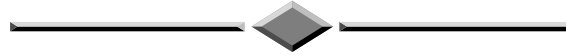




A G E N D A



FOR THE *REGULAR MEETING OF RED DEER CITY COUNCIL*

TO BE HELD IN

THE COUNCIL CHAMBERS, CITY HALL

MONDAY, November 2, 2009

COMMENCING AT **4:00 P.M.**



- (1) Confirmation of the Minutes of the Regular Meeting of Monday, October 19, 2009
- (2) **UNFINISHED BUSINESS**
 1. Legislative and Administrative Services Manager and Parkland Community Planning Services - *Re: Southpointe Junction Neighbourhood Area Structure Plan Bylaw Amendment 3217/E-2009*
(Consideration of Third Reading of the Bylaw) ..1
 2. Legislative and Administrative Services Manager and Parkland Community Planning Services - *Re: Land Use Bylaw Amendment 3357/F-2009 - Dynamic Signage & Show Home Open House* ..3
(Consideration of First Reading of the Bylaw)

(3) **PUBLIC HEARINGS**

(4) **REPORTS**

1. Recreation, Parks & Culture Manager - *Re: Consolidated City of Red Deer and Westerner Exposition Association Agreement* ..12
2. Community Services Director - *Re: Funding Approval Request - River Valley & Tributaries Park Concept Plan* ..15
3. Parkland Community Planning Services-*Re: Land Use Bylaw Amendment 3357/DD-2009, Rezoning from R1 Residential (Low Density) District to R2 Residential (Medium Density) District, Lots 24-27, Block 1, Plan 2805 AE (4017 Ross Street) Active Group Holdings Inc.* ..18
4. Parkland Community Planning Services - *Re: Land Use Bylaw Amendment 3357/II-2009, Timberstone Park - Phase 3, Peter & Kathy Lacey, Laebon Development* ..22

(5) **CORRESPONDENCE**

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

(8) **ADMINISTRATIVE INQUIRIES**

(9) **BYLAWS**

1. **3217/E-2009** - South Pointe Junction Neighbourhood Area Structure Plan Bylaw Amendment 3217/E-2009 ..25
(3rd Reading) ..1

- | | | |
|----|---|---------------|
| 2. | 3357/F-2009 - Land Use Bylaw Amendment - Dynamic Signage and Show Home Open House.
(1 st Reading) | ..103
..3 |
| 3. | 3357/DD-2009 - Rezoning from R1 Residential (Low Density) District to R2 Residential (Medium Density) District, Lots 24-27, Block 1, Plan 2805 AE (4017 Ross Street) Active Group Holdings Inc. ..107
(1 st Reading) | ..18 |
| 4. | 3357/II-2009 - Timberstone Park - Phase 3, Peter & Kathy Lacey, Laebon Development
(1 st Reading) | ..109
..22 |

(10) **COMMITTEE OF THE WHOLE**



DATE: October 27, 2009

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Southpointe Junction Neighbourhood Area Structure Plan
Bylaw Amendment 3217/E-2009

History:

At the Monday, August 10, 2009 Council Meeting Southpointe Junction Neighbourhood Area Structure Plan Bylaw Amendment 3217/E-2009 received first reading. The Bylaw Amendment was then advertised and brought back for consideration by Council at the Tuesday, September 8, 2009 Council Meeting. The Plan received second reading on September 8, 2009 at which time additional amendments were made. Council tabled third reading until September 21, 2009 and a further tabling occurred on that date pending signed agreements related to the NASP.

Administration has now received the required agreements.

The amended Southpointe Junction Neighbourhood Area Structure Plan Amendment 3217/E-2009 is attached for your information.

Recommendation:

That Council consider:

- 1.) Passing a resolution lifting from the table the Southpointe Junction Neighbourhood Area Structure Plan Amendment 3217/E-2009; and
- 2.) Third reading of the amended Southpointe Junction Neighbourhood Area Structure Plan Bylaw 3217/E-2009.

A handwritten signature in black ink, appearing to read 'Elaine Vincent', with a large, stylized loop at the end.

Elaine Vincent
Manager

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

Amber Senuk

From: Elaine Vincent
Sent: October 27, 2009 8:51 AM
To: Amber Senuk
Subject: FW: City and Bower Woods - Land Agreements and NASP

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Elaine Vincent
Manager, Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8134
Fax: 403-346-6195
elaine.vincent@reddeer.ca

-----Original Message-----

From: Don Simpson [mailto:dsimpson@chapmanriebeek.com]
Sent: Monday, October 26, 2009 12:11 PM
To: Greg Scott; Haley Horvath; Howard Thompson
Cc: Nick Riebeek; Craig Curtis; Elaine Vincent
Subject: City and Bower Woods - Land Agreements and NASP

Hello Greg:

We have now received signed agreements from the Bowers, ready for signature by the City. Bent MacKay of Qualico advised this morning that they are couriering signed agreements up to us today.

Accordingly, we should be able to deliver all the signed agreements to the City Clerk tomorrow for signature.

This means that the Southpointe NASP can be scheduled for the next Council Meeting on November 2 for consideration of 3rd reading.

Don Simpson
Chapman Riebeek LLP
Barristers and Solicitors
300, 4808 Ross Street
Red Deer, AB T4N 1X5
Tel: (403) 346-6603
Fax: (403) 3401280

[This message has been scanned for security content threats, including computer viruses.]

[Please consider the environment before printing this e-mail.]

Christine Kenzie

From: Elaine Vincent
Sent: October 13, 2009 3:25 PM
To: Christine Kenzie
Subject: FW: Southpointe Junction - Slivers of M.R. and Legal Access

Elaine Vincent
Manager, Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8134
Fax: 403-346-6195
elaine.vincent@reddeer.ca

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

-----Original Message-----

From: Colleen Jensen
Sent: Tuesday, October 13, 2009 2:57 PM
To: Elaine Vincent
Cc: Greg Scott; Craig Curtis
Subject: FW: Southpointe Junction - Slivers of M.R. and Legal Access

Just to clarify that that Southpointe Junction 3rd reading should not be on the next agenda as the agreement is still not finalized.
cj

-----Original Message-----

From: Greg Scott
Sent: October 13, 2009 11:41 AM
To: Christine Kenzie
Cc: Colleen Jensen; Craig Curtis
Subject: FW: Southpointe Junction - Slivers of M.R. and Legal Access

FYI.

Greg S.

-----Original Message-----

From: Don Simpson [mailto:dsimpson@chapmanriebeek.com]
Sent: October 13, 2009 9:23 AM
To: Greg Scott
Subject: Re: Southpointe Junction - Slivers of M.R. and Legal Access

YES I would agree that Nov 2 sounds right.

Don Simpson
Chapman Riebeek LLP
Barristers and Solicitors
300, 4808 Ross Street
Red Deer, AB T4N 1X5
Tel: (403) 346-6603
Fax: (403) 3401280

> Thanks Don, I do not disagree with what you are saying. I think overall
> we are heading in the right direction. It is looking like this will not
> get to council until November 2nd... right?

>

>

> Greg S.

>

Christine Kenzie

From: Colleen Jensen
Sent: September 18, 2009 4:20 PM
To: Elaine Vincent; Christine Kenzie; Craig Curtis; Morris Flewwelling
Cc: Trevor Poth
Subject: FW: Bower Woods Land Purchase

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Importance: High

This means not third reading on Monday related to Southpoint Junction as the agreement will not be signed. This is in no way because we have not tried to resolve the various issues with Qualico. You will see Brent's email below.

cj

-----Original Message-----

From: Brent MacKay [mailto:BMacKay@qualico.com]
Sent: September 18, 2009 3:58 PM
To: Trevor Poth
Cc: Craig Curtis; Colleen Jensen; Jerry Derejko; Kim Ziola; Tyler Dixon; jim@bowerfarms.ca; John A. Peters; cwarren@warrensinclair.com
Subject: RE: Bower Woods Land Purchase

Hi Trevor, further to our discussion, I have spoken to our residential architects and it would appear that the FireSmart guidelines, depending on interpretation, could indeed have implications on building setbacks (i.e. development envelope) which would result in a different setback requirement than what is prescribed in our proposed DC land use by-laws OR varying levels of incursions into the Bower Natural Area in order to create compliance with the guidelines.

I appreciate that the Bower Natural Area is important to the City as well as ourselves and hope that you can appreciate how important development envelopes are to us.

I appreciate your commitment to the maintenance of the City owned parkland in accordance with the FireSmart guidelines / principles but given the importance of these two matters to all parties, I think it is important that we meet to resolve the interpretation of the guidelines and that will allow us to incorporate the appropriate, meaningful language into the Purchase Agreements.

Unfortunately, I am away for most of next week and won't be available to meet until the week of the 28th.

Can I suggest a meeting on Monday, September 28th or Thursday, October 1st (a.m.) to discuss the FireSmart guidelines and the application thereof to our development.

Thanks Trevor.

Brent MacKay
Commercial Manager

Qualico Developments West Ltd.
100, 5716 1st Street SE
Calgary, AB T2H 2W4
(p) 403-212-6333
(f) 403-252-5209

Please note, my new email address is BMackay@qualico.com

-----Original Message-----

From: Trevor Poth [mailto:Trevor.Poth@reddeer.ca]
Sent: September 18, 2009 1:24 PM
To: Brent MacKay
Cc: Craig Curtis; Colleen Jensen; Greg Scott
Subject: FW: Bower Woods Land Purchase

Brent, our solicitor and myself have reviewed the agreements and can support all of your proposed changes with one exception related to the firesmart work (clause 8 Bower Agreement and clause 9 on the Southpointe Agreement). Below is the note from our solicitor explaining his recommended change to these clauses and his reasoning.

"I would prefer to see clause 8 replaced by a simple clause as follows:

"The Purchaser covenants and agrees that it will applying "FireSmart" management practices (as amended or replaced from time to time) to its management of the Lands, so as to cause a reduction of fire hazards from the Lands."

I have deleted the reference to Restrictive Covenant which in my view is not appropriate here: essentially a Restrictive Covenant is a covenant NOT to do something. What the sellers want is a City promise to follow good practices, which is a positive obligation and therefore can't be made the subject of a Restrictive Covenant."

Brent, I believe that this change will address the fact the parkland fire management practices are planned to take place on the City property without adding the liability to The City of having a restricted covenant on the property.

If you are okay with this replacement clause as outlined above, I will update the agreements and send them on for your immediate signing.

Please let me know as soon as possible.

Thank You

Trevor Poth
Parks Superintendent
(w) 403-342-8372
(c) 403-506-3066

P Please consider the environment before printing this email.

[The information contained in this message is confidential and is intended for the addressee only. If you have received this message in error, please notify the sender immediately and delete the message. The unauthorized use, disclosure, copying or alteration of this message is strictly forbidden.]

[Please consider the environment before printing this e-mail.]

Please note that my email address has changed. The above address is my new email contact information. Please update your address book, sorry for the inconvenience.

CONFIDENTIALITY NOTICE: This transmitted information is intended only for the addressee and may contain confidential, proprietary and/or privileged material. Any unauthorized review, distribution or other use is prohibited. If you received this in error, please contact the sender and delete/destroy this message and any copies.

[This message has been scanned for security content threats, including computer viruses.]

[Please consider the environment before printing this e-mail.]

DATE: September 22, 2009

TO: Haley Horvath, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, City Planning Manager

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Southpointe Junction Neighbourhood Area Structure Plan 3217/E-2009

Reference Report:

Legislative and Administrative Services Manager, dated September 11, 2009
Parkland Community Planning Services, dated August 28, 2009

Bylaw Readings:

Southpointe Junction Neighbourhood Area Structure Plan 3217/E-2009 received first reading at the Monday, August 10, 2009 Council Meeting. At the Tuesday, September 8, 2009 Council Meeting, Southpointe Neighbourhood Area Structure Plan 3217/E-2009 received second reading. At the Monday, September 21, 2009 Southpointe Neighbourhood Area Structure Plan 3217/E-2009 third reading was tabled for up to 2 months to allow time to get an agreement signed.

Resolution:

"Resolved that Council of the City of Red Deer agrees to table consideration of Southpointe Junction Neighbourhood Area Structure Plan Amendment 3217/E-2009 for up to two months."

Report Back to Council: Yes, within 2 months time.

MOTION CARRIED



Elaine Vincent
Legislative and Administrative Services Manager

cc: Development Services Director
Corporate Services Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager
City Assessor

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
Leigh-Ann Butler, Graphics Supervisor
Property Assessment Technician
LAS File

DATE: November 3, 2009

TO: Haley Horvath, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Southpointe Junction Neighbourhood Area Structure Plan Bylaw Amendment 3217/E-2009.

Reference Report:

Legislative and Administrative Services Manager, dated October 27, 2009

Bylaw Readings:

At the Monday, August 10, 2009 Council Meeting Southpointe Junction Neighbourhood Area Structure Plan Bylaw Amendment 3217/E-2009 received first reading. The Bylaw Amendment was then advertised and brought back for consideration by Council at the Tuesday, September 8, 2009 Council Meeting. The Plan received second reading on September 8, 2009 at which time additional amendments were made. Council tabled third reading until September 21, 2009 and a further tabling occurred on that date pending signed agreements related to the NASP. The signed agreements have been received and on Monday, November 2, 2009 Southpointe Junction Neighbourhood Area Structure Plan Bylaw Amendment 3217/E-2009 received third reading. A copy of the bylaw is attached.

Report Back to Council: No.

Comments/Actions:



Elaine Vincent
Legislative and Administrative Services Manager

Attach.

c Development Services Director
 Corporate Services Director
 Community Services Director
 Engineering Services Manager
 Financial Services Manager
 LAS File

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
Leigh-Ann Butler, Graphics Supervisor
Assessment and Taxation Manager



Unfinished Business Item No. 2

DATE: October 27, 2009

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/F-2009
Dynamic Signage and Show Home Open House

History:

At the Monday, August 24, 2009 Council Meeting, Land Use Bylaw Amendment 3357/F-2009 was tabled for four weeks to the Monday, September 21, 2009 Council Meeting.

