



AGENDA

Council Meeting

9:30 AM - Thursday, October 7, 2021
Council Chambers

Page

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. ADOPTION OF MINUTES

3 - 7

1. **County Council Meeting Minutes**
[Council Meeting - 16 Sep 2021 - Minutes](#)

D. SUBDIVISION APPLICATIONS

8 - 16

1. **Subdivision Application #2021-0-151 – Boychuk/Zmurchuk**
- within the E½ 11-09-22-W4M
[Subdivision Application #2021-0-151 – Boychuk/Zmurchuk - within the E½ 11-09-22-W4M](#)

17 - 24

2. **Subdivision Application #2021-0-159 – Chabay**
- Lot 2, Block 1, Plan 1611624 within NW1/4 14-8-19-W4M
[Subdivision Application #2021-0-159 – Chabay - Lot 2, Block 1, Plan 1611624 within NW1/4 14-8-19-W4M](#)

25 - 35

3. **Subdivision Application #2021-0-161 – Optimum Feeds Ltd.**
- Lot 1, Block 1, Plan 0411743, Lot 2, Block 1, Plan 1511150 and Lot 1, Block 3, Plan 2110043 within NE1/4 34-10-23-W4M
[Subdivision Application #2021-0-161 – Optimum Feeds Ltd. - Lot 1, Block 1, Plan 0411743, Lot 2, Block 1, Plan 1511150 and Lot 1, Block 3, Plan 2110043 within NE1/4 34-10-23-W4M](#)

36 - 45

4. **Subdivision Application #2021-0-160 – Hofer / Boulton**
- Lots 3 & 4, Block 1, Plan 9211982 within SW1/4 26-8-21-W4M
[Subdivision Application #2021-0-160 – Hofer/Boulton - Lots 3 & 4, Block 1, Plan 9211982 within SW1/4 26-8-21-W4M](#)

E. PUBLIC HEARINGS

F. DELEGATIONS

G. DEPARTMENT REPORTS

G.1. COMMUNITY SERVICES

- 46 - 109 G.1.1. **Hamlet of Fairview Growth Study**
[Hamlet of Fairview Growth Study](#)
- 110 - 117 G.1.2. **Lethbridge County Fire Services Bylaw No. 21-017**
[Lethbridge County Fire Services Bylaw No. 21-017](#)

G.2. MUNICIPAL SERVICES

- 118 - 130 G.2.1. **Fleet Policy - Capital Purchasing, Specifications, Disposal and Idling**
[Fleet Policy - Capital Purchasing, Specifications, Disposal and Idling](#)
- 131 - 140 G.2.2. **Policy 353 and Policy 321 Consolidation**
[Policy 353 and Policy 321 Consolidation](#)

G.3. CORPORATE SERVICES

- 141 - 144 G.3.1. **Tax Penalty Waiver Request**
[Tax Waiver Request](#)

G.4. ADMINISTRATION

H. CORRESPONDENCE

- 145 1. **Bill C-21 - Changes to the Criminal Code and the Firearms Act**
[Letter to the Right Honourable Justin Trudeau, - Bill-C-21 Changes to the Criminal Code and the Firearms Act](#)

I. NEW BUSINESS

1. **Councillor Service Recognition**

J. COUNTY COUNCIL AND COMMITTEE UPDATES

K. CLOSED SESSION

L. ADJOURN



MINUTES

Council Meeting

9:30 AM - Thursday, September 16, 2021
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, September 16, 2021, at 9:30 AM, in the Council Chambers, with the following members present:

PRESENT: Reeve Lorne Hickey
Deputy Reeve Morris Zeinstra
Councillor Tory Campbell
Councillor Ken Benson
Councillor Steve Campbell
Councillor Klaas VanderVeen
Chief Administrative Officer, Ann Mitchell
Director of Community Services, Larry Randle
Director of Public Operations, Jeremy Wickson
Infrastructure Manager, Devon Thiele
Manager of Finance & Administration, Jennifer Place
Executive Assistant, Candice Robison

A. CALL TO ORDER

Reeve Lorne Hickey called the meeting to order at 9:33 a.m.

B. ADOPTION OF AGENDA

280-2021 Councillor VanderVeen MOVED that Lethbridge County Council approve the September 16, 2021 Council Meeting Agenda as amended.

CARRIED

C. ADOPTION OF MINUTES

C.1. County Council Meeting Minutes

281-2021 Councillor S.Campbell MOVED that the September 2, 2021 Regular County Council Meeting Minutes be accepted as presented.

CARRIED

D. SUBDIVISION APPLICATIONS

E. PUBLIC HEARINGS

F. DELEGATIONS

F.1. 9:30 a.m. - CIBC Wood Gundy - Economic Update and Update on the County's Investments

James Hobson from CIBC Wood Gundy was present via Teams to provide an economic update and update on the County's investments.

282-2021 Councillor Benson MOVED that Council accept the CIBC Wood Gundy economic update and update on the County's investments for information.

CARRIED

G. DEPARTMENT REPORTS

G.1. MUNICIPAL SERVICES

G.1.1. 2022 Capital Equipment Purchasing

- 283-2021 Deputy Reeve Zeinstra MOVED that Council approve the 2022 Capital Equipment list for purchasing requirements. CARRIED

G.1.2. Agricultural Service Board Terms of Reference

- 284-2021 Councillor VanderVeen MOVED that Council approve the Agricultural Service Board Terms of Reference. CARRIED

- 285-2021 Councillor Benson MOVED to rescind the following policies:
• ASB Policy #624 Function and Evaluation
• ASB Policy #625 Responsibilities CARRIED

G.1.3. Agricultural Service Board Level of Service

- 286-2021 Councillor VanderVeen MOVED to rescind the following ASB policies:
• Policy 601 - Weed Notices
• Policy 602 - Weed Extension & Inspections
• Policy 603 - ASB Rental Equipment
• Policy 605 - Leafy Spurge & Knapweed Vegetation Management
• Policy 606 - Prohibited Noxious Weed Control
• Policy 607 - Seed Cleaning Plants
• Policy 612 - Parks Vegetation Management Special Programs
• Policy 614 - Soil Conservation
• Policy 616 - Surveys
• Policy 617 - Norway Rat
• Policy 618 - Coyotes
• Policy 619 - Skunks
• Policy 620 - Live Traps
• Policy 621 - Training and Courses
• Policy 622 – Promotions, Tours & Conferences
• Policy 623 - Chemical Spills
• Policy 626 - Roadside Mowing
• Policy 627 - Grasshopper Spraying Program
• Policy 628 - Clubroot Inspection and Control
• Policy 629 - Integrated Weed Management
• Policy 630 - Playground and Trails Inspection CARRIED
- 287-2021 Councillor VanderVeen MOVED that Council approve the Agricultural Service Board Level of Service document from ASB Committee recommendation. CARRIED

G.1.4. South Region Agriculture Service Board Conference in Cardston County

- 288-2021 Councillor VanderVeen MOVED that Council allows any interested members of the Agriculture Service Board to attend the South Region conference in Cardston County on October 6th, 2021. CARRIED

Reeve Hickey recessed the meeting at 10:48 a.m.

The meeting reconvened at 10:55 a.m.

G.2. COMMUNITY SERVICES

G.2.1. January - August 2021 Community Peace Officer Report

289-2021 Councillor Benson MOVED that the January - August 2021 Community Peace Officer Report be accepted for information.

CARRIED

G.2.2. Introduction of Fire Services Coordinator - Byron Fraser

Byron Fraser - Fire Services Coordinator was introduced to Council.

G.2.3. Fire Services Bylaw No. 21-017

290-2021 Councillor Benson MOVED that Fire Services Bylaw No. 21-017 be read a first time.

CARRIED

G.2.4. Alberta Development Officers Week - September 19-25

291-2021 Councillor T.Campbell MOVED that County Council proclaim the week of September 19-25, to be designated as Alberta Development Officers Week within Lethbridge County.

CARRIED

G.3. CORPORATE SERVICES

G.3.1. 2022 Budget Presentation Schedule

292-2021 Councillor S.Campbell MOVED that County Council approve the 2022 Budget Presentation Schedule as presented.

CARRIED

G.4. ADMINISTRATION

G.4.1. Lethbridge County Council Attendance Update - August 2021

293-2021 MOVED that Lethbridge County Council receive the report titled "Lethbridge County Council Attendance Update - August 2021", identifying the activities and events attended by Lethbridge County Council for the month of August 2021 as information.

CARRIED

**Division 1
Reeve Lorne Hickey**

August 3	Meeting with Minister of Transportation
August 3	Intermunicipal Committee Meeting with Coalhurst
August 5	Lethbridge County Council Meeting
August 18	Meeting with CAO
August 24	Municipal Development Plan Council Workshop
August 31	Meeting with CAO

Division 2

August 5	Lethbridge County Council Meeting
August 5	Virtual Chinook Arch Library Meeting
August 24	Municipal Development Plan Council Workshop

Division 4 Councillor Ken Benson

August 3	Meeting with Minister of Transportation
August 3	Intermunicipal Committee Meeting with Coalhurst
August 5	Lethbridge County Council Meeting
August 24	Municipal Development Plan Council Workshop
August 28	Coalhurst Parade and Spray Park Grand Opening

August 3	Meeting with Minister of Transportation
August 3	Intermunicipal Committee Meeting with Coalhurst
August 4	Exhibition Park Board Meeting
August 5	Lethbridge County Council Meeting
August 24	Municipal Development Plan Council Workshop

August 3	Meeting with Minister of Transportation
August 3	Intermunicipal Committee Meeting with Coalhurst
August 5	Lethbridge County Council Meeting
August 21	Picture Butte Jamboree Days
August 24	Municipal Development Plan Council Workshop

August 3	Meeting with Minister of Transportation
August 21	Picture Butte Jamboree Days
August 24	Municipal Development Plan Council Workshop

294-2021	Councillor S.Campbell	MOVED to send a letter to Coalhurst regarding the committee request. CARRIED
----------	-----------------------	---

295-2021	Councillor T.Campbell	MOVED that Council authorize the Readymade Community Centre to retain the donation funds in the amount of \$1,050.00 until the Celebration of Indigenous Culture Event can take place.	CARRIED
----------	--------------------------	--	---------

H. NEW BUSINESS

I. COUNTY COUNCIL AND COMMITTEE UPDATES

J. CLOSED SESSION

J.1. Land Matter (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)

296-2021 Councillor MOVED that the Lethbridge County Council Meeting move into
S.Campbell Closed Session, pursuant to Section 197 of the *Municipal Government Act*, the time being 12:03 p.m. for discussion on the following:

J.1.Land Matter (*FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body*)

Present during the Closed Session:
Lethbridge County Council
Senior Management
Administration Staff
CARRIED

297-2021 Deputy MOVED that the Lethbridge County Council Meeting move out of the
Reeve closed session at 12:28 p.m.
Zeinstra CARRIED

K. ADJOURN

298-2021 Councillor MOVED that Lethbridge County Council Meeting adjourn at 12:29
VanderVeen p.m.
CARRIED

Reeve

CAO

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-151 – Boychuk/Zmurchuk
- within the E½ 11-09-22-W4M

Meeting: Council Meeting - 07 Oct 2021

Department: ORRSC

Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development
Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 21 Sep 2021
Approved - 21 Sep 2021
Approved - 22 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The application is to enable a property line adjustment by subdividing and consolidating 4.58 acres to an adjacent 117.91-acre agricultural parcel, thereby enlarging it to 122.49-acres in size to remedy an access situation. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-151 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision consideration in accordance with the County's criteria as a reconfiguration/ realignment of titles, with no additional titles being created above what presently exist. Separate standalone titles are not being created but the land being subdivided and consolidated is between existing titles.
- The subdivision and consolidation process will rectify an access encroachment problem between neighbours.
- With the consolidation of land by plan, all the resulting parcel sizes exceed the minimum agricultural criteria stipulated in the Land Use Bylaw.

BACKGROUND INFORMATION:

The parcels are located ½-mile east of Highway 25 and adjacent to the City of Lethbridge boundary, immediately west of the Oldman River. The proposal is to accommodate a land transfer to address a historical access situation between two adjacent landowners.

The owners of the SE 11-9-22-W4M obtain access to a separate title of land they own to the east in the river valley by utilizing an old private roadway that crosses over the southeast corner of the north neighbor's ¼-section (NE 11-9-22-W4M). The private driveway access road is forced onto the neighbor's north title due to the physical topography and slope of the river valley coulees. The two landowners have agreed to the subdivision and transfer of the 4.58 acres to rectify this access problem. The land area being subdivided has a triangular layout to capture the physical area of the private roadway situated in the corner, as well as some of the adjacent up-slope land alongside the driveway. Because this land contains a private roadway and is also otherwise undevelopable due to the coulee slope, it must be consolidated to the adjacent south ¼-section as it cannot be a standalone title.

As this application is to rectify an access situation and the land is being consolidated, there are no servicing requirements that need to be addressed. This application is technically a property boundary adjustment between the two parcels.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 for a reconfiguration/realignment of titles subdivision. The application was circulated to the required external agencies with no concerns expressed and the following noted.

- Although the land is identified for potential Historical Resources the province stated it does not require Historical Resources Act approval.
- The Water Boundaries division of the provincial government must approve the final reconfigured parcels plan and the boundary with the Oldman River.
- The City of Lethbridge has no concerns or objections – the land is adjacent to the City boundary and within the IDP area.

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is determined the proposed reconfiguration is not suitable and the titles would remain as is.

Pros:

- there are no advantages to denying the subdivision as it meets the subdivision criteria of the County and will rectify an access problem

Cons:

- the access to the owner's river valley land would continue to encroach over the neighbors and a refusal would likely be appealed by the applicants

FINANCIAL IMPACT:

None, and the tax situation will remain as is.

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision meets the provincial Subdivision and Development Regulations, and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A 2021-0-151 Lethbridge County APPROVAL](#)
[Diagrams for Lethbridge County 2021-0-151](#)

RESOLUTION

2021-0-151

Lethbridge County

Agricultural subdivision of E1/2 11-9-22-W4M

THAT the Agricultural subdivision of E1/2 11-9-22-W4M (Certificate of Title No. 211 011 889, 111 262 785 +1), to enable a property line adjustment by subdividing and consolidating 4.58 acres (1.85 ha) to an adjacent 117.91 acre (47.72 ha) agricultural parcel, thereby enlarging it to 122.49 acres (49.57 ha) in size to remedy and access situation; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property lines) of the adjacent parcels in creating the 122.49-acre (49.57 ha) enlarged agricultural title, be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.
4. That any requirements of the Water Boundaries division of the provincial government be adhered to in relation to the final reconfigured parcels and the boundary with the Oldman River.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw. The application conforms to the bylaw subdivision criteria regarding the realignment/reconfiguration of titles with no additional or extra standalone titles created.
2. The Subdivision Authority is satisfied that the proposed subdivision and consolidation is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The Subdivision Authority has determined the proposal is a logical boundary realignment to rectify an access problem and with the consolidation, all the resulting parcel sizes exceed the minimum criteria stipulated in accordance with the land use bylaw.
4. The Subdivision Authority is satisfied the City of Lethbridge has no concerns or objections to the proposal with the understanding that it complies with the applicable policies of the IDP adopted by the City of Lethbridge and the County.

INFORMATIVE:

- (a) The payment of Municipal Reserve is not applicable on the parcel pursuant to Section 663 of the MGA as the application is an amalgamation and reconfiguration of existing titles.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)

2021-0-151
Page 1 of 3

- (d) Roger Penner, Barrister and Solicitor – Penner Law:

"I act for the landowner Peter Zmurchyk. My client wishes to make clear that he is consenting to this subdivision only to be a good neighbor (enabling access for his neighbor to their land) and not because it is something he wants to do. Accordingly, it is his hope that this subdivision will not affect his ability to gain approval for any subdivisions of his land that he may pursue in the future."

- (e) The City of Lethbridge has no concerns with the proposed subdivision application with the understanding that this proposal complies with the applicable policies of the Intermunicipal Development Plan adopted by the County of Lethbridge and City of Lethbridge.

- (f) Telus Communications Inc has no objection.

- (g) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

- (h) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 801 168 132 & 801 167 566.

Therefore, ATCO Gas has no objection to the proposed subdivision.

- (i) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.

- (j) Lethbridge Northern Irrigation District (LNID) – Alan Harrold, General Manager:

"The above noted *Application for Subdivision* has been reviewed by the Lethbridge Northern Irrigation District (LNID) and is approved subject to the following conditions:

1. Payment in full of any outstanding irrigation rates that may be assessed on the original parcel at the time of finalization of the subdivision.
2. Payment of the District's subdivision administration fee. The current fee is \$630.00 (includes GST).
3. The *Terminable Water Agreement* for the SE 11-09-22-4 requires resigning in order to reflect the new registered subdivision description.
4. Any alteration to District works required as a result of this subdivision is subject to District approval and payment by the applicant of all applicable costs.

Thank you for the opportunity to comment. If you require more information or would like to set up an appointment to discuss the conditions above, please contact Janet Beck, Land Agent, at the Lethbridge Northern Irrigation District Office, 403-327-3302.

- (k) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

"Reference your file to create a boundary adjusted/consolidation parcel for agricultural use at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 ("the regulation").

Alberta Transportation's primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, currently and as proposed, the parcel to be created and the remnant land gain indirect access to the highway solely by way of the local road system. As such, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the boundary adjusted/consolidation parcel for agricultural use as proposed would have any appreciable impact on the provincial highway network.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

Notwithstanding the foregoing, the applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local road system, in this instance a permit from Alberta Transportation will not be required and development of the boundary adjusted/consolidation parcel could proceed under the direction, control and management of the county. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application."

(l) Historic Resources – Barry Newton, Land Use Planner:

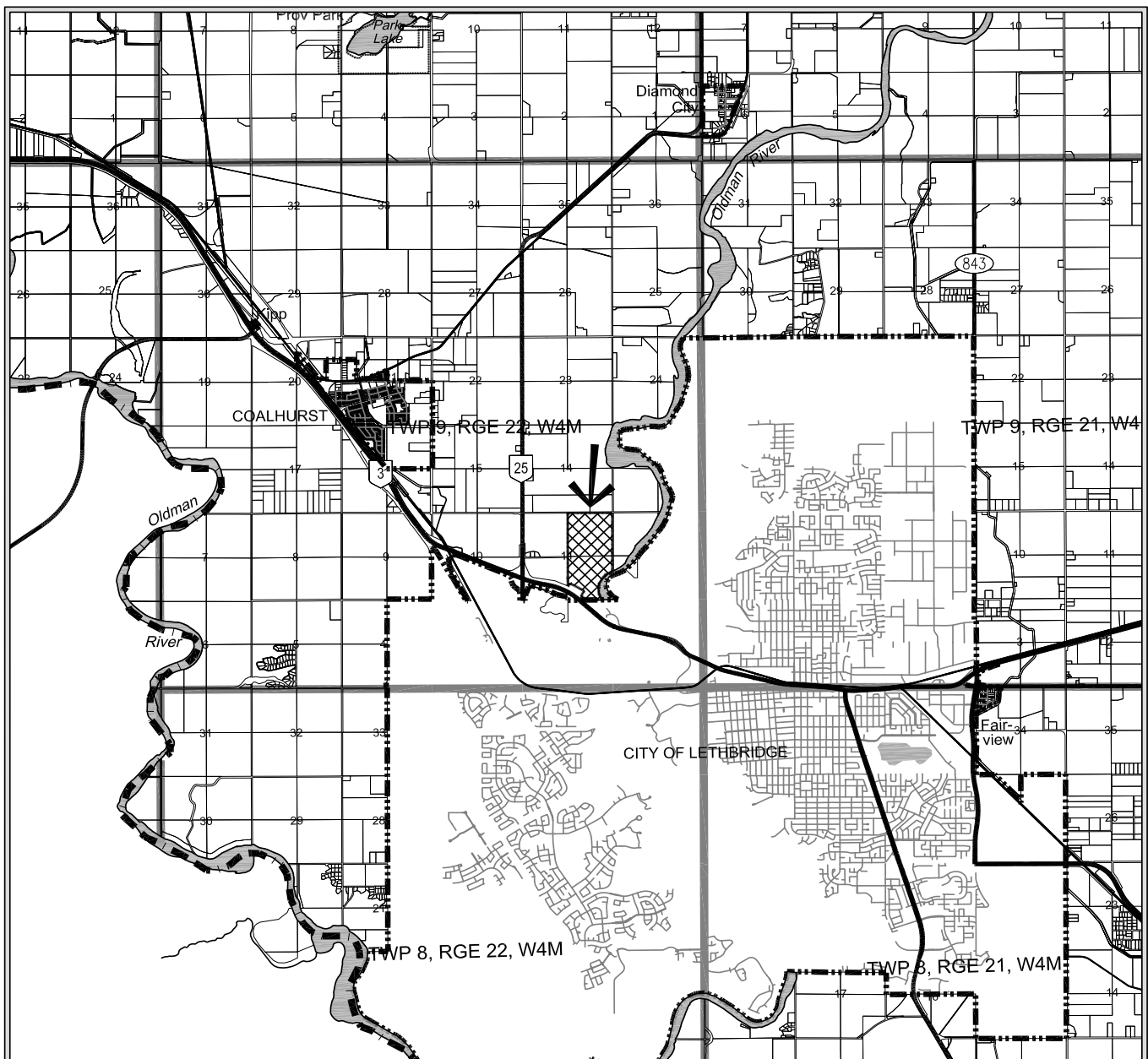
"We have reviewed the captioned subdivision application and determined that in this instance formal *Historical Resources Act* approval is not necessary, and submission of a Historic Resources application is not required."

(m) Canada Post has no comment.

MOVER

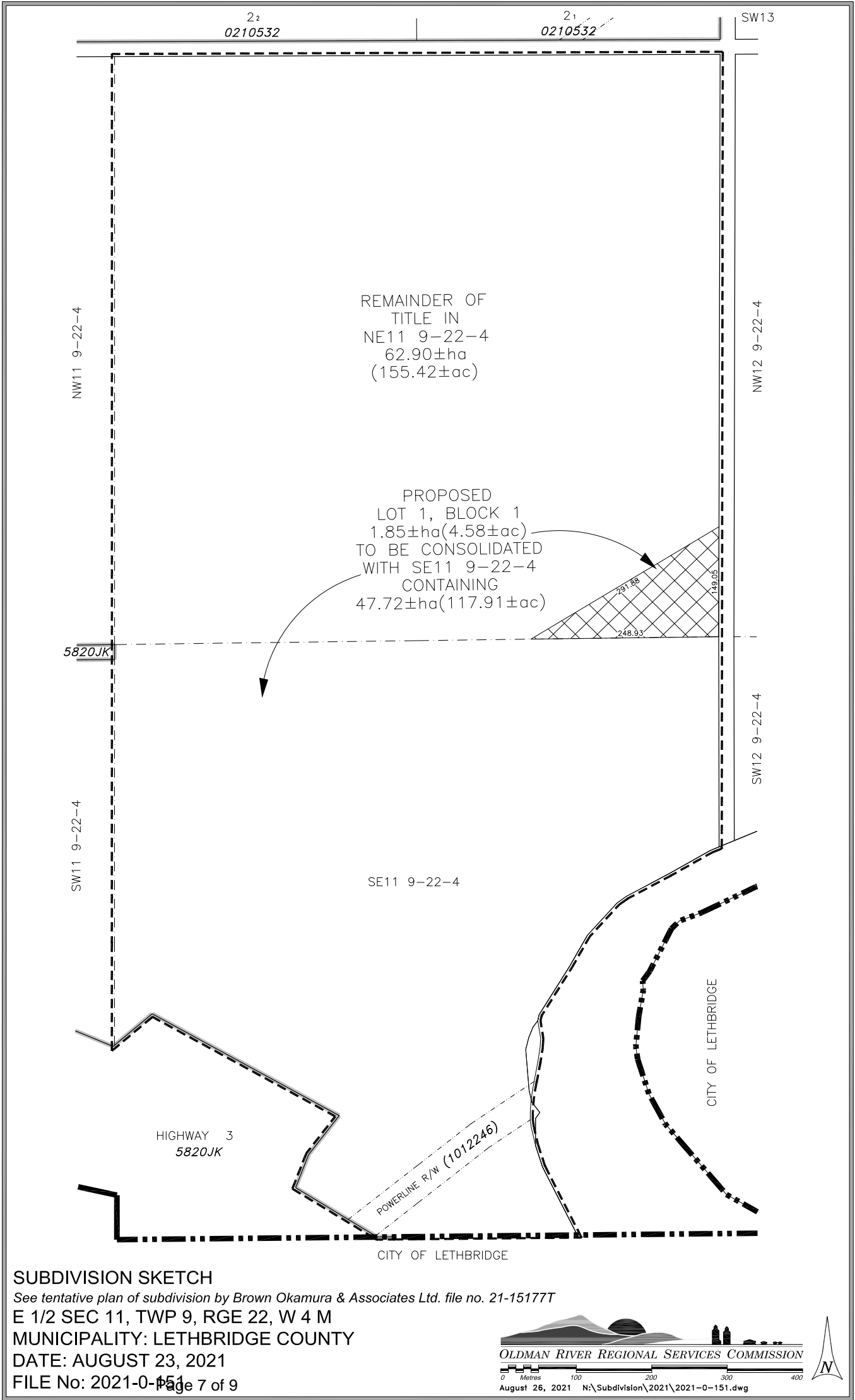
REEVE

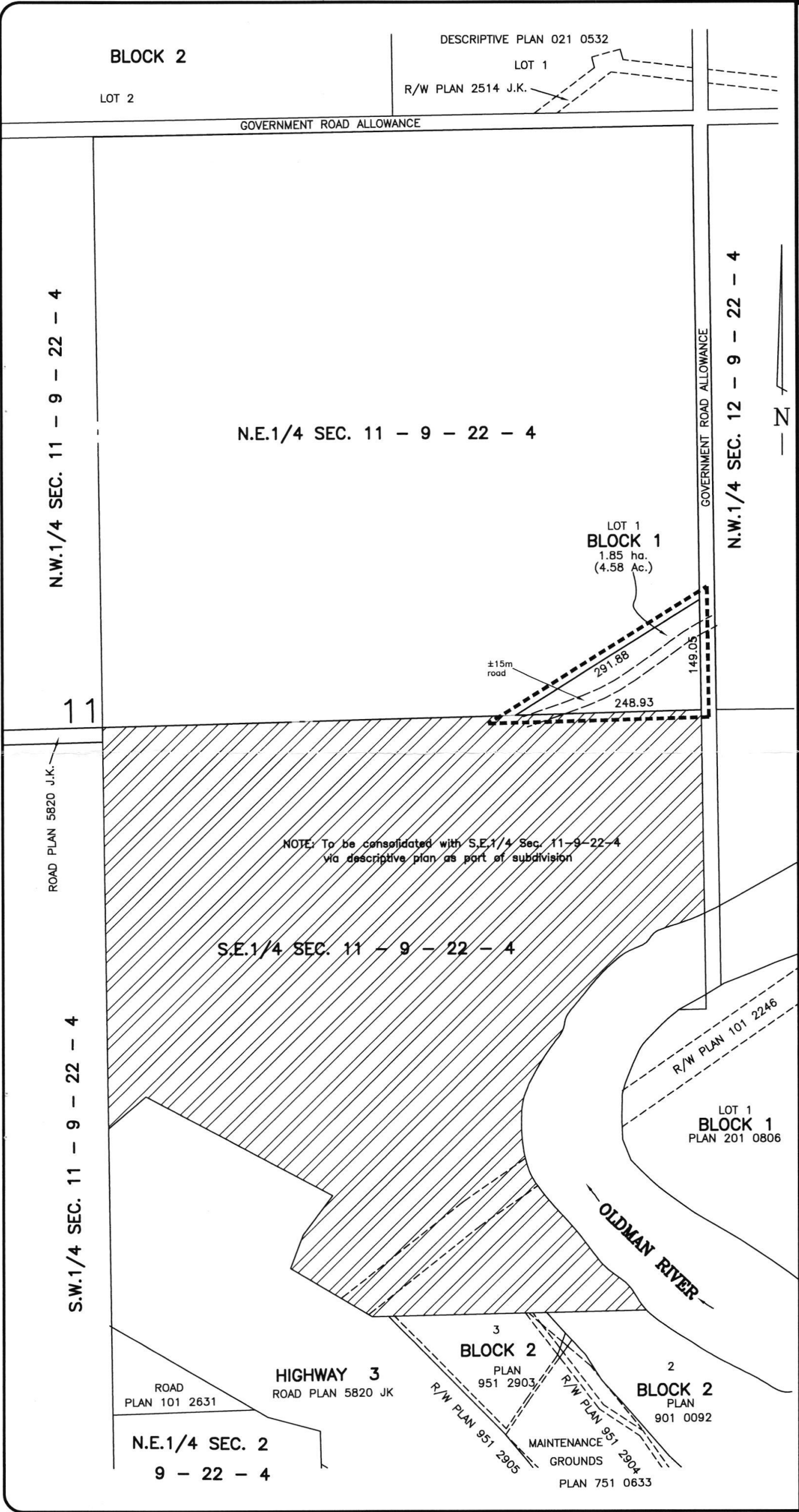
DATE




SUBDIVISION LOCATION SKETCH
 E 1/2 SEC 11, TWP 9, RGE 22, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: AUGUST 23, 2021
 FILE No: 2021-0-151









brown okamura & associates ltd.
Professional Surveyors
2830 - 12th Avenue North, Lethbridge, Alberta

APPROVED	DRAWN CJB	DATE FEB. 19/21
	CHECKED DJA	JOB 21-15177
	SCALE 1:5000	DRAWING 21-15177T

D. J. Amantea, A.L.S.

LARRY & GARRY BOYCHUK

TENTATIVE PLAN SHOWING SUBDIVISION
of part of
N.E.1/4 SEC. 11; TWP. 9; RGE. 22; W.4 M.

LETHBRIDGE COUNTY

NO.	Revised Lot size	Mar.5/21	CJB
1		DATE	BY

Improvements shown were surveyed on February 16th, 2021
NOTE : Portion to be approved is outlined thus -----
and contains approximately 1.85 ha.
Distances are in metres and decimal parts thereof.

Distances and areas are approximate and are
subject to change upon final survey.

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-159 – Chabay
- Lot 2, Block 1, Plan 1611624 within NW1/4 14-8-19-W4M

Meeting: Council Meeting - 07 Oct 2021

Department: ORRSC

Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development
Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 22 Sep 2021
Approved - 22 Sep 2021
Approved - 22 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The application is to resplit a 6.92-acre parcel into two titles, being 3.00 and 3.92 acres each respectively in size, for country residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-159 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposed subdivision is a resplit of a small title less than 20-acres in size and meets the subdivision criteria of the Land Use Bylaw No. 1404.
- The proposal complies with the subdivision standards and the proposed parcel sizes both conform to the bylaw's required minimum 2.0 acres.
- The subdivision aligns with County's land use strategy to consider in-fill development and subdivide existing areas with services in place (e.g., gas, electrical) rather than prime agricultural land.
- There are no abandoned gas wells or confined feeding operations (CFOs) located in proximity to this proposal.

