

STAKEHOLDERS MITIGATION REPORT

March, 2019

Stakeholders Mitigation Report

1.0 Introduction

The change in jurisdiction is expected to have minimal impacts for property owners. Nevertheless, significant effort has been put forward to best understand these impacts in advance of any jurisdiction changes.

The *Public Engagement Summary* prepared by *ISL Engineering and Land Services* summarizes the series of consultation efforts conducted by both municipalities.

A comparison of the two municipalities' key service levels and bylaws was prepared to improve awareness of potential impacts prior to transition.

The City of Fort Saskatchewan has developed mitigation strategies in response to the key concerns that were raised through the consultation efforts and review of differing services and bylaws.

2.0 Public Engagement Responses

Through the consultation process, the City responded to a number of landowner concerns. The *Public Engagement Summary* provides a summary of the issues that were raised. Below is the City's response to the concerns.

1. **Taxation Implications** – landowners were concerned the change in jurisdictions would result in a potential for tax increase.

Mitigation – In consultation with Strathcona County, the City has committed to easing the uncertainty surrounding municipal taxes by agreeing to apply the lower of the tax rates between the two municipalities until development occurs on the property or December 31, 2049. Development would include subdivision of property, redistricting under the Land Use Bylaw, or application of a local improvement bylaw. The *Conditions of Annexation* provide the specifications for taxation provisions for the annexation lands. The City of Fort Saskatchewan requests these taxation provisions be included as part of the Order in Council.

2. **Township Road 543** – Concerns were raised regarding Township Road 543, particularly during the 2018 consultation efforts which followed development of a dog park and improved ball fields that are accessed by the road. The concerns related to traffic, speeding, narrow road, lack of pedestrian trail and lack of lighting.

Mitigation – The City has previously committed to a portion of Township Road 543. The existing commitment includes widening the road to a 9.0m rural standard from the Wilshire Boulevard intersection to 50.0m past the entrance to Pointe-aux-Pins Estates.

Taxation compensation had previously been discussed between the two municipalities. Under a stepped compensation approach for loss of tax revenue (100% for the first year, 80% for the second year, 60% for the third year, 40% for the fourth year, and 20% for the fifth and final year), the City would compensate the County a total of \$541,000. Through negotiations, the City and the County agreed ideally the compensation funds would benefit landowners within the annexation area. Increasing the scope of the “Road Improvements” for Township Road 543 was viewed as a logical potential benefit.

The City agreed to complete the road improvements no later than 2023, with the intent of Township Road 543 being within the City’s jurisdiction prior to substantial investment. Recognizing landowners are eagerly awaiting certainty regarding future road improvements, the City will commit to design work occurring in 2019, which will include opportunities for input from the general public. Appendix A provides more a preliminary schedule of the work to be undertaken for the proposed improvements.

The details of the compensation agreement were specified within the *Conditions of Annexation*.

3. **Planning and Future Development** – Concerns were raised regarding future development of surrounding lands. The majority of concerns were raised by Pointe-aux-Pins residents, who expressed a desire for their road to remain a cul-de-sac, concerns with small lot sizes, and a desire to maintain the river valley as publically accessible park land.

Mitigation – All land use plans are preliminary. Prior to development, the City will need to undertake a transparent planning process, including development of planning and technical documents. Residents and stakeholders, including those within the annexation area, will be consulted through these processes. Concerns regarding future development of the lands will be contemplated through the planning process.

4. **Utility Services** – Residents inquired about connection to municipal utility services, such as water and sewer services. A desire to maintain the existing water co-op was heard, as well as a desire to replace private sewer systems with a connection to City services. A utility service provider for the area also raised concerns about loss of franchise area and requested compensation for loss of potential future revenue.

Mitigation – Provided the water co-op is able to continue to provide safe water in an effective manner, the City is not seeking to force a connection to its system. Should the residents of Pointe-Aux-Pins Estates desire a connection to municipal services, the possibilities can be explored through the planning process.

As the utility service provider has no customers within the annexation area, compensation is not warranted.