At the Monday, September 21, 2009 Council Meeting, administration requested that this report be delayed for an additional two weeks. Consideration of Land Use Bylaw Amendment 3357/F-2009 was tabled to the Monday, October 5, 2009 Council Meeting.

At the Monday, October 5, 2009 Council Meeting the following resolutions were introduced and passed:

“Resolved that Council of the City of Red Deer agrees to amend Land Use Bylaw Amendment 3357/F-2009, page 2, 6(e) by deleted the wording “3 seconds” and replacing it with “5 seconds”.”

MOTION CARRIED

“Resolved that Council for the City of Red Deer agrees to table Land Use Bylaw Amendment 3357/F-2009 for up to six weeks to allow administration time to clarify the linear distance measurement if a business is located on the corner of an intersection.”

MOTION CARRIED

Land Use Bylaw Amendment 3357/F-2009 addresses 2 signage issues, one minor Show Home Open House bylaw amendment and a bylaw amendment to address reader board (dynamic signs). The minor Show Home Open House signs Land Use Bylaw

Page 2

Dynamic Signage & Show Home Open House

Amendment is being proposed to clarify the intent of the Land Use Bylaw section dealing with signs that do not require permits. The proposed Land Use Bylaw Amendment regarding dynamic signage is in response to a request by both the Municipal Planning Commission and Red Deer College.

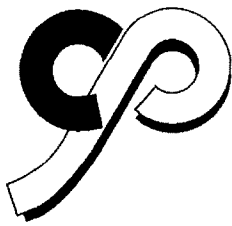
Recommendation:

That Council consider:

- 1.) Passing a resolution lifting from the table Land Use Bylaw Amendment 3357/F-2009; and
- 2.) First reading of Land Use Bylaw Amendment 3357/F-2009.

A handwritten signature in black ink, appearing to read 'Elaine Vincent', with a large, stylized loop at the end.

Elaine Vincent
Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
E-mail: pcps@pcps.ab.ca

DATE: October 27, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/F-2009
(Dynamic signage & Show Home Open House)

Background

Land Use Bylaw Amendment No. 3357/F-2009 presents regulations for dynamic signs and a minor amendment to show home and open house sign regulations. The proposed bylaw also includes a bylaw amendment request from Red Deer College for the operation of their dynamic sign.

The intent of creating regulations for dynamics signs is to balance advertising needs with maintaining a high level of public safety and aesthetics. The proposed method of balancing these needs is by limiting the number of dynamic signs within the city.

An equitable way of regulating dynamic signs would be to **permit all** advertisers to put up dynamic signs on their property. Alternatively equitable, would be to **not permit any** advertisers to put up dynamics signs on their property.

The intent of the proposed bylaw amendment is to strike a balance (between the all or nothing equitable scenario) by limiting the number of dynamic signs. The proposed bylaw amendment does not intend to achieve equity for advertisers desiring the placement of dynamic signage.

The proposed bylaw amendment was brought to Council August 24, 2009 for consideration of first reading. The bylaw amendment was tabled to allow administration to make revisions addressing City Councillors' comments and questions. The proposed bylaw amendment was brought back to Council October 5, 2009 and was tabled for further amendments.

Show Home Open Houses

The original August Council report addresses two signage issues, one dealing with signs for Show Home Open Houses and the second to address reader board (dynamic signs). The Show Home Open House sign land use bylaw amendment is being

proposed as a minor change to clarify the intent of the land use bylaw section dealing with signs that do not require permits. No changes have been made to this portion of proposed Land Use Bylaw amendment since it was first presented to Council.

Dynamic Signage

In addition to the show home open house sign component, the proposed land use bylaw amendment deals with dynamic signage. The amendments related to dynamic signs are in response to a request by both the Municipal Planning Commission and Red Deer College to better address this type of signage in the City of Red Deer. As some relevant information was contained in previous reports, the original Council reports and bylaw amendments are attached for further reference. The current report will address Council's requests as discussed at the October 5, 2009 Council meeting and highlight the proposed changes to this portion the revised bylaw amendment.

City Council's Comments

Following a presentation of the proposed bylaw amendment, regarding dynamic signs (reader board signs), the following issues and land use comments were put forth by City Council members:

1. A motion was passed by Council directing that the length of display time of electronic messages be increased to 5 seconds in lieu of 3 seconds:

The land use bylaw amendment has been changed to increase the display time to 5 seconds. The intent is to decrease the potential for driver distraction by giving more time to view the message, along with fewer messages being displayed and by doing so improving public safety.

Red Deer College and The Westerner have reviewed this proposed change from 3 seconds to 5 seconds display time and do not support the change to 5 seconds. They have found this advertising period too long of a time period to advertise and wish to present to City Council to dispute the 5 second display time. Administration will advise them of the future public hearing date in order for them to present to City Council.

2. Council discussed clarification of the method of measurement for the 150 metre separation distance between dynamic sign placements on separate sites in both a linear and a radial distance of measurement:

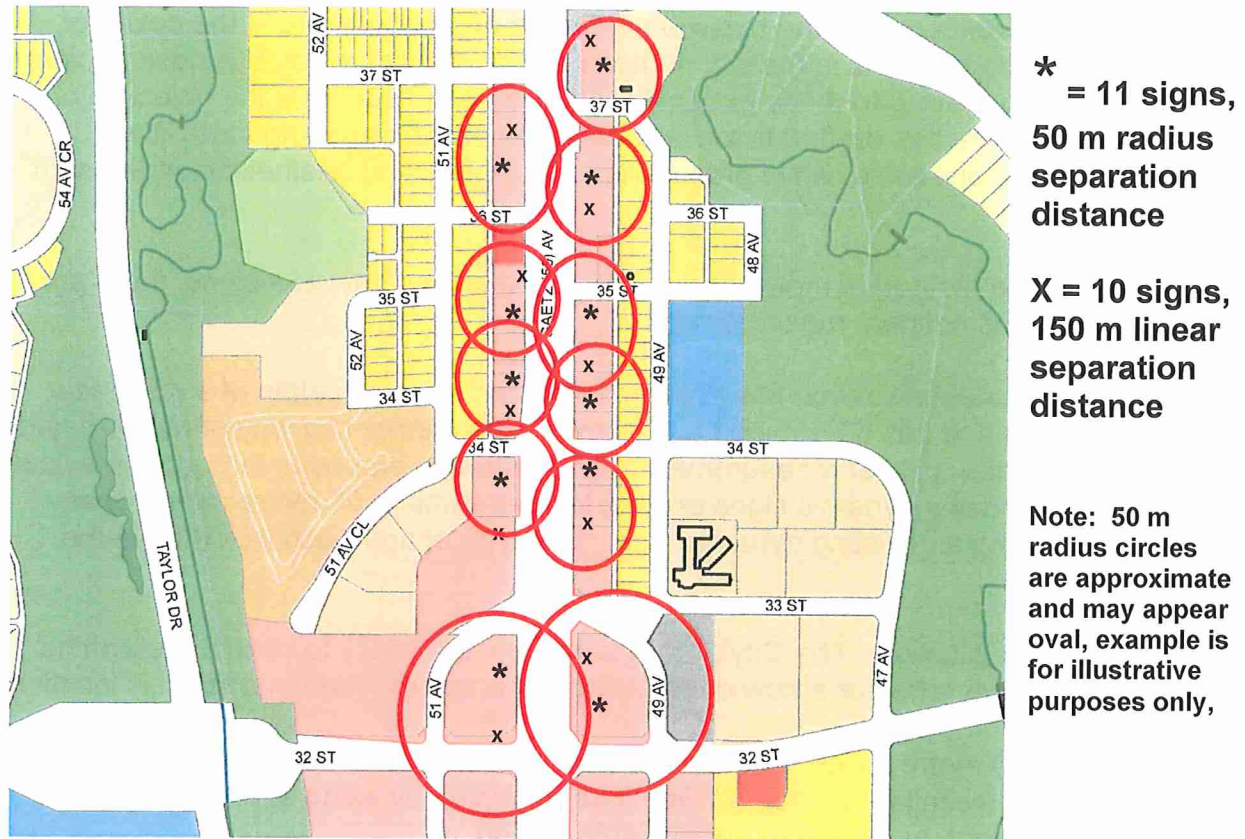
At present, the amendment balances the advertising interests of business owners with public safety and aesthetics. This balance does put some limits on the number and placement of signs. The proposed separation distance will limit adjacent neighbouring properties in their ability to place a dynamic sign on their site. It can be argued that this is not an equitable situation. However, the intent of the bylaw is to limit the total number of dynamic signs within the city for reasons related to public safety and aesthetics. Of necessity this means that there has to be a method for selecting locations for signs.

If equity is a key concern with the bylaw amendment approach, there is the option of prohibiting all dynamic signs in the city or the option of allowing every business to have one. Rather than moving to these extremes, Administration supports the objective of the bylaw amendment as drafted to strike a balance between allowing innovative advertising on the one hand, while preserving traffic safety and aesthetic standards on the other.

With regard to the method of measuring separation distance between signs, there are two options; radius or linear measurement.

Radius Option - Administration has reviewed the practical application of a 150 linear metre separation and has determined a preferred measurement by way of radius based distance rather than a linear measurement. Administration proposes through the bylaw amendment to prohibit dynamic signs on a lot located within a 50 metre radius of any other lot containing an existing dynamic sign. This type of approach would have the following benefits:

- Ease of application: The City's Redgis system can easily be used to determine with certainty whether a new dynamic sign can be permitted in a specific location.
- Using a 50 metre radius measurement results in a balanced number of dynamic signs and a similar number (as would be permitted by using a 150 m linear measurement, as shown in the example below)
- Current approach: Radius measurement is currently used by staff for other purposes such as public notification and has worked satisfactorily.
- This is a more straight forward measurement at intersections.



The 50 metre radius is measured from lot line boundaries which contain a dynamic sign; therefore a larger lot will have a larger separation distance than a smaller lot.

Linear Option

If Council prefers, it would be possible to use a separation distance of 150 linear metres between dynamic signs measured along one side of the street and the wording of the draft bylaw amendment could be modified to reflect this:

“not be within 150 linear metres, of an existing dynamic sign, measured on the same side of the street,”

However, this option is more difficult in practical application for the Inspections and Licensing Department to evaluate. The signs could require a manual measurement, likely through a compliance officer performing a site visit. This option could take more administrative time and effort to determine the distance between signs.

The linear approach would create a situation where a dynamic sign placed on a lot adjacent to an intersection would effectively result in a radius separation distance of 150

meters. This situation increases the limitations of dynamic sign placement at intersections. Given that research indicates intersections to be a higher collision area, limiting driver distraction at intersections could increase public safety.

Planning Analysis

Reader Board (dynamic) signs exist in various forms and designs throughout the City of Red Deer. By design, their intent is to attract attention of drivers, passengers, pedestrians and people passing by.

Existing regulations in the Land Use Bylaw identify driver safety issues such as flashing lights, readograms, and location of signs. Engineering Services has deemed certain elements (flashing, size, location) of signs to be hazardous to public safety and therefore these elements are addressed and regulated in the Land Use Bylaw.

All existing dynamic signs that do not meet the proposed Land Use Bylaw amendments will become legal non-conforming signs and will be permitted to continue in their current state. However, if a new sign is proposed it will need to meet all requirements of the Land Use Bylaw.

Though Red Deer College and The Westerner have expressed concerns regarding the 5 second display time, general members of the sign industry were consulted prior to the bylaw amendment coming to Council regarding the proposed amendment and no concerns have been received to date regarding the proposed bylaw amendment.

The intent of the proposed bylaw amendment is to reflect a balance of public safety concerns, aesthetic controls and commercial advertising rights through clarification of definitions, regulation of size, type, location and display of reader board (dynamic) signs. The changes noted in this report refine the proposed amendment to better address the length of time a message may be displayed on a dynamic sign and identify distance separation through radius measurement rather than linear measurement as an effective means to place limits on the number/location of dynamic signs.

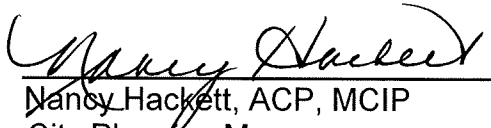
Municipal Planning Commission

The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

That Council of the City of Red Deer proceed with first reading of Land Use Bylaw 3357/F-2009.


Emily Damberger, ACP, MCIP
Planner


Nancy Hackett, ACP, MCIP
City Planning Manager

cc: Paul Meyette, Inspections and Licensing Department
Frank Colosimo, Engineering Services
Colleen Jensen, Community Services
Don Simpson, Chapman Riebeek

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



DATE: October 27, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/F-2009
(Dynamic signage & Show Home Open House)

Background

Land Use Bylaw Amendment No. 3357/F-2009 presents regulations for dynamic signs and a minor amendment to show home and open house sign regulations. The proposed bylaw also includes a bylaw amendment request from Red Deer College for the operation of their dynamic sign.

The intent of creating regulations for dynamics signs is to balance advertising needs with maintaining a high level of public safety and aesthetics. The proposed method of balancing these needs is by limiting the number of dynamic signs within the city.

An equitable way of regulating dynamic signs would be to **permit all** advertisers to put up dynamic signs on their property. Alternatively equitable, would be to **not permit any** advertisers to put up dynamics signs on their property.

The intent of the proposed bylaw amendment is to strike a balance (between the all or nothing equitable scenario) by limiting the number of dynamic signs. The proposed bylaw amendment does not intend to achieve equity for advertisers desiring the placement of dynamic signage.

The proposed bylaw amendment was brought to Council August 24, 2009 for consideration of first reading. The bylaw amendment was tabled to allow administration to make revisions addressing City Councillors' comments and questions. The proposed bylaw amendment was brought back to Council October 5, 2009 and was tabled for further amendments.