BACKGROUND INFORMATION:

Located approximately ½-mile west of the Indian Hills Golf Course. The proposal is to split a farmyard and create a new separate yard title on the northern portion.

The proposed north 3.0 acres is a vacant portion of land while the existing yard is located on the southern 3.92-acre portion. The yard contains a dwelling, garage, extensive tree shelter belt, with the septic field system being located immediately north of the dwelling. The property line separation is to occur approximately 110 m north of the main buildings so there are no encroachment issues. The application proposes that a private cistern system for hauled water and an individual on-site septic field will be used for services. Access to the parcel is presently granted from the west county road allowance. A soils test will be required to verify suitability for the septic system on the new 3.0 acre vacant portion.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 for the subdivision of a resplit of an existing farm yard title less than 20-acres in size. The application was circulated to the required external agencies with no concerns expressed regarding the application and no utility easements are requested (at report time).

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is not satisfied the subdivision criteria is met and the title would remain as is.

Pros:

- there are no advantages to denying the subdivision as it meets the policies and the subdivision criteria of the County

Cons:

- a refusal would likely be appealed by the applicants as the subdivision criteria have been met

FINANCIAL IMPACT:

The County will benefit from a municipal reserve payment of approximately \$20,760 that is applicable. Additionally, the future tax situation may improve with opportunity for development and a new residence and yard.

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision meets the provincial Subdivision and Development Regulations and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A 2021-0-159 Lethbridge County APPROVAL
Diagrams for Lethbridge County 2021-0-159](#)

RESOLUTION

2021-0-159

Lethbridge County

Country Residential subdivision of Lot 2, Block 1, Plan 1611624 within NW1/4 14-8-19-W4M

THAT the Country Residential subdivision of NW1/4 14-8-19-W4M (Certificate of Title No. 161 157 491), to resplit a 6.92-acre (2.8 ha) parcel into two titles, being 3.00 and 3.92 acres (1.21 & 1.59 ha) each respectively in size, for country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 6.92-acres at the market value of \$30,000 per acre with the actual acreage and amount (\$20,760) to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant provides at their expense a professional soils analysis and report by an accredited agency or engineer to ensure suitability for a private on-site septic treatment system for the north 3.0-acre lot.
4. That any easement(s) as required by utility companies or the municipality shall be established.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The Subdivision Approval Authority of the County of Lethbridge has determined the proposed subdivision complies with the bylaw criteria for a title 20 acres or less in size eligible for subdivision consideration.

INFORMATIVE:

- (a) Municipal Reserve is applicable on the parent 6.92-acres, as cash-in-lieu of land, with the actual amount to be determined at the final stage for Municipal Reserve purposes.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Telus Communications Inc has no objection.

2021-0-159
Page 1 of 2

- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

- (f) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 811 074 799.

Therefore, ATCO Gas has no objection to the proposed subdivision.

- (g) SMRID – Linda Park, Land Administrator:

“Further to your August 27th, 2021 subdivision application, the district has implemented a policy stating if there is more than one subdivided parcel on a quarter section, you must now form a Water Co-Op if you plan to use water supplied from the district.

This involves purchasing an allotment of water from the district at the current rate of \$1,200.00 plus GST per acre foot. The district will require that a water meter be installed at the point of delivery and you will be charged annually at a rate of \$69.00 per acre foot or a minimum charge of \$690.00 plus GST. If there is an active Household Purposes Agreement on the existing parcel prior to subdividing, the district will grandfather 1- acre foot to the Water Co-Op.

Furthermore, if the turnout is located on the irrigated piece, the landowner must enter into a Remote Delivery Agreement with the District and have an easement registered on title in order to guarantee supply of water to the water co-op. All works and easements involved to provide water to the subdivided parcel will be at the landowner's cost.

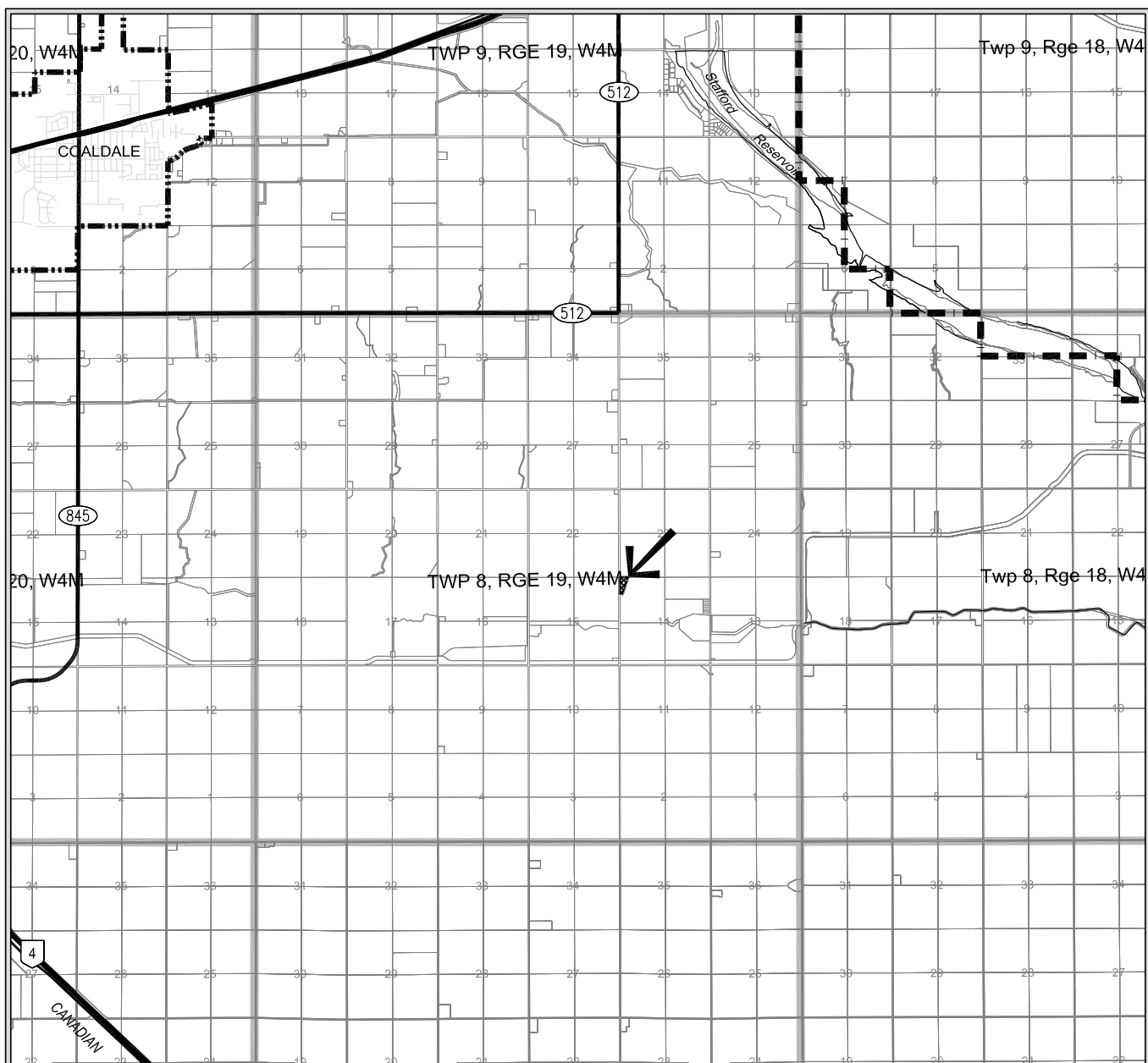
A Service Fee of \$100.00 plus GST will apply.”

- (h) Canada Post has no comment.

MOVER

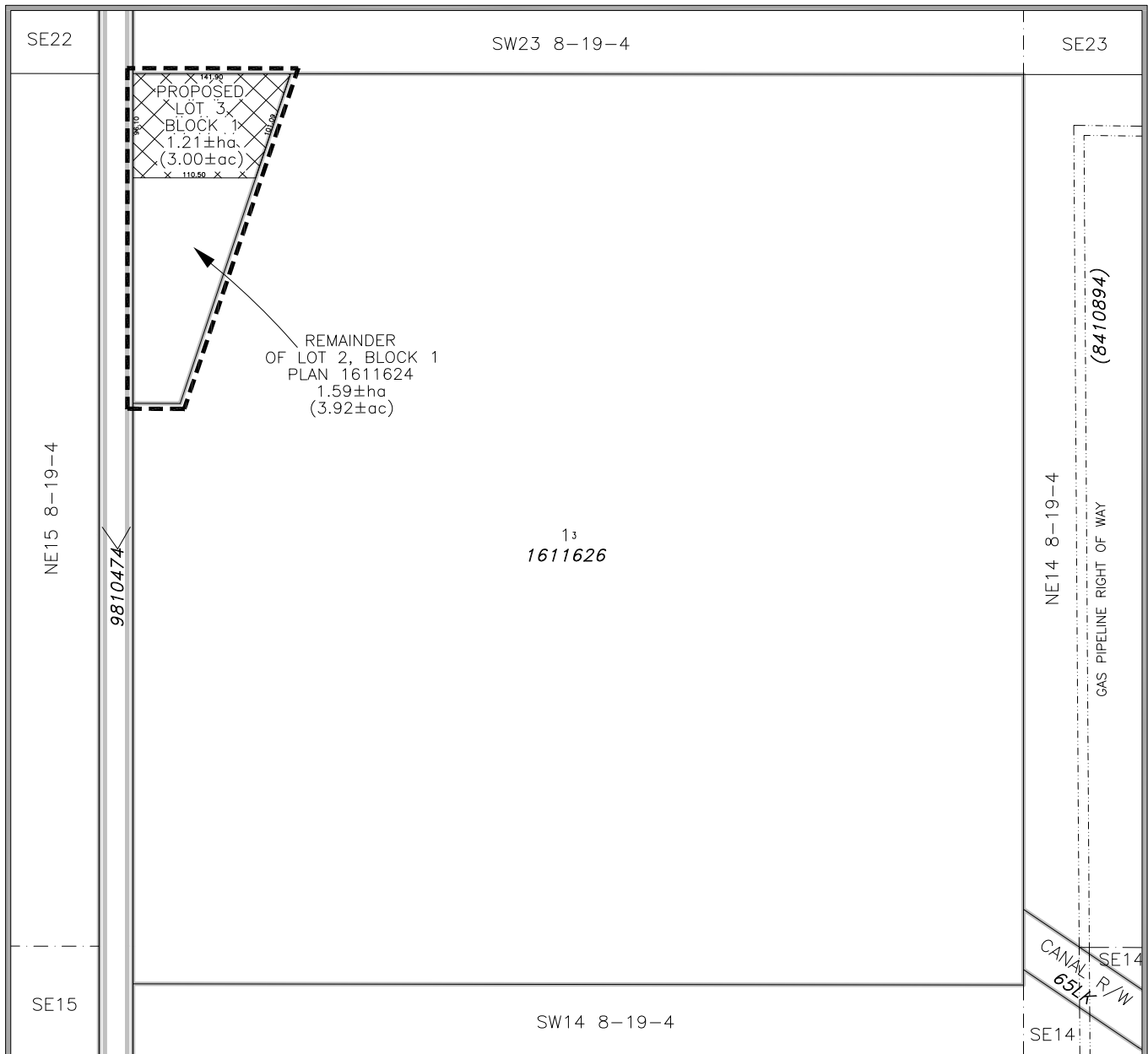
REEVE

DATE

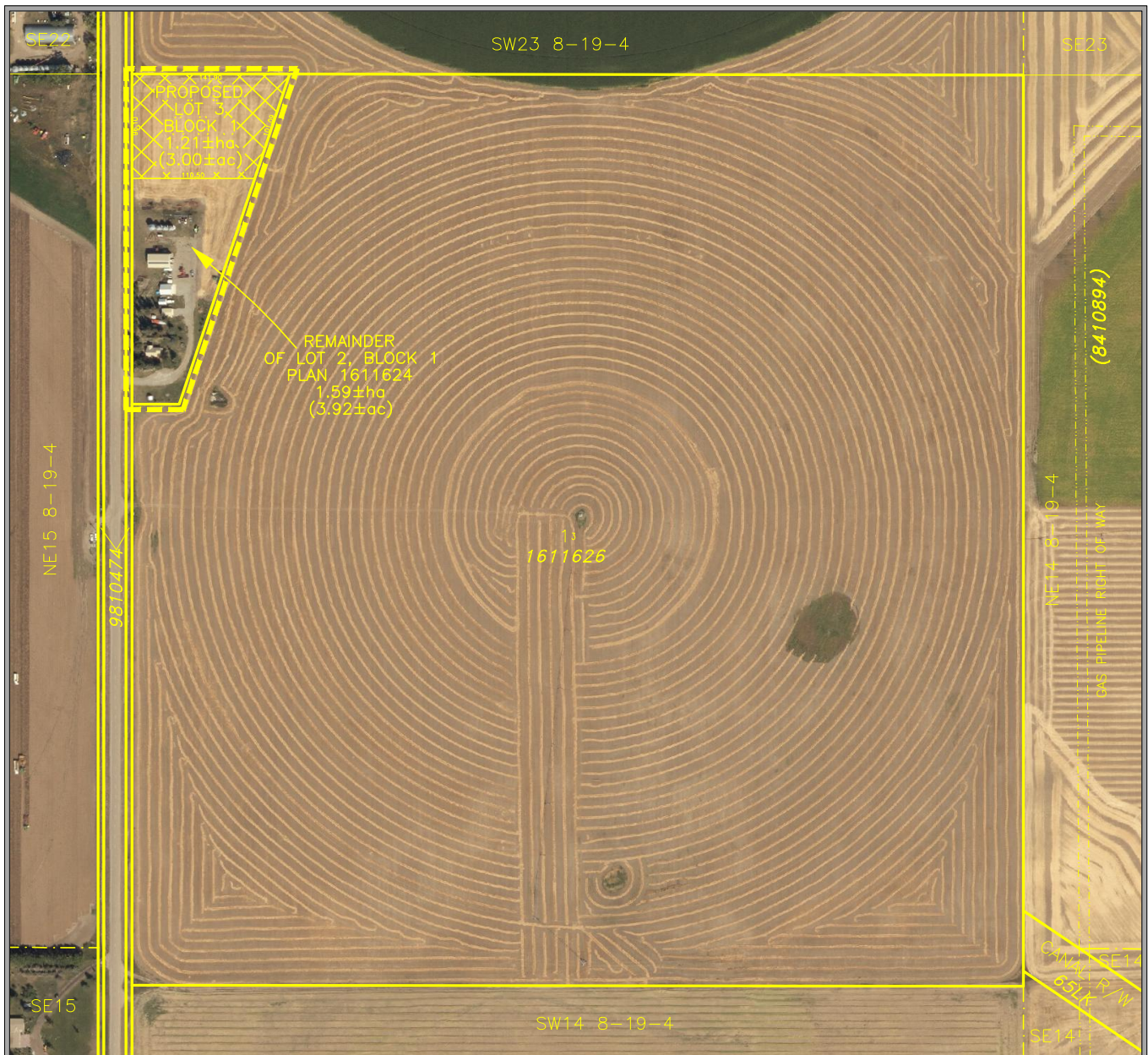


SUBDIVISION LOCATION SKETCH
WITHIN NW 1/4 SEC 14, TWP 8, RGE 19, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: AUGUST 23, 2021
FILE No: 2021-0-159



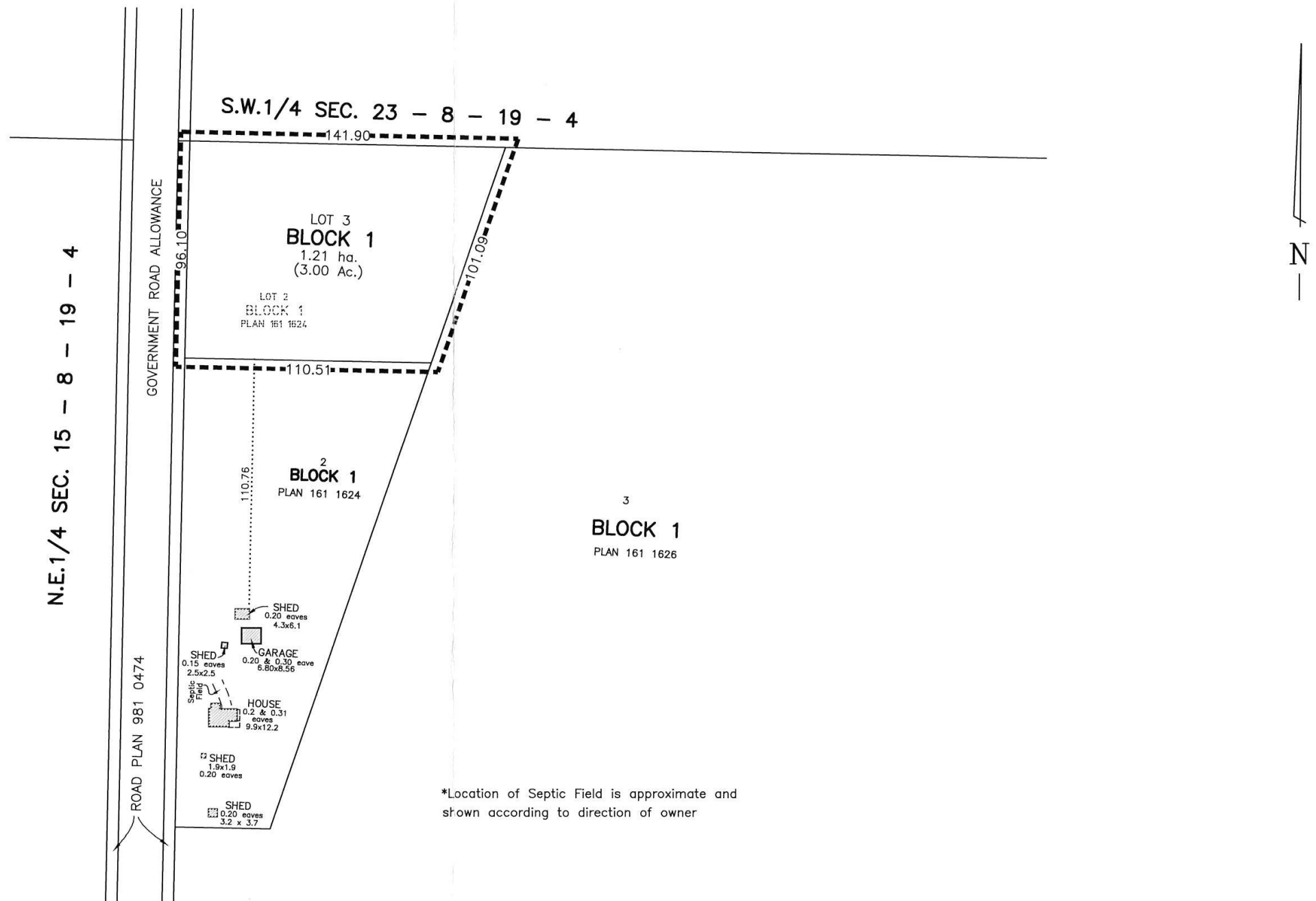


SUBDIVISION SKETCH
WITHIN NW 1/4 SEC 14, TWP 8, RGE 19, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: AUGUST 23, 2021
FILE No: 2021-0-159




SUBDIVISION SKETCH
 WITHIN NW 1/4 SEC 14, TWP 8, RGE 19, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: AUGUST 23, 2021
 FILE No: 2021-0-159





NO.		DATE	BY
Improvements shown were surveyed on November 30th, 2015, obtained from File 15-13073			
NOTE : Portion to be approved is outlined thus ----- and contains approximately 1.21 ha.			
Distances are in metres and decimal parts thereof.			
Distances and areas are approximate and are subject to change upon final survey.			

DAN CHABAY
TENTATIVE DESCRIPTIVE PLAN SHOWING SUBDIVISION of part of LOT 2, BLOCK 1, PLAN 161 1624 within N.W.1/4 SEC. 14; TWP. 8; RGE. 19; W.4 M. Lethbridge County

 brown okamura & associates ltd. Professional Surveyors 514 Stafford Drive, Lethbridge, Alberta		
APPROVED 		

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-161 – Optimum Feeds Ltd.
- Lot 1, Block 1, Plan 0411743, Lot 2, Block 1, Plan 1511150 and Lot 1, Block 3, Plan 2110043 within NE1/4 34-10-23-W4M

Meeting: Council Meeting - 07 Oct 2021

Department: ORRSC

Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development
Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 22 Sep 2021

Approved - 23 Sep 2021

Approved - 23 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The application is to create a 5.81-acre light industrial parcel from a previously subdivided 16.01-acre title and adjust the boundary lines for 3 adjacent parcels, resulting in titles 16.74, 27.15 & 16.88 acres in size, for business light industrial & country residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-161 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposed lots comply with the Land Use Bylaw No. 1404 'Business Light Industrial – BLI' land use district.
- The land has been redesignated to the 'Business Light Industrial – BLI' land use district by County Council and the proposal conforms to the zoning (redesignation) area and boundary.
- The land is within the Lethbridge County and Town of Nobleford IDP boundary and complies with the policies and growth concepts of the IDP (Planning Area 4, policy 5.3.44 applicable), which allows for this type of use and subdivision.

BACKGROUND INFORMATION:

Located adjacent to the southside of Highway 519, approximately ½-mile east of the Town of Nobleford. The proposal is to create a smaller 5.81-acre title for a parcel that has an existing business situated in

the northwest corner adjacent to Highway 519. Additionally, a new/adjusted 16.74-acre remnant lot (Lot 4) will be created on the east side to accommodate a new light industrial business. The proposed 5.81-acre (Lot 5) adjusted lot contains a metal sided shop building and some minor outdoor storage.

The application also involves realigning the boundaries of the three adjacent remaining parcels north of the CPR railway to better accommodate the one additional industrial property being developed (Lot 4). In particular, the property line of the remnant 16.74-acre lot (Lot 4) is being adjusted to capture a dugout/pond that has recently been constructed in the southwest corner and ensure there are no encroachments. There is currently direct physical access to Highway 519 to the north as well as to the adjacent east municipal road allowance (Rge Rd 23-2). When the existing 16.01-acre lot was created a future service road by caveat was registered for future subdivision purposes. Upon direction from Alberta Transportation the service road will need to be developed with this proposal unless otherwise deferred. Initial comments from Alberta Transportation stated the service road must be dedicated and constructed.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 for a rural business light industrial subdivision. (see full ORRSC Planner's comments attached) The application was circulated to the required external agencies and no concerns were expressed regarding the application and no utility easements are requested (at time of agenda preparation). Alberta Transportation had no objections provided the access was addressed to their requirements. The Town of Nobleford has no objections.

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is not satisfied the subdivision criteria is met.

Pros:

- there are no advantages to denying the subdivision as it meets the IDP policies and the industrial subdivision criteria of the County

Cons:

- a refusal would likely be appealed by the applicants to the LPRT (i.e., MGB) as the County's subdivision criteria have been met. The County may also be legally challenged as the redesignation of the land in support of the application was approved

FINANCIAL IMPACT:

Non direct, but the County will benefit from a municipal reserve payment of approximately \$10,464 that is applicable. Additionally, the future tax situation may improve with opportunity for industrial/commercial business development on the site.

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision meets the provincial Subdivision and Development Regulations and the municipal subdivision policies as stated in the IDP and the Land Use Bylaw.

ATTACHMENTS:

[5A 2021-0-161 Lethbridge County APPROVAL Diagrams for Lethbridge County 2021-0-161](#)

RESOLUTION

2021-0-161

Lethbridge County

Rural Industrial & Country Residential subdivision of Lot 1, Block 1, Plan 0411743, Lot 2, Block 1, Plan 1511150 and Lot 1, Block 3, Plan 2110043 within NE1/4 34-10-23-W4M

THAT the Rural Industrial & Country Residential subdivision of Lot 1, Block 1, Plan 0411743, Lot 2, Block 1, Plan 1511150 and Lot 1, Block 3, Plan 2110043 within NE1/4 34-10-23-W4M (Certificate of Title No. 211 066 813, 151 141 315, 211 005 979 +1), to create a 5.81-acre (2.35 ha) light industrial parcel from a previously subdivided 16.01-acre (16.81 ha) parcel and adjust the boundary lines for 3 adjacent parcels, resulting in titles 16.74, 27.15 & 16.88 acres (6.77, 10.99 & 6.83 ha) in size, for rural industrial & country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 8.72-acre land area difference at the market value of \$12,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

AND FURTHER that upon payment of the reserve, the existing deferred reserve caveat (#211005980) on the adjacent west remainder title (Lot 1, Block 1), be adjusted accordingly on the remainder 16.88-acres, with the actual acreage and amount to be determined at the final stage, upon receipt of the final subdivision plan.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That a final plan of survey as prepared by an Alberta Land Surveyor be provided to correspond with the approval and include the 20m service road dedication.
4. The applicant must have a professional soils analysis done at their expense on the new 16.74-acre east lot by an accredited agency or engineer to ensure that the soil characteristics are capable of supporting a septic field. Analyses of the test must be performed and approved by an approved agency under Alberta Labour, with a copy of the report submitted and deemed acceptable to the Subdivision Authority.
5. That any conditions or requirements of Alberta Transportation shall be met including any service road dedication and construction.
6. That any easement(s) as required by utility companies, or the municipality shall be established.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that with the conditions imposed the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

2021-0-161
Page 1 of 4

3. The Subdivision Authority has determined the proposal conforms to the Lethbridge County and Town of Nobleford IDP and the town has no objections. The proposal conforms to the policies and growth concepts of the IDP (Planning Area 4, policy 5.3.44) which allows the commercial/light industrial use and meets the eligibility for subdivision.
4. The proposed lots comply with the Land Use Bylaw No. 1404 'Business Light Industrial – BLI' land use district and conform to the land zoning area and boundary as approved by Council through the redesignation process.

INFORMATIVE:

- (a) The payment of Municipal Reserve (MR) is applicable pursuant to Section 663 of the MGA and shall be provided as cash-in-lieu with an adjustment based on the parcel realignment and an adjustment of the registered deferred reserve caveat (#211005980) on the existing 25.6-acre title. (MR was paid in 2015 on the 24.96-acre title and in 2020 on the 16.01-acre title.)
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Optimum Manufacturing – Gerita Jooose:
 "I noticed in the description of the subdivision proposal. It states that there is a potential access on the east from the range road. This access has been put in place and that is the intended access point for the east industrial parcel."
- (e) The Town of Nobleford has no concerns.
- (f) Telus Communications Inc has no objection.
- (g) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

"Reference your file to create a rural industrial parcel and country residential parcel at the above noted location.

The proposal is contrary to Section 14 and resultantly by default subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002 ("the regulation").

Alberta Transportation's primary objective is to allow subdivision and development of adjacent properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway network.

To that end and as the existing direct access is considered to be temporary in nature and as no additional direct access to the highway will be allowed as result of this application, provided that an access management strategy/alternative that would be in accordance with Alberta Transportation's current access management guidelines and/or as required by the regulation were to be provided and could be implemented in the future the proposal could be accommodated.

The requirements of said Section 15(2) to be outlined in the following text would adequately address any transportation related concerns/objectives by allowing Alberta Transportation the flexibility to limit and strategically locate (option to move laterally along the highway) access in the future. The service road will as well serve notice to current and/or future landowners that Alberta Transportation has an interest in the property and dependent upon future subdivision or development proposals they could be apprised of Alberta Transportation's current "Access Management Guidelines".

Therefore, in this instance Alberta Transportation grants a waiver of said Section 14 and as per the requirements of Section 15(2), a condition of subdivision approval would be subject to the applicant providing a 20 metre wide service road right-of-way perpendicular to and across proposed Lot 4, Block 1 and proposed Lot 5, Block 1 of the highway frontage of the parcels to be created. The standard 30 metre wide requirement has been reduced to mitigate the impact on the developable area of the parcel to be created. As construction of the service road will be required the final linen should reflect the service road right-of-way by plan. The proposed service road is shown and highlighted on the attached subdivision sketch. Notwithstanding the foregoing, the applicant is advised that the existing direct highway access to proposed Lot 5, Block 1 is to be removed and a permit from Alberta Transportation is required.

The applicant is also advised that any development within the highway right-of-way or within 300 metres beyond the limit of a controlled highway or within 800 metres from the center point of an intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403-388-3105, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard is not permitted."

(See Attachment)

(h) Canada Post has no comment.

(i) Cyrus Njung, Real Estate Technician - Canadian Pacific Railway:

"We will like to advise that Canadian Pacific Railway is not in favor of residential uses adjacent to our right-of-way as this land use is not compatible with railway operations.

The health, safety and welfare of future residents could be adversely affected by railway activities.

Should this proposed residential subdivision application adjacent to railway right of way receive approval. Canadian Pacific Railway requests that all recommended guidelines are considered as it relates to residential development adjacent to the CPR, which can be found at the following link -

<http://www.proximityissues.ca>

We would appreciate being circulated with all future correspondence related to Residential or Commercial developments."