5. **Partitioned Lands** – Some landowners indicated that the proposed annexation boundary would partition their lands between two jurisdictions. Concerns were raised about processes for taxation, and voting during municipal elections.

Mitigation – Examples of lands partitioned between jurisdictions currently exists in Alberta. Taxes are calculated based on area in each jurisdiction. Voting rights are based on the location of the residence.

6. **Protection of existing land uses** – Some landowners indicated a desire to maintain existing land uses, including agriculture and gravel extraction. Allowable land uses was also raised as a concern.

Mitigation – Landowners have the right to determine when development occurs, and cannot be forced to develop if they do not wish to do so. The existing zoning under the County’s Land Use Bylaw lists many more uses than the City’s Urban Reserve holding district, including aggregate extraction. The City will undertake a review of the Land Use Bylaw to determine what uses are appropriate considering the addition of the annexation area. In the interim, the City is proposing Strathcona County’s zoning continues to apply until an update of the Land Use Bylaw is complete based on the land use policies established from the transparent planning process.

3.0 Service Levels

The following table provides a comparison of the City’s services levels to County service levels for key areas:

Service Area	City Service Level	County Service Level
Waste	Waste subscriptions are mandatory for all properties within Fort Saskatchewan under the Waste Bylaw.	Rural residents can opt-in to waste services under Strathcona County’s green routine program. Strathcona County currently provides services to approximately 18 properties within the proposed boundaries (15 of which are in the Point-Aux-Pins subdivision).

		<p>Impact: Under the current regulations, 22 properties will incur a new obligation to subscribe to organics.</p> <p>Mitigation: Notify owners in advance of the new requirement.</p>
	<p>Organics and waste are collected through automated waste carts (120 or 240 liter) on a biweekly basis.</p> <p>From mid-May through to mid-October, organics is picked up weekly. Recycling is collected weekly through manual collection of bags or reusable containers.</p> <p>Residents have the ability to participate in extra yard waste events (twice in spring and fall), a large item event (once per spring) and Christmas tree collection.</p>	<p>Organics and waste are collected through automated waste carts (120 or 240 liter) on a biweekly basis.</p> <p>From beginning of April through to end of October, organics is picked up weekly. Recycling is collected weekly through manual collection of bags or reusable containers.</p> <p>Residents have the ability to participate in extra yard waste events (twice in spring and fall), large item events (once per spring and fall) and Christmas tree collection.</p> <p>Impact: Weekly organics pickup will be reduced by one month. One less annual large item pickup event.</p> <p>Mitigation: Promote communications regarding waste services for new residents.</p>
Snow Clearing	<p>Snow is plowed with a plow truck and ditches are winged as necessary once caught up.</p> <p>Snow clearing prioritization is as follows:</p> <ol style="list-style-type: none"> 1) Highway 21 - cleared within 6-8 hours after the end of snowfall. 2) Arterial roads - completed within 10-14 hours 3) Collector/Main Streets - completed within 20-30 hours 	<p>Snow is plowed to road edge by truck plow followed up by ditch winging with a grader.</p> <p>Snow clearing prioritization is as follows:</p> <ol style="list-style-type: none"> 1) TWP 542 (Hwy 21) and RR 224 cleared within 12hr of 5-7 cm snow fall. 2) RR 225, TWP 542, RR 231, TWP 543, TWP 544 cleared within 72hrs upon completion of above following 5-7 cm snowfall.