Show Home Open Houses

The original August Council report addresses two signage issues, one dealing with signs for Show Home Open Houses and the second to address reader board (dynamic signs). The Show Home Open House sign land use bylaw amendment is being



proposed as a minor change to clarify the intent of the land use bylaw section dealing with signs that do not require permits. No changes have been made to this portion of proposed Land Use Bylaw amendment since it was first presented to Council.

Dynamic Signage

In addition to the show home open house sign component, the proposed land use bylaw amendment deals with dynamic signage. The amendments related to dynamic signs are in response to a request by both the Municipal Planning Commission and Red Deer College to better address this type of signage in the City of Red Deer. As some relevant information was contained in previous reports, the original Council reports and bylaw amendments are attached for further reference. The current report will address Council's requests as discussed at the October 5, 2009 Council meeting and highlight the proposed changes to this portion the revised bylaw amendment.

City Council's Comments

Following a presentation of the proposed bylaw amendment, regarding dynamic signs (reader board signs), the following issues and land use comments were put forth by City Council members:

1. A motion was passed by Council directing that the length of display time of electronic messages be increased to 5 seconds in lieu of 3 seconds:

The land use bylaw amendment has been changed to increase the display time to 5 seconds. The intent is to decrease the potential for driver distraction by giving more time to view the message, along with fewer messages being displayed and by doing so improving public safety.

Red Deer College and The Westerner have reviewed this proposed change from 3 seconds to 5 seconds display time and do not support the change to 5 seconds. They have found this advertising period too long of a time period to advertise and wish to present to City Council to dispute the 5 second display time. Administration will advise them of the future public hearing date in order for them to present to City Council.

2. Council discussed clarification of the method of measurement for the 150 metre separation distance between dynamic sign placements on separate sites in both a linear and a radial distance of measurement:

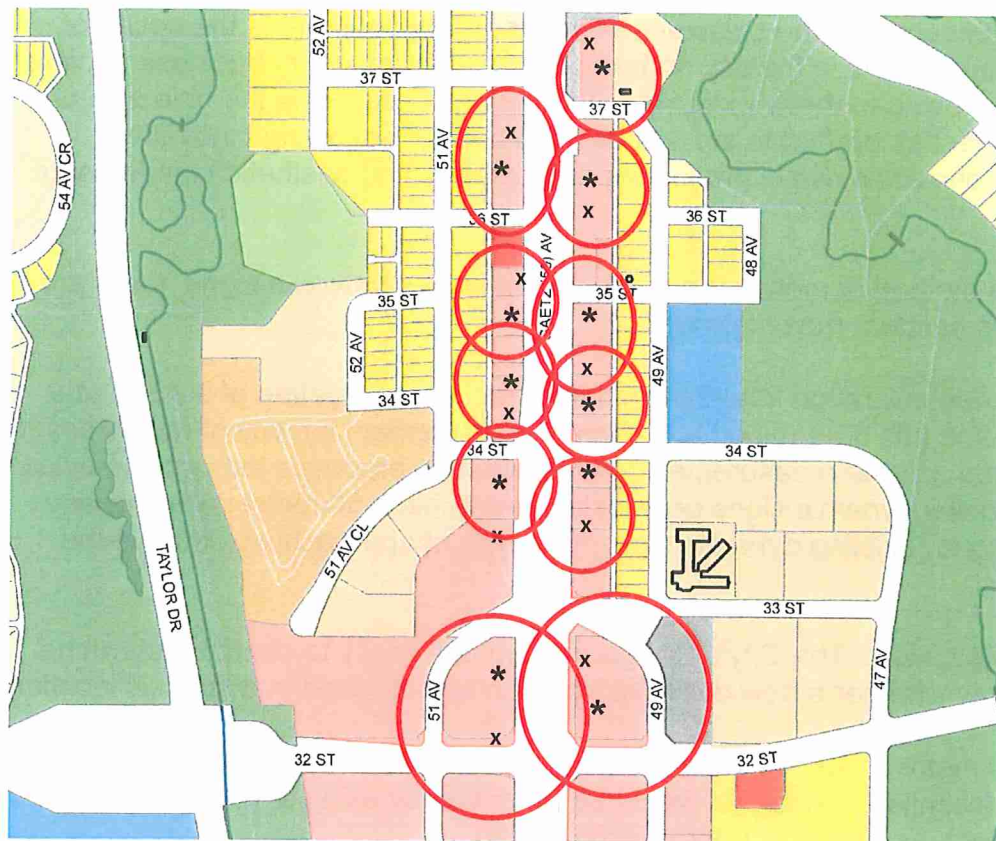
At present, the amendment balances the advertising interests of business owners with public safety and aesthetics. This balance does put some limits on the number and placement of signs. The proposed separation distance will limit adjacent neighbouring properties in their ability to place a dynamic sign on their site. It can be argued that this is not an equitable situation. However, the intent of the bylaw is to limit the total number of dynamic signs within the city for reasons related to public safety and aesthetics. Of necessity this means that there has to be a method for selecting locations for signs.

If equity is a key concern with the bylaw amendment approach, there is the option of prohibiting all dynamic signs in the city or the option of allowing every business to have one. Rather than moving to these extremes, Administration supports the objective of the bylaw amendment as drafted to strike a balance between allowing innovative advertising on the one hand, while preserving traffic safety and aesthetic standards on the other.

With regard to the method of measuring separation distance between signs, there are two options; radius or linear measurement.

Radius Option - Administration has reviewed the practical application of a 150 linear metre separation and has determined a preferred measurement by way of radius based distance rather than a linear measurement. Administration proposes through the bylaw amendment to prohibit dynamic signs on a lot located within a 50 metre radius of any other lot containing an existing dynamic sign. This type of approach would have the following benefits:

- Ease of application: The City's Redgis system can easily be used to determine with certainty whether a new dynamic sign can be permitted in a specific location.
- Using a 50 metre radius measurement results in a balanced number of dynamic signs and a similar number (as would be permitted by using a 150 m linear measurement, as shown in the example below)
- Current approach: Radius measurement is currently used by staff for other purposes such as public notification and has worked satisfactorily.
- This is a more straight forward measurement at intersections.



*** = 11 signs,
50 m radius
separation
distance**

**X = 10 signs,
150 m linear
separation
distance**

**Note: 50 m
radius circles
are approximate
and may appear
oval, example is
for illustrative
purposes only,**

The 50 metre radius is measured from lot line boundaries which contain a dynamic sign; therefore a larger lot will have a larger separation distance than a smaller lot.

Linear Option

If Council prefers, it would be possible to use a separation distance of 150 linear metres between dynamic signs measured along one side of the street and the wording of the draft bylaw amendment could be modified to reflect this:

“not be within 150 linear metres, of an existing dynamic sign, measured on the same side of the street,”

However, this option is more difficult in practical application for the Inspections and Licensing Department to evaluate. The signs could require a manual measurement, likely through a compliance officer performing a site visit. This option could take more administrative time and effort to determine the distance between signs.

The linear approach would create a situation where a dynamic sign placed on a lot adjacent to an intersection would effectively result in a radius separation distance of 150

meters. This situation increases the limitations of dynamic sign placement at intersections. Given that research indicates intersections to be a higher collision area, limiting driver distraction at intersections could increase public safety.

Planning Analysis

Reader Board (dynamic) signs exist in various forms and designs throughout the City of Red Deer. By design, their intent is to attract attention of drivers, passengers, pedestrians and people passing by.

Existing regulations in the Land Use Bylaw identify driver safety issues such as flashing lights, readograms, and location of signs. Engineering Services has deemed certain elements (flashing, size, location) of signs to be hazardous to public safety and therefore these elements are addressed and regulated in the Land Use Bylaw.

All existing dynamic signs that do not meet the proposed Land Use Bylaw amendments will become legal non-conforming signs and will be permitted to continue in their current state. However, if a new sign is proposed it will need to meet all requirements of the Land Use Bylaw.

Though Red Deer College and The Westerner have expressed concerns regarding the 5 second display time, general members of the sign industry were consulted prior to the bylaw amendment coming to Council regarding the proposed amendment and no concerns have been received to date regarding the proposed bylaw amendment.

The intent of the proposed bylaw amendment is to reflect a balance of public safety concerns, aesthetic controls and commercial advertising rights through clarification of definitions, regulation of size, type, location and display of reader board (dynamic) signs. The changes noted in this report refine the proposed amendment to better address the length of time a message may be displayed on a dynamic sign and identify distance separation through radius measurement rather than linear measurement as an effective means to place limits on the number/location of dynamic signs.

Municipal Planning Commission

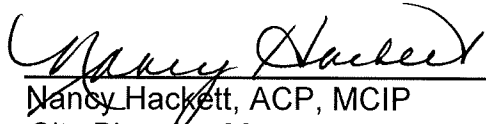
The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

That Council of the City of Red Deer proceed with first reading of Land Use Bylaw 3357/F-2009.



Emily Danberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
City Planning Manager

cc: Paul Meyette, Inspections and Licensing Department
Frank Colosimo, Engineering Services
Colleen Jensen, Community Services
Don Simpson, Chapman Riebeek



Request: Report for Inclusion on a Council Agenda

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:		Emily Damberger	
Department & Telephone Number:		PCPS 403-343-3393	
REPORT INFORMATION			
Preferred Date of Agenda:		November 2, 2009	
Subject of the Report (provide a brief description)		Reader Boards/Dynamic Signs	
Is this Time Sensitive? Why?		Request from City Council to bring back by November 2, 2009	
What is the Decision/Action required from Council?		First reading consideration by Council	
Please describe Internal/ External Consultation, if any.		Consulted City Departments and external stakeholders, Red Deer College and The Westerner	
Is this a Committee of the Whole item?		no	
How does the Report link to the Strategic Plan? Be Authentic – Distinctive Character Goal (DC 5)			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. Yes were consulted, no outstanding issues			
Has Financial Services been consulted? Are there any budget implications? Please describe. No, they were not consulted, potentially budget implication through inspections and licensing now processing reader board permit applications.			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: Emily Damberger, PCPS (403)-343-3394
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address) Red Deer College - Janet Gilmore 403.356.4952, Janet.Gilmore@rdc.ab.ca The Westerner – John Harms, 403.309.0200, jharms@westerner.ab.ca			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC		(Please circle those that apply)	
SMT When/describe: _____	Topics When/Describe: _____	Board(s) / Committee(s) When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO



Request: Report for Inclusion on a Council Agenda

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:	Emily Damberger		
Department & Telephone Number:	PCPS (Planning) 403-343-3394		
REPORT INFORMATION			
Preferred Date of Agenda:	Oct. 19 '09 => City manager requested time line		
Subject of the Report (provide a brief description)	Dynamic signs Land use bylaw amendment No. 3357/F-2009		
Is this Time Sensitive? Why?	Yes - Council requested item to come back.		
What is the Decision/Action required from Council?	Refer to table , proceed with first reading refuse		
Please describe Internal/ External Consultation, if any.	City staff + department referral, external => Red Deer College + Westerner		
Is this a Committee of the Whole item?	no		
How does the Report link to the Strategic Plan? Be Authentic Distinctive Character Goal (DCG)			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. Yes - Don Simpson, no outstanding issues.			
Has Financial Services been consulted? Are there any budget implications? Please describe. No have not been consulted, not un planned budget implications.			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Presenter Name and Contact Information: Emily Damberger (403) 343-3394	
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address) Red Deer College - Janet Gilmore => Janet.Gilmore@rdc.ab.ca Westerner - John Harms => jharms@westerner.ab.ca			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees (MPC) EAC, CPAC (Please circle those that apply)			
SMT When/describe:	Support MPC When/Describe: Aug. 12 receive support to go to Council	Board(s) / Committee(s) When/Describe: →	
Do we need a Media Release?		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

Please return completed form, along with report and any additional information to Legislative & Administrative Services.
↳ will need to do public hearing advertising

DATE: November 3, 2009

TO: Emily Damberger, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/F-2009 – Dynamic Signage & Show Home Open House

Reference Report:

Legislative and Administrative Services Manager, dated October 27, 2009
Parkland Community Planning Services, dated October 27, 2009

Bylaw Readings:

At the Monday, August 24, 2009 Council Meeting, Land Use Bylaw Amendment 3357/F-2009 was tabled for four weeks and at the September 21, 2009 Council Meeting, administration requested that this report be tabled for an additional two weeks - to Monday, October 5, 2009. A further tabling of the Land Use Bylaw Amendment occurred at the Monday, October 5, 2009 Council Meeting. At the Monday, November 2, 2009, Land Use Bylaw Amendment 3357/F-2009 was again considered and a subsequent tabling resolution was passed.

Resolution:

"Resolved that Council of the City of Red Deer hereby agrees to table further consideration of Land Use Bylaw Amendment 3357/F-2009 for up to eight weeks to allow administration opportunity to further consider:

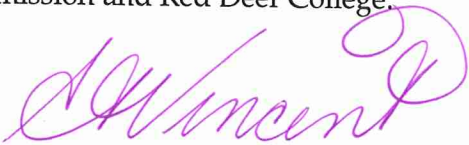
- the legality of banning dynamic signs altogether
- 3 or 5 second timing
- the method of sign interval- measurement
- defining third party / public service advertising
- whether C4 designations should be included."

Report Back to Council: Yes

Council Decision Letter
November 2, 2009

Comments/Actions:

Land Use Bylaw Amendment 3357/F-2009 addresses two signage issues, one minor Show Home Open House bylaw amendment and a bylaw amendment to address reader board (dynamic signs). The minor Show Home Open House signs land use bylaw amendment is being proposed to clarify the intent of the land use bylaw section dealing with signs that do not require permits. The proposed Land Use Bylaw amendment regarding Dynamic signage is in response to a request by both the Municipal Planning Commission and Red Deer College.