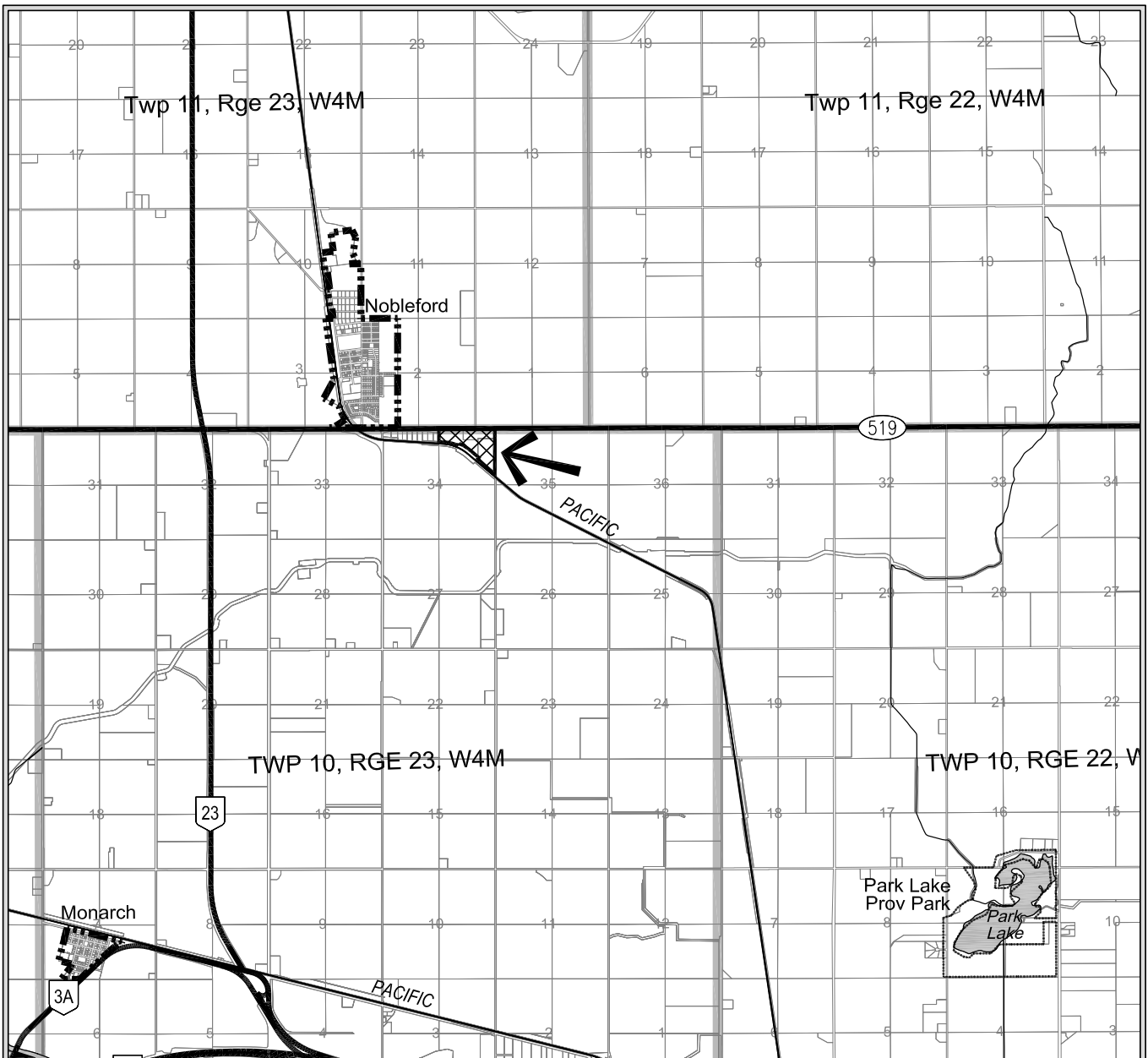
MOVER

REEVE

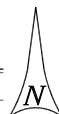
DATE

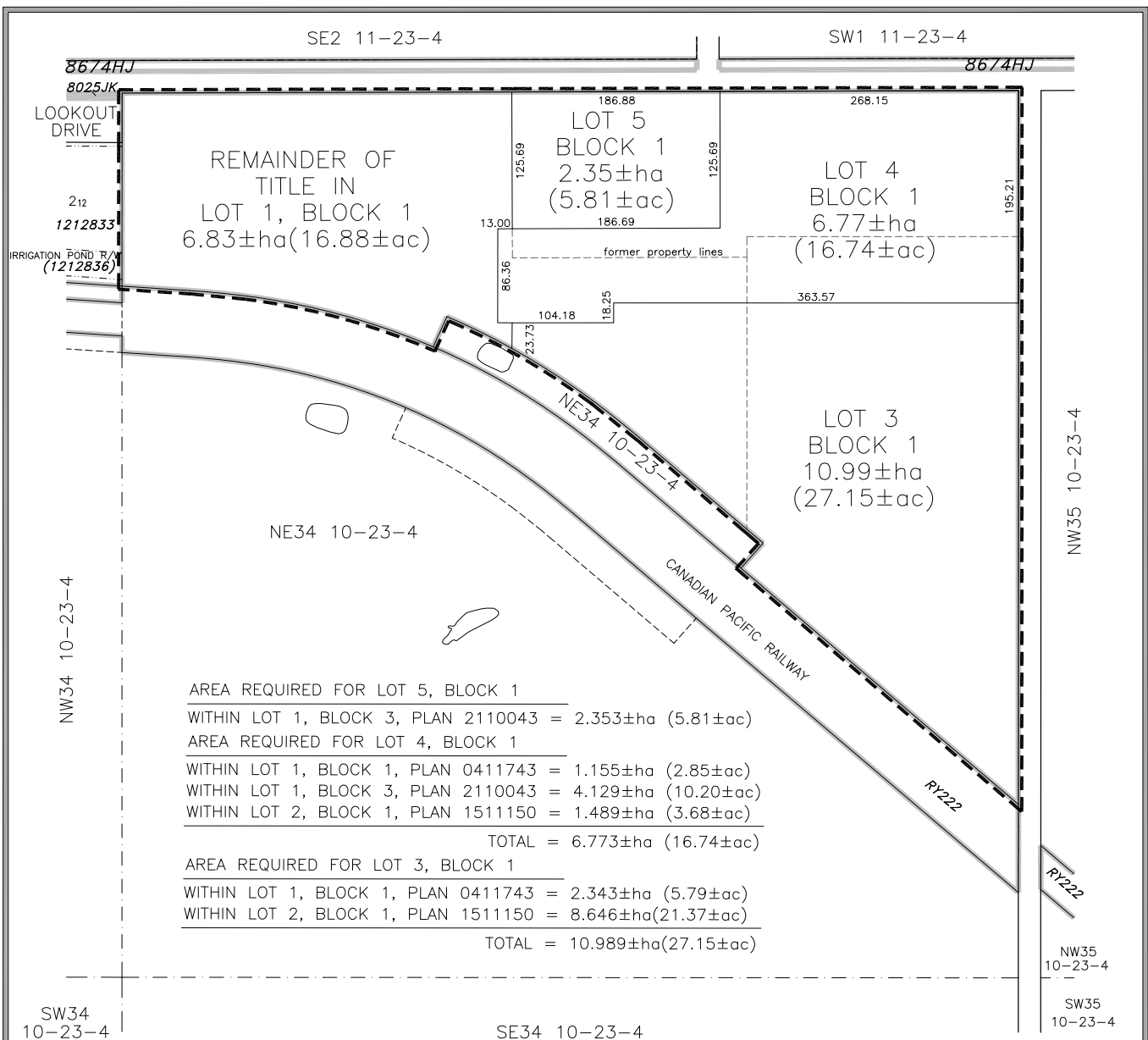
ALBERTA TRANSPORTATION ATTACHMENT





SUBDIVISION LOCATION SKETCH
LOT 1, BLOCK 1, PLAN 0411743, LOT 2,
BLOCK 1, PLAN 1511150 & LOT 1, BLOCK 3, PLAN 2110043
WITHIN NE 1/4 SEC 34, TWP 10, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: AUGUST 23, 2021
FILE No: 2021-0-161





SUBDIVISION SKETCH - PROPOSED

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15203

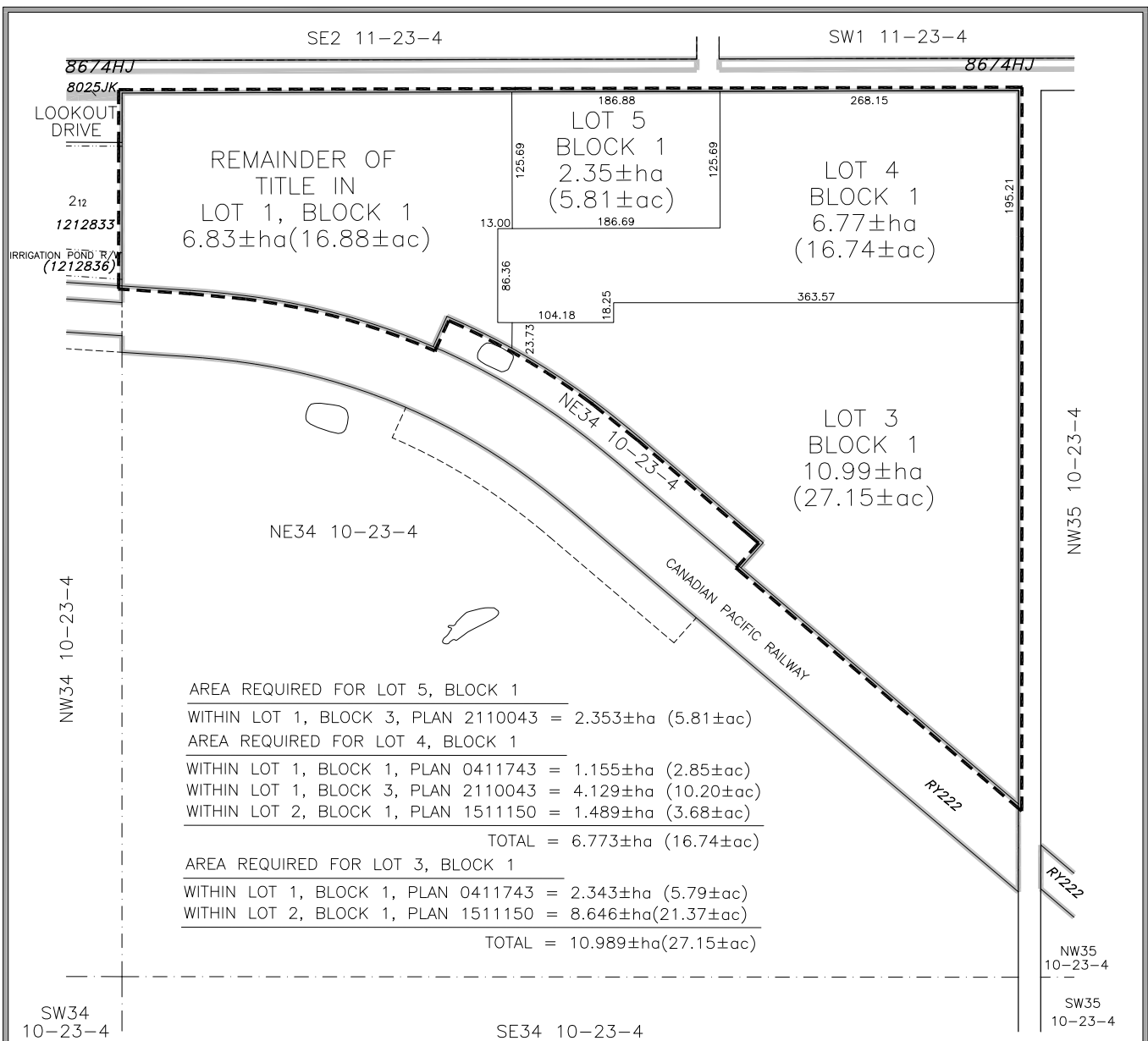
LOT 1, BLOCK 1, PLAN 0411743, LOT 2,
BLOCK 1, PLAN 1511150 & LOT 1, BLOCK 3, PLAN 2110043

WITHIN NE 1/4 SEC 34, TWP 10, RGE 23, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: AUGUST 23, 2021

FILE No: 2021-0-161



SUBDIVISION SKETCH - PROPOSED

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15203

LOT 1, BLOCK 1, PLAN 0411743, LOT 2,
BLOCK 1, PLAN 1511150 & LOT 1, BLOCK 3, PLAN 2110043
WITHIN NE 1/4 SEC 34, TWP 10, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY

DATE: AUGUST 23, 2021

FILE No: 2021-0-161



AERIAL PHOTO DATE: 2018

SUBDIVISION SKETCH - PROPOSED

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15203

LOT 1, BLOCK 1, PLAN 0411743, LOT 2,
BLOCK 1, PLAN 1511150 & LOT 1, BLOCK 3, PLAN 2110043
WITHIN NE 1/4 SEC 34, TWP 10, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY


DATE: AUGUST 23, 2021

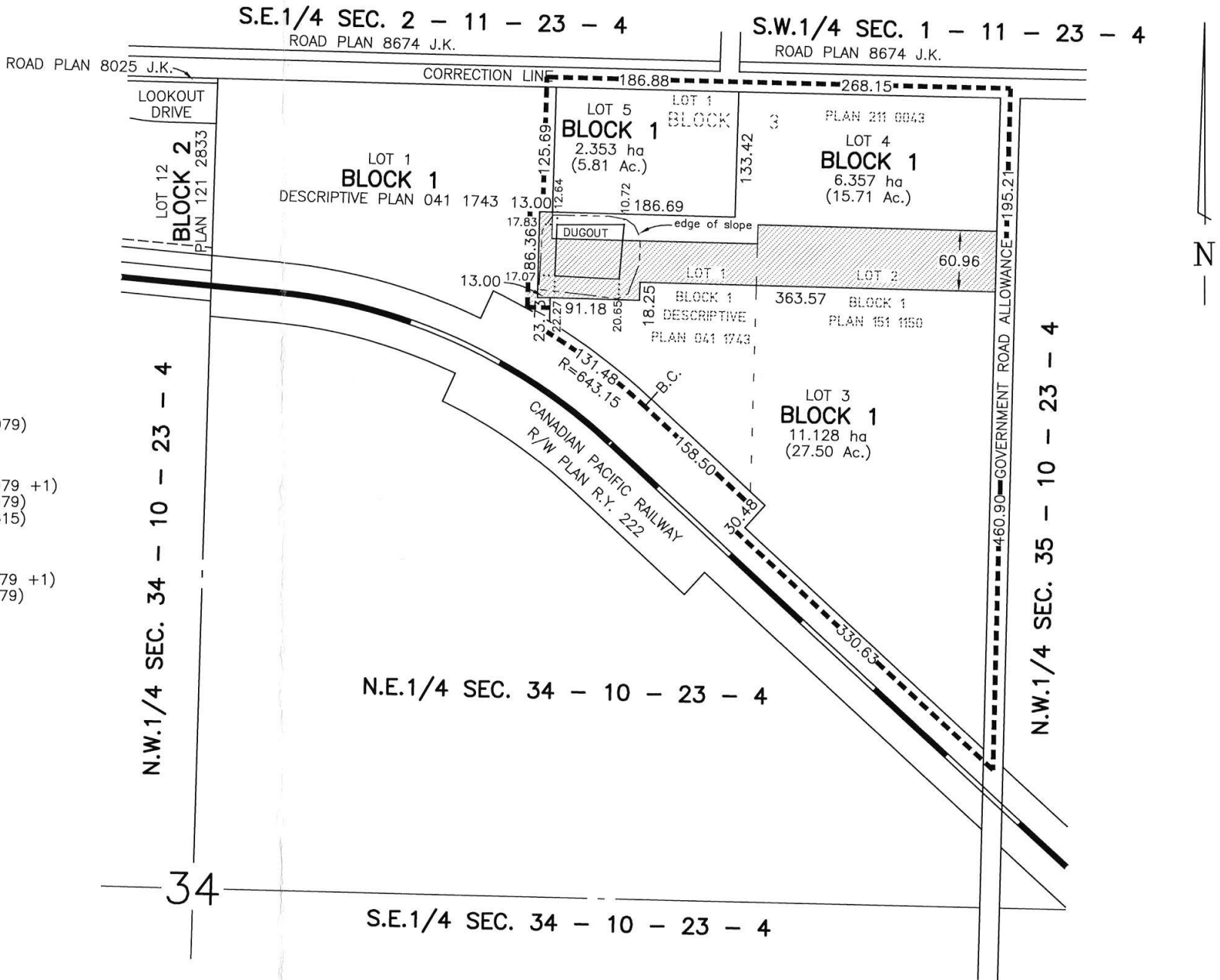
FILE No: 2021-0-161



TABLE OF AREAS


LOT 5; BLOCK 1	
within Lot 1; Block 3; Plan 211 0043 = 2.353 ha. (C. of T. 211 005 979)	
Sub-total = 2.353 ha.	
LOT 4; BLOCK 1	
within Lot 1; Block 1; Descriptive Plan 041 1743 = 1.155 ha. (C. of T. 211 005 979 +1)	
within Lot 1; Block 3; Plan 211 0043 = 4.129 ha. (C. of T. 211 005 979)	
within Lot 2; Block 1; Plan 151 1150 = 1.489 ha. (C. of T. 151 141 315)	
sub-total = 6.773 ha.	
LOT 3; BLOCK 1	
within Lot 1; Block 1; Descriptive Plan 041 1743 = 2.343 ha. (C. of T. 211 005 979 +1)	
within Lot 2; Block 1; Plan 151 1150 = 8.646 ha. (C. of T. 211 005 979)	
sub-total = 10.989 ha.	
Total = 20.115 ha.	

AREA TO BE REZONED
TO LIGHT INDUSTRIAL SHOWN THUS 
Lot 1; Block 1; Descriptive Plan 041 1743 (Area = 1.155 ha.)
Lot 2; Block 1; Plan 151 1150 (Area = 1.487 ha.)



NO.	REVISION	DATE	BY
NOTE : Portion to be approved is outlined thus - - - - - and contains approximately 20.115 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.			

OPTIMUM FEEDS LTD.	
TENTATIVE PLAN SHOWING SUBDIVISION of part of LOT 1; BLOCK 1; DESCRIPTIVE PLAN 041 1743 and all of LOT 2; BLOCK 1; PLAN 151 1150 & LOT 1; BLOCK 3; PLAN 211 0043 all within N.E.1/4 SEC. 34; TWP. 10; RGE. 23; W.4 M. Lethbridge County	

 brown okamura & associates ltd. Professional Surveyors 2830 - 12th Avenue North, Lethbridge, Alberta		
APPROVED Z. J. Prosper A.L.S.	DRAWN MJ	DATE AUG 10/21
	CHECKED ZJP	JOB 21-15203
	SCALE 1:5000	DRAWING 21-15203TB

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-160 – Hofer / Boulton
- Lots 3 & 4, Block 1, Plan 9211982 within SW1/4 26-8-21-W4M

Meeting: Council Meeting - 07 Oct 2021

Department: ORRSC

Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development
Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 22 Sep 2021
Approved - 23 Sep 2021
Approved - 23 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The purpose of this application is to reconfigure the layout (property boundary) and title acreage of two adjacent parcels through subdivision and consolidation, by adjusting titles 2.98 and 40.01 acres in size and creating adjusted titles 10.08 and 32.82 acres respectively, for country residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-160 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision in accordance with the County's criteria as a reconfiguration/ realignment of titles and property lines, with no additional titles being created above what presently exist.
- The proposal conforms to the policies of the 'Section 26 Area Structure Plan Bylaw No. 1483 which allows consideration for a reconfiguration of the existing parcels and the realignment of adjacent property lines.
- The land is located within the City of Lethbridge and Lethbridge County IDP boundary and it is determined the proposal does not contravene any applicable policies.
- The reconfiguration of titles may be considered on the merits of the proposal and the rationale that the application is to enlarge a smaller title and legally transfer the pasture area being used by the applicant to their own land title holdings without a separate title being created.

BACKGROUND INFORMATION:

Located within Section 26, immediately east of the City of Lethbridge boundary and approximately ½-mile north of Highway 4. The proposal is to enable a 7.19-acre land swap and property line adjustment between the two adjacent county residential titles.

The owner of the smaller west 2.98-acre lot has been leasing the east approximately 7-acres of pastureland from the neighbor for many years. They have made an agreement to purchase and transfer the pasture area to enlarge their title to 10.08-acres. This amalgamation will be done through the subdivision and consolidation process. The resulting adjusted property line between the two parcels generally follows a fence-line that delineates the pasture. Both properties are currently serviced with water through the rural water co-op and utilize individual on-site private septic systems for sewage disposal. This will not change or be impacted by the subdivision property boundary realignment.

Overall, the proposal meets the subdivision criteria of the County's Land Use Bylaw No. 1404 for a reconfiguration/realignment of titles. The application was circulated to the required external agencies and no concerns or easement requests were submitted (at time of agenda report). Alberta Transportation has no objections. (It is noted that in accordance with policy 2.4.1 of the City and County IDP, a subdivision application located within an ASP adopted area is not a required referral to the City.)

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is not satisfied with the proposed parcel configuration and the titles would remain as is.

Pros:

- there are no advantages to denying the subdivision as it meets the subdivision criteria of the County and enables the pasture user to own the land

Cons:

- the County would not receive the MR payment and a decision to refuse would likely be appealed by the applicants

FINANCIAL IMPACT:

None direct, but the County would benefit from a municipal reserve payment on the 7.19-acres of land being subdivided and consolidated at the market value of \$18,000 per acre (approx. \$12,942).

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision meets the provincial Subdivision and Development Regulations, and the municipal subdivision policies as stated in the Land Use Bylaw and the Section 26 ASP.

ATTACHMENTS:

[5A 2021-0-160 Lethbridge County APPROVAL](#)
[Diagrams for Lethbridge County 2021-0-160](#)

RESOLUTION

2021-0-160

Lethbridge County

Country Residential subdivision of Lots 3 & 4, Block 1, Plan 9211982 within SW1/4 26-8-21-W4M

THAT the Country Residential subdivision of Lots 3 & 4, Block 1, Plan 9211982 within SW1/4 26-8-21-W4M (Certificate of Title No. 121 010 904, 061 456 209), to reconfigure the layout (property boundary) and title acreage of two adjacent parcels through subdivision and consolidation, by adjusting titles 2.98 and 40.01 acres (1.17 & 16.19 ha) in size and creating adjusted titles 10.08 and 32.82 acres (4.08 & 13.28 ha) respectively, for county residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 7.19-acres being subdivided and consolidated at the market value of \$18,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

AND FURTHER that upon payment of the reserve, the existing deferred reserve caveat on the adjacent east title (Lot 4, Block 1, Plan 9211982 to become Lot 5), be adjusted accordingly less the difference in the amount of the 7.19-acres (approximately 32.82-acres), with the actual acreage and amount to be determined at the final stage, upon receipt of the final subdivision plan.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. The titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property line) of the two (2) adjacent parcels, are to be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.
4. That any easement(s) as required by utility companies or the municipality shall be established.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The subdivision proposal is eligible for subdivision consideration in accordance with the County's subdivision criteria as a reconfiguration of titles, with no additional titles being created above what presently exist.
4. The Subdivision Authority has determined the proposal conforms to the policies of the 'Section 26 Area Structure Plan Bylaw No. 1483' which allows consideration for a reconfiguration of the existing parcels and the realignment of adjacent property lines.
5. The Subdivision Authority is satisfied the proposal does not conflict with or contravene any applicable policies of the City of Lethbridge and Lethbridge County IDP.

2021-0-160
Page 1 of 3

INFORMATIVE:

- (a) Municipal Reserve (MR) is applicable with a payment and caveat adjustment. (MR was provided and paid on the existing 2.98-acres (Lot 3, Block 1, Plan 9211982) when it was created back in 1992 and the 40.01-acres has a deferred reserve caveat on title. An MR adjustment is to be applied for the area being subdivided with a payment on the land difference acreage in the amount of 7.19-acres, while the remnant title of 32.82 acres will require an adjustment of the deferred reserve caveat for the resulting adjusted acres.)
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Telus Communications Inc has no objection.
- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

- (f) SMRID – Linda Park, Land Administrator:

“Further to your August 27th, 2021 subdivision application, this is to advise that the District has a few comments in respect to the above-noted:

- The proposed subdivided 7.10-acre parcel is to be consolidated with the 2.98-acre parcel.
- It should be noted that the SMRID pipeline that runs north/south, that currently borders the irrigated parcel on the west side, will now be included in the proposed subdivided parcel.
- The owner of the irrigated parcel containing 32.82 acres may need to transfer and/or sell irrigation rights to reflect the change of area.
- If the turnout is located on the subdivided piece containing 10.08-acres, the owner of the 32.82-acre piece must enter into a Remote Delivery Agreement with the District and have an easement registered on title in order to guarantee supply of water to the irrigated parcel.
- All works and easements involved to provide water to the subdivided parcel will be at the landowner's cost.
- A Service Fee of \$100.00 plus GST will apply.

- (g) Alberta Transportation – Chris Poirier, Development/Planning Technologist:

“Reference your file to create a boundary adjustment to two parcels for country residential use at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

Alberta Transportation's primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, currently and as proposed, the parcel to be created and the remnant land gain indirect access to the highway solely by way of the local road system. As such, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the boundary adjusted parcel for country residential use as proposed would have any appreciable impact on the provincial highway network.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

Notwithstanding the foregoing, the applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local road system, in this instance a permit from Alberta Transportation will not be required and development of the boundary adjusted parcel could proceed under the direction, control and management of the municipality. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

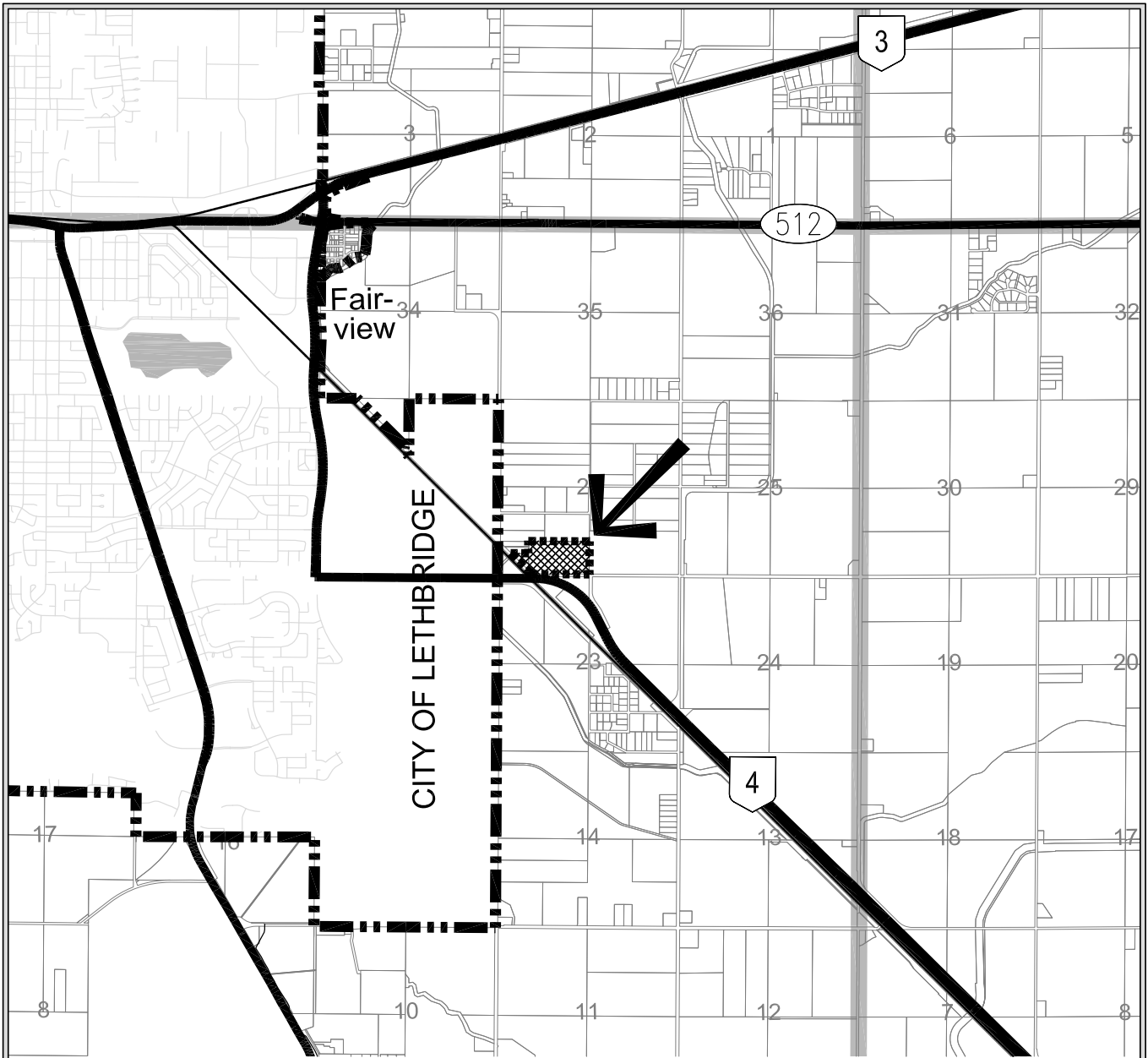
Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application."

(h) Canada Post has no comment.