	<p>4) Industrial/Central Business District - managed after third priority, and as needed. Pointe-Aux-Pins would fall into here. Would do the area with both Grader and Truck depending on timing and amount of snow. Would include sanding or plow and sand. RR224, RR225, TWP544 would at this time fall into here and would be done with a truck first and followed up with a grader to wing ditches as needed.</p> <p>5) Residential Streets - Snow clearing begins when compacted snow is 75mm thick</p> <p>6) Lanes – As required to maintain traffic and emergency vehicle movement.</p>	<p>3) Pointe-aux-Pins cleared within 48 hrs upon completion of above following 5-7 cm snowfall.</p> <p>Impact: <i>Prioritization of roads may change depending on location.</i></p> <p>Mitigation: <i>None</i></p>
	<p>Driveway clearing is not offered as an optional service, other than driveways are not blocked when streets are plowed.</p>	<p>Driveway clearing is offered as a service upon request and charged back to resident through fee guide.</p> <p>Impact: <i>Driveway clearing will no longer be available as an optional service.</i></p> <p>Mitigation: <i>None</i></p>
<p>Protective Services</p>	<p>The RCMP provides service in both the urban and rural areas.</p> <p>Municipal Enforcement only provides service within the City limits. Service area would expand following jurisdiction change.</p> <p>Fort Saskatchewan has a Victim Services and Community On-Patrol operating within the community.</p>	<p>The RCMP is also the police of jurisdiction within the County.</p> <p>Municipal Enforcement and Alberta Sheriffs provide services to the area.</p> <p>Strathcona County also has a Victim Services unit, as well as other citizen oriented/operated programs which operate county-wide.</p>

		Impact: None
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Mitigation measures identified through this review include:

1. Notify property owners in advance of the new requirement to subscribe to organics.
2. Promote communications regarding waste services for new residents.

The City of Fort Saskatchewan will endeavor to complete appropriate mitigation measures in advance of an effective date for jurisdiction change.

4.0 Bylaw Comparisons

The following table provides a comparison of the City’s bylaws to County’s bylaws for key areas:

Topic Area	City Bylaw / Position	County Bylaw / Position
Recreational vehicles such as ATV’s, dirt bikes, and snowmobiles	Community Peace Officers have authority to enforce under the <i>Alberta Traffic Safety Act</i> . The Alberta legislation applies to all roads within the province.	Same legislation applies within the County. Impact: None
Recreation guns use and hunting	The public cannot discharge on City owned land under the <i>Parkland Bylaw</i> . Gun usage falls under the Criminal Code of Canada and the Firearms Act, which outlines offences including the <i>careless use of firearm</i> . Fort Sask RCMP have traditionally applied the interpretation that discharging a gun within the City’s boundaries would be considered “careless”.	The public cannot discharge on City owned land under the <i>Firearm Control Bylaw 3-2014</i> . Gun usage falls under the Criminal Code of Canada and the Firearms Act, which outlines offences including the <i>careless use of firearm</i> . Officers apply the test of ‘carelessness’ for each instance. Impact: None for residents. Enforcement officials will have to reassess traditional interpretation. Mitigation: None

<p>Requirements for connecting to municipal services</p>	<p>If there is infrastructure that is reasonably accessible to the adjoining property, the City may require property owners to connect.</p>	<p>County <i>Bylaw 16-2016 – Water Systems Bylaw</i> governs the connections to the municipal system, and states that adjacent properties <i>MAY</i> connect to the County’s water system.</p> <p>The bylaw has a section to similar effect, in that alternate sources of water can be allowed for use so long as it either does not receive water at the prescribed rate, the parcel is in a ‘voluntary connection area, or a permit is issued.</p> <p>Impact: <i>None</i></p>
<p>Accepted uses within the Land Use Bylaw</p>	<p>The Urban Reserve district lists a limited amount of uses: Agriculture, Billboard Signs, Community Gardens, Community Service Facility, and Natural Conservation Use.</p>	<p>The Agriculture: General district lists several more uses including Aggregate Extraction, Cannabis Production facility, Animal Boarding Facility, Equestrian Centre, Dwellings, and so forth.</p> <p>Impact: <i>Less potential future uses would be authorized under Urban Reserve district.</i></p> <p>Mitigation: <i>Apply Strathcona County’s existing district to the annexation lands until the City updates the Land Use Bylaw for the subject lands.</i></p>
<p>Burning brush and other materials</p>	<p>Under the Fire Service Bylaw, permits can be issued for ‘open-air fires’ such as brush fires.</p>	<p>Under Bylaw 68-2000, Fire Permits can be issued to allow for brush fires, and other ‘open’ fires.</p> <p>Impact: <i>None</i></p>
<p>Weed Control</p>	<p>Municipal Enforcement enforces the Weed Control Act.</p>	<p>Municipal Enforcement enforces the Weed Control Act.</p>