Elaine Vincent
Legislative and Administrative Services Manager

c	Development Services Director	Inspections & Licensing Manager
	Corporate Services Director	Inspections & Licensing Supervisor
	Community Services Director	Land & Economic Development Manager
	Engineering Services Manager	LAS File
	Financial Services Manager	Leigh-Ann Butler, Graphics Supervisor

**COMMUNITY SERVICES DIVISION****DATE: October 26, 2009****TO: Legislative and Administrative Services Manager****FROM: Greg Scott, Recreation, Parks and Culture Manager****SUBJECT: Consolidated City of Red Deer and Westerner Exposition Association Agreement**

INTRODUCTION

City Council is being asked to review the new agreement between The City of Red Deer and Westerner Exposition Association. The agreement is a consolidation of nine old agreements and supports the newly developed Westerner Park Strategic Development Plan.

BACKGROUND

Over the last 3 years, Westerner staff and City Administration have been reviewing existing agreements (nine) with the intent of consolidating the information into one main. Westerner Park recently completed a significant public consultation process in developing a new Strategic Development Plan. This new plan identified both the current site and area east of Piper Creek including the old landfill. This plan has been approved by the Westerner Board and is attached, under separate cover, for your information.

DISCUSSION

Supported by both Western Park and City Administration the new agreement:

- Permits and facilitates the development of the Westerner site in support of a broad range of activities.
- Reflects the growth of the Westerner Site from an annual exhibition to a broad range of on-going sporting recreational, commercial and entertainment facilities.
- Simplifies the agreement management process by consolidating nine agreements into one.
- Acknowledges the Westerner Park Strategic Development Plan including future use of the old landfill site.
- Extends the term of the agreement to May 31, 2059 to better meet the growth requirements of the Strategic Development Plan.

- Clearly identifies the off leash dog park area and provides direction for both short and long term use.

FINANCIAL IMPLICATION

Although the land is owned by The City, Westerner Park is responsible for the overall operation, maintenance (except Piper Creek National Area and off leash dog park) and future development of the site. All future work needs to be consistent with the Strategic Development Plan, and in conformance with the City of Red Deer Land Use Bylaw.

RECOMMENDATION

That Red Deer City Council approves the 2009 consolidated Western Park agreement between The City of Red Deer and the Westerner Exposition Association

Greg Scott
Recreation Parks & Culture Manager

cc: Craig Curtis, City Manager
Colleen Jensen, Director of Community Services
John Harms, Westerner Exposition Association General Manager

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

ORIGINAL

2009 CONSOLIDATED WESTERNER AGREEMENT

AGREEMENT dated the _____ day of _____, 2009

Between:

THE CITY OF RED DEER
("The City")

-and-

THE WESTERNER EXPOSITION ASSOCIATION
(the "Association")

Background

A. The City is the registered owner of those lands shown in **Site Plan/Schedule "A"** hereto (Schedule "A") and legally described as lots:

Lot 2, Block 1, Plan 822 2274

Lot 3, Block 1, Plan 822 2274

Lot 5, Block 1, Plan 822 2274

Lot 7, Block 1, Plan 822 2274

which includes the current Westerner Grounds, the Piper Creek Natural Area (including creek) and old landfill site, which is shown as future use as per the Westerner Park Strategic Development Plan and Off Leash Dog Park, all as shown on Schedule "A" (collectively herein to be referred to as "the Westerner Site").

B. The City has previously entered into agreements with the Association pertaining to the lease and development of the Westerner Site, consisting of the following:

- (i) Lease Agreement executed March 4, 1980;
- (ii) Lease Agreement executed October 20, 1980;
- (iii) Lease Amending Agreement executed March 10, 1983;
- (iv) Lease Agreement executed January 1, 1988;
- (v) Guarantee executed March 23, 1989;
- (vi) Lease Agreement executed July 24, 1990;

- (vii) Assignment of Lease executed March 26, 1991;
 - (viii) Lease Agreement executed January 1, 1998; and
 - (ix) Non-Disturbance Agreement executed December 12, 2002.
- (collectively, the "Agreements")

C. The purpose of the Agreements was to permit and facilitate development of the Westerner Site in support of the broad range of activities the Association wished to develop and promote.

D. The Agreements further reflect the growth of the Westerner Site from an annual exhibition to a broad range of ongoing sporting, recreational, commercial and entertainment facilities, including the addition of the Centrum.

E. Due to the number of accumulated agreements between the parties and due to the increase in the magnitude of the activities carried on by the Association, the parties wish to enter into this Agreement which will act as a consolidation of the previous Agreements and will also reflect the current reality of the Westerner Site activities.

F. This Agreement also acknowledges the potential use of the old City landfill site as shown on Schedule "A" consistent with City Council approvals as required from time to time and the Westerner Park Strategic Development Plan dated January 2008, which for reference only is attached hereto.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

Lease to the Association

1. (a) The City does hereby lease the Westerner Site, as described and illustrated on **Schedule "A"** hereto, to the Association for a term of fifty (50) years from the 1st day of June, 2009 until the 31st day of May, 2059. The Association shall pay The City annual rent of \$1.00 payable on the first business day of each and every year during the currency of this agreement.

(b) Upon the Agreement of both parties the term herein may from time to time be reviewed, however, it is contemplated that upon termination of the period set out (fifty years) this Agreement may be extended for a further twenty-five (25) years upon such terms as may then be agreed upon, but only upon three (3) years prior notice by the Association to the City and the Agreement of the City.

Association Obligations

2. The Association covenants with The City:

- (a) To pay the rent hereinbefore referenced;
- (b) That it will at all times during the continuance of this Agreement keep, and at the termination hereof, yield up the Westerner Site, together with any buildings and appurtenances constructed thereon or related thereto, in good and tenantable repair, accidents and damages to buildings and premises from fire, storm or other casualty beyond the control of or not caused by the negligence of the Association or its employees or agents, and reasonable wear and tear only, excepted.
- (c) That it shall not assign this Agreement or sub-let the Westerner Site without the consent in writing of The City first obtained.
- (d) To pay all business and other taxes charged in respect of the Westerner Site and any buildings erected thereon.
- (e) To pay for all utilities or other services supplied to the Westerner Site.
- (f) To comply with all bylaws, rules and regulations which in any manner relate to or affect the Westerner Site.

- (g) To develop the Westerner Site consistent with the Westerner Park Strategic Development Plan dated January 2008, or such other additional or future plans as may be approved by Council for The City of Red Deer.
- (h) To provide The City with a copy of the Minutes of its Annual Meeting within thirty (30) days of such meeting.

General Provisions

3. The Parties further agree as follows:

- (a) Upon the expiration or termination of this Agreement, all buildings, structures and improvements and appurtenances thereto situated upon the Westerner Site, shall become the property of and belong absolutely to The City without payment therefor.
- (b) The Association covenants and agrees that it shall cooperate with The City with respect to the future layout and design of the buildings, improvements, utilities and roads to be constructed upon the Westerner Site, in order to ensure that the utilities installed upon the Westerner Site shall be capable of easy and economic connection to all other utilities owned by The City and which may be constructed adjacent to the Westerner Site.
- (c) The Association shall be responsible for and shall make payment of the costs of maintaining and repairing all utilities, services, roads and light systems installed upon the Westerner Site. All such maintenance, however, shall be done by or under the direction of City staff, to a standard satisfactory to City Engineering. Provided, however, that if it is considered desirable to construct facilities such as a water booster station, reservoir, or similar facility within the confines of the Westerner Site, which provides for a service or benefit to lands adjacent to the Westerner Site, as well as the Westerner Site, then the maintenance of such facility shall be shared pro rata between The City and the Association.

4. If the term hereby demised at any time be seized or taken in execution or attachment by any creditor of the Association, or if the Association shall make an assignment for the benefit of creditors or become bankrupt or insolvent, or if the Association ceases to continue to be registered as a non-profit organization, then, and in every such case, the then current rent and any other charges then due under the terms of this lease shall immediately become due and payable, and The City may, at any time, thereafter, re-enter and take possession of the Westerner Site and the said term shall, at the option of The City, become forfeited and void.

Insurance

5. (1) The Association shall at all times keep a policy of liability insurance in place with respect to all facilities now on the Westerner Site or in the future erected by the Association upon the Westerner Site, and shall provide a copy of the policy to The City annually.

(2) The policy shall:

(a) contain coverage for damages for personal injury or death of any person or for property damage occurring upon the demised lands, such insurance to afford single event protection to a limit of not less than Five Million (\$5,000,000.00) Dollars with respect to injury, death or property damage.

(b) contain specific coverage pertaining to damages arising from the operation of boilers, steam plants or any machinery whatsoever that pertains to heating, air conditioning, maintenance or general equipment.

(c) show The City as an additional named insured.

(d) contain a clause that the insurer will not cancel or change the insurance without a minimum of thirty (30) days prior written notice to The City.

Additional Insurance Provisions

6. Notwithstanding the foregoing, The City may, at its option, insure any buildings, structures or improvements erected upon the Westerner Site, in which event the Association shall pay the cost thereof, on demand.

7. The Association shall, upon the request of The City, and for the purpose of determining the adequacy of any insurance coverage maintained either by The City or by the Association, provide valuations or appraisals of any buildings, structures or other improvements erected on the Westerner Site.

Damage

8. If any part of the Westerner Site is damaged or destroyed by an insured event, The City must be advised immediately. The City must be consulted and must agree to any remedial work that is to be done.

9. If the damage caused to the Westerner Site requires major repairs or rebuilding, The City may, at its sole discretion, suspend this Agreement until such time as The City agrees with the level and nature of remediation required, and all issues resulting from such damage are determined to the satisfaction of The City.

10. If the Westerner Site is damaged beyond repair, and so as to impair its continued use for the purposes set out herein, The City reserves the right to terminate this Agreement upon ten (10) days written notice. The Association shall surrender possession to The City and pay any amount owing to the date of termination.

Safety

11. The Association shall adhere to all Workers Compensation Board requirements and Occupational Health and Safety Legislation and complete such documents as may be required by any authority relative thereto.

Indemnification

12. The Association will indemnify and save harmless The City of and from all claims and expenses of any kind or nature which The City may become liable for or suffer by reason of any breach, violation or non-performance by the Association of any covenant, term or provision hereof or by reason of any injury occasioned to or suffered by any person or persons or any property by reason of any act, neglect or default on the part of the Association or any person for whom the Association is responsible in law, other than claims or expenses arising from the fault or negligence of The City or persons for whom it is responsible in law.

13. If The City should without fault or negligence on its part (or on the part of a person for whom it is responsible in law) be made a party to any litigation commenced by or against the Association, the Association shall indemnify and save harmless The City from and against any and all claims or liability resulting from such litigation and shall pay all costs, expenses and legal fees incurred and paid by The City in connection with such litigation, including, but without restricting the generality of the foregoing, costs on a solicitor and client basis.

14. The City shall not be liable in any way for any loss, injury or damage caused to any person or persons or for loss of or damage to any property belonging to the Association or to employees, directors, officers, agents, invitees, or licensees of the Association while such a person is in or about the Westerner Site, other than matters arising from the fault or negligence of The City or persons for whom it is responsible in law.

Westerner Campground Management Agreement

15. The City acknowledges the terms and conditions of the Westerner Campground Management Agreement made the 30th day of September, 2002 between the Westerner Exposition Association and Westerner Campground Ltd. (the "Management Agreement"), and agrees that notwithstanding that The City is not a party to the Management Agreement, The City agrees that it will not interfere with, disturb or prejudice the operation of the Management Agreement other than in accordance with the terms of the said Management Agreement.

Off Leash Dog Park

16. (1) For the use of a public Off Leash Dog Park, the parties agree that The City will sublease from the Association the entire North East area as identified on Schedule "A" hereto for a term of twenty (20) years at an annual rent of One (\$1.00) Dollar per year.

(2) After this twenty (20) year term, the term may be extended on a year to year basis as agreed to between the parties until such time as the entire area or any portion thereof is required for Westerner Park development purposes consistent with the Westerner Park Strategic Development Plan. It should be noted that any anticipated change to the term after the twenty year timeframe requires a two year notification.

(3) The Off Leash Dog Park is generally consistent with the Westerner Park Strategic Development Plan. Recommendations, from time to time, will need to be agreed to between the parties; however, The City of Red Deer in the case of a conflict will have sole authority to determine the specific area of the Off Leash Dog Park.

(4) The City of Red Deer is to be responsible for all construction and operating costs associated with the Off Leash Dog Park, as well as any re-zoning which may be necessary relative thereto.

Assignment

17. This Agreement may not be assigned or transferred in any manner whatsoever without the prior permission of The City.

Termination and Amendment

18. The Parties agree that a meeting will take place between The City and the Association at a minimum of once every five (5) years to review this Agreement and to consider the need for any amendment.

19. (1) If the Association is in default under this Agreement, then The City shall be entitled to terminate this Agreement immediately. The following shall be deemed a default under this Agreement:

(a) Failure to operate the Westerner Site;

(b) Failure to maintain insurance as required under this Agreement;

20. This Agreement may be amended upon thirty (30) days notice on the written agreement of both Parties.

Notice

21. Any notice to a party shall be in writing personally delivered or sent by pre-paid registered mail addressed to such party at the following address:

The Westerner Exposition Association
4847A – 19 Street
Red Deer, AB T4R 2N7
Attention: General Manager

City of Red Deer
Box 5008
Red Deer AB T4N 3T4
c/o Recreation, Parks and Culture Department
Att: RPC Manager or Designate

IN WITNESS WHEREOF the parties have caused this agreement to be duly executed by their proper officers with effect the day and year above written.