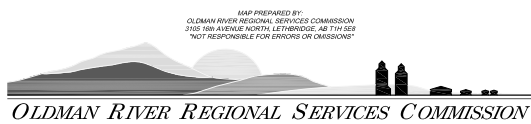
MOVER

REEVE

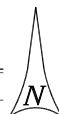
DATE

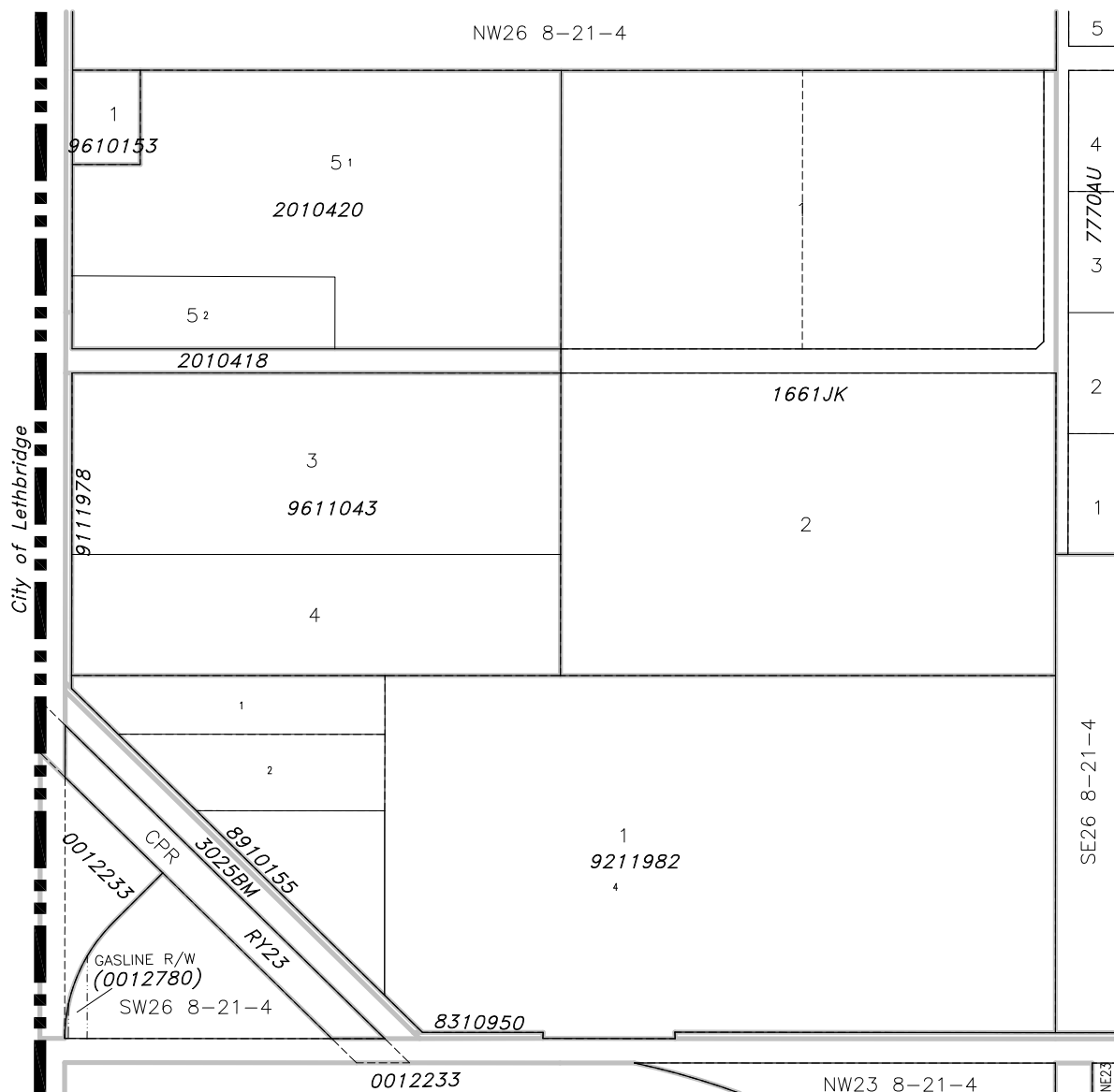


SUBDIVISION LOCATION SKETCH
 LOTS 3 & 4, BLOCK 1, PLAN 9211982
 SW 1/4 SEC 26, TWP 8, RGE 21, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: AUGUST 27, 2021
 FILE No: 2021-0-160

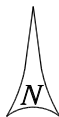


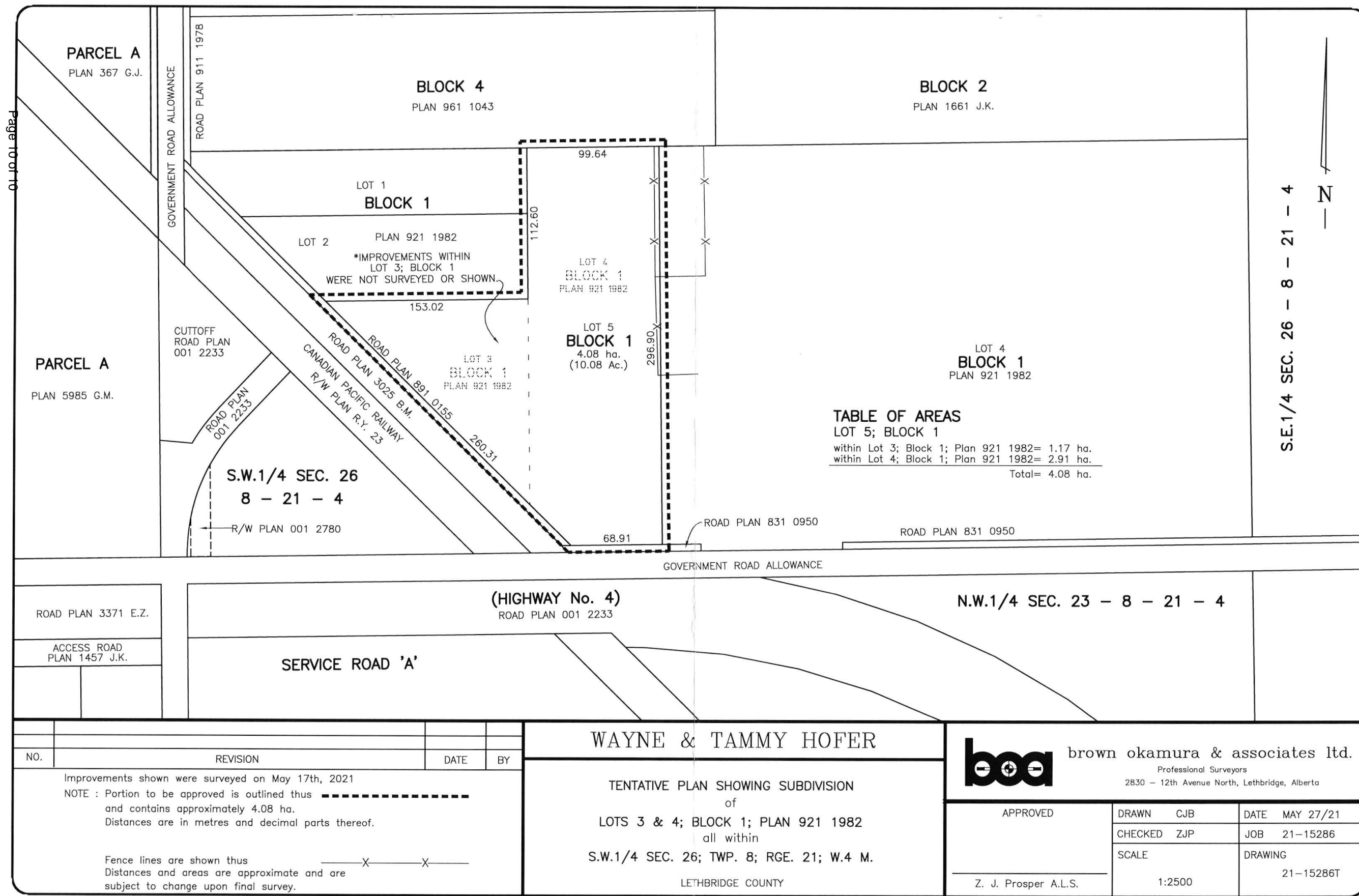
August 27, 2021 N:\Projects\2021-0-160.dwg





SUBDIVISION SKETCH - EXISTING
 LOTS 3 & 4, BLOCK 1, PLAN 9211982
 SW 1/4 SEC 26, TWP 8, RGE 21, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: AUGUST 27, 2021
 FILE No: 2021-0-160





AGENDA ITEM REPORT



Title: Hamlet of Fairview Growth Study
Meeting: Council Meeting - 07 Oct 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 21 Sep 2021
Approved - 22 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The Hamlet of Fairview Growth Study illustrates the logical areas for growth and development within the hamlet.

RECOMMENDATION:

That County Council accept the Hamlet of Fairview Growth Study.

PREVIOUS COUNCIL DIRECTION / POLICY:

Hamlet Studies were approved in the Lethbridge County Budget.

BACKGROUND INFORMATION:

County Council has approved, through the municipal budget, the development of Growth Studies for all the County's Hamlets. The purpose of the Growth Studies is to show the logical areas for growth within and adjacent to County hamlets. The Fairview Growth Study commenced in January 2021 with the assistance of Steve Harty from the Oldman River Regional Service Commission (ORRSC). The background information and historic data were compiled as well as an assessment of the current condition of the hamlets dwellings, lot sizing and available infrastructure was completed (i.e. water and sewer).

County Administration sent out a survey to the hamlet landowners in June 2021 with comments due back by June 22, 2020. There were 63 surveys sent out and 23 responded, resulting in a 37% response rate. The comments were reviewed and some adjustments made to the the Growth Study. Some highlights from the survey were that residents enjoyed the sense of community, large lot sizes, and proximity to the City of Lethbridge for services. The concerns were regarding provision of some services such as snow removal and stormwater management. The residents also had an opportunity

to comment on potential uses for the former Hepp's auto wrecker site, the preference was to keep the hamlet residential if the lands were to be redeveloped in the future.

The draft growth study was posted to the County's website in August and a follow-up letter sent to the hamlet landowners providing them with an opportunity review the draft Growth Study and submit any additional comments by August 10, 2021. No comments were submitted regarding the drafted plan.

The final Fairview Growth Study addresses the existing state of the hamlet, where future growth may be directed and what type of growth (i.e. residential, industrial, commercial) is preferred. There is no opportunity for outward growth of the hamlet as it is bounded by 43 Street on the west, Highway 512 and the research lands to the north and the SMRID Canal on the south and east. The largest opportunity for growth is the lands on the east side of the hamlet (former Hepp's Auto Wrecker site). It has been determined that if there is sufficient sewer capacity in the future that the lands would be most suited to residential development with some hamlet commercial/industrial redevelopment along Highway 512.

ALTERNATIVES / PROS / CONS:

Not Applicable

FINANCIAL IMPACT:

There are no financial implications resulting from the proposed growth study. Future development in and around the Hamlet of Fairview would be taxed at the applicable tax rate.

REASON(S) FOR RECOMMENDATION(S):

The Growth Study will be used as a guiding document for future development and growth in the Hamlet of Fairview.

ATTACHMENTS:

[Lethbridge County - Hamlet of Fairview Growth Study w Maps Aug-2021](#)

LETHBRIDGE COUNTY



Hamlet of Fairview

GROWTH STUDY



DRAFT – August 2021

Prepared by: The Oldman River Regional Services Commission

TABLE OF CONTENTS

Part 1	STUDY OVERVIEW	1
1.1	Intent	1
1.2	Objectives	1
Part 2	LEGISLATIVE BACKGROUND	3
Part 3	HAMLET OVERVIEW	5
3.1	Population	5
3.2	Hamlet History	6
	Map 1 - Location	
Part 4	EXISTING CONDITIONS AND OVERALL ASSESSMENT	9
4.1	Population Projections and Growth	9
4.2	Residential Assessment – Existing Conditions	11
4.3	Business Commercial/Industrial Assessment – Existing Conditions	11
4.4	Community Services Assessment – Existing Conditions	12
4.5	Parks and Recreation Assessment – Existing Conditions	12
4.6	Confined Feeding Operations (CFOs) – Proximity / Effects	12
Part 5	GROWTH AND LAND USE STUDY	15
5.1	Infill Opportunity (inward growth)	15
5.2	Future Hamlet Boundary Expansion (outward growth)	18
5.3	Municipal Services and Infrastructure	19
5.4	Area Structure Plan (ASP) Considerations	20
	Map 2 - Land Use Districts	
	Map 3 - County Owned Parcels	
	Map 4 - Infill Lot Potential	
	Map 5 - Growth Area Concept Design	
	Map 6 - Land Use Analysis	
Part 6	GROWTH VISION / STRATEGY	21
Part 7	GROWTH EXPECTATIONS SUMMARY AND RECOMMENDATIONS	22
Appendix A	EXISTING LOTS WITH SUBDIVISION POTENTIAL	
Appendix B	HAMLET RESIDENTS SURVEY AND RESPONSES	

LETHBRIDGE COUNTY HAMLET OF FAIRVIEW GROWTH STUDY

Part 1

STUDY OVERVIEW

Lethbridge County is undertaking a series of hamlet growth studies for each of its hamlets including a growth study for the Hamlet of Fairview. The purpose of these studies is to assess the current conditions of each of the hamlets and determine the feasibility of growth within each. The studies are to analyze present and future servicing needs along with identifying logical areas to support growth. The municipality has authorized the Oldman River Regional Services Commission, as municipal planners for the municipality, to review and prepare the studies/reports on behalf of the County.

The Lethbridge County Municipal Development Plan (MDP) identified that planning for future hamlet growth areas is desirable within its land use management strategy. The MDP is a long-range statutory document providing a framework of policies for decision makers regarding future growth and development opportunities. As part of the growth policies in the MDP, one of the County's objectives is to sustain the hamlets within the County and continue to protect agricultural land uses by encouraging residential development in and around the hamlets. In particular, the MDP outlines the following policies:

- The County shall support hamlet growth provided appropriate servicing provisions exist to facilitate expansions.
- The County shall, where required, undertake servicing master plans and the development of infrastructure required to facilitate growth.

The hamlet growth studies are to guide and facilitate the comprehensive planning and development of servicing that will be needed to support healthy, probable growth projections.

1.1 Intent

This report presents a summary of existing conditions and future considerations to support the growth and long-term viable expansion of the Hamlet of Fairview.

1.2 Objectives

- To summarize the general characteristics of the hamlet and evaluate the overall quality of life within Fairview.
- To assess the delivery of municipal services within the hamlet and evaluate if they are generally meeting the needs of residents.
- To analyze land use and determine if there are any logical lands available within the present hamlet boundary to accommodate growth in a contiguous manner by developing available vacant or infill parcels within Fairview.

- To provide a planning analysis and framework to determine if existing or future development could or should be serviced by municipal infrastructure. The reports' findings may be used to facilitate long-term infrastructure planning and management for the County.
- To provide an assessment/opportunity summary with recommendations to Lethbridge County decision makers to help guide future planning, servicing, and management.
- To provide recommendations based on the overall assessment, and determine if the Hamlet of Fairview has realistic opportunities to grow or expand in the future.

Part 2

LEGISLATIVE BACKGROUND

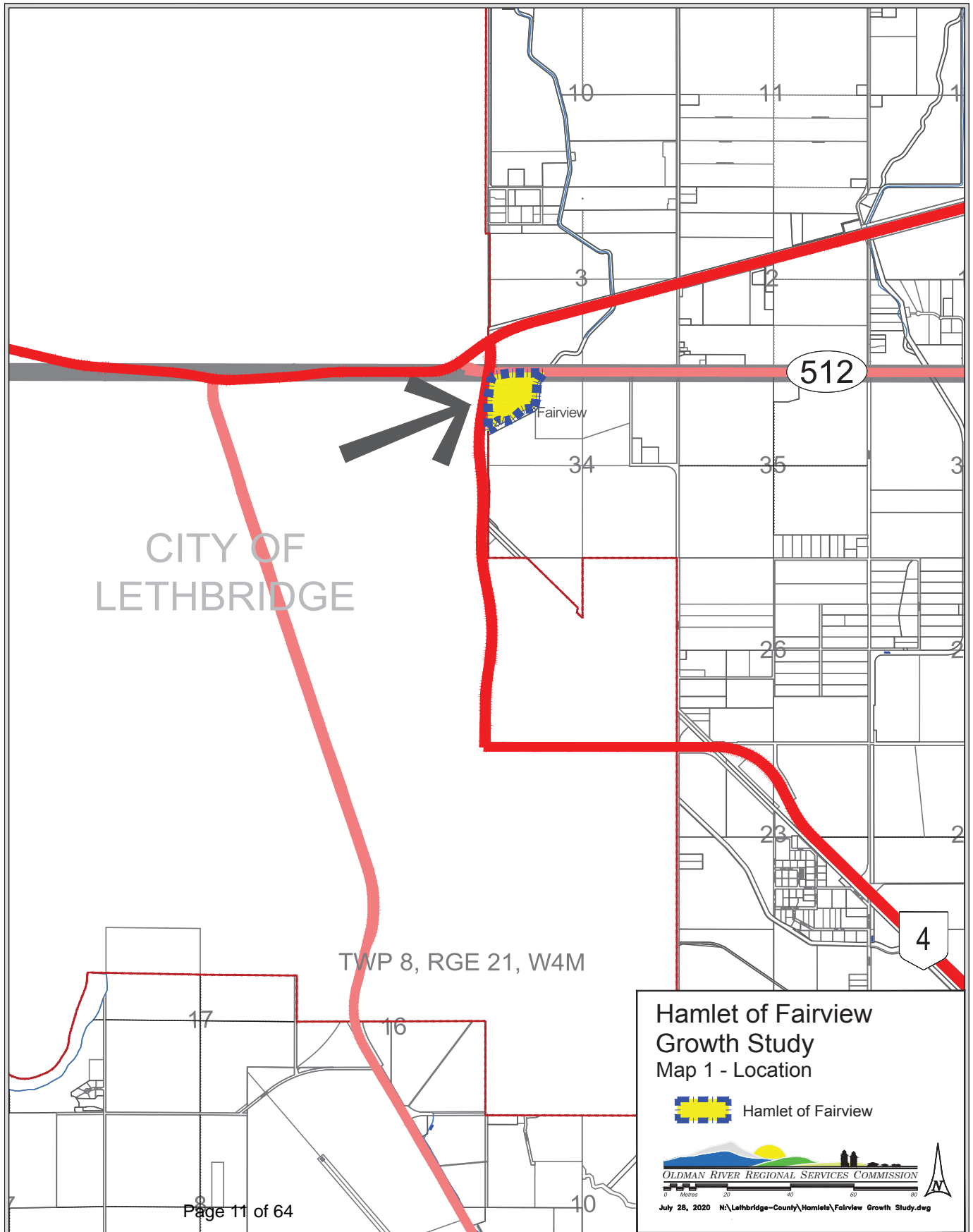
Hamlets are small unincorporated communities within a larger rural municipality in Alberta. They are governed, taxed, and managed by the rural municipality within the boundaries of which they are located.

The Municipal Government Act (MGA), section 59(1) states: *“The council of a municipal district or specialized municipality may designate an unincorporated community described in subsection (2) that is within its boundaries to be a hamlet.”* Subsection (2) states, *“an unincorporated community may be designated a hamlet if the community:*

- (a) consists of 5 or more buildings used as dwellings, a majority of which are on parcels of land smaller than 1850 square metres,*
- (b) has a generally accepted boundary and name, and*
- (c) contains parcels of land that are used for non-residential purposes.*

(3) The designation of a hamlet must specify the hamlet’s name and boundaries.”

The Hamlet of Fairview conforms to the stipulated MGA criteria. This Growth Study is not a statutory plan as defined by the MGA but is a tool to help guide and shape direction and policy for Lethbridge County regarding planning for the hamlet. The vision and recommendations may be incorporated into the County’s Municipal Development Plan.



Part 3

HAMLET OVERVIEW

The Hamlet of Fairview is located adjacent to the City of Lethbridge, east of 43 Street South and south of Highway 512 (Jail Road). Highway 3 is less than half a kilometer north of the hamlet. The hamlet has a land area consisting of approximately 39 acres (16 ha) within its boundary and is situated within the NW ¼ of 34-8-21-W4M. A St. Mary River Irrigation District canal runs adjacent to the east and south boundary of the Hamlet of Fairview. The Lethbridge Research Station owns land to the east and south of the hamlet boundary and is currently being used for agricultural research.

3.1 Population

Data from Statistics Canada 2016 census data indicated that the population of Fairview was 154 people, a decline of -4.9% from the previous census in 2011 which recorded 162 residents living in the hamlet (see Table 1). No census data is available for the community from 2006. In 2001, Fairview experienced a 6.7% increase in population with 158 residents, which was up from 148 residents in 1996. Census data recorded that the hamlet had 81 private dwellings with 70 of those being occupied in 2016. Private dwelling information for previous years was not available. Overall, the hamlet has remained very stable over the 20-year period as depicted in Table 1 below. It is noted that in 1971 there were 160 residents.

Table 1
Census Population and Growth

	2016	2011	2006	2001	1996
POPULATION	154	162	*NO DATA	158	148
5 YEAR TOTAL GROWTH (OR DECLINE) %	-4.9%	*NO DATA	*NO DATA	6.7%	--
NO. OF PRIVATE DWELLINGS	81	--	--	--	--

**Note: no population data available for 2006 and no private dwelling information available prior to 2016*

3.2 Hamlet History

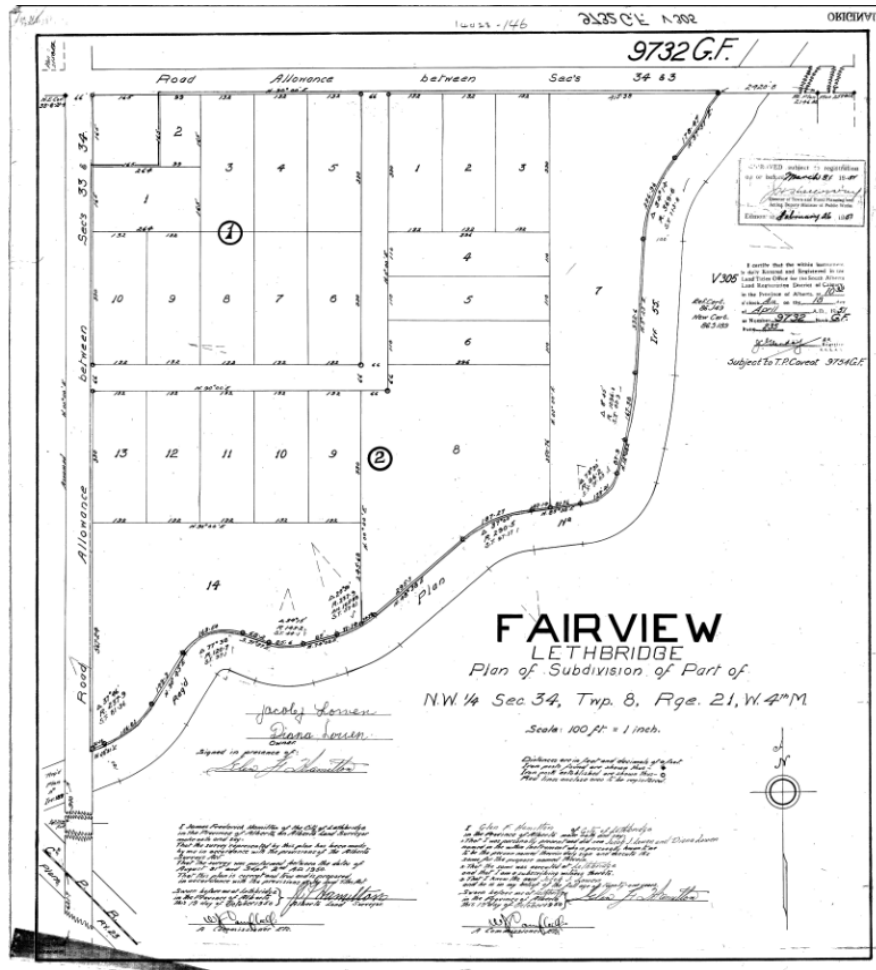
The Hamlet of Fairview is located adjacent to the City of Lethbridge, east of 43 Street South and south of Highway 512. The hamlet is often confused in reference to the Town of Fairview in Northern Alberta as it more commonly known of than the smaller hamlet within Lethbridge County. Little information is available regarding the history of the hamlet. It did not establish as a CPR rail siding or coal mining community as so many of the other hamlets within Lethbridge County had their origins.

Fairview was established in 1951 when a plan of subdivision for the community was approved by the provincial Director of Town and Rural Planning for Alberta. The landowners at that time (the Lowens),

subdivided a 37-acre parcel of land lying north of the registered irrigation canal within the NW¼ 34-8-21-W4M. The subdivision plan created two blocks with an L-shaped roadway (currently 3 Ave and 4 St.) to provide access to the lots, the majority being 1-acre in size. There were ten lots created in Block 1 on the northwest side of the roadway, and fourteen lots created to the east and south side of the road. Most of the lots comprised a 1-acre area but the plan also included a 5.41-acre lot on the east side (later the Hepp's auto body site) and two larger south parcels adjacent to the canal (4.8 and 4.91-acres in size). Over subsequent decades, these larger lots were resubdivided with additional internal roadways added to access the new lots (currently 2 Ave and 4 Ave).

The long-held local folklore suggests the subdivision (which later became a hamlet) obtained its name due to its location being within view of the City of Lethbridge exhibition grounds (just to the west of 43 Street). Thus, as one could visibly see the exhibition grounds and yearly "fair" from the subdivision location, resulted in the moniker "Fairview".

ORIGINAL FAIRVIEW SUBDIVISION PLAN



Part 4

EXISTING CONDITIONS AND OVERALL ASSESSMENT

A review of the existing hamlet conditions was undertaken that involved a study of both land use and a general analysis of the character of the community. This review included assessing the following:

- Analysis of Population & Growth
- Determination of Land Use patterns
- Community services - churches, schools, community halls, commercial (e.g., groceries)
- Parks and Recreation (i.e., playgrounds, ball diamonds, green space, etc.)
- General State Synopsis - personal property conditions, weeds, unsightly premises
- Confined Feeding Operations (CFOs) - proximity / effects
- Identification of Vacant land parcels
- Servicing - municipal and private utilities

Based on a review of the existing conditions, a general assessment statement is provided on the current state of the community (i.e., hamlet). Some conclusions are provided on the identified constraints present or potential need for the provision of various municipal or community services.

As part of the project, a questionnaire survey was also sent to every household in the Hamlet of Fairview. The survey consisted of 12 questions with some opportunity for written comment. The purpose was to obtain citizen feedback and help Lethbridge County better understand existing conditions and issues to more comprehensively plan for the community. A total of 63 survey questionnaires were sent out on June 4, 2021. There were 23 surveys filled out (7 responses provided on-line through the website portal and 16 handwritten submissions), resulting in a 37% overall response rate. Over 76% of the respondents have lived in Fairview for more than 10-years, with almost 62% residing in the hamlet for 20 years or more. Only 19% are newer residents, living there 6-years or less. Respondents stated they like the large, spacious lots in Fairview and that the hamlet is friendly and quiet. Overall, residents seem to be generally satisfied with their quality of life in Fairview with 60% indicating they are very satisfied. The responses provided from the hamlet residents were used to help formulate the growth plan and recommendations.

For the complete results and comments as supplied by the residents who filled-out the survey, please refer to Appendix B.

4.1 Population Projections and Growth

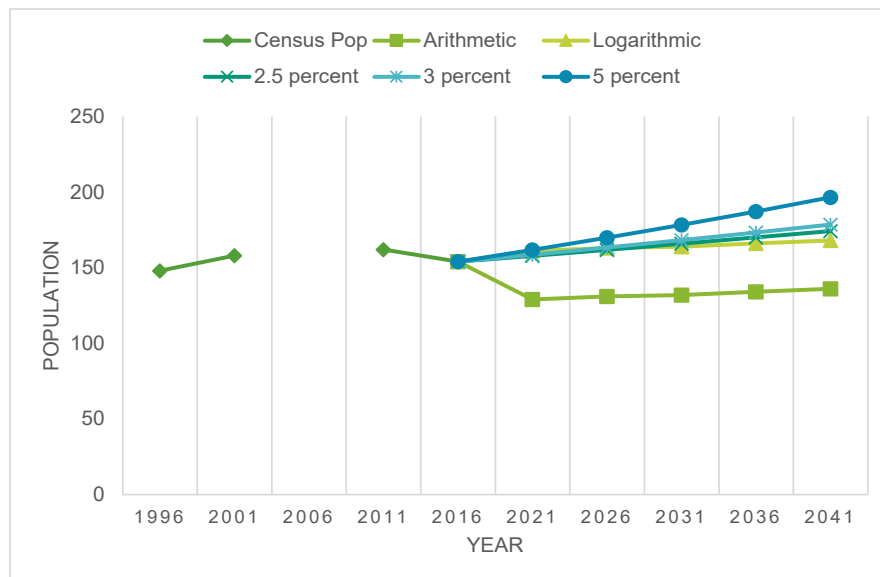
Population projections for Fairview are illustrated below in Table 2. Five different growth rates are displayed below including a slow rate (2.5%), medium rate (3.0%) and a strong rate (5.0%), as well as arithmetic and logarithmic straight-line projections over 5-year periods. It is important to note these projections are for study purposes, as they would only be possible if land was available to accommodate new growth and housing.

As shown Table 2 and Diagram 1, the projected population of the hamlet in 2041 would range from 136 to 197 residents if past trends continued. Based on historical population data, it indicates the hamlet could grow by 2.5% to 3.0% with populations of 174 to 179 in 2041 if no constraints were present. A 5.0% growth would be unrealistic due to restrictions present, such as land areas for expansion and servicing constraints. Historically, the hamlet has experienced very little fluctuation in its population over the past 20 years so minimal variation in the population is likely to continue to occur. The realistic scenario is the population would top-out at 175 to 180 residents maximum based on land availability and average household size.

Table 2
Projected Population Growth (2016-2041) Per Census Period

Year	Arithmetic	Logarithmic	2.5% Growth	3.0% Growth	5% Growth
2016	154	154	154	154	154
2021	129	161	158	159	162
2026	131	163	162	163	170
2031	132	164	166	168	178
2036	134	166	170	173	187
2041	136	168	174	179	197

Diagram 1
Population Projections Line Graph



*Note: 2006 census data was not available for the Hamlet of Fairview

4.2 Residential Assessment – Existing Conditions

The majority of residential housing stock is over 50 years old, and a few are of newer construction. Many of the dwellings appear from the 1960s to 1980s period. There are also a few older mobile home units. Fairview did not exist prior to 1951 so there are not older homes, such as from the 1920s-1940s, present.

- Overall, the housing within the hamlet is in fairly good condition with a small number of residential dwellings being in poor condition.
- Most of the lots are a little larger in size than the hamlet land use bylaw minimum size of 50 x 100 feet, as many are in the range of 60-to-75 feet wide, with some being 130 feet in width. The average lot depth is approximately 135 feet in length.
- Most residents appear to take pride in home ownership and have nicely landscaped, well-maintained yards. A few properties are in what may be described as unsightly condition and contain excessive storage in the yards.

4.3 Business Commercial/Industrial Assessment – Existing Conditions

There is a small amount of commercial activity in the hamlet, and it is primarily automotive in nature. The hamlet essentially serves as a bedroom community due to its adjacency to the City of Lethbridge. The Hamlet Industrial District is located directly south of Highway 512 and is in the northeastern portion of the hamlet.

- There are approximately 2.3-acres of land designated as Hamlet Direct Control (HDC) in the northwestern portion of the hamlet, adjacent to 43 Street South and Highway 512. Three commercial businesses operate on this land including a motorcycle dealer (New-Way Motor Sports), a used car dealership (Mubtala Auto Sales) and an automotive repair shop (TLC Auto Service & Repair).
- A home occupation aluminum supplier business (The Rail Guy) operates at the east end of 3 Avenue South along 44 Street South from a Hamlet Residential designated parcel.
- There are no Hamlet Commercial (HC) designated parcels within the hamlet.
- Due to the land constraints of the hamlet, future potential for commercial or industrial developments is limited.
- From the survey, several residents have issues with noise and traffic from the commercial uses negatively affecting the residential character and quality of life of the community.
- There are 5.4-acres of land designated as Hamlet Industrial (HI), and there are two active businesses under this land use designation: a U-Haul rental agency and an automotive repair shop (Manhattan Motors). This land used to be the site of the former Hepp's Automotive (auto wreckers) established in 1961.

- The former Hepp's Automotive site parcel (Lot 7, Block 2, Plan 9732GF) south of Highway 512 was for many years considered to be contaminated land, though a Phase I and Phase II Environmental assessment completed in 1995 established that the site had acceptable soil results (no significant hydrocarbons) and that new development would be a viable option on the land. However, a new detailed soil analysis may be required to confirm the site meets current standards and is still suitable for development, especially for any residential use considerations.

4.4 Community Services Assessment – Existing Conditions

The only community or institutional service type organization that exists within the hamlet is the Lethbridge Mennonite Church, adjacent to 43 Street South and at the west end of 3 Avenue South.

