursery
(bb) Hostel
(cc) Household Equipment Repair
(dd) Liquor Store
(ee) Nightclub **(BL 05/013)**
(ff) Office
(gg) Parking Lot
(hh) Personal Service Business
(ii) Public Use/Utility
(jj) Recreational Vehicle Park (on Lot 7, Block 11, Plan 792 0314)
(kk) Recycling Depot
(ll) Recyclable Materials Drop-Off Center **(BL 08/001)**
(mm) Religious Assembly
(nn) **DELETED (BL 07/002)**
(oo) Satellite Dish Antenna
(pp) Security residence
(qq) Warehouse Sales

110.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission

(a) Single Detached Dwelling in Fort Chipewyan **(BL 01/043)**

110.5 Requirements

(a)	Minimum Lot Area	465.0 m^2
(b)	Minimum Lot Width	16.0 m
(c)	Minimum yard setbacks	
	Front:	At the discretion of the Development Officer
	Side:	4.5 m or ten percent (10%) of the lot width, whichever is less.
	Rear:	7.5 m

Note: Commercial uses constructed adjacent to existing similar uses may be built without side yard setbacks at the discretion of the Development Officer, and with appropriate fire wall ratings. When a commercial use is adjacent to a residential use a side yard of at least 4.5 m shall be provided.

(d)	Maximum Height	10.0 m 12.2 m only for Lot 5, Block 11, Plan 792 0314

(BL 07/002)

111. BI Business Industrial District

111.1 Purpose

The purpose of this District is to provide for the development of a wide range of compatible commercial businesses and general industrial uses in the Urban Service Area, and in the hamlets of the Rural Service Area, which do not adversely affect surrounding non-industrial uses through the generation of emissions, noise, odours, vibrations, heat, bright light or dust.

111.2 Permitted Uses

DELETED (BL 01/043, BL 04/012, BL 06/030)

111.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

(a) Accessory Building **(BL 06/030)**
(b) Animal Service Facility, Major and Minor **(BL 06/030)**
(c) Auctioneering Facility **(BL 06/030)**
(d) Automotive and Equipment Repair and Storage **(BL 06/030)**
(e) Automotive/Recreational Vehicle Sales and Rental **(BL 06/030)**
(f) Broadcasting House **(BL 06/030)**
(g) Business Support Services Facility **(BL 06/030)**
(h) Commercial School **(BL 06/030)**
(i) Commercial Recreational Facility, Indoor **(BL 17/020)**
(j) Contractor, General and Limited **(BL 06/030)**
(k) Custom Manufacturing **(BL 06/030)**

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Sdab 2025-007
Date: Monday, November 10, 2025 4:45:46 PM

External Message - Please be cautious when opening links or attachments in email

To The Members of Council and this committee,

As a citizen of Fort Chipewyan, I stand behind and support the opening of a new Liquor store in this Community. I have seen the results of the lack of a legal legally operating Liquor store. The increase in bootlegging has resulted in minors and those who were banned from purchasing alcohol being intoxicated more frequently than before. There has been no real decrease in the amount of alcohol being sent to Fort Chipewyan.

Please, deny this appeal by someone who does not speak for the whole community, Please approve this Liqour store which will create new jobs and keep the profits in this Hamlet.

Leo Williamson
Albertan and Fort Chipewyan citizen

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB2925-007
Date: Tuesday, November 11, 2025 5:11:31 PM

External Message - Please be cautious when opening links or attachments in email

We need a legal liquor store in Ft Chipewyan Alberta
Sent from my iPhone

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Tuesday, November 11, 2025 11:07:49 AM

External Message - Please be cautious when opening links or attachments in email

Fredrick Kevin Ellingson
ATIA 20(1)

Good morning,
I would like to voice my support for the opening of a Liquor Store within the boundaries of the Hamlet of Fort Chipewyan. I have resided in Fort Chipewyan for approximately 20 years. I have worked for the Nunee Health Board Society since 2008 as a full-time employee. In my opinion, alcohol is no more of a problem here than it is in any other community. The problem that has become more prevalent is "bootlegging". Bootleggers like drug dealers do not care about those affected the addiction that they are assisting with their service; they are in that business for themselves, and the money they earn is not taxed. A bottle they buy in Fort McMurray for $30, they are selling for $80-100. I myself have seen cases unloaded and being picked up by a bootlegger or their friend and family. Bootleggers do not contribute positively to the community; by this, I mean that a business may donate to various charities or events, a bootlegger does not. A Liquor Store will provide tax revenue to various levels of government, including the RMWB. A Liquor Store will also provide an opportunity for some local employment, people who also pay taxes and spend money back into not just the local community, but also in Fort McMurray. For those who tell you that we do not have an addiction facility for people to go to for help, that is not totally true. We may not have a treatment facility, I do not think Fort McMurray does either, but we do have counselling and AA meetings available in the community. The counsellors here can also assist people who want to take the steps to seek treatment. They are a really great team.
In summary, I support the opening of a Liquor Store. And I strongly believe that if the application for one is denied, we will not see the problems with alcoholism in this community go away.
Thank you for your time and I hope you consider what I have said.
A concerned community member,
Fredrick Kevin Ellingson
ATIA 20(1)