THE CITY OF RED DEER

**THE WESTERNER
EXPOSITION ASSOCIATION**

Per: _____

Per: _____

Per: _____

Per: _____

Dated : _____ 2009

Between:

THE CITY OF RED DEER
(“The City”)

- and -

**THE WESTERNER EXPOSITION
ASSOCIATION**
(the “Association”)

**2009 CONSOLIDATED
WESTERNER AGREEMENT**

CHAPMAN RIEBEEK

Barristers and Solicitors
#300, 4808 Ross Street
RED DEER, Alberta
T4N 1X5

Phone: (403) 346-6603

Fax: (403) 340-1280

Nick P. Riebeek
Solicitor for The City of Red Deer

File No: 5165 NPR

Christine Kenzie

From: Greg Scott
Sent: October 05, 2009 11:06 AM
To: Elaine Vincent
Cc: 'John Harms'; Christine Kenzie; Colleen Jensen; Craig Curtis; Heather McLaren
Subject: FW: Final Westerner Agreement

Looks like November 2nd will work for bringing the Westerner Agreement forward.

Greg S.

From: John Harms [mailto:jharms@westerner.ab.ca]
Sent: October 02, 2009 3:26 PM
To: Greg Scott
Subject: RE: Final Westerner Agreement

Greg,

If there isn't much on the November 2nd agenda, that would work.

Let me know.

J

Westerner Park

John P. Harms
Chief Executive Officer and
General Manager
4847A 19 Street
Red Deer, AB T4R 2N7
Tel 403.309.0200
Fax 403.341.4699
westerner.ab.ca



please consider the environment before printing this email

From: Greg Scott [mailto:Greg.Scott@reddeer.ca]
Sent: Friday, October 02, 2009 11:45 AM
To: John Harms; Elaine Vincent
Subject: RE: Final Westerner Agreement

I will check to see what is on the agenda and if there are items scheduled after supper, which runs 5 to 6. If the agenda is not long John would you rather wait until November 2nd so you and Board representatives can attend. Elaine do you know what the agenda looks like for the 19th ... I appreciate it is still a ways away.

Greg S.

From: John Harms [mailto:jharms@westerner.ab.ca]
Sent: October 02, 2009 8:49 AM
To: Greg Scott
Subject: RE: Final Westerner Agreement

It will last till 5:00 or 6:00. When is this on the agenda?

J

Westerner Park

John P. Harms
Chief Executive Officer and
General Manager
4847A 19 Street
Red Deer, AB T4R 2N7
Tel 403.309.0200
Fax 403.341.4699
westerner.ab.ca



please consider the environment before printing this email

From: Greg Scott [mailto:Greg.Scott@reddeer.ca]
Sent: Friday, October 02, 2009 8:09 AM
To: John Harms
Subject: RE: Final Westerner Agreement

What time is your meeting?

Greg S.

From: John Harms [mailto:jharms@westerner.ab.ca]
Sent: October 01, 2009 4:34 PM
To: Greg Scott
Subject: RE: Final Westerner Agreement

Greg,

Those changes work for me.

I have an important Governance and Nominating Committee meeting on the 19th, as does my President. Might be very difficult for us to attend.

John

2009/10/05

Westerner Park

John P. Harms
Chief Executive Officer and
General Manager
4847A 19 Street
Red Deer, AB T4R 2N7
Tel 403.309.0200
Fax 403.341.4699
westerner.ab.ca



please consider the environment before printing this email

From: Greg Scott [mailto:Greg.Scott@reddeer.ca]
Sent: Thursday, October 01, 2009 3:38 PM
To: John Harms
Cc: Heather McLaren
Subject: FW: Final Westerner Agreement

Hi John not quite there yet.

In the review by Morris and Craig they asked me to make one small change.

In the first 20 years we are leasing the entire area, this is not exactly in line with what your Strategic Development Plan shows therefore I changed #3 to say the Off Leash Park is generally consistent with the WPSDP and have left off the rest of the statement relating to specific recommendations for the off leash park as this statement did not jive with your plan.

I have also changed the date in #1 to June 2009..

It is my intention to get this to the October 19th council meeting. As previously mentioned to you by Trevor it would be great if you and your Board Chair could also attend just in case there are questions.

Let me know what you think.

Greg S.

From: Heather McLaren
Sent: October 01, 2009 2:30 PM
To: Greg Scott
Subject: Final Westerner Agreement

Hi Greg,

Attached is a copy of the Final Westerner Agreement with all changes as of October 1, 2009.

<<Westerner Agreement Final (Oct1, 09).pdf>>

Heather McLaren
The City of Red Deer

2009/10/05

Community Services Senior Admin Assistant
Recreation Parks & Culture Department

Phone: 1-403-342-8159

Fax: 1-403-342-8222

Email: heather.mclaren@reddeer.ca

[The information contained in this message is confidential and is intended for the addressee only. If you have received this message in error, please notify the sender immediately and delete the message. The unauthorized use, disclosure, copying or alteration of this message is strictly forbidden.]

[Please consider the environment before printing this e-mail.]

[This message has been scanned for security content threats, including computer viruses.]

[Please consider the environment before printing this e-mail.]

[The information contained in this message is confidential and is intended for the addressee only. If you have received this message in error, please notify the sender immediately and delete the message. The unauthorized use, disclosure, copying or alteration of this message is strictly forbidden.]

[Please consider the environment before printing this e-mail.]

[This message has been scanned for security content threats, including computer viruses.]

[Please consider the environment before printing this e-mail.]

[The information contained in this message is confidential and is intended for the addressee only. If you have received this message in error, please notify the sender immediately and delete the message. The unauthorized use, disclosure, copying or alteration of this message is strictly forbidden.]

[Please consider the environment before printing this e-mail.]

[This message has been scanned for security content threats, including computer viruses.]

[Please consider the environment before printing this e-mail.]

FILE COPY



Council Decision – November 2, 2009

DATE: November 3, 2009
TO: Greg Scott, Recreation Parks & Culture Manager
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Consolidated City of Red Deer and Westerner Exposition Association Agreement

Reference Report:

Recreation Parks & Culture Manager, dated October 26, 2009

Resolution:

"Resolved that Council of the City of Red Deer having considered the report from the Recreation, Parks and Culture Manager, dated October 26, 2009 Re: Consolidated City of Red Deer and Westerner Exposition Association Agreement hereby approves the 2009 Consolidated Westerner Park agreement between The City of Red Deer and the Westerner Exposition Association."

MOTION CARRIED

Report Back to Council: No

A handwritten signature in purple ink, appearing to read 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager

c City Manager
Director of Community Services

Report Item No. 2

Date: October 26, 2009

To: Elaine Vincent, Legislative & Administrative Services Manager

From: Colleen Jensen, Community Services Director

Subject: Funding Approval Request –River Valley & Tributaries Park Concept Plan

BACKGROUND

The Waskasoo Park Master Plan, completed in 1982, resulted in the creation of a major park system that serves both city and county residents. Much of the park space identified in the Waskasoo Park Master Plan has been successfully developed through park nodes or preserved in its natural state. The Red Deer County and City of Red Deer Intermunicipal Development Plan (IDP) adopted in 2007 talks of, as equal partners, preparing plans for the areas east, north, and west of the present City of Red Deer boundary. This is being carried out, in part, by the Joint Planning Initiative being undertaken by AECOM consultants. Policy 3.2.3 of the IDP (3)(a) of the states: “Establish a continuous intermunicipal park system, where possible, focused on the floodways and flood fringes, and other natural areas of Waskasoo Creek, Piper Creek, Red Deer River and Blindman River.”

Policy DC 4 of the City of Red Deer Strategic Plan states: “Ensure green spaces and park systems are core to our distinctive character.”

In the 2008 budget year Council approved a Service Plan Funding Requirement of one time funding of \$100,000 for the River Valley & Tributaries Concept Plan and Ecological Assessments for the annexation area. The City awarded a contract for O2 Planning and Design to undertake the River Valley & Tributaries Concept Plan in May 2008 for \$64,740 with the reminder used for the ecological assessments. There was \$47,955 carried forward to the 2009 budget for the River Valley & Tributaries Park Concept Plan. The Steering Committee for the study includes members from the administrations of Red Deer County and The City, the Red Deer River Naturalists, the Alberta TrailNet Society, and Waskasoo Environmental Education Society.

DISCUSSION:

The original Terms of Reference and the consultant's Proposal did not adequately anticipate the time required of the consultant to deal with two broad areas. One was to understand and reflect in the River Valley & Tributaries Concept Plan the critical linkages and interrelationships to the Joint Planning Initiative with Red Deer County, the Red Deer County Open Space Master Plan (OSMPA) (adopted as a planning tool in 2009), and the Recreation, Parks and Culture Community Assets Needs Assessment: A Directional Plan for The City of Red Deer (adopted as a planning tool in November 2008). The second was inadequate consideration of the need for a number of joint meetings of City and County Administrations and Councils. The County of Red Deer role should have been recognized as a partner in the development of this Plan rather than the original identification as a key stakeholder.

The Strategy DC 4.1 in the City of Red Deer Strategic Plan, which is shown as an area for emphasis in 2010, states: "Complete and implement the River Valley and Tributaries Park Concept Plan." This foundational planning document's recommendations will be used for: the extension of the river valley and tributaries system and the land preservation or open space areas to be incorporated into the Joint Planning Initiative and the Major Area Structure Plans within the Phase I annexation area.

As of September 2009 most of the \$47,955 carried forward for the River Valley & Tributaries Concept Plan had been expended or committed. An additional \$55,000 is required for increased consulting contract costs, public meeting expenses, report copies, and contingencies. The suggested funding source is the Parkland Community Planning Services Dividend Reserve Fund. The Parkland Community Planning Services Dividend Reserve Fund presently has an uncommitted balance of \$225,046 (The Dividend of \$15,634.70 for 2008-09 was received in August 2009). Any monies not required would be returned to the Dividend Reserve Fund.

RECOMMENDATION:

That Council for The City of Red Deer authorize funding in the amount of up to \$55,000 to be taken from the Parkland Community Planning Services Dividend Reserve Fund for the purposes of completing the River Valley & Tributaries Concept Plan.

Colleen Jensen, Director
Community Services

cc: Angus Schaffenburg, Major Projects Planner, Community Services
Kim Champigny, Division Controller, Community Services
Greg Scott, Manager, Recreation, Parks & Culture
Trevor Poth, Parks Superintendent, Recreation, Parks & Culture
John Fluney, Financial Services

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

ORIGINAL



Date: October 26, 2009

To: Elaine Vincent, Legislative & Administrative Services Manager

From: Colleen Jensen, Community Services Director

Subject: Funding Approval Request –River Valley & Tributaries Park Concept Plan

BACKGROUND

The Waskasoo Park Master Plan, completed in 1982, resulted in the creation of a major park system that serves both city and county residents. Much of the park space identified in the Waskasoo Park Master Plan has been successfully developed through park nodes or preserved in its natural state. The Red Deer County and City of Red Deer Intermunicipal Development Plan (IDP) adopted in 2007 talks of, as equal partners, preparing plans for the areas east, north, and west of the present City of Red Deer boundary. This is being carried out, in part, by the Joint Planning Initiative being undertaken by AECOM consultants. Policy 3.2.3 of the IDP (3)(a) of the states: "Establish a continuous intermunicipal park system, where possible, focused on the floodways and flood fringes, and other natural areas of Waskasoo Creek, Piper Creek, Red Deer River and Blindman River."

Policy DC 4 of the City of Red Deer Strategic Plan states: "Ensure green spaces and park systems are core to our distinctive character."

In the 2008 budget year Council approved a Service Plan Funding Requirement of one time funding of \$100,000 for the River Valley & Tributaries Concept Plan and Ecological Assessments for the annexation area. The City awarded a contract for O2 Planning and Design to undertake the River Valley & Tributaries Concept Plan in May 2008 for \$64,740 with the remainder used for the ecological assessments. There was \$47,955 carried forward to the 2009 budget for the River Valley & Tributaries Park Concept Plan. The Steering Committee for the study includes members from the administrations of Red Deer County and The City, the Red Deer River Naturalists, the Alberta TrailNet Society, and Waskasoo Environmental Education Society.

DISCUSSION:

The original Terms of Reference and the consultant's Proposal did not adequately anticipate the time required of the consultant to deal with two broad areas. One was to understand and reflect in the River Valley & Tributaries Concept Plan the critical linkages and interrelationships to the Joint Planning Initiative with Red Deer County, the Red Deer County Open Space Master Plan (OSMPA) (adopted as a planning tool by the County in 2009), and the Recreation, Parks and Culture Community Assets Needs Assessment: A Directional Plan for The City of Red Deer (adopted as a planning tool in November 2008). The second was inadequate consideration of the need for a number of joint meetings of City and County Administrations and Councils. Ensuring alignment of the various plans has proven to be more complex and time consuming than anticipated.

The Strategy DC 4.1 in the City of Red Deer Strategic Plan, which is shown as an area for emphasis in 2010, states: "Complete and implement the River Valley and Tributaries Park Concept Plan." This foundational planning document's recommendations will be used for: the extension of the river valley and tributaries system and the land preservation or open space areas to be incorporated into the Joint Planning Initiative and the Major Area Structure Plans within the Phase I annexation area.

As of September 2009 most of the \$47,955 carried forward for the River Valley & Tributaries Concept Plan had been expended or committed. An additional \$55,000 is required for increased consulting contract costs, public meeting expenses, report copies, and contingencies. The suggested funding source is the Parkland Community Planning Services Dividend Reserve Fund. The Parkland Community Planning Services Dividend Reserve Fund presently has an uncommitted balance of \$225,046 (The Dividend of \$15,634.70 for 2008-09 was received in August 2009). Any monies not required would be returned to the Dividend Reserve Fund.

RECOMMENDATION:

That Council for The City of Red Deer authorize funding in the amount of up to \$55,000 to be taken from the Parkland Community Planning Services Dividend Reserve Fund for the purposes of completing the River Valley & Tributaries Concept Plan.