- The Hamlet of Fairview contains 0.60 acres of land designated as Hamlet Public/Institutional - HPI, which is utilized by the Lethbridge Mennonite Church.
- The hamlet does not have formal government or personal health or care services available. The hamlet's adjacency to the City of Lethbridge negates the need for healthcare or personal services due to a large variety of services available in proximity within the city.

4.5 Parks and Recreation Assessment – Existing Conditions

There are minimal public or recreational amenities available. Currently, there is a municipal playground and park area in the southern portion of the hamlet. Community post boxes and a community bulletin board are located at the entrance of the playground as well.

- Approximately 0.54-acres of land designated as Hamlet Public/Institutional (HPI) which contains the playground and park space within the hamlet.
- Lethbridge County owns the park/playground, and the playground is considered well-kept and the equipment is in good condition. The County regularly schedules for any repairs and maintenance of all recreational facilities within the hamlets.
- Fairview does not have a community hall such as most of the other main hamlets within Lethbridge County do. All those community halls are managed by a community association.
- The hamlet has very little existing recreation and park amenities due to a variety of a recreational amenities provided within Lethbridge, adjacent to the hamlet.

4.6 Confined Feeding Operations (CFOs) – Proximity / Effects

Confined feeding operations (CFOs) contribute significantly to the economy in Lethbridge County and are a large portion of the agricultural industry in southern Alberta. Often various hamlet residents make complaints relating to the odors, dust flies, etc., experienced from residing near such livestock operations.

However, compared to other hamlets within the County there are few CFOs sited and operating within 2-miles. This is primarily a result of the location of the City of Lethbridge in relationship to the Hamlet of Fairview. The 'Lethbridge Urban Fringe – LUF' district encompasses the County land surrounding the Hamlet of Fairview which prohibits new CFOs from being established. It extends north and south of the

surrounding city boundary and approximately 3-miles to the east from the boundary. For many years W.T. Hills Stockyards was in operation across 43 St. in very close proximity to the hamlet but the use was discontinued in 1998 and removed. As a result, the residents of Fairview do not deal with the issues of odors and dust regularly associated with CFOs such as some of the other hamlets often experience.

Map 6 outlines the location, type, and size of CFOs within the hamlet area. Within a 1-mile radius there is one CFO type of beef operation (SE¼ 34-8-21-W4M) that is associated with the Canada Agriculture Research Station facility. Within a 2-mile radius there is one additional CFO (NW¼ 10-9-21-W4M) north of Highway 3 containing a grand-fathered beef operation with a total of 2,400 cattle.

Part 5

GROWTH AND LAND USE STUDY

All the hamlet study series undertaken for Lethbridge County, apart from the Hamlet of Kipp, included an analysis of the existing and projected land use needs to determine potential future growth and servicing requirements. For the Hamlet of Fairview, only an internal analysis was undertaken as part of the community assessment to determine land availability within the hamlet for future development. No analysis of adjacent land areas outside of the hamlet boundary has been completed due to the boundary and physical constraints present which do not enable outward growth. The following matters have been reviewed as part of the planning analysis and are described in more detail in this section:

(a) Infill Opportunity (inward growth)

- Inventory of vacant lots and potential to further develop
- Identifying the potential to further subdivide large parcels
- Potential to service and provide access to parcels

(b) Future Hamlet Boundary Expansion (outward growth)

- Identifying constraints and physical features (highways, canals, municipal boundaries)

(c) Municipal Services

- Water and sewer
- Storm water management
- Roads/lanes

(d) Area Structure Plan (ASP) Needs / Considerations

5.1 Infill Opportunity (inward growth)

Existing vacant and potential infill lots were identified as part of the community assessment to determine internal growth opportunities. Larger lots within the hamlet may have the potential to subdivide into additional lots if services were available. With the availability of water and sanitary sewer, additional lots could be permitted in accordance with the land use bylaw with the minimum lot size of 5,000 sq. ft. in area.

There are presently (at time of study) seven titles of residential land and one title of industrial land within the hamlet that have subdivision infill potential. It is emphasized that the potential for future subdivision is only possible if municipal water and sewer capacity were available. The lands identified are existing large lots with potential to be resubdivided are displayed on Map 4.

RESIDENTIAL:

Existing Vacant Residential Titles:

- There are **no vacant residential** lots available within the hamlet.

Infill Potential of Existing Residential Titles: (identified on Map 4)

- 2 existing large residential lots that have undeveloped portions could be resubdivided to create: **2 additional lots**
- 6 existing lots would require the dedication of a new internal road in order to provide access as the vacant portion of land that could be subdivided off is situated at the rear of the lots (presently being landlocked): **6 to 10 additional lots**
- 1 existing large lot would require the dedication of a new internal road but could be resubdivided to create: **7 to 12 additional lots**

RESIDENTIAL TOTAL:

2 (most probable) to 24 (maximum) Lots – Infill Potential Residential Lots for Internal Hamlet Growth (with subdivision occurring if servicing were available)

COMMERCIAL:

Existing Vacant Commercial Titles:

- There are **no vacant commercial** parcels within the hamlet. (There are no lots zoned as Hamlet Commercial. The existing commercial uses are zoned as Direct Control.)

Infill-potential of Existing Commercial Titles:

- There is no real infill potential for commercial lots with subdivision.
- One exception may be if either the north portion of the former Hepp's Automotive industrial parcel or the smaller adjacent lot containing a non-conforming residential dwelling (Lot 8, Block 2, Plan 0710709) were redesignated from Hamlet Industrial to Hamlet Commercial.

COMMERCIAL TOTAL:

- **0 lots** (with no subdivision or land use redesignation); or
- **1 lot** - Infill Potential for internal hamlet growth (with redesignation occurring on existing lot).

INDUSTRIAL:

Existing Vacant Industrial Titles:

- There are **no vacant industrial** parcels of land within the hamlet.

Infill-potential of Existing Industrial Titles:

- A portion of an existing industrial lot containing some undeveloped land could be redeveloped for a commercial, light industrial or multi-use site potentially. This parcel likely cannot be freehold subdivided as there is no municipal road access able to be provided to new lots: **0 new lots.**
 - A bareland condominium plan could potentially be considered for light industrial or commercial use (or multi-use) if a suitable plan was submitted and approved by the County. Growth could not occur unless water and sewer servicing were addressed, as well as a demonstration of compatibility with adjacent hamlet residential uses.

INDUSTRIAL TOTAL:

0 lots – (with no subdivision or land use redesignation); or

0 to 3-4 lots - Infill Hamlet Industrial Designated Lots for Internal Hamlet Growth (speculative based on bareland condominium plan potential due to limited road and access possibilities).

The infill potential identified in the undeveloped portion of the currently zoned industrial lot may be suitable for residential growth, which would require a land use redesignation in addition to an Area Structure Plan (ASP). The ASP would need to outline layout details and provide an engineering study to address the existing water and sewer systems condition/capacity and determine what is required to handle additional connections.

Fairview residents have expressed concerns with what may be future plans for the larger parcel on the eastside that once contained Hepp's Auto Wreckers. It was indicated by most residents who responded to the survey, that low density residential use was preferred. It was suggested that most do not want to see any commercial/industrial development adjacent to their residential community. For non-residential use, nurseries/greenhouses, outdoor storage, or mini storage were the most frequent suggestions of potential acceptable uses. From the survey comments provided it appears that some residents may not realize the parcel has been zoned as Hamlet Industrial use for over the last 50 plus years which comes with many potential industrial/commercial types of uses that legally may occur. The municipality cannot simply "down-zone" land without landowner consent, so any discretionary Hamlet Industrial use proposed should be scrutinized for compatibility. Those with least potential impact to hamlet residential uses would be preferable. Potentially the northern portion of the parcel adjacent to Highway 512, may be better suited for Hamlet Commercial development provided it did not create excessive noise.

Any future subdivision potential within Fairview is contingent on additional water and sewer servicing capacity being available. It must also be recognized that all the land identified for infill potential is privately owned and may or may not be further subdivided for new development. Many residents indicate they like their larger lot and yard size and therefore may not subdivide. Further, the rear residential infill potential identified on the east side of the lots along 44 Street South and Lot 7, Block 2, Plan 9732GF (former Hepps' site) would require a road to be constructed north of the east end of 4 Avenue South and extend 2 Avenue South to the east.

5.2 Future Hamlet Boundary Expansion (outward growth)

GROWTH AND LAND USE PROJECTIONS

The Hamlet of Fairview contains approximately 37 acres (15 ha) of land within its boundary. In 2016, the average number of persons per dwelling unit was 2.2. As mentioned earlier, the Hamlet of Fairview has numerous constraints preventing the hamlet from expanding externally from its current boundary.

In respect of the described conditions, a projection of future land growth use needs has not been completed for the Hamlet of Fairview. This is in consideration of the following issues and circumstances identified in the study:

- The Hamlet of Fairview is bounded between Highway 512 to the north, an SMRID canal to the east and south, and the City of Lethbridge boundary (43 St.) to west which physically restricts the opportunity for outward expansion. The Lethbridge Research Station owns land to the east and south of the hamlet boundary and SMRID canal which is currently being used for agricultural research.
- Additional water and sewer capacity is not readily available.

GROWTH STRATEGY AND LAND USE PLANNING

The Hamlet of Fairview has very limited growth potential, with only internal infill subdivision possible if servicing is available. The land within the eastern portion of the present hamlet boundary is the only potential larger internal area for growth and would need to be planned to integrate with the existing community. With approximately 4.8 acres (1.9 ha) of infill potential land available, this eastside land area may be suitable for future development if properly planned and serviced. New hamlet growth would largely be to accommodate residential use or potentially to change existing hamlet industrial land to more commercial type use with less potential impacts to neighbors. With no outward growth potential, the Hamlet of Fairview will not realistically grow beyond 175 to 190 residents maximum.

A potential land use concept and probable road network are displayed on Map 5. The planning concept layout in the diagram is for planning analysis and may not be developed exactly in this manner. However, if a road connection internal network is to be considered, to allow access to the rear of the lots for subdivision purposes, the plan should not permit any business activity to use the internal road network and add traffic into residential areas. Water, sewer, and drainage infrastructure considerations must be addressed in any future development plans.

5.3 Municipal Services and Infrastructure

EXISTING

WATER: The community is serviced with domestic potable water from the City of Lethbridge provided to the hamlet. The water is allocated under the County's own water license.

SEWER: Fairview is connected to the City of Lethbridge sewage system. Due to the lower elevation of the community, the hamlet has experienced sewage problems and must pump off-hours the sewage to the treatment plant in the northwest area of the City of Lethbridge which is relatively expensive. Storm water infiltration into the sewer system has also been a problem in the past.

DRAINAGE: Storm water drainage is managed through surface and overland drainage means as no formal (i.e., piped) municipal storm water drainage infrastructure system is in place. The hamlet has experienced drainage problems in the past as a result of the hamlet being situated in a natural low spot.

ROADS: The majority of local municipal roads within the hamlet are paved and may be considered in overall good condition. Many blocks have rear lanes with a mix of observable standards, with most being graveled. The lanes also contain overhead power lines. There appears to be sidewalk provisions throughout the hamlet.

The two main entrances into Fairview are from the City of Lethbridge (43 St.) and Highway 512 (Jail Road), with the highway access being the responsibility of the Alberta Transportation and not Lethbridge County. Residents have expressed concerns with traffic cutting through the hamlet between these two busy road networks, although it appears the situation has improved over the last few years.

GROWTH SERVICING CONSIDERATIONS

In planning for future growth, the capacities for sewer and water infrastructure must be examined and addressed as part of the growth strategy.

WATER: Water is provided under the County's license, but it should be determined if future capacity is available for future water connections within the hamlet.

SEWER: Due to the existing capacity restraints and drainage problems, it should be assessed whether the current system could handle additional sewage connections.

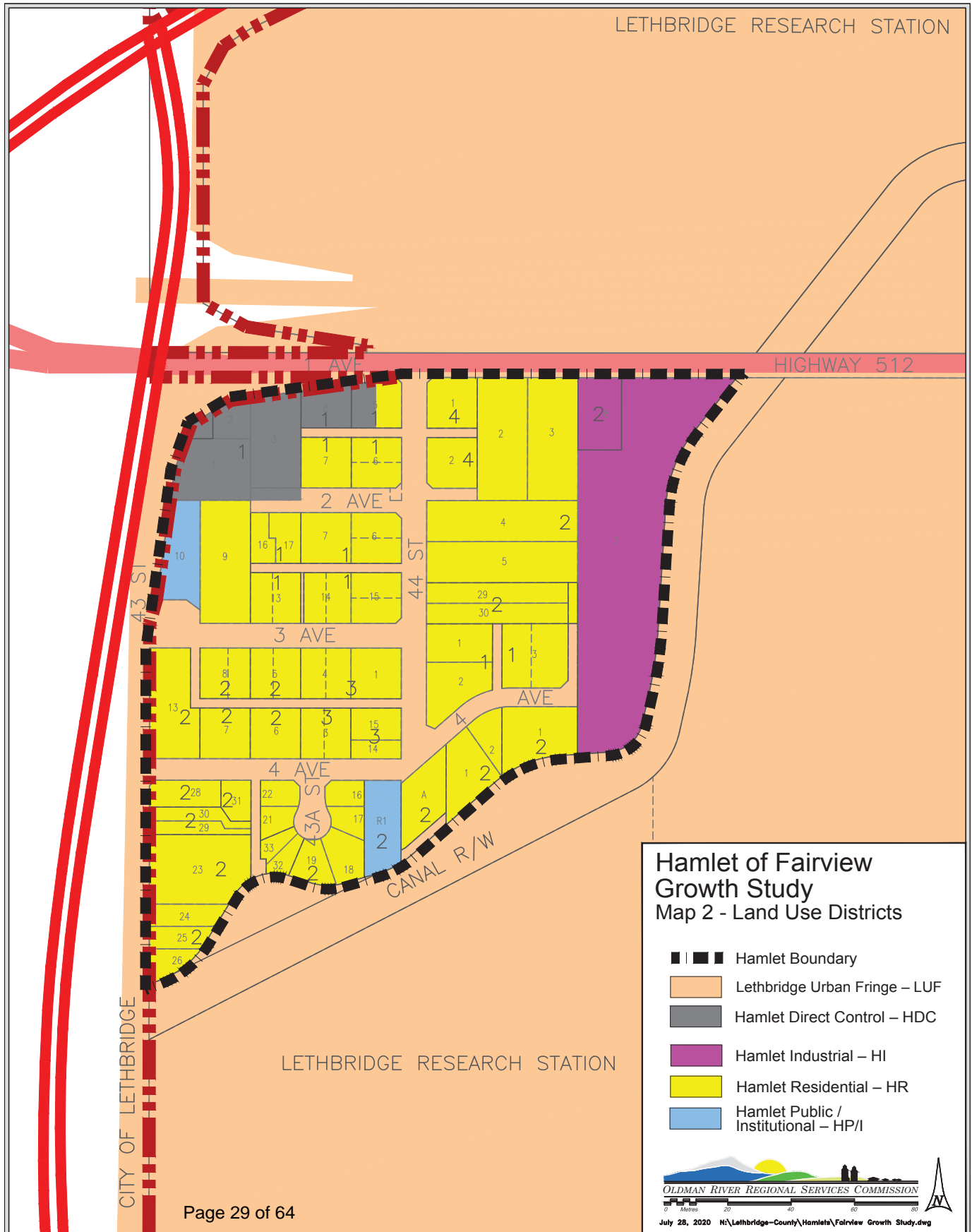
STORMWATER MANAGEMENT: The existing drainage problems should be taken into consideration when planning for future stormwater management. Landowners/developers who plan to develop will need to address stormwater management as it pertains to their plans for subdivision. Developers will be obliged to submit a stormwater management plan which must be professionally prepared by a licensed, qualified engineer.

ROADS: The illustrated potential future subdivision and road network layout is conceptual to demonstrate the general location and required connection points to adjacent areas and must be refined further at the Area Structure Plan stage. Likely only one road may need to be constructed, north of the east end of 4 Avenue South and extend 2 Avenue South to the east, to enable subdivision at the rear of existing lots. Any new road should be paved and are to be constructed by developers in accordance with Lethbridge County's *Engineering Guidelines and Minimum Servicing Standards*.

5.4 Area Structure Plan (ASP) Considerations

Future internal hamlet growth will require an Area Structure Plan or conceptual design scheme for any multi-lot subdivision. Any plans must be prepared by a professional at the expense of the developer/landowner and must be in compliance with relevant County policies. A simple title re-spilt into two lots may not need a plan submitted if no adjacent lots can be subdivided, but servicing would still need to be addressed.

Information that may be requested for an Area Structure Plan or conceptual design scheme shall be in accordance with the requirements of Lethbridge County's Municipal Development Plan, Land Use Bylaw and this study, and may include: site plans, lot density and layout, sewer and water systems, roadways, utilities and services, surface drainage and storm water management, geotechnical investigations, municipal reserve, development concept, staging of development, development specifications, and any other matters deemed necessary by the County.



LETHBRIDGE RESEARCH STATION

HIGHWAY 512

CITY OF LETHBRIDGE

LETHBRIDGE RESEARCH STATION

Page 31 of 64

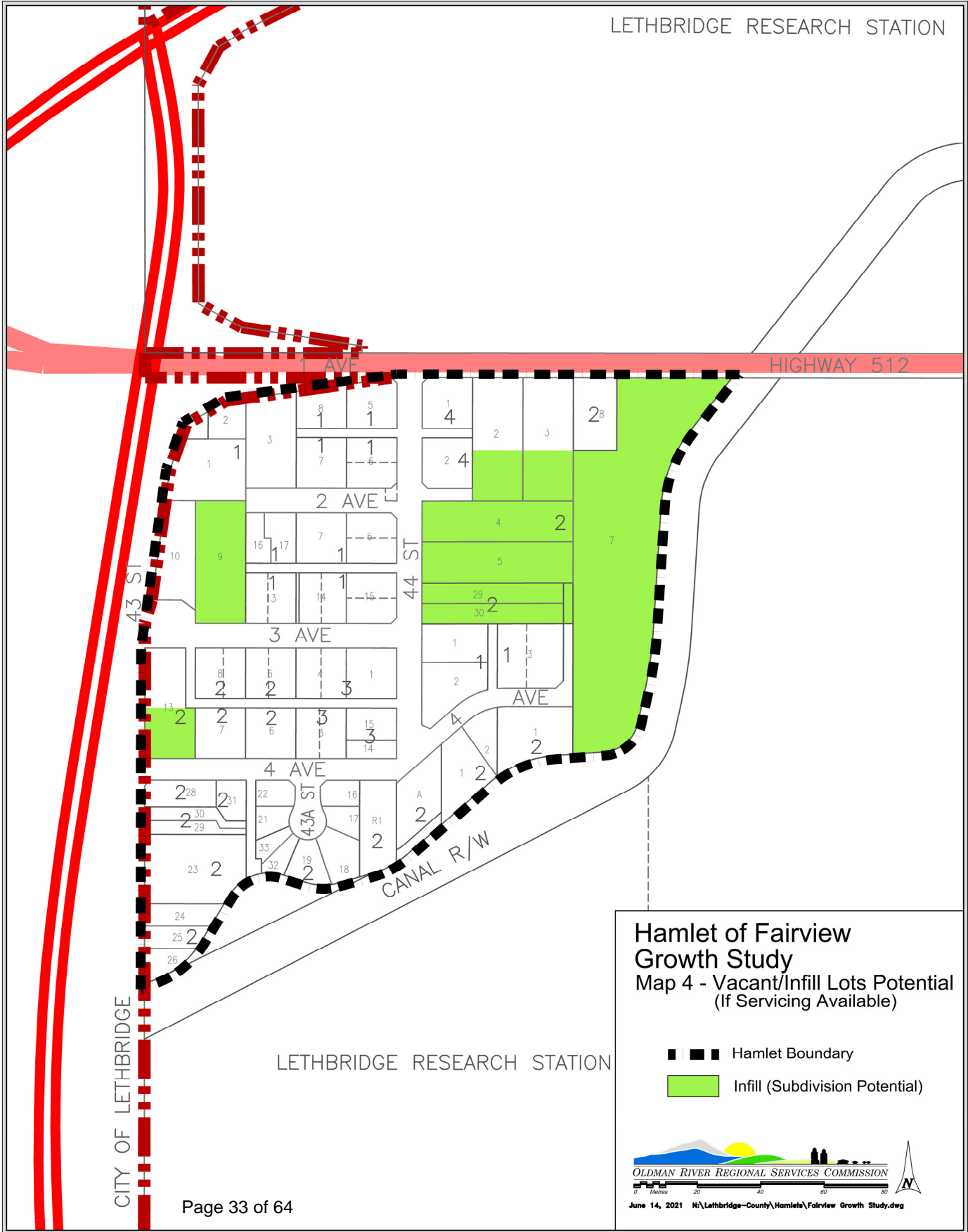
Hamlet of Fairview Growth Study Map 3 - County Owned Parcels

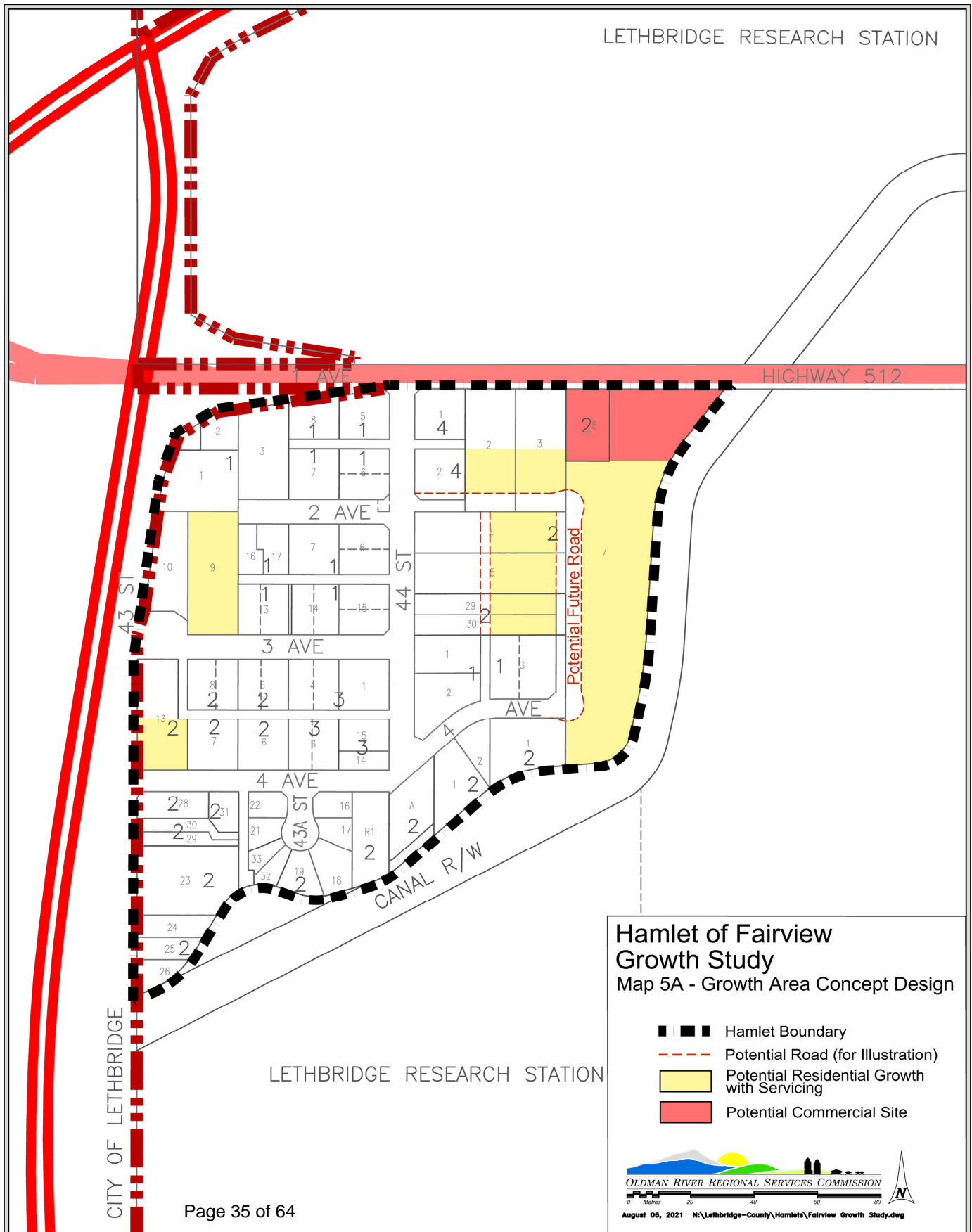
■ ■ ■ Hamlet Boundary

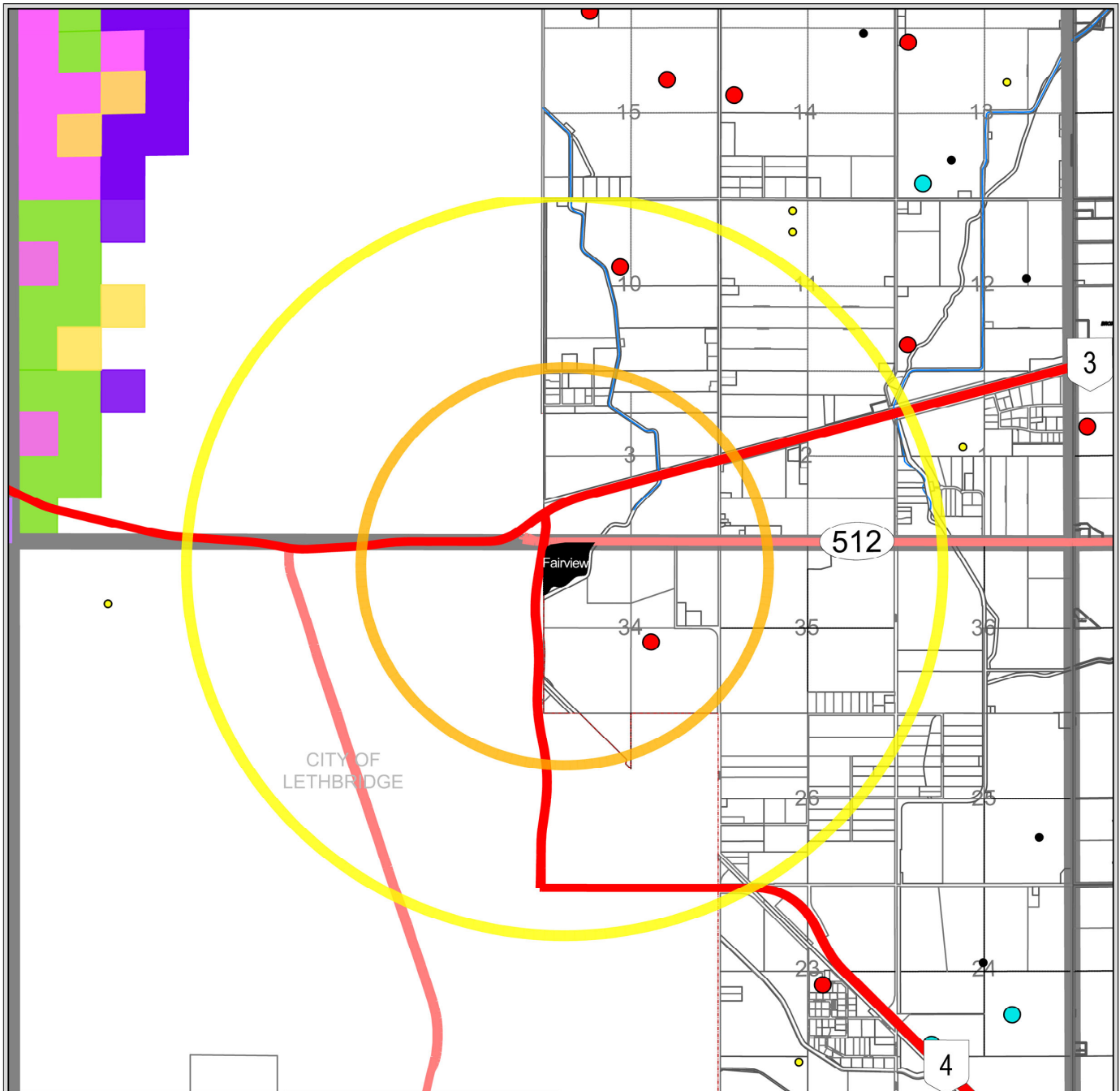
■ County Owned Parcel





July 28, 2020 H:\Lethbridge-County\Hamlets\Fairview Growth Study.dwg











Hamlet of Fairview Growth Study Map 6 - Land Use Analysis

-  CFO Buffer - 2 mile*
-  CFO Buffer - 1 mile

-  CFO* - Beef
-  CFO - Dairy
-  CFO - Unknown
-  Active Wells
-  Abandoned Wells

-  HRV Category 4 Archaeological
-  HRV Category 5 Archaeological
-  HRV Category 5 Archaeological
-  HRV Category 5 Palaeontological, Archaeological



*CFO locations outside of 2 mile buffer are considered potential CFO locations (not confirmed with NRCB)

Part 6

GROWTH VISION / STRATEGY

In respect of the hamlet planning analysis completed, land use constraints, and the feedback provided by the citizens of Fairview, a growth management vision for the hamlet has been formulated based on the following main general planning strategies:

- There are no means to grow or expand the hamlet outside of its existing boundary due to numerous physical constraints present. There is no need to undertake additional planning for future growth on adjacent lands outside the Fairview hamlet boundary, as there is no opportunity for outward expansion.
- Limited infill subdivision and development is the only growth option if municipal services are available. The Concept Plan (Map 5) illustrates the logical future internal growth areas if properly planned and serviced.
- There are constraints with the Hamlet of Fairview municipal water and sewer systems and there is likely not sufficient infrastructure or additional capacity to service new subdivisions or developments. With Fairview's small population and limited internal land available to accommodate new development, additional upgrades may potentially not be feasible, but this requires further analysis.
- Residential development is the main focus for land use in Fairview. Any potential hamlet commercial or light industrial uses that may be proposed by developers must be closely reviewed for compatibility with adjacent residential uses and there should be no adverse impacts to residents (e.g., noise, traffic issues, odors, etc.).
- The main municipal strategy for the County to consider with the Hamlet of Fairview is to help maintain the good quality of life residents indicate they enjoy, and to monitor and maintain the municipal infrastructure services as County resources allow.

Part 7

GROWTH EXPECTATIONS SUMMARY AND RECOMMENDATIONS

This final section provides an overall summary of the existing and future growth expectations for the hamlet. Recommendations are also offered on planning matters that need to be addressed to enable growth, and/or the constraints present in providing various municipal or community services.