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB-2025-007
Date: Thursday, November 13, 2025 5:10:34 PM

External Message - Please be cautious when opening links or attachments in email

Yes I want to see a liquor store again in Fort Chipewyan to be controlled as the bootleggers sell to underage intoxicated individuals, by having a controlled liquor store will stop the illegal sales of alcohol
Thanks
Sent from my iPhone

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Monday, December 1, 2025 12:32:57 PM

External Message - Please be cautious when opening links or attachments in email

To Whom It May Concern,

My name is Tamera Ellingson, and I am a lifelong resident of Fort Chipewyan. I am writing this letter in support of Daniel Roy opening a liquor store in our community.

Since the closure of the previous liquor store, I have witnessed a noticeable increase in underage drinking. Alcohol has become available 24 hours a day, seven days a week to anyone with the money to pay for it, regardless of age. Youth are consuming more hard liquor because beer and coolers are not readily available, and it is cheaper for bootleggers to fly in hard alcohol. In fact, liquor often seems to take priority on flights, with planes frequently arriving half full of alcohol.

Our streets now have smashed glass bottles scattered everywhere. Additionally, since the liquor store closed, there has been an increase in drug dealers entering the community, as many people are turning to hard drugs when alcohol is not accessible.

Although I do not personally drink alcohol, I fully support the establishment of a legal liquor store. It would ensure the regulated and lawful sale of alcohol, help reduce illegal activity, and provide much-needed jobs for community members.

Thank you for your consideration.

Sincerely,
Tamera Ellingson
ATIA 20(1)

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Sean 2025-007
Date: Monday, December 1, 2025 11:05:11 AM

External Message - Please be cautious when opening links or attachments in email

My name is Ora Campbell
I live in Fort Chipewyan, ATIA 20(1)

I am writing to support Daniel Roy's application
I am tired of paying an exuberant amount to get my beer, I like to sit at home and have a few beer at times. It is becoming a pain having to get someone to get supplies and send to Fort Chip, then waiting as freight cannot always be sent. Boot legging is becoming more the norm in our Community which I do not support, and it is becoming more accessible to underage.
Granting the application will help the community as there is a lot of people struggling to get supplies.

Sincerely
Ora Campbell
Sent from my iPhone

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Tuesday, December 2, 2025 4:43:32 PM

External Message - Please be cautious when opening links or attachments in email

The Delta Rough Riders 2.0 Society Board supports the approval of Daniel Roy's liquor store permit. The delays have increased bootlegging and made hard liquor more available to youth. Our community deserves a safe and legal place for residents to buy these products from a capable local operator

Sent from my iPhone

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Sdab 2025-007
Date: Tuesday, December 2, 2025 8:03:07 AM

External Message - Please be cautious when opening links or attachments in email

Hi my name is Kurtis Girard
I have lived in chip all my life. 53yrs i have seen the hamlet before liquor stores and since they have been shit down. The sale of illegal liquor is a big concern.
Bootleggers do not care if ur of age or how drunk u are they will sell to you as long as you have the money. The amount of young kids drinking hard liquor in community has gone up because it is easier to sell vodka then beer.
Also during covid liquor Stores were essential services.
So now im wondering why the RMWB is not letting a local person start a business that is a essential services???
So i support the opening of a liquor store.
The MCFN has put appeals against the local individual starting the liquor store but mean while both their reserves that are attached to the community are not dry reserves, this is a little weird to me not sure what they are doing.
Sent from my iPhone

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB-2025-007
Date: Tuesday, December 2, 2025 10:18:56 AM

External Message - Please be cautious when opening links or attachments in email

I wish to express support for Daniel Roy's new business venture. Mr. Roy wishes to start a liquor store on municipal jurisdiction. I am disappointed that other parties and governments have superseded RMWB jurisdiction and free enterprise. Also, I do not accept other organizations/governments dictating my personal buying habits and choices. I support Mr. Roy's desire to start a small business. Selling liquor is not illegal. I am aware of the social and personal issues resulting from alcohol. I support Mr. Roy in attempting to make a living. He is a fulltime resident of Fort Chipewyan. Mr. Roy is a productive business owner and citizen of Fort Chipewyan, Alberta and Canada. He is an honest man.

From,

Mary Kutschke

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Sdab2025-007
Date: Tuesday, December 2, 2025 5:53:31 PM

External Message - Please be cautious when opening links or attachments in email

David castor Jr
Fort Chipewyan Alberta

We do need need liquor store in Fort Chipewyan as it is an essential service the bootlegging is getting out of hand and minors are getting drunk as the bootleggers are selling to everyone

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025 007
Date: Tuesday, December 2, 2025 4:45:09 PM

External Message - Please be cautious when opening links or attachments in email

Name: Tammy Riel
Address: ATIA 20(1)

Dear SDAB Members,

I am writing to express my support for approving Daniel Roy's liquor store permit. The lack of a licensed establishment in Fort Chipewyan is creating real harm for our community.