Colleen Jensen, Director
Community Services

cc: Angus Schaffenburg, Major Projects Planner, Community Services
Kim Champigny, Division Controller, Community Services
Greg Scott, Manager, Recreation, Parks & Culture
Trevor Poth, Parks Superintendent, Recreation, Parks & Culture
John Fluney, Financial Services



Request: Report for Inclusion on a Council Agenda

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:	Angus Schaffenburg		
Department & Telephone Number:	Community Services at 8545		
REPORT INFORMATION			
Preferred Date of Agenda:	November 2, 2009		
Subject of the Report (provide a brief description)	Additional Funding for River Valley and Tributaries Park Concept Plan		
Is this Time Sensitive? Why?	Yes. Project cannot proceed without additional funding		
What is the Decision/Action required from Council?	Approval that funding be taken from the PCPS Reserve Fund		
Please describe Internal/ External Consultation, if any.	PCPS, Financial Services, and within Community Services		
Is this a Committee of the Whole item?	No		
How does the Report link to the Strategic Plan? Matter is spoken of in Strategy DC 4.1			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. No			
Has Financial Services been consulted? Are there any budget implications? Please describe. Yes. John Fluney.			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: Colleen Jensen
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC		(Please circle those that apply)	
SMT When/describe: _____	Topics When/Describe: _____	Board(s) / Committee(s) When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Please return completed form, along with report and any additional information to Legislative & Administrative Services.

Christine Kenzie

From: Angus Schaffenburg
Sent: October 22, 2009 11:55 AM
To: Christine Kenzie
Cc: Angus Schaffenburg
Subject: Funding Approval Request –River Valley & Tributaries Park Concept Plan

BACKUP INFORMATION
NOT SUBMITTED TO GL

This is a potential report for the November 2 Council. Please tell me again the deadlines for getting it to LAS.

Thanks

Angus Schaffenburg, ACP, MCIP
Major Projects Planner, Community Services
The City of Red Deer
Alexander Way Building, 4817-48 Street, Red Deer
phone: 403-309-8545 fax: 403-342-8222
Mail to: Box 5008, Red Deer, AB T4N 3T4
Email: angus.schaffenburg@reddeer.ca
Community Services has moved from the fourth floor of City Hall to the Alexander Way building at 4817-48 Street.

Christine Kenzie

From: John Fluney
Sent: October 26, 2009 10:09 AM
To: Christine Kenzie
Cc: Angus Schaffenburg
Subject: FW: Oct_26__2009-Funding_for_River_Valley_Plan-PCPS_Reserve_Fund

Attachments: DMPROD-#893431-v5-Oct_26__2009-Funding_for_River_Valley_Plan-PCPS_Reserve_Fund.DOC

Hi Christine,

On behalf of Financial Services I've reviewed the report for financial implications. I'm okay with the report as is. If you have any questions please let me know.

John Fluney, CA
Financial Analyst
Financial Services Department, The City of Red Deer
Phone: (403) 309-8433
Fax: (403)342-8349

From: Angus Schaffenburg
Sent: October 26, 2009 9:50 AM
To: Christine Kenzie
Cc: Kim Champigny; Greg Scott; Trevor Poth; John Fluney; Angus Schaffenburg; Emily Damberger; Carolyn Rothenbacher; Colleen Jensen
Subject: Oct_26__2009-Funding_for_River_Valley_Plan-PCPS_Reserve_Fund



DMPROD-#893431-
v5-Oct_26__2009...

This report is for tabling at the November 2, 2009 Council. A signed copy will be delivered later today.

Christine Kenzie

From: Angus Schaffenburg
Sent: October 26, 2009 9:50 AM
To: Christine Kenzie
Cc: Kim Champigny; Greg Scott; Trevor Poth; John Fluney; Angus Schaffenburg; Emily Damberger; Carolyn Rothenbacher; Colleen Jensen
Subject: Oct_26__2009-Funding_for_River_Valley_Plan-PCPS_Reserve_Fund
Attachments: DMPROD-#893431-v5-Oct_26__2009-Funding_for_River_Valley_Plan-PCPS_Reserve_Fund.DOC



DMPROD-#893431-
v5-Oct_26__2009...

This report is for tabling at the November 2, 2009 Council. A signed copy will be delivered later today.



Council Decision – November 2, 2009

DATE: November 3, 2009
TO: Colleen Jensen, Director of Community Services
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Funding Approval Request – River Valley & Tributaries Park Concept Plan

Reference Report:

Community Planning Services, dated October 26, 2009

Resolution:

"Resolved that Council of the City of Red Deer having considered the report from the Community Services Director, dated October 26, 2009 Re: Funding Approval Request – River Valley & Tributaries Park Concept Plan hereby authorizes funding of up to \$55,000 to be taken from the Parkland Community Planning Services Dividend Reserve Fund for the purposes of completing the River Valley & Tributaries Concept Plan."

Report Back to Council: No

A handwritten signature in purple ink, appearing to read 'E Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager

attach.

- c. Major Projects Planner
Division Controller, Community Services
Recreation, Parks & Culture Manager
Recreation, Parks & Culture Superintendent
Financial Services Manager
Director of Corporate Services



DATE: October 22, 2009

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: **Land Use Bylaw Amendment No. 3357/DD-2009
Rezoning from R1 Residential (Low Density) District to
R2 Residential (Medium Density) District
Lots 24-27, Block 1, Plan 2805 AE (4017 Ross Street)
Active Group Holdings Inc.**

Proposal

Active Group Holdings Inc. has requested to amend the City of Red Deer Land Use Bylaw (LUB). The applicant wishes to rezone the property at 4017 Ross Street, located in the Grandview neighbourhood, from R1 Residential (Low Density) District to R2 Residential (Medium Density) District.

The site currently contains an existing two-storey, 9-unit apartment building that was constructed in 1978. Under its present land use district, the apartment is a legal non-conforming use, which means that the existing apartment use is allowed to continue until redevelopment of the site occurs.

Background

The neighbouring parcels are presently zoned R1 with exceptions that allow for the existing gas/service station developments (FasGas, Petro-Can). On the opposite side of Ross Street, there are C3 Commercial (Neighbourhood Convenience) District and R2 District zonings.

The subject site was zoned R2A Residential (General) District from 1960 until 1980, which allowed for apartment buildings as a discretionary use. In 1980, the subject site, like much of the immediate area, was rezoned to R1 Residential Low Density District. An exception to the land use bylaw allowed for the existing apartment to continue as a legal non-conforming use. Then, in 1996, the general exception was removed from the land use bylaw and site specific exceptions were then required to form part of the LUB – one was not provided for this site.

An inspection of the site was conducted in August 2009. The following photos of the north and south building elevations show the front and rear yards of the subject site.



Front Yard – Street View, North Side



Rear Yard – Lane View, South Side

Referral

The referral process consisted of the circulation of the application to City departments and a mail-out to landowners. Considering that the apartment building is existing, it was determined that a public meeting for the amendment was not required. Notification of the proposed amendment was provided to landowners within the same block or adjacent to the site. No objections were received from City departments and no comments were received from referred landowners.

City Plans

The subject area is presently not contained within the boundaries of any City area structure or redevelopment plan. Within the Municipal Development Plan (MDP), the site is identified as general residential. While the MDP contains policies pertaining to infill development, and given that this is an existing apartment building, it is not deemed to be infill development.

Planning Analysis

In reviewing the amendment request, several key factors have been considered.

The existing use has been in existence for over 30 years. From a planning perspective, it has been compatible with the surrounding uses. The site is suitable for medium density residential development as it is located along an arterial road. The existing apartment meets the minimum requirements of the Land Use Bylaw's R2 district.

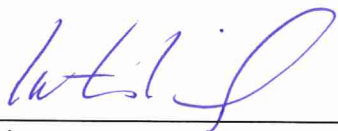
As a discretionary use within the R2 District, the existing building could be renovated, replaced in the event of a fire, or reconstructed. This would meet the needs of the applicant and the application's intent. The present zoning would allow only for detached dwellings to be constructed on site should the existing building be demolished or destroyed.

Within the R2 district, the existing use is discretionary and therefore any new development could be considered by the Development Authority with the opportunity for input from surrounding landowners. Within the requirements of the Land Use Bylaw, the existing development is constructed to its maximum density; however, with an R2 zoning, the landowner may further opt to develop a lesser intense use such as a four-plex or row housing. These uses are also discretionary within the R2 district and would be subject to the Development Authority decision or appeal process.

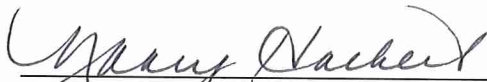
It should be noted that the general neighbourhood area, as is the case with some other city neighbourhoods of a similar age, may benefit from an area redevelopment plan. The area is centrally situated with many neighbourhood amenities and contains a mix of land uses; however, the area may face some redevelopment pressure in the future. The service station development to the west was recently improved and it is anticipated that this use will continue for some time. The service station site to the east may have the potential for redevelopment. Any future uses will need to be compatible with the surrounding neighbourhood.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/DD -2009.



Martin Kvapil
PLANNING ASSISTANT



Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER


Attachments

Comments:

We support the recommendation of Administration

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

 THE CITY OF Red Deer	Request: Report for Inclusion on a Council Agenda
---	--

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:		Martin Kvapil	
Department & Telephone Number:		PCPS 403.348.2066	
REPORT INFORMATION			
Preferred Date of Agenda:		Nov 2/09	
Subject of the Report (provide a brief description)		3357/DD-2009: Rezoning of apartment site in Grandview from R1A to R2	
Is this Time Sensitive? Why?		No	
What is the Decision/Action required from Council?		First reading	
Please describe Internal/ External Consultation, if any.		City departments	
Is this a Committee of the Whole item?		No	
How does the Report link to the Strategic Plan? Be Authentic			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. No. None.			
Has Financial Services been consulted? Are there any budget implications? Please describe. N/A			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Presenter Name and Contact Information: Nancy Hackett 403.343.3394	
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC		(Please circle those that apply)	
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Please return completed form, along with report and any additional information to Legislative & Administrative Services.



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

ORIGINAL

Suite 404, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Ph: (403) 343-3394
Fax: (403) 346-1570
Email: pcps@pcps.ab.ca
www.pcps.com

DATE: October 22, 2009
TO: Elaine Vincent, Legislative and Administrative Services Manager
FROM: Martin Kvapil, Planning Assistant
RE: **Land Use Bylaw Amendment No. 3357/DD-2009**
Rezoning from R1 Residential (Low Density) District to
R2 Residential (Medium Density) District
Lots 24-27, Block 1, Plan 2805 AE (4017 Ross Street)
Active Group Holdings Inc.

Proposal

Active Group Holdings Inc. has requested to amend the City of Red Deer Land Use Bylaw (LUB). The applicant wishes to rezone the property at 4017 Ross Street, located in the Grandview neighbourhood, from R1 Residential (Low Density) District to R2 Residential (Medium Density) District.

The site currently contains an existing two-storey, 9-unit apartment building that was constructed in 1978. Under its present land use district, the apartment is a legal non-conforming use, which means that the existing apartment use is allowed to continue until redevelopment of the site occurs.

Background

The neighbouring parcels are presently zoned R1 with exceptions that allow for the existing gas/service station developments (FasGas, Petro-Can). On the opposite side of Ross Street, there are C3 Commercial (Neighbourhood Convenience) District and R2 District zonings.

The subject site was zoned R2A Residential (General) District from 1960 until 1980, which allowed for apartment buildings as a discretionary use. In 1980, the subject site, like much of the immediate area, was rezoned to R1 Residential Low Density District. An exception to the land use bylaw allowed for the existing apartment to continue as a legal non-conforming use. Then, in 1996, the general exception was removed from the land use bylaw and site specific exceptions were then required to form part of the LUB – one was not provided for this site.

An inspection of the site was conducted in August 2009. The following photos of the north and south building elevations show the front and rear yards of the subject site.



Front Yard – Street View, North Side



Rear Yard – Lane View, South Side

Referral

The referral process consisted of the circulation of the application to City departments and a mail-out to landowners. Considering that the apartment building is existing, it was determined that a public meeting for the amendment was not required. Notification of the proposed amendment was provided to landowners within the same block or adjacent to the site. No objections were received from City departments and no comments were received from referred landowners.

City Plans

The subject area is presently not contained within the boundaries of any City area structure or redevelopment plan. Within the Municipal Development Plan (MDP), the site is identified as general residential. While the MDP contains policies pertaining to infill development, and given that this is an existing apartment building, it is not deemed to be infill development.

Planning Analysis

In reviewing the amendment request, several key factors have been considered.

The existing use has been in existence for over 30 years. From a planning perspective, it has been compatible with the surrounding uses. The site is suitable for medium density residential development as it is located along an arterial road. The existing apartment meets the minimum requirements of the Land Use Bylaw's R2 district.


As a discretionary use within the R2 District, the existing building could be renovated, replaced in the event of a fire, or reconstructed. This would meet the needs of the applicant and the application's intent. The present zoning would allow only for detached dwellings to be constructed on site should the existing building be demolished or destroyed.

Within the R2 district, the existing use is discretionary and therefore any new development could be considered by the Development Authority with the opportunity for input from surrounding landowners. Within the requirements of the Land Use Bylaw, the existing development is constructed to its maximum density; however, with an R2 zoning, the landowner may further opt to develop a lesser intense use such as a four-plex or row housing. These uses are also discretionary within the R2 district and would be subject to the Development Authority decision or appeal process.

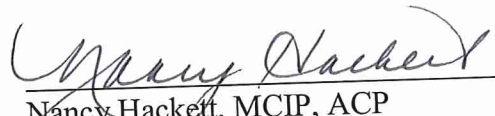
It should be noted that the general neighbourhood area, as is the case with some other city neighbourhoods of a similar age, may benefit from an area redevelopment plan. The area is centrally situated with many neighbourhood amenities and contains a mix of land uses; however, the area may face some redevelopment pressure in the future. The service station development to the west was recently improved and it is anticipated that this use will continue for some time. The service station site to the east may have the potential for redevelopment. Any future uses will need to be compatible with the surrounding neighbourhood.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/DD -2009.