LAND USE – GROWTH AND SERVICING

1. The only potential to facilitate growth is to consider infill development and subdivision if water and sewer services can be accommodated. There is no need to plan to expand the hamlet boundaries because of a variety of constraints that prevent the hamlet from expanding.
2. The main consideration for enabling further development and growth for the Hamlet of Fairview would entail a need for the municipal water and sewer system infrastructure capacities to be in place to allow for limited infill subdivision.
3. Larger internal lots (identified as Lots 4 & 5, Block 2, Plan 9732GF and Lots 29 & 30, Block 2, Plan 9813506) are recognized as a potential future residential infill growth area as shown on Map 5. It is recognized that all the land identified for residential infill potential is privately owned, and there are no guarantees that landowners may further subdivide for new development.
4. New residential lots may be subdivided at a size that may be considered “large lots” from an urban planning perspective (exceed the 5,000 sq. ft. minimum size of the land use bylaw), to help maintain the existing character of Fairview.
5. The large hamlet industrial zoned parcel (Lot 7, Block 2, Plan 9732GF) in the east area of the hamlet may be considered for internal residential infill development with a plan prepared, redesignation and servicing made available. Additionally, a small area in the northern portion may remain or expand for industrial or commercial activity provided it does not adversely affect residents, as it has direct access to Highway 512.
6. The future identified growth area (east) as identified on the Concept Plan (Map 5) will require a detailed Area Structure Plan (ASP) to more fully address future lot layouts, servicing, drainage, and utility right-of-ways that will be needed.
7. The potential internal road network in the east growth area should connect to existing hamlet roads to the west and south (2 Ave and 4 Ave). However, the road network should only be designed if new residential uses are approved, as any traffic circulating through the residential neighborhoods from commercial traffic is not desirable.
8. Careful consideration should be given to what land uses occur for the larger parcel on the east side adjacent to the irrigation canal (former Hepp’s auto site) and all development proposals should be reviewed in terms potential impact to adjacent residents.

9. If the owner of Lot 7, Block 2, Plan 9732GF (former Hepps' Auto Wreckers site) has any development plans in the future, it is obvious a more collaborative approach with consideration for consultation with residents would be beneficial for all parties.
10. The County may need to assess the storm water drainage situation as there have reportedly been some problem areas within Fairview during rain and snow melt events. The municipality will also want to try to prevent additional problems if future development is allowed on lots that can support infill.
11. The most crucial aspect of accommodating hamlet growth is the need for undertaking an engineering study to determine future servicing needs as the current system is at or near its capacity. Without an accurate assessment of servicing, further subdivision and development of land may not occur until sewer and water capacity and infrastructure matters are addressed.

COMMUNITY – GENERAL

12. The existing park and playground parcel owned by Lethbridge County (Lot R1, Block 2, Plan 7710712) should remain as community park space and not be converted to any other use. Long-term plans may be formulated for the future enhancement of this valued community space over time.
13. The appearance and character of developments appears to be important to some hamlet residents. The County may try to advise and instruct developers of preferable building design outcomes to support the provision of high-quality development.
14. The County should continue as best it can to regularly assess the condition and maintenance of roads, rear lanes, and sidewalks. (Some residents did comment in the survey questionnaire on the desire for more snow removal/maintenance in the winter, which the County does as budgetary allocations allow.)
15. The County should continue to regularly engage and communicate with the citizens of Fairview about municipal services and possible future development plans that are proposed in the hamlet over time.
16. The Hamlet of Fairview could benefit from the design and installation of an attractive, unique community entrance sign(s) off 43 St. and possibly Highway 512 to uniquely identify the community as there are no current visible hamlet identification markers.
17. The County should continue to consult with Alberta Transportation regarding access and traffic impacts to Highway 512, as well as the provincial department's plans for future improvements.
18. The County will need to regularly consult and collaborate with the City of Lethbridge on hamlet matters because of municipal boundary conditions, and due to the intersection and access into Fairview from 43 St. in the city as well as servicing being integrated with City of Lethbridge infrastructure.
19. This Hamlet of Fairview growth study and long-range strategy should be reviewed by Lethbridge County periodically over time to confirm its relevancy and to consider any necessary updates that may be warranted, especially if any infrastructure or servicing conditions change.

Appendix A

EXISTING LOTS WITH SUBDIVISION POTENTIAL

APPENDIX A

Existing Lots with Subdivision Potential

The following is a breakdown of potential land available for development (illustrated on Map 5):

- Lot 13, Block 2, Plan 9732GF (north of 4 Ave & east of 43 St.) has the potential to be subdivided into **1 lot** (at a 130 ft. width) for residential use.
- Lot 9, Block 1, Plan 9732GF (east of church parcel and situated between 2 Ave and 3 Ave) has the potential to be subdivided into **1 lot** (at a 130 ft. width) for residential use.
- Lot 2, Block 2, Plan 9732GF (east of 44 St. and south of Highway 512) has the potential to be subdivided into **1 lot** (at a 130 ft. width, or 2 at 65 ft.) for residential use if an internal road is developed on the south side.
- Lot 3, Block 2, Plan 9732GF (east of 44 St. and south of Highway 512) has the potential to be subdivided into **1 lot** (at a 130 ft. width, or 2 at 65 ft.) for residential use if an internal road is developed on the south side.
- Lot 4, Block 2, Plan 9732GF (rear portion of lot east of 44 St.) has the potential to be subdivided at the rear into **1 or 2 lots** for residential use if an internal road is developed on the east side.
- Lot 5, Block 2, Plan 9732GF (rear portion of lot east of 44 St.) has the potential to be subdivided at the rear into **1 or 2 lots** for residential use if an internal road is developed on the east side.
- Lot 29, Block 2, Plan 9813506 (rear portion of lot east of 44 St.) has the potential to be subdivided at the rear into **1 lot** (at 65 ft. width) for residential use if an internal road is developed on the east side.
- Lot 30, Block 2, Plan 9813506 (rear portion of lot east of 44 St.) has the potential to be subdivided at the rear into **1 lot** (at 65 ft. width) for residential use if an internal road is developed on the east side.
- Lot 7, Block 2, Plan 9732GF (former Hepp's Automotive site), south of Highway 512 as shown in the concept design on Map 5 may be subdivided into **7 to 12 lots** (based on either 65 or 139 ft. lot widths) if the parcel is redesigned from Hamlet Industrial to Hamlet Residential. An Area Structure Plan would need to be prepared and approved prior to any subdivision considerations. (This would be dependent on an internal road being dedicated and developed on the west boundary in alignment with the existing partial roadway).

Appendix B

HAMLET RESIDENTS SURVEY AND RESPONSES

Hamlet of Fairview

Resident Engagement Survey

Connecting the Community - Lethbridge County

Please check a single box to answer the question, unless otherwise indicated. If a question has a space to add a comment or to elaborate, please feel free to write in a response. You do not need to sign the survey and answers can remain anonymous. If you have filled-out the paper version of the survey, please return it to Lethbridge County as indicated on the cover page notice. Thank you for your time!

1. Please describe your type of property/resident status within the hamlet.

- ☐ Property Owner - non-resident (i.e. do not live in the hamlet)
- ☐ Property Owner - resident (i.e. live in the hamlet)
- ☐ Renter - resident

2. If a resident, how long have you lived in the Hamlet of Fairview?

- ☐ Less than 3 years
- ☐ 4 to 6 years
- ☐ 7 to 10 years
- ☐ More than 10 years, but less than 20
- ☐ 20 or more years

3. Overall, how satisfied are you with residing in the hamlet and your quality of life?

- ☐ Very satisfied
- ☐ Somewhat satisfied
- ☐ Neither satisfied nor dissatisfied
- ☐ Somewhat dissatisfied
- ☐ Very dissatisfied

If dissatisfied, can you explain why?

4. What do you like best about living in the Fairview? (please describe)

5. What you like least about living in the Hamlet of Fairview? *(if anything, please describe)*

6. Are any of the following items things you feel could be improved or added in the hamlet community? *(may choose more than one answer)*

- ☐ Better provision of services (please explain what) _____
- ☐ Quality of housing available
- ☐ Increase homeowner's pride in yard/home ownership (i.e. less unsightly properties)
- ☐ Condition of roads
- ☐ Condition of rear lanes
- ☐ Condition of sidewalks
- ☐ More frequent policing or bylaw enforcement
- ☐ More retail / commercial businesses
- ☐ More recreational opportunities (i.e. parks, playgrounds)
- ☐ Nothing, I like things just the way they are
- ☐ Other (explain) _____

Comment?

7. How often do you or your family use the park/playground site on 4 Ave S? *(weather permitting)*

- ☐ Never
- ☐ Somewhat Intermittently (every couple of months)
- ☐ Occasionally (1 to 2 times per month)
- ☐ Regularly (on a weekly basis, with weather permitting)

8. Are there any improvements or additions that you feel are needed at the park site?

- ☐ No
- ☐ Yes (please comment)

9. To address resident's concerns regarding truck traffic cutting through the hamlet between 43 St and Highway 512, the County designated and signed 4 Ave S and 44 St. as 'local traffic only' and 'no heavy trucks'. Do you think this has helped reduce the amount of heavy truck traffic through Fairview from past years?

- ☐ Yes
☐ No
☐ I don't know

Comment?

10. There are limited large parcels of vacant land available in Fairview for development. One area that may have development potential is a large parcel on the east side of the hamlet adjacent to the irrigation canal presently zoned 'Hamlet Industrial' (former Hepp's Autowreckers site). - refer to attached map

[For reference: Under the land use bylaw, the existing 'Hamlet Industrial' district's 'Permitted' land uses can include garden centres/greenhouses, mini-storage, building and contractor trade services, warehousing and indoor storage, farm machinery sales and service, while 'Discretionary' uses may include uses such as RV storage, fertilizer storage and sales, automotive sales and service, minor recreation (e.g. mini-golf, archery range, soccer pitches, etc.), veterinary clinics and outdoor storage as some examples.]

If additional municipal water and sewer services were to become available in the future to enable subdivision of the site for more lots, what types of land uses would you feel may be suitable? (may choose more than one answer or write your own comment at the end)

- ☐ Personal services (e.g. beauty or hair salon, health spa, massage studio, etc.)
☐ Professional offices (e.g. accountants, dentists, lawyers, health practitioners, etc.)
☐ Business support services (e.g. book keeping, financial services, insurance, etc.)
☐ Building and Contractor trade shops with storage yards
☐ Commercial Retail sales
☐ Outdoor storage or mini-storage
☐ Garden Centre/greenhouses
☐ Warehousing and Indoor storage
☐ Residential uses - low density (e.g. single detached dwellings)
☐ Residential uses - medium density (e.g. multi-unit dwellings such as duplexes, 4-plexes, townhouses, etc.)

- ☐ Neutral, no opinion on the matter
- ☐ None of the uses listed seem appropriate to me
- ☐ Other Suggestion or Comment?

11. What do you feel are the top one-to-two needs, services or issues that need to be addressed or provided in the Hamlet of Fairview? (*feel free to comment*)

1.

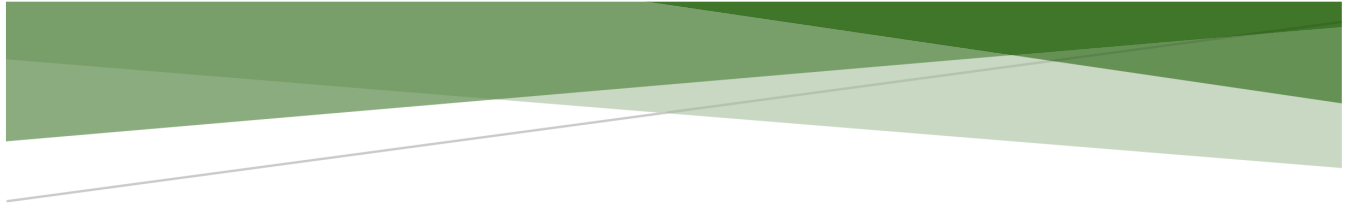
2.

12. Any additional hamlet matters or comments you would like to provide to Lethbridge County?

- ☐ No
- ☐ Yes, Comment:

Thank you for your time and feedback!

Please return by June 22, 2021



**LETHBRIDGE COUNTY
GENERAL SUMMARY
HAMLET RESIDENT RESPONSES**

SURVEY RESULTS

Resident Engagement Opinion Survey

Hamlet of Fairview Growth Study

Abstract

Responses and results of a public engagement questionnaire survey that was sent to every property owner in the Hamlet of Fairview on June 4, 2021.

Compiled June 28, 2021

By: Oldman River Regional Services Commission

Hamlet of Fairview Growth Study

RESULTS – Resident Engagement Opinion Survey

SURVEY OVERVIEW

The following are the results of a questionnaire survey that was sent to every property owner in the Hamlet of Fairview as part of public engagement for preparing the Lethbridge County hamlet growth study. The survey consisted of 12 questions with some opportunity for written comment. The purpose was to obtain citizen feedback and help Lethbridge County better understand existing conditions and issues to efficiently deliver services and comprehensively plan for potential future growth and infrastructure needs.

A synopsis of the general findings of the completed survey is summarized below. The actual compiled resident responses to the individual questions and the written comments they provided is attached (starting on page 2, after the general summary). (The questionnaire was an anonymous exercise and individuals did not need to provide their name or contact information.)

GENERAL SUMMARY

A total of 63 survey questionnaires were sent out on June 4, 2021. There were **23 surveys filled out** (7 responses provided on-line through the website portal and 16 handwritten submissions), resulting in a **37% overall response** rate. For a community engagement survey this is considered as a very good response, as typically 20% or less is the usual experience in this type of exercise. Two of the returned surveys were from non-resident property owners and one from a renter. Over 76% of the respondents have lived in Fairview for more than 10-years, with almost 62% residing in the hamlet for 20 years or more. Only 19% are newer residents living there 6-years or less. Overall, residents seem to be generally satisfied with their quality of life in Fairview with 60% indicating they are very satisfied.

Multiple respondents stated they like the large, spacious lots in Fairview and that the hamlet is friendly and quiet. Some commented they liked that Fairview is located outside the City of Lethbridge but close enough for convenience. There was little mention of any major concerns with the provision of any County municipal services (e.g., water, sewer, and roads). A few of the responses did indicate that the lack of a storm sewer system was a problem and that they would like better snow clearing removal. Overall, almost 32% of respondents stated that nothing needed to be improved to the hamlet, they generally liked things just the way they are. The main responses to what may be improved were references to increasing owner's pride in yard and home ownership (50%), and that the condition of rear lanes could be improved (27%). A repeated comment expressed was that noise from the commercial uses adjacent to the residents in Fairview was an issue. Almost 64% of respondents stated that the designated signage on streets to "local traffic only" and "no heavy trucks" has helped reduce the amount of heavy truck traffic in the hamlet, but several residents still expressed issues with traffic.

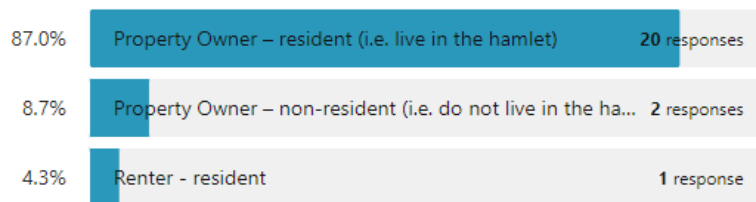
In regards to land use planning, many residents have some concerns over what types of use may occur on the former Hepp's auto wrecker's property. Almost 67% preferred low density residential use if the land were to be serviced and developed in the future. Other passive uses, such as a garden centre/greenhouse

or outdoor storage, were the next uses considered as potentially acceptable. However, many survey responses indicated that they want Fairview to largely remain residential in nature. The comment responses to Question 11 also provide a fairly broad expression of the issues or perspectives of hamlet residents. For the complete results and summary of comments as supplied by the property owners who filled-out the survey, refer to the attached results compilation.

Question1:

Please describe your type of property/resident status within the hamlet.

23 out of 23 people answered this question



Synopsis:

- The majority of respondents are property owners who reside in Fairview. (It is acknowledged that some home renters may have been left out of the survey if the property owner did not pass the survey information on.) This survey statistic is useful to provide an indication of what the thoughts and opinions of the people are who actually live and interact day-to-day in the hamlet.

Question 2:

If a resident, how long have you lived in the Hamlet of Fairview?

21 out of 23 people answered this question



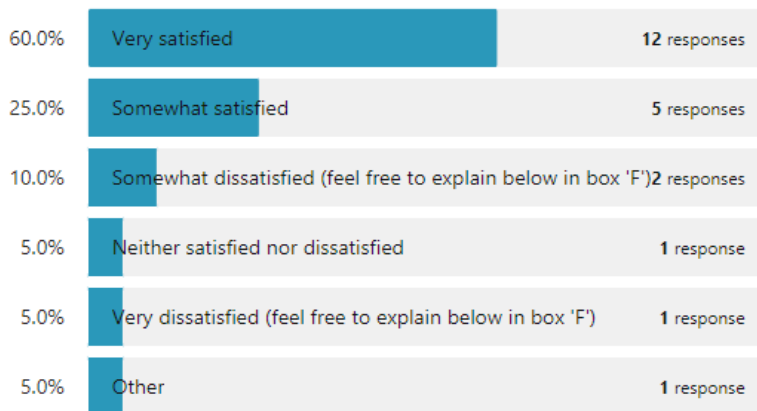
Synopsis:

- There are some very long-term residents of the hamlet, as over 76% of the respondents have lived in Fairview for more than 10-years, with 62% being there 20 or more years.
- Of the 24% who have resided in Fairview for 10 or less years, 14% of those are newer residents (less than 3 years) who answered the survey.

Question 3:

Overall, how satisfied are you with residing in the hamlet and your quality of life? (you may use box 'F' listed as "Other" to comment, or press 'Ok' or 'Enter' to continue)

20 out of 23 people answered this question (with multiple choice)



Synopsis:

- Most residents (85%) of the hamlet indicate they are overall satisfied with residing in Fairview and their quality of life, as the most popular response was 'very satisfied' by 60% of the respondents. Only one person indicated they were 'very dissatisfied'.

General Summary: (as provided in 'Other' responses)

- Of those who commented they were dissatisfied or provided a 'other' response, some of the reasons provided for such included that snow removal in winter is not sufficient, they did not like excessive traffic noise from 4 Ave & 43 St S., or they had concerns with traffic.
- There were also a few comments made regarding some neighbors having unkempt yards.

Question 4:

What do you like best about living in the Hamlet of Fairview?

21 out of 23 people answered this question

Comments General Summary:

- The most popular response provided about what residents liked best about living in Fairview was that the residents like having the wide streets and big lots in the hamlet, and there was much more space than the City of Lethbridge.
- It was also frequently mentioned that the residents liked that the hamlet was friendly, quiet, and peaceful with good neighbors.
- Some respondents also stated that Fairview had sense of community and they liked that it was primarily residential in nature. It is close to city amenities, but it is outside the City and feels more rural in character.

Question 5:

What do you like least about living in the Hamlet of Fairview?

15 out of 23 people answered this question.

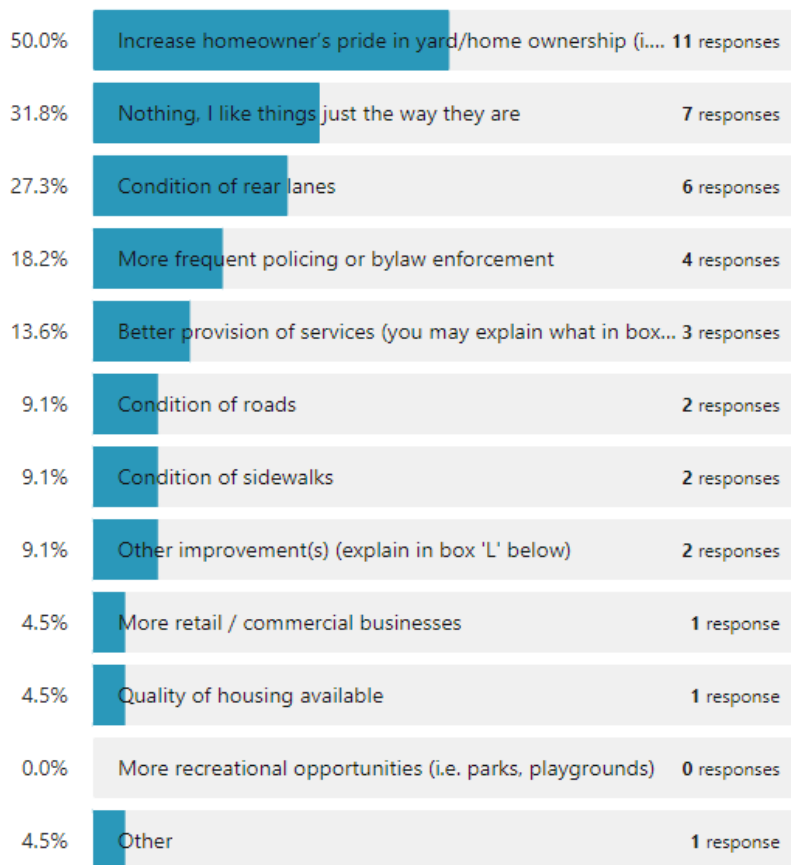
Comments General Summary:

- For the Hamlet of Fairview residents, there was not one main complaint or issue that stood out as what they liked least about living in the hamlet, but there were a few issues that were repeatedly mentioned. One issue many residents mentioned is that the hamlet has a problem with the commercial/industrial development next to the residential community and the associated noise and traffic that comes with that.
- Some residents also mentioned there were issues with traffic noise from 4 Ave and 43 Street, and that traffic noise has increased considerably since traffic control lights were installed at the intersection.
- Another common reoccurring comment related to the issue of unsightly yards, including the mix of homes and trailers in the hamlet. It was mentioned some homes and trailers are falling apart or yards are not maintained. A couple survey respondents also mentioned the rear lanes should be maintained better.
- It was also mentioned the rear lanes should be maintained better and that the County should have stricter development controls on development.
- Drainage issues and problems with a lack of a proper storm sewer system in Fairview was an item of concern repeated by a few residents.
- It was also suggested that snow clearing and removal within the hamlet by the County was deficient and could be better.

Question 6:

Are any of the following items things you feel could be improved or added in the hamlet community? (you may choose more than one answer - use "Other" box 'L' to comment)

22 out of 23 people answered this question (with multiple choice)



Synopsis:

Almost a third of residents (32%) indicated that they felt nothing needed to be improved in the hamlet and that they liked things just the way they are. Of things needing to improve, the survey answer most frequently chosen by residents was the need to increase owner's pride in yards and home ownership.

Comments General Summary:

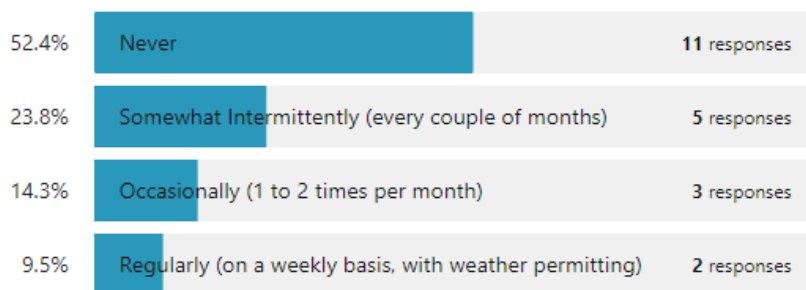
- For those residents who provided written comments on what could be improved, a couple mentioned that better clearing of all snow on streets was desired.

- It was also mentioned that more bylaw officer presence was needed to fine the owners of dogs running loose as it was indicated there were lots of loose dogs running in the community.
- A few other matters mentioned were that a couple of yards were considered unsightly, storm sewer drainage was sometimes a problem, and there were some issues with fires and burning.
- A couple of residents also commented that they would like to have recycling services in the hamlet.

Question 7:

How often do you or your family use the park/playground site on 4 Ave S?
(weather permitting)

21 out of 23 people answered this question



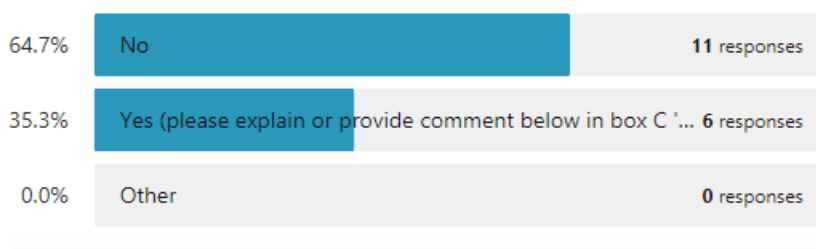
Synopsis:

- A little less than half the residents (48%) use the hamlet playground with almost 10% using it on a regular (weekly) basis. It was mentioned that it is a well-kept playground and used a lot by kids.

Question 8:

Are there any improvements or additions that you feel are needed at the park site? (you may use box 'C' listed as "Other" to comment)

17 out of 23 people answered this question (with multiple choice)



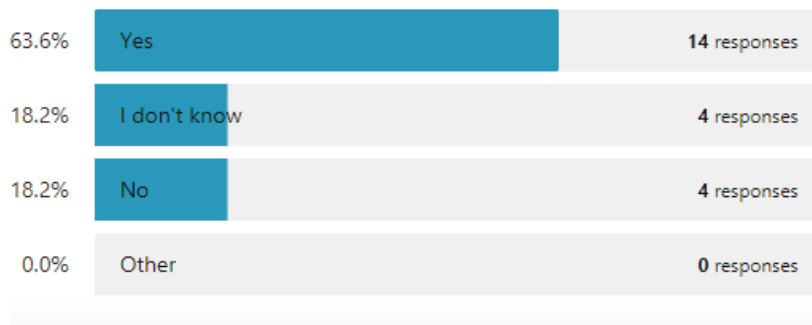
Synopsis:

- Most residents generally indicate they do not see the need for more improvements. However, a couple mentioned that keeping dogs out and providing a shady spot were desired items.

Question 9:

To address resident's concerns regarding truck traffic cutting through the hamlet between 43 St and Highway 512, the County designated and signed 4 Ave S and 44 St. as 'local traffic only' and 'no heavy trucks'. Do you think this has helped reduce the amount of heavy truck traffic through Fairview from past years?? (you may use box 'D' listed as "Other" to comment)

22 out of 23 people answered this question (with multiple choice)



Synopsis:

- The majority of respondents (64%) stated that the designated signage on streets has helped reduce the amount of heavy truck traffic in Fairview from previous years before it was signed.

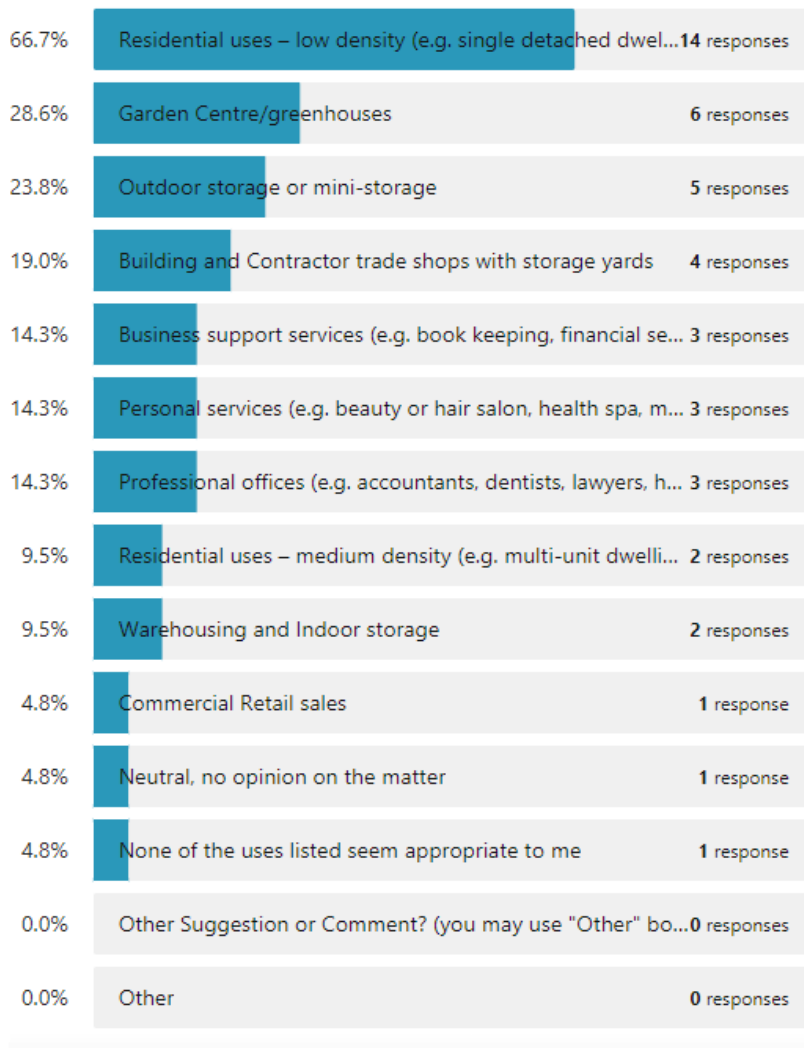
Comments General Summary:

- Although most residents indicate that the signage has helped reduce the amount of truck traffic driving through the hamlet, there were still several comments that there is a small amount of traffic cutting through when traffic is backed up on 43 St because of trains.

Question 10:

If additional municipal water and sewer services were to become available in the future to enable subdivision of the site for more lots, what types of land uses would you feel may be suitable? (may choose more than one answer or write your own comment at the end)

21 out of 23 people answered this question (with multiple choice)



Synopsis:

- In considering potential future land use on the former Hepp Autowrecker's site and what may be suitable, the most popular response by survey respondents was low density residential use. The next most popular answer were nurseries/greenhouses (29%) and then outdoor storage or mini storage (24%). From the comments provided by residents it appears that many may not realize the parcel has been zoned as Hamlet Industrial use for over the last 50 plus years which comes with many potential industrial/commercial types of uses that may occur.

Comments General Summary:

- Some of the survey respondents commented that they do not want any types of business uses to occur as they are of the opinion that Fairview is a residential neighborhood and should remain as such. A few residents stated that any use that creates traffic or noise, such as building and trade contractor shops, are not suitable.
- Regarding potential residential uses, some commented that they want Fairview to remain a low-density single family homes type of community and are not in support of any multi-family dwellings.
- A couple of respondents also indicated that they do not like any of the potential uses listed as they have concerns with traffic, and they do not want any additional traffic created through the hamlet.