Since the original permit was denied, I have seen a dramatic increase in bootlegging, underage drinking and a shift toward hard liquor instead of beer or coolers. These changes worry me. Bootlegging has become easier, alcohol is available at all hours and young people are being exposed to substances that carry greater risk.

Our community needs a cohesive drug and harm reduction strategy and not having a liquor store does not reduce addiction or prevent harm. It pushes alcohol into unsafe and unregulated channels and removes the protections that come from buying these products legally and responsibly.

Daniel is a committed local resident and I know he will responsible operate his business in our community. Approving this permit would give residents a safe and accessible option. It is an important step in reducing harm and supporting the well being of Fort Chipewyan.

Thank you for considering this.

Take care,
Tammy Riel

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB
Date: Wednesday, December 3, 2025 12:23:19 PM

External Message - Please be cautious when opening links or attachments in email

I'm for the liquor store in Fort Chipewyan,prices are ridiculous .

Terry Whiteknife
Get Outlook for iOS

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Date: Thursday, December 4, 2025 6:02:49 PM

External Message - Please be cautious when opening links or attachments in email

Would like to express my support for a liquor store in Fort Chipewyan, AB.

Sent by Text Messaging from a mobile device.
Envoyé par messagerie texte d'un appareil mobile.

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Cc: ATIA 20(1)
Subject: SUPPORT FOR DEVELOPMENT PERMIT NO. 2025-DP-00169 FORT CHIPEWYAN LIQUOR STORE
Date: Friday, December 5, 2025 3:37:14 PM
Attachments: ATIA 20(1)

External Message - Please be cautious when opening links or attachments in email

Hello,

Please see the attached letter of endorsement for Development Permit No. 2025-DP-00169.

Kindly confirm receipt of the letter at your earliest convenience.

Marsi Cho,

Michelle A. Voyageur, MScIS
Chief of Operations
Athabasca Chipewyan First Nation

Mobile: ATIA 20(1)
Email: ATIA 20(1)

December 2, 2025

Heather Fredeen
Subdivision and Development Appeal Board
Regional Municipality of Wood Buffalo

sent via email to SDAB@rmwb.ca

To Whom It May Concern:

SUBJECT: SUPPORT FOR DEVELOPMENT PERMIT NO. 2025-DP-00169

The Athabasca Chipewyan First Nation (ACFN) supports the opening of a locally owned and operated liquor store in Fort Chipewyan for several reasons:

- Providing a regulated and monitored point of sale will help reduce harmful access patterns and discourage unsafe practices such as bootlegging or unregulated sales.
- Controlled distribution also minimizes risks associated with illegal or unsafe alcohol sources, contributing to the overall safety and well-being of the community, especially given that minors are currently able to purchase alcohol through non-regulated sources.
- By bringing alcohol sales under proper oversight, the community can ensure stronger safeguards, better compliance, and greater protection for vulnerable individuals.
- This business opportunity also supports economic development by creating local employment opportunities and keeping revenue within the community, strengthening economic growth and promoting self-sufficiency.

Members of ACFN Council hope that you will take this endorsement into consideration during the upcoming appeal hearing for liquor store licensing.

Sincerely,

Chief Allen Adam
Councillor Flossie Cyprean
Councillor Hazel Mercredi
Councillor Teri Villebrun

Cc: Maggie Farrington, CEO ACFN/DLRM
ACFN Council

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB-2025-007
Date: Friday, December 5, 2025 2:42:35 PM

External Message - Please be cautious when opening links or attachments in email

Regarding SDAB-2025-007

I support the liquor store because it is the safest and most responsible way to manage alcohol in our small community. Bootlegging has caused harm for years, and denying the store will only fuel it. Please allow the approved permit to stand.
Sincerely,

Samuel Wylie, Fort Chipewyan, Ab

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Saturday, December 6, 2025 11:54:46 AM

External Message - Please be cautious when opening links or attachments in email

Clara Shortman
ATIA 20(1)

Dear SDAB board,

As a Healthcare worker, I support a regulated retail Avenue for alcohol products. Licensed stores are monitored and can participate in public health effort like safe consumption education, ID/age checks. Removing legitimate options can push people to riskier source with only hard liquor options.

I urge you to respect the approved permit.

Regards,

Clara Shortman,

Sent from my Galaxy

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Saturday, December 6, 2025 5:58:05 PM

External Message - Please be cautious when opening links or attachments in email

Name: Kelly Piche
Address: ATIA 20(1)
Concerns:

I am writing in to voice my support for the proposed liquor store in the hamlet of Fort Chipewyan.

The absence of a liquor store in the community has created several negative impacts including excessive prices (that include additional freight pricing) for consumers, limited variety of products for consumption and consumers turning to other substances that increase the harm to themselves and others.