	<p><i>Community Standards Bylaw</i> requires grass & weeds to be no more than 15 cm (6 inches) high.</p>	<p><i>County Bylaw 45-2012</i> states that a nuisance on a property can consist of ‘uncut grass or the presence of weeds which can be determined by the Bylaw Officers.</p> <p>Impact: <i>Enforcement officers will enforce with less discretion.</i></p> <p>Mitigation: <i>None</i></p>
<p>Allowances for animals</p>	<p>The Animal Control Bylaw and the Land Use Bylaw address the keeping of domestic and non-domestic animals.</p> <p>The <i>Animal Control Bylaw</i> considers livestock/poultry and bees ‘Prohibited Animals,’ and are not permitted within the City unless:</p> <ul style="list-style-type: none"> - Permission has been granted by the City Manager; - The animal is involved in an approved parade, circus, rodeo, etc.; - A Development Permit has been issued for an Agriculture use; or - A City license for the prohibited animal exists. <p>The City requires that all dogs and cats over 6 months of age are licensed. Dogs and cats are both prohibited from being at-large off the owner’s property, with an escalating fee schedule and an eventual ‘nuisance’ or ‘restricted’ classification for dogs, if there are serious or chronic offences that result in convictions.</p>	<p>Animal Control Bylaw and the Responsible Dog Ownership Bylaw address the keeping of domestic and non-domestic animals.</p> <p>The <i>Animal Control Bylaw</i> regulates animals like horses, cattle, swine, fowl, and even fish. The bylaw outlines that agriculture uses can harbor this livestock, and are not held to the standards set out in the nuisance sections (relating to smell, animals trespassing, noise, etc.)</p> <p>The Responsible Dog Ownership Bylaw regulates dogs in terms of licensing, control off-property, barking, etc. Notable differences include:</p> <ul style="list-style-type: none"> - Dog license fees can be waived for several reasons including training, microchip implant, first dog, etc.; - Failing to maintain reasonable control at an off-leash area is a potential offence; and - Transporting a dog unsecured in a vehicle is a potential offence.

	<p>Property owners are allowed up to 3 dogs.</p> <p>Property owners are allowed up to 3 cats.</p>	<p>Property owners are allowed up to 3 dogs per residence, unless the property is over 5 acres in overall size, which would then allow you to keep up to 5 dogs. An over-limit permit can be obtained.</p> <p>Cats are not regulated. There are no limits on the amount of cats allowed on a property.</p> <p>Impact: <i>Additional permission is required from the municipality to harbor livestock. No waiver for dog licence fees currently exists. Violations for transporting an unsecured dog would no longer apply within the annexation area. Dogs would be limited to 3 instead of 5, with no option for an over-limit permit. Cats would require licences and would be limited to 3 instead of unlimited.</i></p> <p>Mitigation: <i>Review the Animal Control Bylaw to assess if the current regulations are appropriate for the annexation lands.</i></p>
Business licences	Under Bylaw C9-16, a business licence is required on an annual basis.	<p>Business licences are not required.</p> <p>Impact: <i>Business licences would now be required.</i></p> <p>Mitigation: <i>Notify business owners of the requirement in advance.</i></p>

Mitigation measures identified through this review include:

1. Apply Strathcona County’s existing district to the annexation lands until the City updates the Land Use Bylaw for the subject lands.
2. Review the Animal Control Bylaw to assess if the current regulations are appropriate for the annexation lands.

3. Notify business owners within the annexation lands of the requirement for a business licence.

The City of Fort Saskatchewan will endeavor to complete appropriate mitigation measures in advance of an effective date for jurisdiction change.

Appendix A – Preliminary Schedule for Township Road 543

Preliminary Schedule for Township Road 543 Improvements:	
2019 – 3 rd quarter	Consultation with Pointe-aux-Pins residents regarding improvements
2019 – 4 th quarter	Detailed design to develop Class 2 estimate
2020 – 1 st quarter	Inform public of proposed plans and finalize design
Construction season following jurisdiction change	Construct improvements