Question 11:**What do you feel are the top one-to-two needs, services or issues that need to be addressed or provided in the Hamlet of Fairview?**

20 out of 23 people answered this question

Comments General Summary:

- Overall, there was a wide variety of responses provided to this question but some of the more frequent responses were:
 - for the County to address storm sewer drainage as there were some problem areas within Fairview during rain and snow melt events;
 - for there to be better snow clearance and removal in winter; and,
 - for traffic to be limited in Fairview through better enforcement of traffic control.
- A few other replies provided by residents of what services or issues need to be addressed stated that better water pressure was needed, recycling blue bin services were desired, and that weed cutting should start in the spring before it gets unsightly. It was mentioned the berm from 2nd Ave. to 4th Ave. is never cut.
- One residential stated that the community needs standardization applied to building/development proposals and that the County needs to follow-up to ensure that all requirements are met. They felt there seemed to be a lack of accountability on this matter.

Question 12:

Any additional hamlet matters or comments you would like to provide to Lethbridge County?

15 out of 23 people answered this question

Comments General Summary:

- Fairview is a nice subdivision, and they would like it to remain residential and stay quiet as far as traffic is concerned.
- That the County to try and get the City of Lethbridge to enforce noise bylaws for large truck engine brakes on 43 Street as this was very noisy in the hamlet.
- Better snow removal in the winter, but one resident also mentioned that it was nice to see road snow removal last winter as the snow removal was attended to better than the previous 20 years.
- The Hamlet is zoned for single dwelling residential housing and that is the way they want to keep it. Some concerns were expressed with what may be future plans for the large parcel of land on the east side of Fairview that once contained Hepp's Auto Wreckers. It was suggested that most residents do not want to see any commercial/industrial development adjacent to their residential community.
- The existing commercial site for the recreational business (corner of 43 St and Highway 512) created excessive noise, and this is one of the reasons commercial activity should not be allowed beside residential. It was further stated there were issues with revving engines and the quads, snowmobiles and motorbikes being driven in the ditch at high speeds.

AGENDA ITEM REPORT



Title: Lethbridge County Fire Services Bylaw No. 21-017
Meeting: Council Meeting - 07 Oct 2021
Department: Community Services
Report Author: Larry Randle

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 22 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

Adopting a Fire Services Bylaw will formalize the creation of the Lethbridge County Fire Services (LCFS).

RECOMMENDATION:

1. That Fire Services Bylaw No. 21-017 be read a second time as amended.
2. That Fire Services Bylaw No. 21-017 be read a third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

Council read the bylaw a first time at the September 16, 2021 Council meeting and directed administration to amend section 4 of the bylaw by removing the middle paragraph and to then bring it back to Council.

BACKGROUND INFORMATION:

Lethbridge County has an Emergency Management Bylaw that applies to larger scale emergency and disaster management and fulfills the requirements of the Emergency Management Act. The County does not have a bylaw that establishes a fire protection service in partnership with its neighbouring urban municipalities.

In order to ensure the County's Fire Services Coordinator has the appropriate authority to assist and work in conjunction with contracted urban fire departments, it is recommended that a Fire Services Bylaw be established to create the entity known as Lethbridge County Fire Services (LCFS). The purpose of LCFS is to help deliver fire protection services throughout the County. This type of bylaw is common practice in Alberta. Without the Bylaw in place, there may be some reluctance by the Fire

Chiefs of contracted urban municipalities and other organizations to recognize and accept the authority of the County's Fire Services Coordinator.

ALTERNATIVES / PROS / CONS:

1. Adopt Fire Services Bylaw No. 21-017.

Pros:

- Formally establishes Lethbridge County Fire Services.
- Will enhance the Fire Services Coordinator's ability to more effectively fulfill the duties of the position.

Cons:

- No specific disadvantages to establishing the bylaw have been identified.

2. Defeat the proposed adoption of Fire Services Bylaw No. 21-017.

Pros:

- Administration is not aware of any advantages to defeating the bylaw.

Cons:

- Will hinder the ability of the Fire Services Coordinator to fulfill his assigned duties in the most effective and efficient manner possible.

FINANCIAL IMPACT:

There is no direct cost associated with adopting Fire Services Bylaw No. 21-017. The Fire Services Coordinator term position has been approved by Council until the end of 2021.

REASON(S) FOR RECOMMENDATION(S):

Adopting the bylaw is in line with other municipalities for fire service provision and will enhance the ability of the County's Fire Services Coordinator to better represent the County's interests in fire services matters.

ATTACHMENTS:

[Bylaw 21-017 - Lethbridge County Fire Services Bylaw](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO. 21-017**

**A BYLAW OF LETHBRIDGE COUNTY, IN THE PROVINCE OF ALBERTA,
FOR THE PURPOSE OF THE ESTABLISHMENT AND OPERATION OF
EMERGENCY, RESCUE AND FIRE PROTECTION SERVICES.**

WHEREAS Lethbridge County wishes to establish and operate an emergency, rescue, and fire protection service, pursuant to the laws of the Province of Alberta;

AND WHEREAS Lethbridge County has entered into a Joint Emergency Fire Suppression and Rescue Services Agreement with the Towns of Coaldale, Coalhurst, Nobleford, Picture Butte, Village of Barons and the City of Lethbridge to create the Lethbridge County Fire Services (LCFS) for the purpose of delivering emergency and fire protection services;

AND WHEREAS Lethbridge County has partnered with the Towns of Coaldale, Coalhurst, Nobleford, Picture Butte, Village of Barons and the City of Lethbridge to create the Lethbridge County Fire Services (LCFS) for the purpose of delivering emergency and fire protection services;

THEREFORE, pursuant to Section 7(a) Part 2 of The Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of Lethbridge County, in the Province of Alberta, duly assembled, enacts as follows:

1. Short Title

This bylaw may be cited as the "Lethbridge County Fire Services Bylaw".

2. Definitions

In this bylaw:

- a) **Apparatus** means any vehicle suitable for use on land, air, or water including machinery, devices, equipment or materials used in an emergency;
- b) **Business meeting** means a gathering of the Members of its partners, scheduled by the Fire Services Coordinator, at which no training takes place;
- c) **C.A.O.** means the Chief Administrative Officer of Lethbridge County
- d) **Council** means the Council of Lethbridge County
- e) **Deputy Fire Chief** means a Member of a fire department duly appointed to act on behalf of the Fire Chief who reports directly to the Fire Chief;
- f) **Emergency** means a sudden or unexpected occurrence, unforeseen situation, or a set of circumstances that requires immediate action including, but not limited to, a fire, flood, earthquake, blizzard, tornado, dangerous goods spill, accident, medical condition or any other event that may place persons and property in peril;

- g) **Equipment** means any tool, contrivance, device or material used by the Lethbridge County Fire Services to provide emergency services;
- h) **False Alarm** means a notification to a fire department respecting the existence of a condition, circumstance or event presenting an imminent danger to persons or property, that proves to be non-existent;
- i) **Fire** means the uncontrolled burning of any flammable or combustible material;
- j) **Fire Chief** means a Member of a fire department duly appointed by the urban municipality as the manager of the fire department;
- k) **Firefighter** means a Member of the fire department appointed by the Fire Chief, to provide emergency services;
- l) **Fire Hazard** means any condition, circumstance or event that may increase the possibility or probability of a fire occurrence;
- m) **Fire Protection** means fire prevention, fire suppression, firefighting, pre-fire planning, fire inspection, fire instruction, fire investigation, fire response, fire training, fire rescue and public education;
- n) **Emergency Fire Suppression and Rescue Services Agreements** means an agreement entered into by Lethbridge County with other municipalities for the purpose of providing Fire services;
- o) **Fire Protection Areas** are those established by the Fire Services Coordinator that are reviewed and amended from time to time, in accordance with standard operational guidelines, which establish the standard boundaries, where service is normally provided by each fire department;
- p) **Fire Stations** means fire halls, vehicles, equipment, apparatus, personal protective equipment, and supplies located in the Towns of Coaldale, Coalhurst, Nobleford, Picture Butte, Village of Barons, the City of Lethbridge and Lethbridge County.
- q) **Fire Services Coordinator** means the person employed by Lethbridge County, and trained as a Safety Codes Officer, who is authorized to carry out the provisions of this bylaw, policies, agreements and standard operational guidelines, holding the rank of Fire Chief;
- r) **Incident** means the same as an emergency;
- s) **Member** means any person who is appointed to a fire department as a firefighter, volunteer or as support staff;
- t) **Municipality** means Lethbridge County;
- u) **Officer** means a Member appointed as Fire Chief, Deputy Fire Chief, Captain, Lieutenant or an position of authority identified in the standard operational guidelines;
- v) **Practice** means a gathering of the Members scheduled by the Fire Chief or his/her designate, at which training in fire protection, emergency response, or rescue operations is conducted;
- w) **Property** means any real or personal property, including but not limited to land, livestock, equipment, buildings, vehicles, structures and products;
- x) **Fire Services** means firefighting, motor vehicle accident response, co-medical response, search and rescue, dangerous

good spill containment, weather related emergency response, water rescue, confined space rescue, and any other incident deemed by the Fire Chief, or his/her designate, to be of an emergent nature or a threat to public safety;

- y) **LCFS** means Lethbridge County Fire Services, which includes Lethbridge County and fire departments located in the Towns of Coaldale, Coalhurst, Nobleford, Picture Butte, Village of Barons and the City of Lethbridge.

3.

Purpose of the Lethbridge County Fire Services

LCFS shall provide the following services in accordance with the fire protection agreements and the standard operational guidelines;

- a) Rescue Services
- b) Prevention of emergencies through public education
- c) Prevention and control of emergencies
- d) Investigation of the cause and origin of incidents
- e) Preservation of persons and property from injury or loss
- f) Protection of persons and property from injury or loss
- g) Operation of emergency services apparatus and equipment
- h) Operation of fire stations
- i) Fire inspections as per Lethbridge County Fire Quality Management Plan
- j) Fire hazard identification
- k) Pre-emergency planning
- l) Provision of training to Members of LCFS
- m) Completion and retention of reports
- n) Provision of insurance information to the Municipality
- o) Reporting of incidents to the Fire Services Coordinator
- p) And any other service deemed to be an emergency or incident by the Fire Chief or his/her designate.

4.

Fire Services Coordinator

The Fire Services Coordinator is responsible for the overall budgeting, protocols, and functions of the LCFS structure in accordance with the bylaws, policies, agreements and standard operational guidelines, established by Council, as amended from time to time.

The Fire Services Coordinator shall report to the C.A.O., on a regular basis, the status of the LCFS operations and requirements, including, but not limited to, policy changes, budget matters, personnel requirements and insurance matters.

5.

Appointment of Fire Chiefs and Members

The appointment of the Fire Chief and the Deputy Fire Chief of each fire department shall be provided to the Fire Services Coordinator.

The Fire Chief of each fire department will report all incidents, fire department injuries, operational and administrative

matters, and budget matters, affecting their fire protection area, to the Fire Services Coordinator, in accordance with the bylaws, policies, agreements and standard operational guidelines, established by Council, as amended from time to time.

The Fire Chief, or his/her designate, shall be responsible for the operation of the fire department and fire station, subject to the bylaws, policies, agreements and standard operational guidelines, established by Council, as amended from time to time.

6. Authority of Members

The fire chief, their designate or the Fire Services Coordinator shall have the authority to:

- a) Compel any able bodied, adult persons who are not Members to assist in extinguishing fire and to assist in the prevention and spread thereof;
- b) Enter into a closed area without a permit or written permission for purposes of controlling or mitigating a Fire or Incident;
- c) Without a warrant, enter onto any land or premises, except a building used a dwelling, for the purpose of discharging duties under this Bylaw;
- d) Without a warrant, enter any private dwelling house which is on fire and proceed to extinguish the Fire or to prevent the spread thereof;
- e) Without a warrant, enter any private dwelling to rescue an individual whose life is in imminent danger;
- f) Direct the operations necessary to extinguish or control the Fire, or to preserve life and Property;
- g) Regulate the conduct of the public in an around the vicinity of any place where a Member is performing the activities necessary to extinguish or control the fire or to preserve life or Property;
- h) Order persons in a building to vacate the building and not re-enter the building unless authorized by the Fire Chief or the Member in Charge;
- i) Establish a perimeter around the site and prevent persons from entering the perimeter;
- j) Request enforcement officers assistance to prevent persons from entering building or establish a perimeter;
- k) Cause a building, structure or any other property to be pulled down, demolished or otherwise removed so as to prevent the spread of fire or hazard to other building, structures or property; and
- l) Cause any Member, fire apparatus, or equipment to enter on any Property, including adjacent Property to combat, control or deal with the Incident.

7. Training of Members

Training of all Members of LCFS, including but not limited to, the Fire Services Coordinator, Fire Chiefs, Deputy Fire Chiefs, Captains, Lieutenants and Members shall be in accordance with the standard operational guidelines.

8. Capital Budget and Equipment Allocation

The Fire Services Coordinator shall provide the C.A.O with a 5 year capital replacement budget, reviewed annually, on or before November 1 of each year.

All property, including but not limited to vehicles, apparatus, structures, buildings, personal protective equipment, supplies, and any other thing purchased by the Municipality for the provision of fire services shall;

- a) remain the property of the Municipality; or
- b) in the event of joint ownership, be addressed in a separate agreement specifying financial and ownership interests and responsibilities; and
- c) be used for purposes approved by the standard operational guidelines or with approval of the Fire Services Coordinator.

9. **Fees and Collection of fees for Fire Services**

The Municipality, upon providing fire protection, emergency services or mutual aid services within or outside the Municipality's boundaries, shall charge fees for the services to;

- a) The owner of the property where the service was provided; or
- b) The person receiving the service; or
- c) The person deemed to be responsible for causing the incident that required the service; or
- d) In the case of another Municipality, in accordance with the mutual aid agreement in place at the time the service has been provided, and in accordance with the agreed upon schedule of fees.

Fees for fire services shall be established by the Council through the adoption of a bylaw as amended from time to time.

Fees for fire services shall be paid within thirty (30) days of the issuing of an invoice to the person responsible for payment.

Collection of unpaid fees shall be undertaken as follows;

- a) In the case of a fire service, costs plus interest shall be added to the tax roll of a parcel of land, if located within the jurisdictional boundaries of the Municipality, in accordance with Section 553(1) (g) of The Municipal Government Act, if the invoice, or any portion thereof, is in arrears for at least 90 days; or
- b) In the case of fees for all fire services, through the use of a collection agency; or
- c) In the case of fees for all fire services, through a civil action in a court of competent jurisdiction.
- d) Every person who has been levied a fire service charge, may request, in writing, a review of the fire services charge, by the Council of the Municipality. Council shall, within 21 days, after receiving the notice, review the request and render a decision that may uphold, rescind or amend the fire service charge and any terms that have been imposed.

10. General Provisions

Should any section or part of this Bylaw be found to be improperly enacted or outside the jurisdiction of the Municipality, that section or part shall be deemed to be severed and the remaining portion of this bylaw shall remain in effect and enforceable.

GIVEN first reading this 16th day of September 2021.



Reeve


Chief Administrative Officer

GIVEN second reading this ____ day of __, 20 ____.

Reeve

Chief Administrative Officer

GIVEN third reading this ____ day of __, 20 ____.

Reeve

Chief Administrative Officer

AGENDA ITEM REPORT



Title: Fleet Policy - Capital Purchasing, Specifications, Disposal and Idling
Meeting: Council Meeting - 07 Oct 2021
Department: Municipal Services
Report Author: Jeremy Wickson

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 24 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

Administration has been addressing redundancies in previous policies. In the case of the fleet policies, they are represented in recent administration policies, namely Policy 170 Purchasing and 354 Asset Management

RECOMMENDATION:

That Council rescind Policy 707, 708, 709 and 711

PREVIOUS COUNCIL DIRECTION / POLICY:

Council has previously approved numerous policies that provided general direction of the fleet department activities in regards to purchasing and disposal.

The following policies:

- Policy 707 - Vehicle Replacement Program was adopted on June 16, 2011.
- Policy 708 - Vehicle Specification was adopted on June 16, 2011.
- Policy 709 - Disposition of Assets was adopted on June 16, 2011.
- Policy 711 - Idling Policy was adopted on June 16, 2011, and revised on May 7, 2015

These policies are now represented in several other new County policies

BACKGROUND INFORMATION:

Fleet Policies developed in 2011 provided guidelines for equipment purchasing that have been replaced by long term capital planning and forecasting. The Municipal Government Act requires a 5 year capital plan which has been an ongoing forecast presented each year to council.

Administration has been reviewing the short and long term capital equipment requirements for operational activities and has developed a 10 year plan for equipment purchasing to service all

departments. Equipment is being evaluated as to the optimal life cycle through the Asset Management plan and equating that with the existing Fleet Reserve.

ALTERNATIVES / PROS / CONS:

The existing policies could be modified to revamp the fleet purchasing program from council direction as to deliverables. This could incorporate other policies but would not change the existing duplication within other current policies.

In addition, the existing policies could be moved to a directive format which would allow flexibility in the year to year changes.

FINANCIAL IMPACT:

No direct financial impact.

Equipment purchasing is approved by Council annually prior to the year of purchase. In addition, a 5-year capital plan is implemented as per the Municipal Government Act requirements.

The Fleet Reserve is well balanced and equates for the overall purchasing requirements year to year building a reserve indexed to general inflation.

REASON(S) FOR RECOMMENDATION(S):

Current policies in administration including Policy 170 Purchasing and 354 Asset Management represent each of the existing policies.

The guidelines for equipment cycling are based on annual and continuous evaluation of fleet units and operational requirements for meeting levels of service.

The Idling policy is an operational guideline that will be enforced accordingly.

ATTACHMENTS:

[708 Vehicle Specifications](#)

[709 Disposition of Assets](#)

[707 Vehicle Replacement Program](#)

[711 Idling](#)



County of Lethbridge Policy Handbook

EFFECTIVE: June 16, 2011

SECTION: 700 NO. 708 Page 1 of 1

APPROVED BY: County Council

SUBJECT: Vehicle Specifications

REVISED DATE:

Purpose/Objective

To aid in maintaining a cost effective fleet it is essential that there be some form of standardization. This helps to keep inventory costs low for parts and lubricating fluids. This also helps to reduce training costs.

Procedure

When purchasing vehicles, the following factors will be considered:

- Type of vehicle or equipment required to perform tasks required.
- Maintenance costs and fuel economy.
- Appropriate options to aid in higher resale.
- Conditions in which vehicle or equipment is operated.
- Price.
- Reliability.
- Past history of service and parts availability.

All vehicles will be equipped initially with a fire extinguisher and first aid kit. The agency that rents unit will be responsible to refill or replace first aid kits and fire extinguishers as required.

Light trucks will be purchased as $\frac{3}{4}$ ton 4x4 standard cabs long box, $\frac{1}{2}$ ton 4x4 extended cab short box, or $\frac{3}{4}$ ton 4x4 extended cab short box diesels. Type of truck or vehicle will be assessed on a per unit basis.

Should it make economic sense a small fuel efficient SUV may be purchased over a full size light truck. Replacement schedules may be affected in this instance as it is not easy to move around inside the fleet to obtain required mileage to replace.



County of Lethbridge Policy Handbook

EFFECTIVE: June 16, 2011

SECTION: 700 NO. 709 Page 1 of 1

APPROVED BY: County Council

SUBJECT: Disposition of Assets

REVISED DATE:

Purpose/Objective

This Policy is designed to control the disposal of retired or replaced assets that the County of Lethbridge disposes of.

Procedure

Replaced equipment/vehicles will be disposed of by Fleet Services in such a manner as to benefit the county the most. Fleet Services will use the following methods of disposal:

- Auction sale for the majority of items from heavy construction equipment to surplus filters from inventory that we no longer use.
- Public tender for items that are common purchases such as light trucks.
- Manufacturer's buy back for items like motor graders.
- Trade in
- Scrap for items that it would cost more to take to an auction than we would receive or the item is unsafe for public to use.



County of Lethbridge Policy Handbook

EFFECTIVE: June 16, 2011

SECTION: 700 NO. 707 Page 1 of 5

APPROVED BY: County Council

SUBJECT: Vehicle Replacement Program

REVISED DATE:

Purpose/Objective

The County of Lethbridge has a huge investment in equipment and vehicles. It is the goal of this policy to ensure an economical replacement program and schedule of these assets. Failure to properly plan the replacement of equipment will add unnecessary expenses to the County of Lethbridge budget. Replacement schedules and replacing guidelines are determined by equipment usage. Should equipment not receive enough hours to justify its need it will be sold and not replaced.

Enforcement

Enforcement of this policy is the responsibility of the County of Lethbridge management team especially Fleet Services. When anomalies arise with usage it should be brought to the attention of the agency that utilizes said equipment.

Procedure

The mission of the Division of Fleet Services is to ensure that the County of Lethbridge receives maximum service and efficiency throughout the life of all equipment purchased and dedicated to serve the county and its residents. This will be achieved through a practical preventive maintenance and routine maintenance program as well as an effective fleet replacement program that is meant to be rigid enough to eliminate fiscal waste, yet flexible enough to identify and cycle out equipment that is not achieving their maximum potential and efficiency. Support Services also recognizes that its mission is to provide safe, efficient and cost effective operations for all county agencies. These goals include the following:

Provide the highest level of quality service to the user agencies requiring motor vehicles, maintenance equipment, and fuel services.

Managing the vehicles and equipment in such a manner as to optimize utilization and to keep the inherent high costs of vehicles as low as possible.

Rent to user agencies vehicles and equipment that are:

- Safe
- Well maintained
- Versatile, yet suitable to meet the needs of the county agencies



County of Lethbridge Policy Handbook

EFFECTIVE: June 16, 2011

SECTION: 700 **NO.** 707 **Page** 2 of 5

APPROVED BY: County Council

SUBJECT: Vehicle Replacement Program

REVISED DATE:

Vehicle Standardization

Fleet Services will strive to maintain vehicle standardization, where possible, in equipment specifications to minimize parts inventory and mechanical training costs, this program is intended to employ the most current technology that is available to achieve maximum productivity. The goal of Fleet Services is to purchase vehicles and equipment with modest and prudent optional equipment, so as to assist in the performance of the task of and not inhibit the county worker.

Replacement Cycles

Fleet Services has established and set forth age, mileage, and hour criteria for replacement of all vehicles and equipment. The goal of Fleet Services replacement program is to achieve maximum mileage or hours, and utilize commonly accepted industry standards, while allowing a conservative return on salvage or resale value. Fleet Services will determine vehicle replacement on a case by case basis. Equipment or vehicles that are replaced will be sold and funds received will return to the equipment replacement reserve. In the event that a vehicle or piece of equipment encounters a premature catastrophic failure and all warranties and manufactures recourse has been taken, Fleet Services will consider the following factors before vehicles are scheduled for replacement:

- Vehicle age, condition and safety, utilization and parts availability.
- Vehicle operating condition and overall general appearance.
- Vehicle operating/repair costs per kilometer/hour, maintenance history and the total regular operations and maintenance costs of the unit.
- Introduction of improved vehicle technology that improves vehicle efficiency, productivity, and maintenance.
- When major vehicle component repair costs exceed the salvage value of the vehicle or equipment.
- The aesthetic appeal of a vehicle is a factor in replacement consideration. It is important that County vehicles maintain a positive visual image throughout the communities they serve. Fleet Services will assess vehicles and equipment



County of Lethbridge Policy Handbook

EFFECTIVE: June 16, 2011

SECTION: 700 NO. 707 Page 3 of 5

APPROVED BY: County Council

SUBJECT: Vehicle Replacement Program

REVISED DATE:

periodically to determine if it would be preferable to refurbish, overhaul, or to replace.

- Fleet Services operations also recognize that budget limitations may not allow all vehicles to be replaced according to their predetermined replacement cycles. Fleet Services will prioritize vehicle and equipment replacements to determine which units should be replaced first.
- Light trucks/SUVs/automobiles gasoline. Any motor vehicle under 4,500kg GVWR.
 - Unit to be used full time or more economical to own than a rental unit.
 - 5 years old if rotated through fleet, if use by one operator will allow 7 years.
 - 160,000 km maximum.
- Light trucks diesel. Any motor vehicle under 4,500 kg. GVWR.
 - Unit to be used full time or more economical to own than a rental unit.
 - 5 years maximum.
 - 200,000 km to 300,000 km maximum.
- Medium duty trucks. Any single axle truck over 4,500 kg. GVWR. to 23,000 kg. GVWR.
 - Unit to be used full time or more economical to own than a rental unit.
 - 600 hours for seasonal unit 1200 hours for year round usage.
 - 10 years maximum as gravel truck, or 15 years as spray unit.
 - 250,000 km to 350,000 km maximum.
- Heavy duty trucks. All tandem axle trucks.
 - Unit to be used full time or more economical to own than a rental unit.
 - 600 hours for seasonal unit 1200 hours for year round usage.
 - 10 years maximum as gravel truck or tractor, or 15 years as water tanker unit.
 - 500,000 km maximum.
- Lemon, if unit has abnormal maintenance requirements, replace as soon as off warranty, or transfer to water tanker application providing this will reduce maintenance costs.
- Gravel trailers and pups
 - 12 to 15 years.



County of Lethbridge Policy Handbook

EFFECTIVE: June 16, 2011

SECTION: 700 NO. 707 Page 4 of 5

APPROVED BY: County Council

SUBJECT: Vehicle Replacement Program

REVISED DATE:

- Graders
 - 5 years depending on total ownership costs.
 - 1,400 hours per year average usage.
 - 7,500 hours maximum.
 - Up to 5 years longer as mowing unit dependent on resale value and maintenance record.
- Construction and Oiling Graders
 - 10 years depending on total ownership costs.
 - County owned unit, or when it is more economical to rent a unit rather than own.
 - 600 hours per year average usage.
 - 10,000 hours maximum.
- Wheel Loaders
 - 10 to 15 years depending on total ownership costs.
 - County owned unit, or when it is more economical rent a unit rather than own
 - 600 hours per year average usage.
 - 10,000 hours maximum.
- Farm Tractors
 - 8 to 10 years depending on total ownership costs.
 - County owned unit, or when it is more economical to rent a unit rather than own.
 - 600 hours per year average usage.
 - 6,000 hours maximum.
- All-Terrain Vehicles/ Quads
 - 5 years depending on total ownership costs.
 - County owned unit, not feasible to rent as equipped with specialized equipment.
 - 200 to 600 hours per year average usage.
 - 3,000 hours maximum.
- Misc. Equipment (mowers, light trailers, grounds equipment, tillage equipment, etc.)
 - 5 to 10 years depending on total ownership costs and usage.
 - County owned unit, or when it is more economical rent a unit rather than own
 - 200 to 600 hours per year average usage.
 - Maximum hours will depend on revenue generated during rental.



County of Lethbridge Policy Handbook

EFFECTIVE: June 16, 2011

SECTION: 700 NO. 707 Page 5 of 5

APPROVED BY: County Council

SUBJECT: Vehicle Replacement Program

REVISED DATE:

Vehicle Replacement Fund

As directed by County Council, Fleet Services has initiated and set up a comprehensive fleet replacement fund. This fund is designed to replace existing vehicles and equipment, not to add additional units to the fleet.

Any additional vehicle or equipment purchases in addition to scheduled fleet replacements must be capital purchases by the department that can justify the need for the vehicle or equipment. Once purchased, Fleet Services will assume responsibility for maintenance and replacement for the vehicle or equipment and rent to the agency that purchased the unit. The purpose of this policy will be for the Division of Fleet Services to effectively maintain, manage, and operate the equipment replacement reserve.

Equipment Acquisition

Schedulable capital purchases must be approved by County Council during budget deliberations.

All capital equipment purchases over \$50,000 must be tendered electronically to comply with the Agreement on Internal Trade and Procedures for Procurement regulations. The County of Lethbridge uses APC as well as the County of Lethbridge web site.

Capital equipment purchases under \$50,000, but over \$20,000 will be posted on the County of Lethbridge web site.

Capital equipment purchases under \$20,000 may be purchased using phone quotes or fax quotes. It is recommended that there be at least three quotes if possible.

There may be times when the item to be purchased is a sole source item, during these purchases document all attempts of finding another supplier before purchasing.

Emergency capital purchases under \$10,000 may be purchased by the department supervisor. Emergency capital purchases under \$100,000 and above \$10,000 may be purchased by the department supervisor with consultation with the County Manager. All emergency purchases over \$100,000 have to be approved by Council, Policy 143.



Lethbridge County Policy Handbook

EFFECTIVE: June 16, 2011 **SECTION:** 700 NO. 711 Page 1 of 4
APPROVED BY: County Council **SUBJECT:** Idling Policy
REVISED DATE: May 7, 2015

Policy

Lethbridge County believes that excessive idling of vehicles wastes fuel, produces harmful vehicle exhaust emissions, causes unnecessary engine wear and contributes to noise pollution. Every opportunity must be taken by the operators to shut the vehicle off when idling is not necessary for productive work. Adherence to this policy will result in minimized fuel consumption and reduced pollution by limiting the times a vehicle is sitting with its engine idling and will reduce the risk and liability by preventing theft and unauthorized use of County assets.

The Vehicle Idling Policy places specific limitations on engine idling. The policy applies to the entire fleet of vehicles operated by and for Lethbridge County. This policy also applies to vehicles leased, rented, loaned or contracted to Lethbridge County including vehicles operated by private contractors on behalf of Lethbridge County.

Responsibilities

Lethbridge County is committed to protecting the environment and the community it serves. Wherever possible, Lethbridge County seeks to conserve valuable resources and to conduct business in a responsible and effective manner. Reducing the amount that County vehicles and equipment idle each day is an extremely effective initiative that can achieve conservation goals and make the community a safer and healthier place for its citizens.

The purpose of this policy is to reduce harm to the environment and the community and to benefit the citizens. This policy specifically seeks to:

- Reduce harmful vehicle and equipment exhaust emissions,
- Conserve non-renewable resources,
- Reduce noise,
- Improve the quality of local environments, and
- Reduce the operating costs of vehicle and equipment fleets. (Vendors may void warranty if a newer vehicle has been idled excessively.)

All employees operating Lethbridge County equipment, leased equipment and contracted equipment on behalf of Lethbridge County shall observe the following:



Lethbridge County Policy Handbook

EFFECTIVE: June 16, 2011 **SECTION:** 700 NO. 711 Page 2 of 4
APPROVED BY: County Council **SUBJECT:** Idling Policy
REVISED DATE: May 7, 2015

- Vehicles shall never be left idling unattended. Vehicles are to be shut off, the keys removed from the ignition switch and the doors locked.
- An operator should be behind the wheel when the vehicle is idling.
- Vehicles shall be locked when unattended.
- Engine warm-up from a cold start shall not exceed one/two minutes (provided vehicle air pressure and/or other critical conditions have been reached). Cooling a heavy duty truck engine down (turbo charged) should not exceed four/five minutes. Once the operator scrapes the windows clear, the vehicle can be driven at low load until the operating temperature has reached normal operation levels. Warming up a vehicle or cooling down a vehicle (turbo charged diesel engine) is not considered "unnecessary". We expect that good judgement be exercised in these instances
- Vehicles shall be shut off when idling is expected to exceed one minute (except as identified in exceptions below).
- Vehicles shall not be left idling within 15 meters of an intake for building ventilation systems, an open window of a place of employment or an entrance to a place of employment.