Thank you

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Monday, December 8, 2025 7:51:37 PM

External Message - Please be cautious when opening links or attachments in email

Dear SDAB board,
Regulated stores protect youth through ID check and staff training. Bootleggers do not. For the protection of young people in our community, please allow the liquor development permit to stand.
Thank you,
George Whiteknife
Fort Chipewyan Ab

Get Outlook for iOS

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Sdab2025-007
Date: Monday, December 8, 2025 2:20:00 PM

External Message - Please be cautious when opening links or attachments in email

I am writing today in support of Danial Roy's application, reasons being

1. Youth have to much access to bootleg alcohol
2. with cold weather the fear of youth passing out in the cold and possibly freezing
3. freight and access to alcohol is a problem which makes people turn to drugs, and drugs are already a problem in our community
4. there will be access to sporting goods, and a place to get freight.

Sincerely, Jennifer Courtoreille

Get Outlook for iOS

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Tuesday, December 9, 2025 3:05:38 PM

External Message - Please be cautious when opening links or attachments in email

To Whom It May Concern,

I am writing to express my support for the proposed opening of a licensed liquor store in Fort Chipewyan. I believe that a properly regulated establishment would help address several ongoing issues in our community while offering social and economic benefits that we urgently need.

At present, Fort Chipewyan faces a significant challenge with bootlegging. Unlicensed sellers operate without accountability, and alcohol is often sold at extremely high prices, with no age verification and no regard for community safety. This has resulted in easier access for underage individuals and a lack of oversight on consumption. Additionally, the only products typically available through bootlegging are vodka and other hard liquors, which contributes to harmful drinking patterns. A regulated liquor store would provide safer access at fair prices, while ensuring strict age checks and compliance with provincial laws that protect youth and vulnerable individuals.

Beyond improving safety, an authorized liquor store would introduce meaningful economic benefits to our community. It would create local jobs, keep more revenue in Fort Chipewyan instead of leaving the community, and help reduce the financial strain caused by inflated bootlegger prices. A legitimate business would also give community leadership a partner that can work with them on responsible-consumption initiatives, education, and community wellness programming.

Many residents simply want access to the same regulated services available in other Alberta communities, and a licensed store would meet that need in a safe, respectful, and controlled manner. With proper oversight, transparent operations, and collaboration with local leaders, a liquor store can improve public safety, reduce illegal activity, and support our community's long-term economic health.

Thank you for considering my perspective. I appreciate the thoughtful work being done to balance community values with practical solutions, and I strongly believe that a regulated liquor store would be a positive and responsible step forward for Fort Chipewyan.

Sincerely,

Cheyenne Hall

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Tuesday, December 9, 2025 9:16:41 AM
Attachments: ATIA 20(1)

External Message - Please be cautious when opening links or attachments in email

Good morning Heather,

Please accept letter of support here attached for the development permit#: 2025-DP-00169

Regards,

Daniel Roy
ATIA 20(1)

Dear Members of the Appeals Board,

RE: SDAB 2025-007

I am writing as a concerned member of our fly-in, fly-out community to express my strong support for the liquor store development permit and my deep concern that this project is now being appealed. I care deeply about the well-being, health, and safety of the people who call this place home, and I believe the appeal is causing more harm than good.

Since the last store closed in March, our community has been left without any legal, regulated access to lower-alcohol options. This has not reduced alcohol consumption in any meaningful way. Instead, it has created an environment where bootleggers are everywhere, open all day and every day, selling unsafe, illegal alcohol and other illicit items without any oversight. People are being pushed into relying on these illegal sources simply because they have no other option.

Right now, the only alcohol consistently available is hard liquor. Having access only to vodka or other strong spirits does not help anyone and puts our most vulnerable residents at even greater risk. A lack of safe alternatives leads to unintentional harm, including health-related problems that could be mitigated with a regulated and supervised option. It is heartbreaking to see people suffering when a straightforward solution already exists.

Alcohol is a reality in every community—prohibition does not work, and it never has. Denying legal access does not prevent drinking; it just pushes it into unsafe, unregulated, and dangerous channels. A properly licensed, regulated store allows for accountability, oversight, enforcement, and safer choices. It gives our community a way to protect people instead of leaving them to rely on unsafe underground sources.

Rejecting this development does not make our community safer—it makes it less safe. A regulated store would reduce harm, support public health, and give people access to safer, lower-alcohol alternatives. It would also give authorities the tools they need to enforce rules, ensure compliance, and curb illegal sales—none of which can be done while bootlegging remains the only widespread source.

I strongly urge you to consider the real-world impacts of this appeal. The current situation is harming public safety. Approving this development is the responsible, compassionate, community-centered choice. A regulated store is better for everyone.

Thank you for your time and consideration.

Sincerely,

ATIA 20(1)

Daniel Roy

ATIA 20(1)

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Thursday, December 11, 2025 3:53:35 PM

External Message - Please be cautious when opening links or attachments in email

To whom it may concern

Hello, my name is Misty Marten and I am a resident of Fort Chipewyan, my home address is ATIA 20(1)

I am writing to express my support for the proposed liquor store in Fort Chipewyan, to be located at **193 Mackenzie Ave**. After considering the potential impact on our community, I believe this establishment will be a positive addition to the area.

The owners have shown a willingness to work collaboratively with community members and nearby businesses as well.