Martin Kvapil
PLANNING ASSISTANT



Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL



City of Red Deer Land Use Bylaw Amendment Application

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570

All of the information requested in the application and attached checklist is necessary to complete a thorough evaluation and timely decision on your application. All material submitted must be clear, legible and precise, and staff are instructed to accept only complete applications. For a full overview of the Land Use Bylaw amendment process please see sections 2.19, 2.20, 2.21, and 2.22 of the City of Red Deer Land Use Bylaw as attached. Thank you for your cooperation.

Registered Owner of Land Subject of LUB Amendment:

Name (company): Active Group Holdings Inc.
Municipal Address: 9 Del Monica Bay NE, Calgary, Alberta, T1Y 6R2
Mailing Address: _____
Postal Code: T1Y 6R2 Fax Number: _____
Phone Numbers: Res: (403) 809-1263 Bus: (403) 809-1263

Applicant (if different from the registered owner)

Name (company): _____
Municipal Address: _____
Mailing Address: _____
Postal Code: _____ Fax Number: _____
Phone Numbers: Res: _____ Bus: _____
Contact: _____ Phone: _____

I, Sam Lam HEREBY CERTIFY THAT:

☒ I am authorized to act on behalf of the registered owner(s); and that all statements contained herein are true. (If the applicant is not the registered owner, the applicant MUST provide a signed letter of consent from property owner(s))

Signed: [Signature] Date: July 27, 2009



PARKLAND
COMMUNITY
PLANNING
SERVICES

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
E-mail: pcps@pcps.ab.ca

City of Red Deer Land Use Bylaw Amendment Application

Legal Description and Area of Land to be Redesignated

Plan/s: 2805AE Blk/s: 1 Lot/s: 24 to 27

Municipal Address: 4017 - 50 St, Red Deer, Alberta

Area+/-: 1067.58 m²

Amendment Proposed

Existing Land Use Designation: R1

Proposed Land Use Designation: R2

To Accommodate: Partial copy of the Condominium Plan 072-1201, which has a drawing of the lot.

(Please fill in attached submission sheet and include all necessary drawings, reports, etc.)

Applicant's Name: (Please Type or Print): Sam Lam

Applicant's Signature: [Signature] Date: July 27, 2009



City of Red Deer Land Use Bylaw Amendment Application

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
E-mail: pcps@pcps.ab.ca

Applicant's Submission

Please provide your reasons for making this application and why you feel it should be approved. This submission will be included in a report that will be presented to the City of Red Deer Municipal Planning Commission and to City Council at a Public Hearing. (Attach a separate page if there is insufficient room to write).

Existing building, which was built in 1978, is a 2-storey 9-units
commercial apartment. The adjacent buildings are also
commercial buildings: a gas station and an auto mechanic shop.

PLAN

AN 2805 AE

. 27, W.4 Mer.

R

SHEET 1 of 1

LAND TITLES

PLAN No. **072 1201**

ENTERED AND REGISTERED

ON FEB.13,2007

INSTRUMENT No. 072 086 019

PETER J.HUK
A.D. REGISTRAR

NOTE:

FOR ANY ENDORSEMENT, REGISTRATION MEMORIAL
NOTIFICATION OR OTHER ENTRY THAT IS TO BE MADE
UPON THE PLAN, PLEASE SEE THE CONDOMINIUM
SHEET (CS) WHICH IS ADDED TO THIS PLAN PURSUANT
TO THE CONDOMINIUM PROPERTY REGULATIONS.

SURVEYOR

GEORGE SMITH, A.L.S.

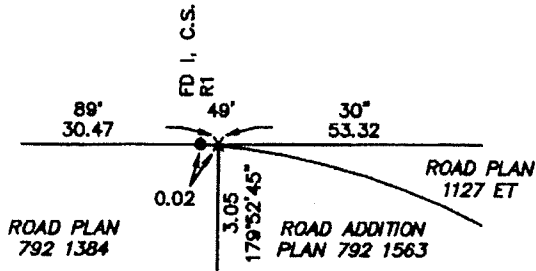
SURVEYED BETWEEN THE DATES OF
MAY 18th, 2004 AND AUGUST 29th, 2006
IN ACCORDANCE WITH THE PROVISIONS OF
THE SURVEYS ACT.



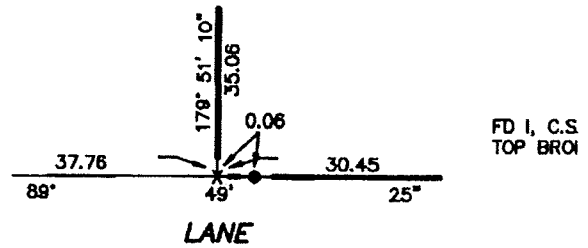
.....●
.....○ AND ARE MARKED P090.
.....●
.....X

NTAINS 0.107 HA.
G UNITS

PERTY LINES.

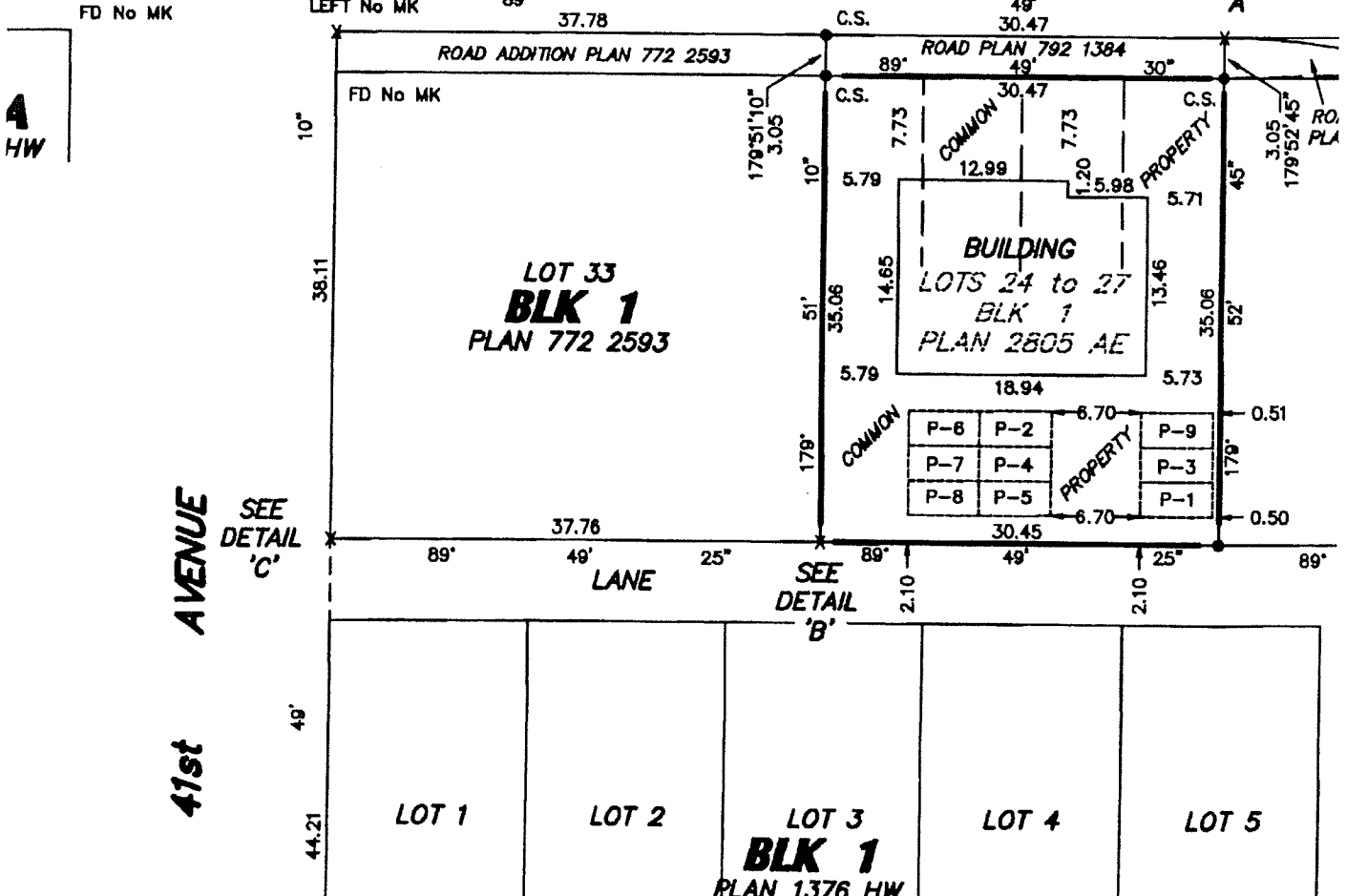


DETAIL 'A'
NOT TO SCALE



DETAIL 'B'
NOT TO SCALE

ROSS (50th)



BYLAW NO. 3357/DD -2009

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map N14" contained within "Schedule A" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 18 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2009.

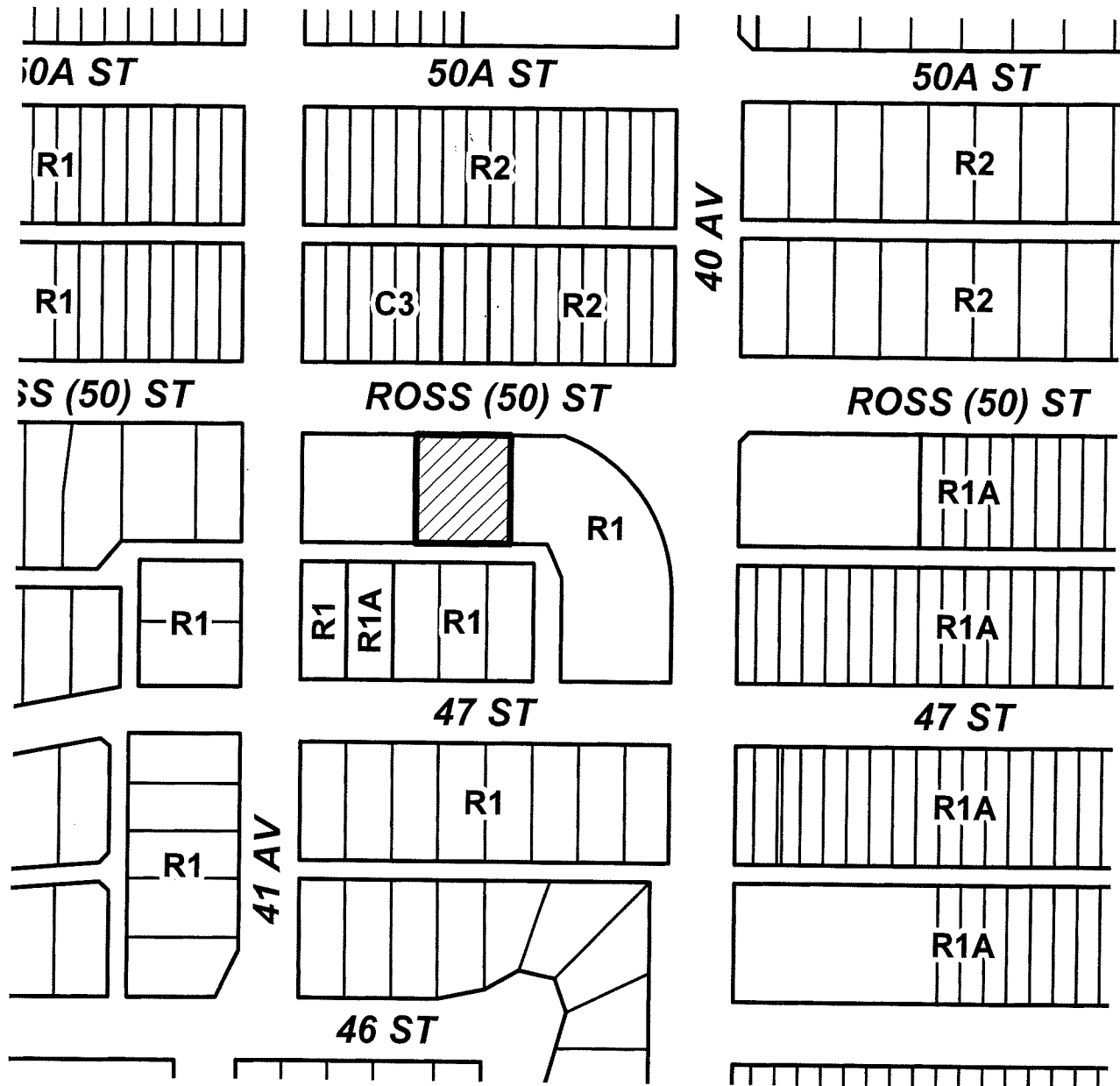
READ A THIRD TIME IN OPEN COUNCIL this day of 2009.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2009.

MAYOR

CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:
R1 - Residential (Low Density) District
R2 - Residential (Medium Density) District

Change District from:
Legend



R1 to R2

Proposed Amendment
Map: 18/2009
Bylaw: 3357/DD-2009

Christine Kenzie

From: Martin Kvapil
Sent: October 26, 2009 9:13 AM
To: Christine Kenzie
Subject: RE: Reminder to Email me the Reports!

Attachments: 3357dd2009.DOC; 3357ii2009.DOC

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Hi Christine,

Their address is:

9 Del Monica Bay NE
Calgary, AB
T1Y 6R2



3357dd2009.DOC
(31 KB)



3357ii2009.DOC
(31 KB)

403.809.1263

Martin

From: Christine Kenzie
Sent: October 23, 2009 4:34 PM
To: Martin Kvapil
Subject: Reminder to Email me the Reports!

Please email your reports and bylaws for:

3357/DD-2009 -

Also will need address for Active Group Holdings to contact re advertising.
&

3367/II-2009 -

P.S. There is an Agenda Cover sheet on the Bridge that is supposed to be used when submitting reports to Council.

Christine Kenzie
Council Services Coordinator

Legislative & Administrative Services
City of Red Deer
Phone: 403.356.8978 Fax: 403.346.6195
christine.kenzie@reddeer.ca

FILE COPY



Council Decision – November 2, 2009

DATE: November 3, 2009

TO: Martin Kvapil, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/DD-2009 Rezoning from R1 Residential (Low Density) to R2 Residential (Medium Density) District. Lots 24-27, Block 1, Plan 2805 AE (4017 Ross Street) Active Group Holdings Inc.