Idling Exceptions

Certain operating conditions exist that will not allow vehicles to be stopped. Employees operating County vehicles may idle the equipment longer than one minute in the following exceptional circumstances:

- Vehicles that use the unit's motive or auxiliary power to operate auxiliary equipment on a *continuous* basis (e.g. hoists, cranes, hydraulic tools, electrical equipment, welding, etc.)
- During vehicle maintenance, repair or diagnosis of problems.
- Units that will fail to re-start due to mechanical problems.



Lethbridge County Policy Handbook

EFFECTIVE: June 16, 2011 **SECTION:** 700 NO. 711 Page 3 of 4
APPROVED BY: County Council **SUBJECT:** Idling Policy
REVISED DATE: May 7, 2015

- During extreme conditions where it is deemed necessary to ensure the health or safety of County employees or citizens of Lethbridge County (cold weather conditions).
- If stopped for a traffic control device, roadway emergency or in slow stop-and-go driving conditions.
- Allowing the vehicle to complete an active regeneration cycle on a heavy diesel engine's particulate filter system.
- Allowing for heavy diesel engines components to stabilize in temperature and cool down the turbo charger.
- Emergency response vehicles at an emergency scene.
- County Peace Officer vehicles while working traffic enforcement.

NOTE: Not every vehicle at a worksite need to remain running. Those vehicles deemed non-necessity shall be turned off and the keys removed from the ignition as per Policy.

Clarifications

- Having the air conditioner run in an idling vehicle while parked so the cab remains cool or running the vehicle to charge a cell phone are not acceptable reasons to idle your vehicle.
- If the operator must be away from and out of view of the vehicle while it is left idling, the unit *MUST* remain locked for the duration of the idle time.

Procedures

All Lethbridge County operators are expected to operate County vehicles and equipment in adherence of the County Idling Policy. Employees will not idle their vehicles unnecessarily. They will not idle the vehicle while it is unattended except in cases where the primary engine is required to operate an auxiliary component, and only when the auxiliary component is being utilized. There must be a means to shut the



Lethbridge County Policy Handbook

EFFECTIVE: June 16, 2011 **SECTION:** 700 **NO.** 711 **Page** 4 of 4
APPROVED BY: County Council **SUBJECT:** Idling Policy
REVISED DATE: May 7, 2015

vehicle down from the location of the work performed in the event of an emergency or failure.

Any report of a County operator or independent contract operator working for Lethbridge County who is idling their vehicle unnecessarily or while unattended will be investigated. Supervisors in each department will be responsible for the adherence and enforcement of the Idling Policy for their employees.

The Supervisor will inform each operator at time of hire as to the requirements of Lethbridge County pertaining to this policy. The department Supervisor will note the time and date that this policy is reviewed with each operator, and make note in the employee's file.

Any employee found violating this policy may be subject to corrective discipline at any time.

AGENDA ITEM REPORT



Title: Policy 353 and Policy 321 Consolidation
Meeting: Council Meeting - 07 Oct 2021
Department: Municipal Services
Report Author: Devon Thiele

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 24 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

As administration continues to update County Policies, Policy 353 - Pipeline and Canal Crossings, and Policy 321 - Buried Electrical Line Installation and Rural Crossing Regulations, were identified to consolidate into one Policy with some minor revisions included. There is also an addition of a formal application form that was not previously available. This will help applicants provide adequate information in order to efficiently process applications.

RECOMMENDATION:

That County Council approve the consolidation of Policy 353 - Pipeline and Canal Crossings, and Policy 321 - Buried Electrical Line Installation and Rural Crossing Regulations, into revised Policy 353 - Pipeline, Canal, and Utility Crossings.

PREVIOUS COUNCIL DIRECTION / POLICY:

Policy 353 - Pipeline and Canal Crossings, Policy 321 - Buried Electrical Line Installation and Rural Crossing Regulations

BACKGROUND INFORMATION:

Over the past year, Administration has been bringing request to Council for the revision or rescinding of County Policies based on an internal review.

ALTERNATIVES / PROS / CONS:

Alternative: Policy 353 and 321 remain in place

Pro: The application process would not change for those familiar with it

Con: Sometimes required information is not provided, resulting in additional time to process applications.

FINANCIAL IMPACT:

No direct financial impact, however this should reduce the review time of the applications.

REASON(S) FOR RECOMMENDATION(S):

The revised Policy will give clearer instructions to applicants, thus providing the County with adequate information to efficiently process the application.

ATTACHMENTS:

[353 - Pipeline, Canal, and Utility Crossings](#)



Lethbridge County Policy Handbook

EFFECTIVE: February 7, 1975

SECTION: 300 NO. 353 Pge 1 of 7

APPROVED BY: County Council
Crossings

SUBJECT: Pipeline, Canal and Utility

REVISED DATE: October 7, 2021

1. GENERAL CONDITIONS

- 1) The applicant of any proposed buried crossing within Lethbridge County's road allowance or other property shall submit a written application together with a detailed set of drawings to Lethbridge County for approval, prior to any works being undertaken. Drawings shall be prepared by a Professional Engineer for large system operators such as Water Co-ops, Utility Providers, and Irrigation Districts. An application form is included in Appendix "A".
- 2) The applicant shall accept responsibility for road closures, register all road closures at the Picture Butte office and include a plan for the erection of proper signs, barricades, etc.
- 3) The applicant shall assume the role of "Prime Contractor" for the entire duration of the project and shall accept all responsibilities for accidents, injuries, incidents, and property damage as a result of the applicant's activities.
- 4) The ~~Director of Municipal Services~~ Infrastructure Manager or designate shall be authorized to approve or deny applications and outline specifications or requirements which are necessary, and may also authorize deviations from the County's requirements.
- 5) The applicant shall sign an agreement to comply with all conditions set forth in the approval.
- 6) All approvals shall contain the following basic conditions:
 - Seventy-two hours' notice must be given to the County prior to commencing any activity. Notice must be given to: crossings@lethcounty.ca
 - Owner must carry general liability insurance, with an Insurer licensed in Alberta, in an amount not less than \$2,000,000 inclusive per occurrence, (annual general aggregate, if any, not less than \$5,000,000) insuring against bodily injury, personal injury and property damages, including loss of use thereof. ~~covering bodily injury and property damage.~~ Proof of insurance must be provided with the application.
 - Owner must meet all conditions as set forth in the approval or be subject to the County restoring the site to original condition and charging the owner for all costs incurred.
- 7) All buried crossings on all road allowance, either developed or undeveloped, are required to be installed at a minimum depth of 2.5 metres from the top of the pipeline to the lowest ditch elevation. The ~~Director of Municipal Services~~ Infrastructure Manager or designate may require an increased depth of cover depending on the location. Refer to Drawing: 323-05A



Lethbridge County Policy Handbook

EFFECTIVE: February 7, 1975

SECTION: 300 NO. 353 Pge 2 of 7

APPROVED BY: County Council
Crossings

SUBJECT: Pipeline, Canal and Utility

REVISED DATE: October 7, 2021

- 7a) The ~~Director of Municipal Services~~ **Infrastructure Manager** or designate may authorize a reduction in the minimum depth of cover for the pipeline based on engineered plans.
- 8) All buried crossing roadways shall be installed by horizontal boring or push-pipe unless otherwise authorized
- 9) All buried crossings shall be installed perpendicular (90 degrees) to the road allowance in all circumstances, unless otherwise authorized by the County. Applicant must identify the angle of the proposed pipeline alignment to the County's road allowance.
- 10) All buried crossings shall be clearly marked with warning signs on each side of the road allowance as shown Drawing 323-05A. The sign must be placed on the boundary of the road allowance.
- 11) Other than emergency maintenance work, construction shall take place during the County's working hours without express consent from the County
- 12) The applicant shall be responsible for notifying Alberta One Call prior to any ground disturbance
- 13) The applicant shall be responsible for maintenance of the crossing area for a two (2) year period from completion of the project. The applicant shall perform maintenance at the crossing location as required or as requested by the County. Should the applicant refuse to complete any maintenance required, the County will perform the maintenance and will invoice the applicant for all charges associated with the work required.
- 14) The applicant shall accept responsibility for any damages or repairs required to the applicant's pipeline/utility line at the crossing location. The applicant shall also accept responsibility for any repairs required to County infrastructure as a result of the applicant's activities including but not limited to maintenance, repairs, or pipeline failure resulting in damage to County infrastructure. Should the applicant refuse to complete any repairs required, the County will perform the repairs and will invoice the applicant for all charges associated with the work required.
- 15) For any application submitted, the County reserves the right to require the applicant to enter into a crossing agreement.
- 16) The applicant shall provide to the County the name and contact information of the prime and any sub-contractor on site conducting the work. **All Contractors MUST be approved by the County prior to any work taking place.**
- 17) Approvals and inspection fees shall be charged in accordance with the Lethbridge County Schedule of Fees By-Law. Upon completion of a post construction site inspection and compliance of all requirements is verified, a \$100.00 portion of the applicant fee will be reimbursed to the applicant.



Lethbridge County Policy Handbook

EFFECTIVE: February 7, 1975

SECTION: 300 NO. 353 Pge 3 of 7

APPROVED BY: County Council
Crossings

SUBJECT: Pipeline, Canal and Utility

REVISED DATE: October 7, 2021

- 18) The applicant agrees to alter or relocate the pipeline at the applicants sole expense should it be required at any time by the County for construction or maintenance other than as stated in Section 5 Point 8.
- 19) Upon request by the County the applicant agrees to verify any as-built elevations of the applicants pipeline at any location within the road allowance.

2. OPEN CUT INSTALLATIONS

Open Cut installation may be denied by the County, however should it be approved the applicant must comply with the following:

- 1) All backfill material for the roadway structure shall be uniform, suitable, and compacted to a minimum of 95% SPD (Standard Proctor Density) for all lifts from 1.0 metre below finished grade to the bottom pipeline elevation. Material from 1.0 metre below finished grade to 0.3 metres below finished grade shall be compacted to 98% SPD and the final lifts from 0.3 metres below finished grade to finished grade shall be compacted to 100% SPD. Compaction lifts shall not exceed 0.15m in depth from finished grade to 1.0m below finished grade. All other lifts shall not exceed 0.3 metres in depth.
- 2) The reuse of material is acceptable, however care must be taken to ensure the material is not contaminated.
- 3) Compaction testing shall be performed on all crossings by a certified soils testing laboratory and testing results must be provided to the County within 24 hours of testing. Compaction testing frequency shall be as follows:
 - a) Minimum one test from pipeline elevation grade to 1.0 metre below finished grade.
 - b) Minimum one test from 1.0 metre below finished grade to 0.3 metres below finished grade
 - c) Minimum two tests from 0.3 metres below finished grade to finished grade
 - d) The ~~Director of Municipal Services~~ Infrastructure Manager or designate may request additional testing as required
- 4) The applicant shall backfill material other than within the roadway structure to 95% SPD.
- 5) The applicant is not permitted to reuse aggregate from the County roadway
- 6) The applicant shall uniformly place aggregate on the road top over the entire disturbed area with Alberta Transportation Designation 4 Class 20 aggregate. A spread rate of 0.5 cubic metres per lineal metre of roadway shall be used.
- 7) A sieve analysis shall be provided to the County for the aggregate to be placed on the County road at least 72 hours prior to placement.



Lethbridge County Policy Handbook

EFFECTIVE: February 7, 1975

SECTION: 300 NO. 353 Pge 4 of 7

APPROVED BY: County Council
Crossings

SUBJECT: Pipeline, Canal and Utility

REVISED DATE: October 7, 2021

-
- 8) Pit run shall not be used from finished grade to 0.5 meters below finished grade when backfilling the road crossing.
 - 9) The applicant shall be responsible for maintaining the crossing location for a two (2) year period from the completion of the installation. Any settlement of the crossing within a two year period shall be repaired by the applicant within 72 hours of notification at the applicants sole cost to the satisfaction of the ~~Director of Municipal Services~~ Infrastructure Manager or designate.
 - 10) Should the roadway condition at the crossing location be deemed by the County as a potential cause of imminent danger then the County will take appropriate steps to mitigate the safety concerns and all repair costs will be invoiced to the applicant.
 - 11) Ditch slopes and grades must meet the pre-construction cross section elevation and be uniform throughout. There shall be no impedance of water in the ditch as a result of the crossing.
 - 12) The applicant shall be responsible for stripping the topsoil and stockpiling it separately from other materials. Topsoil shall be uniformly placed back on the backfilled surface and seeded with a grass seed mix as required by the Lethbridge County Agricultural Service Department.
 - 13) All requirements within Section 2 apply to a typical gravelled county roadway. Any other type of roadway such as asphalt or calcium stabilized shall have different requirements that will be specified on a case by case basis.
 - 14) A Traffic Accommodation Plan will be required for all open cut installations.

3. ENERGY PIPELINE CROSSING

- 1) All pipelines installed parallel to the County's road allowance shall maintain a minimum setback of 15 metres from the road allowance boundary
- 2) All pipeline construction shall conform to the regulations specified by the Energy Resource Conservation Board, Alberta Utilities Commission and the regulations of the Alberta Pipeline Act (1975), Gas Distribution Act (2013) or recent revision thereof.
- 3) Pipelines crossing road allowances must extend a distance of 15 metres on either side of the existing road allowance.
- 4) No horizontal or vertical deflections are permitted in the pipeline within 15 metres of the road allowance



Lethbridge County Policy Handbook

EFFECTIVE: February 7, 1975

SECTION: 300 NO. 353 Pge 5 of 7

APPROVED BY: County Council
Crossings

SUBJECT: Pipeline, Canal and Utility

REVISED DATE: October 7, 2021

4. POTABLE WATER PIPELINE CROSSING

- 1) All waterlines installed parallel to the County's road allowance shall maintain a minimum setback of 15 metres from the road allowance boundary
- 2) No horizontal or vertical deflections are permitted in the pipeline within 15 metres of the road allowance
- 3) There shall be no appurtenances installed within the road allowance including but limited to structure, chambers, valves, signs, etc. unless otherwise approved by the **Director of Municipal Services Infrastructure Manager** or designate.

5. IRRIGATION OR RAW WATER PIPELINE CROSSING

- 1) All pipelines installed parallel to the County's road allowance shall maintain a minimum setback of 15 metres from the road allowance boundary
- 2) Applicant must provide a detailed cross section drawing of the crossing location showing key elevations of the entire roadway structure and ditches within the road allowance
- 3) There shall be no appurtenances installed within the road allowance including but limited to structure, chambers, valves, signs, etc. unless otherwise approved by the **Director of Municipal Services Infrastructure Manager** or designate.
- 4) Applicant must indicate the size and type of material of the pipeline
- 5) No horizontal or vertical deflections are permitted in the pipeline within 15 metres of the road allowance
- 6) Applicant must identify any canal closures resulting from the installation of the irrigation pipeline
- 7) Applicant must identify any Bridge File crossings no longer required resulting from the installation of the irrigation pipeline
- 8) The County will provide the applicant 120 days notice to allow sufficient time to relocate or alter the applicant's pipeline. Should the expiration of the 120 day notice period occur after the seasonal shutdown, relocation or alteration to the applicant's pipeline shall be completed by the notice period expiration date. Upon the provision of suitable evidence an extension to the 120 day notice period may be granted if requested. Should the expiration of the notice period occur prior to the completion of the current year irrigation season, the applicant shall immediately upon completion of the current year irrigation season, commence the relocation or alteration to the applicant's pipeline and shall be completed as soon as practicable. In consideration of annual budget approval requirements and timing for detailed design, the County will reserve the right to require pipeline relocation requests made to the applicant prior to February 1st of each year be



Lethbridge County Policy Handbook

EFFECTIVE: February 7, 1975 **SECTION:** 300 NO. 353 Pge 6 of 7

APPROVED BY: County Council **SUBJECT:** Pipeline, Canal and Utility Crossings

REVISED DATE: October 7, 2021

completed prior to seasonal start-up of that year regardless of the 120 day notice period.

6. IRRIGATION OR RAW WATER CANALS CROSSING

- 1) All irrigation or raw water canals crossing Lethbridge County road allowances shall be designed by a Professional Engineer in the Province of Alberta to the satisfaction of the ~~Director of Municipal Services~~ Infrastructure Manager or designate.
- 2) Any modifications to existing canals whether under an existing crossing agreement or not, shall require a new approval and a new crossing agreement shall be required.

7. BURIED ELECTRICAL CROSSINGS

- 1) Unless an agreement exists between the County and the electrical service provider, the specifications contained within this Policy shall apply to all buried electrical crossings.
- 2) All applicable Local and Provincial approvals must be obtained prior to any work taking place
- 3) All buried electrical lines must conform to the regulations specified by the Electrical Inspector in conjunction with the regulations of the Electrical Protection Act.

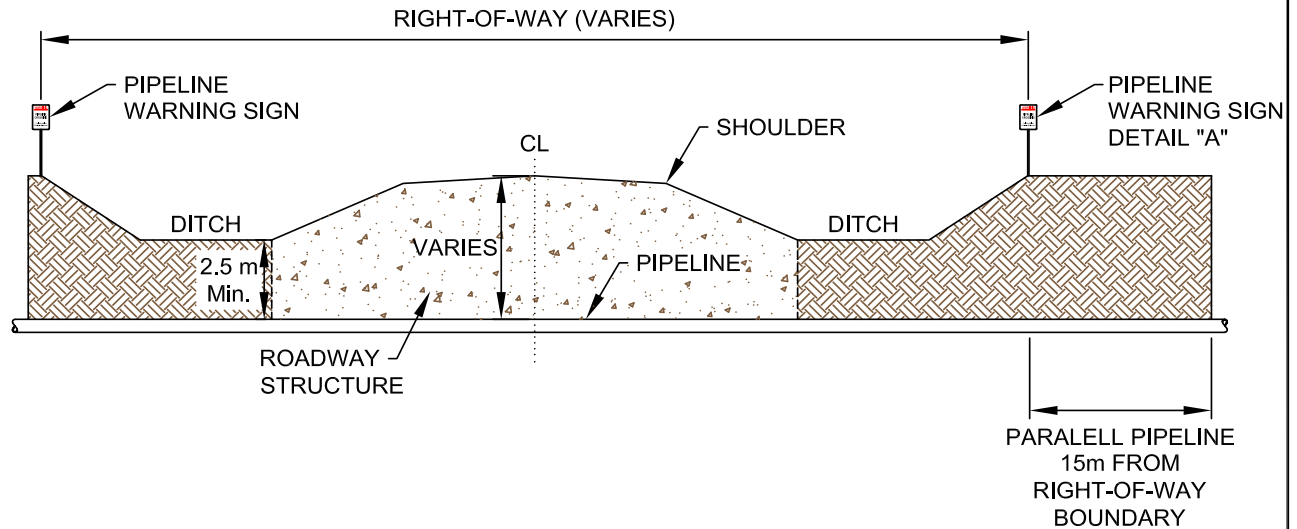


PIPELINE, CANAL AND UTILITY ROAD CROSSING APPLICATION FORM

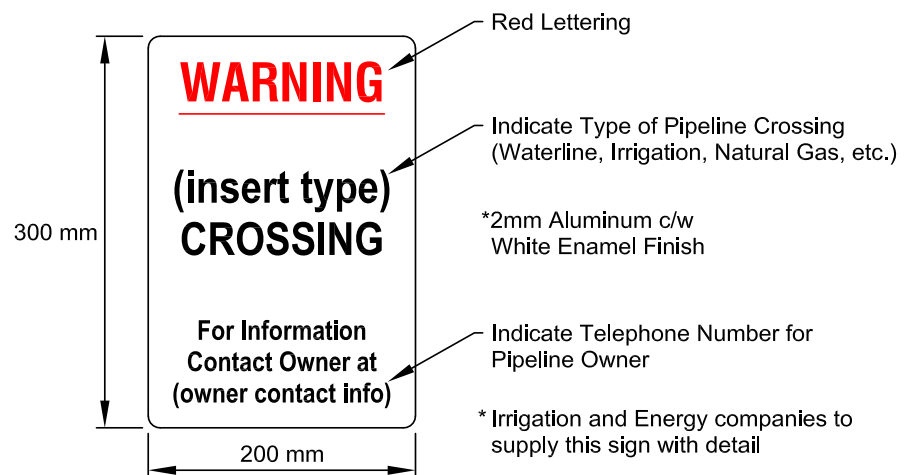
Complete this form and return to crossings@lethcounty.ca
Incomplete submissions will not be processed.

1. Applicant / Owner Information:			
Name: _____		Address: _____	
Contact Name: _____		Phone Number: _____	
Email: _____		Signature: _____	
*By signing this document, the applicant agrees to adhere to all specifications contained within Policy 353.			
2. Consultant / Land Agent Information (if applicable)			
Company Name: _____			
Address: _____			
Contact Name: _____		Title: _____	
Phone Number: _____		Email: _____	
3. Contractor Information			
Company Name: _____			
Address: _____			
Contact Name: _____		Title: _____	
Phone Number: _____		Email: _____	
WCB Number: _____			
Note: All Contractors MUST be approved by the County prior to any work taking place			
4. Crossing Details			
Type of Crossing		Type of Roadway/Property	
Oil & Gas <input type="checkbox"/> Potable Water <input type="checkbox"/> Raw Water <input type="checkbox"/> Canal <input type="checkbox"/> Electrical <input type="checkbox"/> Other (specify below) <input type="checkbox"/> _____		Undeveloped R/W <input type="checkbox"/> Gravel Road <input type="checkbox"/> Haul Road <input type="checkbox"/> Paved Road <input type="checkbox"/> Other (specify) <input type="checkbox"/> _____	
		Crossing Location	
		Rge Rd or Twp Rd _____	
		Legal Description _____	
Road Closure Req'd?	Date of Construction	Duration of Construction within R/W	
Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____ Days	
Pipe/Casing Diameter	Pipe/Casing Material	Method of Installation	
_____ mm	_____	Open Cut <input type="checkbox"/> Directional Drill <input type="checkbox"/> Note: Open Cut not permitted on Paved Roads	
5. Application Checklist		6. Other Information	
Completed Application <input type="checkbox"/> Engineered Drawing(s) <input type="checkbox"/> Proof of Insurance <input type="checkbox"/> WCB Certificate <input type="checkbox"/> Traffic Signage Plan <input type="checkbox"/>		The Applicant shall assume the role of "Prime Contractor" for the entire duration of the project. Applicant must provide 72 hours notice prior to commencing any activity by contacting: crossings@lethcounty.ca , 403-328-5525 - Cole Bodnaruk. Fee's for this application are outlined in the County's Schedule of Fees available at www.lethcounty.ca .	
7. Additional Details. (Please provide any relevant information not noted above)			
Lethbridge County Use Only			
Name: _____		Date: _____	
Title: _____		Signature: _____	
Comments: _____			

SECTION VIEW



DETAIL A



Policy # 353
Pipeline, Canal and Utility Crossings
Road Allowance Crossing

AGENDA ITEM REPORT



Title: Tax Penalty Waiver Request
Meeting: Council Meeting - 07 Oct 2021
Department: Corporate Services
Report Author: Jennifer Place

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 22 Sep 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

A tax penalty waiver request has been received in the amount of \$211.19.

RECOMMENDATION:

That County Council not waive tax penalties in the amount of \$211.19 as requested for tax rolls 4900100.

PREVIOUS COUNCIL DIRECTION / POLICY:

Historically County Council has not waived tax penalties, however, the Municipal Government Act states the following with regards to cancellation, reduction, refund or deferral of taxes;

Section 347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:

- (a) cancel or reduce tax arrears;
- (b) cancel or refund all or part of a tax;
- (c) defer the collection of a tax.

BACKGROUND INFORMATION:

An email, as attached has been received from Jane Bezooyen requesting a waiver of tax penalty in the amount of \$211.19. As per Mrs. Bezooyen's email, she had made her tax payment through online banking on July 29, 2021. At that time she believed that the payment had gone through and was completed based on the banking confirmation number she received. Although her bank was in the process of changing their online system, it was not until she received the tax statement from the County that she became aware that taxes were outstanding and the payment had not gone through and is therefore requesting a penalty waiver.

ALTERNATIVES / PROS / CONS:

1) Waive tax penalty in the amount of \$211.19 as per the request

Pro - Would satisfy the penalty waiver request

Con - There is a tax penalty bylaw in place, and waiving the penalty could set a precedent for similar future requests

FINANCIAL IMPACT:

Loss of tax penalty in the amount of \$211.19.

REASON(S) FOR RECOMMENDATION(S):

Administration has made the recommendation to not waive the tax penalty as they were levied per the Tax Penalty Bylaw #1273 and additionally a waiver of penalty could set some precedent for future requests of a similar nature.

ATTACHMENTS:

[Bylaw 1273 - Tax Penalty Rate Bylaw](#)

[Lethbridge County Counsel Request - roll#4900100](#)

COUNTY OF LETHBRIDGE Page 3 of 4
IN THE PROVINCE OF ALBERTA

BY-LAW NO. 1273


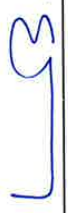
BY-LAW NO. 1273 OF THE COUNTY OF LETHBRIDGE INTRODUCED FOR THE PUPOSE OF AMENDING PENALTY RATE BY-LAW NO. 1141 AS FOLLOWS:

WHEREAS the Municipal Government Act provides Council of the County of Lethbridge with the authority to set the time of payment for taxes and the authority to impose penalties on unpaid taxes:


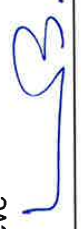
NOW THEREFORE BE IT RESOLVED that the Council of the County of Lethbridge duly assembled enacts as follows:

1. That penalty dates for this by-law shall be established as January 31st, July 31st, September 30th and November 30th.
2. That a penalty of five percent (5%) shall be imposed on the current tax levy balance remaining unpaid after the July 31st penalty date of any year.
3. That an additional penalty of five percent (5%) shall be imposed on the current tax levy balance remaining unpaid after the September 30th penalty date of any year.
4. That an additional penalty of five percent (5%) shall be imposed on the current tax levy balance remaining unpaid after the November 30th penalty date of any year.
5. That in the event of any taxes remaining unpaid as of the last day of January in any year and commencing in 2005, there shall be added thereto on the first (1) day of February of that year and in each succeeding year thereafter so long as the taxes remain unpaid, a penalty of fifteen percent (15%).
6. By-law No. 1141 is hereby rescinded.
7. This By-law becomes effective January 1, 2005.



GIVEN first reading this 2nd day of June, 2005.


Reeve

County Manager

GIVEN second reading this 2nd day of June, 2005.


Reeve

County Manager

GIVEN third reading this 2nd day of June, 2005.


Reeve

County Manager

From: [Candice Robison](#)
To: [Jennifer Place](#)
Subject: ACTION - FW: Lethbridge County Counsel Request - roll#4900100
Date: September 22, 2021 9:40:14 AM
Attachments: [image001.png](#)

Hey Jenn, I received the below email regarding a tax penalty reimbursement request.

Thanks

Candice Robison
Executive Assistant to CAO & Council
P: 403.380.1585 C: 403.915.1127 E: crobison@lethcounty.ca
www.lethcounty.ca



Stay up to date on projects & initiatives and give feedback on what matters most to you
Visit whatshappening.lethcounty.ca



From: Jane Bezoooyen <janebez@gmail.com>
Sent: September 22, 2021 9:30 AM
To: Candice Robison <crobison@lethcounty.ca>
Subject: Lethbridge County Counsel Request - roll#4900100

Good morning Candice,

Last night I received a notice of County taxes that were due as of July 31, 2021. My husband inquired why I hadn't paid the taxes in July – which we consistently do. I pulled out the original invoice and have the payment information – including the bank reference number to confirm payment as of July 29, 2021. I never received notification that the payment hadn't gone through.

As we were puzzling over this, I recalled having the same issue with Visa – though we found out about it much sooner and were able to rectify the problem. During the time that the payments were made online, our bank was in the process of changing their online system. Again, I have the confirmation number that the payment was successful, but never received notification that the payment hadn't gone through. From my perspective, it was paid in full until we received the new statement yesterday. Last night I went ahead and paid the full amount – including the penalty.

If you look at our history of paying County taxes, you will be able to confirm that we consistently pay them in July, and I would like to request grace for this oversight – or error. On this basis, I would like to make the request that the penalty be reimbursed.

Thank you for your consideration in this matter.

Sincerely,
Jane Bezoooyen
403-382-7524



September 8, 2021

The Right Honourable Justin Trudeau, MP
Prime Minister of Canada Langevin Block
Ottawa, Ontario
K1A 0A2

Dear Prime Minister:

RE: Bill C-21 – Changes to the Criminal Code and the Firearms Act

On behalf of the Town of Crossfield, we are writing to express our concerns with respect to Bill C-21 to make changes to the Criminal Code and Firearms Act. With respect to the provision to allow municipalities to create handgun bylaws, which would place conditions of federal firearms licenses relating to handgun use, storage or transportation within municipalities that have passed such bylaws, Council has passed the following motion at the September 7, 2021 Council meeting in opposition to the Federal Bill C-21:

222-2021 MOVED by Deputy Mayor Harris that the Town of Crossfield send a letter opposing Bill C-21 – changes to the Criminal Code and the Firearms Act. *CARRIED*

With the Province of Alberta sending Bill 211 to Royal Assent on April 29th, our Provincial government is ensuring that Municipalities are not saddled with trying to find the resources to impose or enforce gun control by creating inconsistent bylaws between jurisdictions. As most Municipalities across our province are rural in nature and would be faced with the same problems in attempting to enforce legislation of this nature, we are anticipating that the sentiment will be the same across most jurisdictions and hope that those municipalities in opposition will make their position known to the Federal Government as well.

We are also concerned that Bill C-21 is only targeting citizen that have licenses, not criminals that have already obtained firearms illegally and would never comply with a municipal bylaw. This will create a very confusing system that could result in an otherwise law-abiding citizen, now being sentenced to two years imprisonment or permanent license revocation for unknowingly being in contravention of a bylaw in a community with different bylaws.

We thank you for your attention in this matter and request that the federal government reconsider these changes to the Criminal Code and Firearms Act.

Sincerely,

Jo Tennant
Mayor

cc: All Alberta Municipalities
MP Blake Richards
Erin O'Toole, Leader of the Official Opposition

1005 Ross Street | P.O. Box 500 | Crossfield, AB. T0M 0S0 | (403) 946-5565