The new proposed Liquor Store is expected to contribute to local economic growth by creating new jobs and improving consumer convenience for residents who currently purchase liquor out of the community having to pay HIGH shipping prices. If they can't do that, they turn to buying ILLEGAL BOOTLEG which has become a problem in the community because bootleggers only sell HARD LIQUOR. The store's focus on good quality products, variety and responsible service will help ensure that it becomes a valued and respected local business.

For these reasons, I fully support the approval of the liquor license and establishment. I am confident that the owners will operate with professionalism and integrity, and that this business will be an asset to our community.

Thank you for your time in reading my letter of support.

Sincerely,

Misty Marten

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Fort Chip liquor store
Date: Thursday, December 11, 2025 3:56:51 PM

External Message - Please be cautious when opening links or attachments in email

To whom it may concern;

I'm writing this in hopes that an organization (word on the street is "Mikisew") appealing the decision of a liquor store in Fort Chipewyan isn't given more preference than the average individual residing within the hamlet boundaries. I'm certain you're aware Mikisew's reserves are not within the hamlet. As for myself, if I want a glass of wine or a beer to go with my steak, then I'd love that option to just run to the liquor store and grab it. So YES for the liquor store.

Thanks Tim

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Re: SDAB 2025-007
Date: Monday, December 22, 2025 4:05:57 PM

External Message - Please be cautious when opening links or attachments in email

Please accept this email as a supporter for the liquorstore

On Mon, Dec 22, 2025, 4:04 p.m. Barbara Grandjambe <ATIA 20(1)> wrote:

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Brian Lepine **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: STANLEY SHORTMAN Signatu[redacted] ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Freda Fraser **Signatur** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: ATIA 20(1) **Signature:** Lucy Fraser

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Peggy Bourque **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Richard Michael **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Dakota Spirit **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [illegible] Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Sylvia Cardinal Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Waylen Tourangeau **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Honesty Grandjambe **Signature:** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: _____ Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Rebecca Peters **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Tim Flett **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: DOREEN NEWMAN **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Tyler Flett **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Irene Shortman **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Mary Jane Shortman **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: John McKay **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: DAVid Castor Jr Signature ATIA 20(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: DAVID SIMPSON Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [illegible] Signature: ATIA 20(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Emma Voyageur **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Paul [illegible] **Signature:** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Marc Megan **Signature** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: NORMA SEPP **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Bethany Thacker **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: KIRK THACKER **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Harrison WHitefish **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Sandra Nadeau Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Jeanette Antoine Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [illegible] Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Peter Courtorelle Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Dezarae Cantorelle Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Bob Nadeau Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Jennifer Stewart Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Edward Grondjambe Signature: ATIA 20(1)

Fort Chipewyan Resident: ☐ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Debbie Grandjambe Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Kaylee Courtoreille Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Patricia Courtoreille **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: ERNEST THACKER Signature: ATIA 20(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Leo Williamson Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Harold WYLIE Signature [redacted] ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Kevin Kosla Signature: ATIA 20(1)

Fort Chipewyan Resident: ☐ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Amanda Cardinal **Signature:** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [illegible] Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Darrell Piche Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Desmond Flett Signature: ATIA 20(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: STANLEY WYLIE Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: _____ Signature ATIA 20(1) _____

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Calvin Whitford Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Peter Gibot Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Freddy Marcel Signature ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Sheldon Flett **Signature:** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Carmen Cardinal **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [redacted] Signature: ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Katie Fiddler **Signature:** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Lorraine Cardinal Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [illegible] Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Dawn MacDonald **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Jennifer Courtorelle **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Vicki-Woods Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Cody Desjarlais Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Guy Thacker Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Calvin Waquan Signature: ATIA 20(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name [redacted] Signature ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Tommy Rod Signature ATIA 20(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: ARCHIE WAQUAN **Signature:** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely:

Nam[redacted] Signature: Karen Fersovitch

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [illegible] Signature: [illegible] Sept 9/24

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Dave Woods Signatu [redacted] ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Mildred Woods Signature:

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Tom Woods Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Flossie Cyprean Signature ATIA 20(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Bruce Inglis **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: SAMUEL WYLIE **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Clara Shortman Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Mary Kutschke **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : 780-747-3352

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Tammy Flett Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: David Thacker Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Gracie Thacker Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: JOHN Pache Signature [redacted] ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Wayne Lyon **Signature:** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Alice Martin Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Steven Thache Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Garnett Courtoreille Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Dana Courtorelle Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: RICHARD TUCCARO Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Desmond Courtoreille **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Corrie Marcel Signatur[redacted]

ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Dalton Fleth **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Kurt-S Girard **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Keith Lynch Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Fredrick Ellingson Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Wade Bohaert Signature: ATIA 20(1)

Fort Chipewyan Resident: ☐ Yes ☑ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Scott Adam Signature [redacted] ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: LINDA BERRY **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom it May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Lloyd Waquan Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

Please sign and text image to ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Alice Rigney **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Lily Marcel Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

Please sign and text image to ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerel ATIA 20(1)

Name: ATIA 20(1) **Signature:** CHARLES FRASER

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Leonard Shortmoon **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: RAYMOND. F. LADOUCEUR **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely; CR. Cardinal

Name: Fondrick Cardinal Signa ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: CODY MARCEL Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name ATIA 20(1) **Signature:** Janice Marcel

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Wayne Marsh Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Reuben Marcel Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Randall Toccaro Signature: ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Keegan McKay **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: James L. Hansen **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Lacey Marcel **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely

Name: ATIA 20(1) **Signature:** Robert Fewell

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Irene Cardinal **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Dwight Courbre Jr. **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: [redacted] **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Tom MacDonald **Signatur** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Lance Laviolette Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: August Marcel Signature ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

Please sign and text image to ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Georgette Bruno **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

Please sign and text image to : ATIA 20(1) ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Terry WhiteKnife **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Arianna Whiteknife **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Greg Marcel Signature: ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely:

Name: ATIA 20(1) **Signature:** Darlene Gardner

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Lorie dale Paquette **Signature** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Cathryn Philpotts **Signature** ATIA 20(1) [redacted]

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1) [redacted]

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: THOMAS **Signature:** ROBINSON ATIA 20(1)

Fort Chipewyan Resident: ☑ Yes ☐ No SEPT 22- 24

Please sign and text image to : ATIA 20(1)

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Richard Mercredi **Signature:** ATIA 20(1)

Fort Chipewyan Resident: ☑ **Yes** ☐ **No**

Please sign and text image to : ATIA 20(1)

[redacted]

From: Colford, Brandon (RCMP/GRC) <brandon.colford@rcmp-grc.gc.ca>
Date: Monday, October 21, 2024 at 3:17 PM
To: Orlagh O'Kelly <orlagh.okelly@okellylaw.ca>, Davison, Warren (RCMP/GRC) <warren.davison@rcmp-grc.gc.ca>
Cc: ceo <ceo@mikisewcree.ca>
Subject: RE: RCMP Data re: Alcohol Related Occurances

Hey Orlagh, sorry for the delay.

I called the Fort McMurray Detachment to run the statistics, but due to the linking process on PROS, all alcohol involved occurrences were not populated in the reports, so it was very inaccurate. I had to individually check every PROS file for the year so it took a few hours. I only looked up the occurrences from 2024/01/01 to today. If you need a wider range of dates, please let me know.

Out of the detachments 697 occurrences in 2024, **328** were alcohol related. A breakdown is as follows:

- 91 - Mischief
- 55 – Assault
- 34 - Breach of peace
- 32 – Provincial/municipal/liquor act
- 28 – Traffic related
- 22 – Wellbeing check
- 19 – Mental Health Act
- 10 - 911 hang ups
- 7 – Assist General Public
- 6 – Uttering Threats
- 6 - Assistance to provincial agency
- 5 – Theft
- 4 – Fail to comply with conditions
- 2 – Crime prevention
- 2 – break and Enter
- 1 – Sexual Assault
- 1 – Items lost
- 1 – trespass at night
- 1 - Trespass

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Scab 2025-007
Date: Monday, January 19, 2026 7:04:59 PM

External Message - Please be cautious when opening links or attachments in email

To whom this may concern:

Regarding liquor store in community of Fort Chipewyan. I am in support of this essential liquor store. These are my opinions.

1 - Liquor store was in operation for numerous years without licence.

2 - How can a business operate a facility that serves public with no running water no public washroom on site?

3 - Liquor like "vodka" being sold by individuals in community, majority youth underage have easier access to this alcohol. The cost that their selling is outrages prices range from $50 - $100?

A liquor store that is essential to our community that is monitored who it's sold too makes more sense, plus they have a variety to choose from.

Person applying for license are from our community, who is willing to give back to the community.

Respectfully community member,

Lily Marcel

From: ATIA 20(1) [redacted]
To: Subdivision and Development Appeal Board
Subject: Letter for reference
Date: Tuesday, January 20, 2026 4:22:53 AM

Please find attached letter in support of the liquor store in Ft Chipewyan
If they can open a liquor store in Anzac, which is rural.
Also we changed the land use bylaw to fit the liquor store for 4g liquor in Gregoire
These areas have community members as well.
I have seen and experienced communities without liquor stores. The suicide rate is higher and drinking god knows what.
If you tell a person they can't do it they will do anything to rebel and get it anyway.
In this case illegally

Regards
Councillor cardinal

Sent from my iPhone

RMWB SDAB
9909 Franklin Avenue
Fort McMurray, AB T9H 2K4

Attn: SDAB Clerk

Re: Appeal of Approval of DP 2025-DP-007 for a Liquor Store at 193 Mckenzie Avenue, Fort Chipewyan

I am Councillor for Ward 2, which comprises the Hamlet of Fort Chipewyan. I also live [in/near] Fort Chipewyan and am familiar with the issues facing this remote hamlet, both as a citizen myself and as a representative of the citizens of Fort Chipewyan. I am fully supportive of Daniel Roy's development permit application for a liquor store and urge the SDAB to deny the appeal for the following reasons:

- There is currently no liquor store or venue for legal liquor store sales in Ft Chipewyan. This has resulted in a significant increase in illegal liquor sales ("bootlegging").
- Not only is bootlegging a crime but I am advised by the RCMP detachment in Ft Chipewyan that other alcohol-related crime has increased since the last liquor store (Hep Liquor Store) closed its business, including the sale of liquor to minors.
- I am also aware that because of the high price of bootlegged liquor (4x or more than the price of liquor from a licensed and regulated liquor store), the household budgets of many Ft Chipewyan are being compromised – illegal liquor sales is literally taking food off the table.
- The lack of availability of legal liquor sales and the extortionate prices being charged for bootlegged liquor is also leading to an increased consumption of dangerous products such as mouthwash and hand sanitizer.
- A clear majority of Ft Chipewyan adult citizens are responsible consumers of liquor and want a legal retail liquor store in their hamlet.

- I am concerned about the abuse of liquor in Ft Chipewyan and surrounding areas, but effectively banning the legal sale of liquor in the hamlet is not the way to address this problem. Those who have alcohol-related disease should be treated for that disease. The current situation in the hamlet with bootlegging being rampant demonstrates that by effectively banning legal liquor sales only makes the availability of liquor more dangerous and more disruptive to the social fabric of Ft Chipewyan.
- Daniel Roy is a long-time resident of Ft Chipewyan and one of its upstanding citizens. He cares for this community. His wish to develop and operate a regulated liquor store in a safe location on Mackenze Avenue will be a benefit to the hamlet.

I strongly urge the SDAB to deny the appeal and uphold the approval of this development permit.

Thank you for your consideration.

Regards,

_____

Councillor Kendrick Cardinal
RMWB Ward 2

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-007
Date: Monday, January 19, 2026 11:12:10 PM

External Message - Please be cautious when opening links or attachments in email

Good day,

As a concerned mother I am writing this email in support of the liquor store operated by Daniel Roy in the community of Fort Chipewyan.

To date since the Hep liquor store been shut down, the community members who use alcohol have been going to extreme lengths to do so. Paying crazy amounts of their hard earned money to 'bootleggers' who have no care or concern for their safety or wellbeing.

Nothing but hard liquor has been available which is harmful to those who consume it in more ways than one. Check with the RCMP to see if their stats have increased, which I'm sure they have. Also check if the clinic too, they see every person that walks in there for health care. It's no surprise that we're faced with all these social issues without any real plans in place to ensure safety in our community.

The liquor store shouldn't have been shut down in the first place, I was never opposed to Daniel's Liquor store but I was dead against having two liquor stores.
At least with Daniel we know that he'll give back to the community as he is a resident here and has his family here.
Unlike the Hep liquor store owner who just collected from our community and didn't give a shit about his employees.
It was only a short while before shutting down did he install a toilet! So wrong, like how did that even happen?

It's been said that even underage youth have been consuming alcohol which without a doubt having 'bootleggers' makes it easier for them to get alcohol.

You can ask any community member their thoughts on the liquor store and the only ones who are gonna be opposed to it will be those who do not understand the importance of controlled liquor sales. We can never be a dry community not in this day and age, not for the amount of people we have here or for the price our community members are paying with their health in exchange for hard liquor!!

Another thought that comes to mind is how are we as life long residents and members of our nations who make up this community, being dictated on what services we have here? But when it comes to rectifying the social issues we are faced with we are at a stand still with the hamlet?!

In closing I hope this email don't fall on deaf ears and we don't continue to get the run around. Open it up already, PLEASE. Thank you.

Regards a concerned resident,

From: ATIA 20(1)
To: Subdivision and Development Appeal Board; Bruce Inglis
Subject: SDAB 2025-007
Date: Tuesday, January 20, 2026 12:22:13 PM

External Message - Please be cautious when opening links or attachments in email

To Whom it may concern.

I am writing this letter in regards to an on-going application for a new liquor store development in Fort Chipewyan. I have been a rate payer in this region all of my life. Born and raised here, now turning 70 years . I have witnessed considerable change , from an isolated remote community with little outside access or influence to this age of prosperity and development we have adapted to many changes. I will give my take on the evolution of liquor sales in the Community.
early years (pre 1980 s) liquor was ordered through the Post system and delivered the same way , beer was not delivered due to air freight cost. Home brewing was common as was illegal bootleg sales. There was a large presence of substance abuse due to shortages, hair spray, shaving lotion,mouth wash , and glue and petroleum distillates were also used.

-Latter 80s The Fort Chipewyan Lodge opened and soon started sell off sales of beer,wine and spirits along with having a lounge to serve customers. Soon another liquor store opened and the community had two retail outlets and three licensed establishments to serve alcohol then four. Public intoxication became less common and we entered into an era of rare toxic substance abuse and no bootlegging. With the ease of access there became less binge drinking as people could buy a small amount of lighter percent alcoholic beverages.

2000s - First we lost the Lodge due to fire and it was replaced by a non- conforming Atco trailer, but carried on business for 10 more years. Then the next retail liquor store was lost to fire along with other businesses in the same building. Eventually the rest of the licensed establishments closed mostly due to age and retirement.

2025 to present- Application was made to RMWB for the construction a compliant liquor retailer in the downtown core. It was denied.
The non compliant Liquor store was shutdown by RMWB shortly afterwards.

The present situation is:

No legal access to alcohol in Fort Chipewyan.
A huge rise in illegal bootleg alcohol.
Due to supply costs no beer available only hard liquor.
I'm seeing people heavily intoxicated due to their change in consumption, from light to heavy alcohol, especially the younger generation.
Heavy drug use is on the rise along with the violence that accompanies it. This prohibition is playing out in the drug dealers favour.
The cost of bootleg has quadrupled the cost of alcohol resulting in less money for other essential needs.

From my perspective, I don't want to go back in time , with substance abuse, binge drinking, illegal activities, becoming commonplace. I think common sense must prevail. A good,regulated supply , with the across the region standards everyone else enjoys is what is expected and should be the norm as we continue to move forward in this region as an Equal participant in this RMWB. We have been extremely fortunate to have achieved what we have today , we should not regress intentionally to a time of struggle and disparity.
Thank you for accepting my observations and thoughts on this matter.

Best regards
Bruce Inglis.

Get Outlook for iOS

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: Fw: Fort Chipewyan Liquor Store
Date: Tuesday, January 20, 2026 4:48:24 PM

External Message - Please be cautious when opening links or attachments in email

From: Flossie Cyprien ATIA 20(1) >
Sent: January 20, 2026 4:46 PM
To: SDAB@RMWB.CA <SDAB@RMWB.CA>
Subject: Fort Chipewyan Liquor Store

To Whom it may concern:

I am in full support of opening a locally owned and operated liquor store in Fort Chipewyan.

There was a time not too long ago when Fort Chipewyan had 4-5 legally approved liquor licenses operating at the same time. The last liquor store in the community that is now not operating anymore was operating without proper processes for many years. We now have an individual who has abide by all regulations and guidelines/processes and yet having challenges to be approved.

Providing regulated liquor sale will help reduce harmful access and unsafe practices, such as bootlegging. Bootlegging in the community has gone out of control where our youth are now doing it. Bootleggers are charging outrageous prices and only selling hard liquor. This selling of only hard liquor is a concern to the health of the community, especially the youth. At this time the consumption is out of control as opposed to regulated process. Minors are currently able to purchase alcohol through nonregulated sources at triple the cost. This is a great concern as they only have access to hard liquor as opposed to lighter options. Hard liquor are jeopardizing their health and safety.

Approving and supporting regulated and monitored point of sale will reduce harmful practices. It will contribute to the overall safety and well being of the community.

Prohibition does not work, it leads to widespread illegal activities, corruption, and crime, due to lack of proper oversight.

I hope that you give your consideration and approval as this is the right thing to do.

Thank you
Flossie Cyprien

From: ATIA 20(1)
To: Subdivision and Development Appeal Board
Subject: SDAB 2025-07
Date: Wednesday, January 21, 2026 9:29:33 PM

External Message - Please be cautious when opening links or attachments in email

To whom it may concern

I would like to speak a bit to Mikisew's hypocritical opposition to the liquor store considering that they never had any opposition to the previous liquor store that was ran in Fort Chipewyan, illegally I might add.
They're seems to be a crab in the bucket mentality within Fort Chipewyan and Mikisew is no different.
I myself am a Mikisew and resident of Fort Chipewyan and when someone tries to push towards their own freedoms others become jealous and speak ill of those people trying to better themselves.

I am in full support of the liquor within Fort Chipewyan and the betterment of individuals who wish to do more for themselves and for their families lives and this store will give jobs to those who need it.
I also spoke with Daniel Roy on the topic and he assured me that any money coming into the liquor store would also be going to help sponsor community events.

I would like to remain anonymous with this letter

Thank you for your time and understanding

-ATIA 20(1)

January 20, 2026 Via Email:
sdab@rmwb.ca

RMWB SDAB
9909 Franklin Avenue
Fort McMurray, AB T9H 2K4

Attn: SDAB Clerk

Re: Appeal of Approval of DP 2025-DP-007 for a Liquor Store
193 Mckenzie Avenue, Fort Chipewyan

I am a newly elected Councillor for RMWb Ward 2, Hamlet of Fort Chipewyan.

Fort Chipewyan is my home and has been for all my life. I remember how it was before Ft Chipewyan had its first liquor store in the mid-80s. The community was rampant with bootlegging, and community members would buy the bootleg alcohol if the community when dry they would drink dangerous alcohol-based products such as mouthwash, hairspray or rubbing alcohol.

Public intoxication was a common sight. The social costs of not having a legal liquor store in Ft Chipewyan were devastating then. I see the same things happening now that the Hamlet is currently without a liquor store.

I am fully supportive of this DP application for a liquor store. I am very proud of my community, and it pains me to see the increase in crime and the tearing of its social fabric caused by bootlegging and the consumption of illicit drugs, including crack or cocaine.

I've heard from numerous citizens on this issue in my role as their elected representative, and especially while I was campaigning in Ft Chipewyan before the October municipal election. I would conservatively estimate that 7 out of 10 citizens were supportive of having a liquor store in their community and of Mr Roy's application for a liquor store.

I strongly urge the SDAB to uphold the approval of this development permit.

Regards,

Councillor Greg Marcel
RMWB Ward 2