Reference Report:

Parkland Community Planning Services, dated October 22, 2009

Bylaw Readings:

At the Monday, November 2, 2009 Council Meeting, Land Use Bylaw Amendment 3357/DD-2009 received first reading.

Report Back to Council: Yes

Comments/Actions:

A Public Hearing will be held on Monday, November 30, 2009 at 6:00 p.m. in Council Chambers during Council's regular meeting. This office will now proceed with advertising Land Use Bylaw Amendment 3357/DD-2009.

Elaine Vincent
Legislative and Administrative Services Manager
/attach.

cc: Development Services Director
Corporate Services Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager
City Assessor

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
Leigh-Ann Butler, Graphics Supervisor
Property Assessment Technician
LAS File



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 404, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Ph: (403) 343-3394
Fax: (403) 346-1570
Email: pcps@pcps.ab.ca
www.pcps.com

DATE: October 21, 2009

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: Land Use Bylaw Amendment No. 3357/II-2009
Timberstone Park – Phase 3
Peter & Kathy Lacey, Laebon Developments

Proposal

Laebon Developments is proposing to develop Phase 3 of the Timberstone Park neighbourhood, which is situated in the most northeasterly portion of the neighbourhood. A land use bylaw amendment is being sought for approximately 7.311 ha (18.07 ac.) in order to allow for development in accordance with the *Timberstone Park Neighbourhood Area Structure Plan* (NASP).

Before proceeding with subdivision, rezoning from the present designation of A1 Future Urban Development District is required. Laebon Developments wishes to create 43 R1 (Residential Low Density) lots, 50 R1N (Residential Narrow Lot) lots and 3 public utility lots - one of which is to be used for public utilities and a pedestrian linkage. The two remaining public utility lots are proposed to be designated to R1 and R1N, as they do not form part of the overall open space concept as trail linkages.

All of the proposed land use districts of Bylaw 3357/II-2009 conform with the NASP.

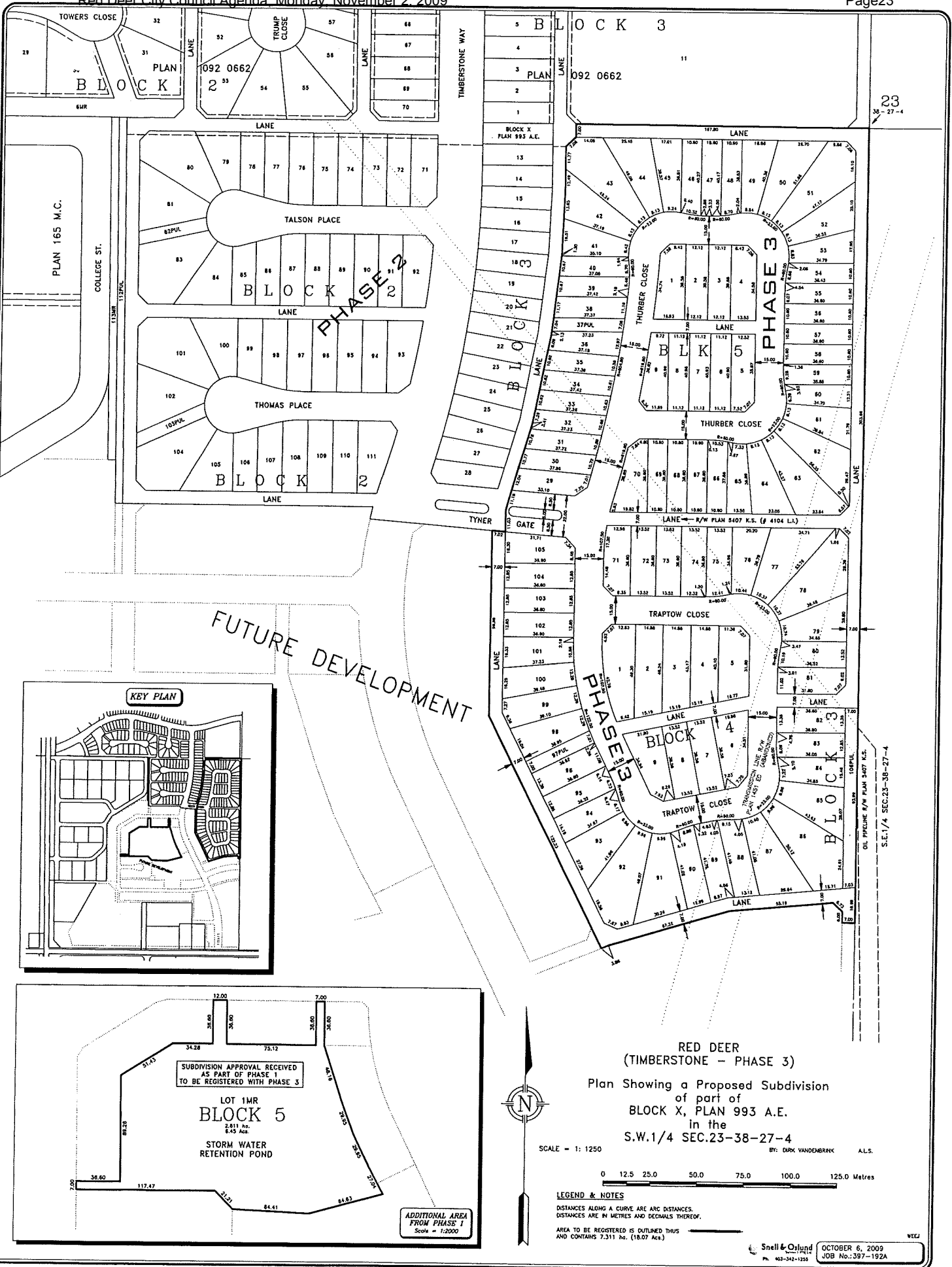
Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/II -2009.

Martin Kvapil
PLANNING ASSISTANT

Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments




Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

 THE CITY OF Red Deer	Request: Report for Inclusion on a Council Agenda
---	--

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:	Martin Kvapil		
Department & Telephone Number:	PCPS 403.348.2066		
REPORT INFORMATION			
Preferred Date of Agenda:	Nov 2/09		
Subject of the Report (provide a brief description)	3357/II-2009: Rezoning – Phase 3, Timberstone Park		
Is this Time Sensitive? Why?	No		
What is the Decision/Action required from Council?	First reading		
Please describe Internal/ External Consultation, if any.	City departments		
Is this a Committee of the Whole item?	No		
How does the Report link to the Strategic Plan? <i>Be Authentic</i>			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. <i>No. None.</i>			
Has Financial Services been consulted? Are there any budget implications? Please describe. <i>N/A</i>			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: <i>Nancy Hackett 403.343.3394</i>
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
(Please circle those that apply)			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC			
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
		<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do we need a Media Release?			

Please return completed form, along with report and any additional information to Legislative & Administrative Services.



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

ORIGINAL

Suite 404, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Ph: (403) 343-3394
Fax: (403) 346-1570
Email: pcps@pcps.ab.ca
www.pcps.com

DATE: October 21, 2009
TO: Elaine Vincent, Legislative and Administrative Services Manager
FROM: Martin Kvapil, Planning Assistant
RE: Land Use Bylaw Amendment No. 3357/II-2009
Timberstone Park – Phase 3
Peter & Kathy Lacey, Laebon Developments

Proposal

Laebon Developments is proposing to develop Phase 3 of the Timberstone Park neighbourhood, which is situated in the most northeasterly portion of the neighbourhood. A land use bylaw amendment is being sought for approximately 7.311 ha (18.07 ac.) in order to allow for development in accordance with the *Timberstone Park Neighbourhood Area Structure Plan (NASP)*.

Before proceeding with subdivision, rezoning from the present designation of A1 Future Urban Development District is required. Laebon Developments wishes to create 43 R1 (Residential Low Density) lots, 50 R1N (Residential Narrow Lot) lots and 3 public utility lots - one of which is to be used for public utilities and a pedestrian linkage. The two remaining public utility lots are proposed to be designated to R1 and R1N, as they do not form part of the overall open space concept as trail linkages.


All of the proposed land use districts of Bylaw 3357/II-2009 conform with the NASP.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/II -2009.

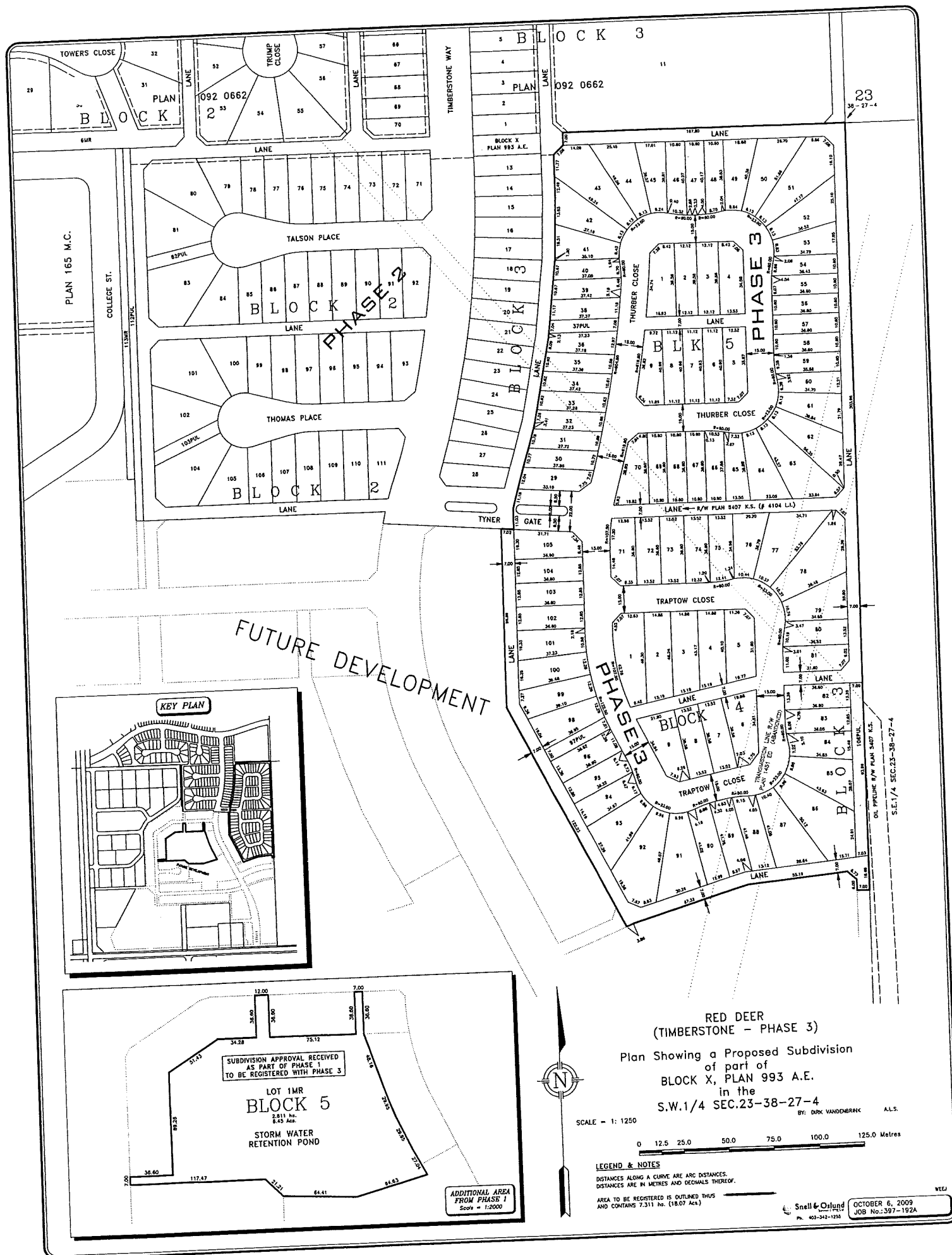


Martin Kvapil
PLANNING ASSISTANT



Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments





Council Decision – November 2, 2009

DATE: November 3, 2009

TO: Martin Kvapil, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/II-2009 Timberstone Park – Phase 3
Peter & Kathy Lacey, Laebon Developments

Reference Report:

Parkland Community Planning Services, dated October 21, 2009

Bylaw Readings:

At the Monday, November 2, 2009 Council Meeting, Land Use Bylaw Amendment 3357/II-2009 received first reading.

Report Back to Council: Yes

Comments/Actions:

A Public Hearing will be held on Monday, November 30, 2009 at 6:00 p.m. in Council Chambers during Council's regular meeting. This office will now proceed with advertising Land Use Bylaw Amendment 3357/II-2009.

A handwritten signature in black ink, appearing to read 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager

attach.

c Development Services Director
Corporate Services Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager
City Assessor

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
Leigh-Ann Butler, Graphics Supervisor
Property Assessment Technician
LAS File

Bylaw Item No. 1**BYLAW NO. 3217/E-2009**

Being a bylaw to amend Bylaw No. 3217/98, the bylaw containing The City of Red Deer Neighbourhood Area Structure Plans.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 Bylaw No. 3217/98 containing the City of Red Deer Neighbourhood Area Structure Plans is hereby amended by adding thereto the *Southpointe Neighbourhood Area Structure Plan* attached as Appendix 'A' hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this	10 th	day of	August	2009.
READ A SECOND TIME IN OPEN COUNCIL this	8 th	day of	September	2009.
READ A THIRD TIME IN OPEN COUNCIL this		day of		2009.
AND SIGNED BY THE MAYOR AND CITY CLERK this		day of		2009.

Mayor

City Clerk

SOUTHPOINTE

NEIGHBOURHOOD AREA STRUCTURE PLAN

RED DEER



DRAFT REPORT
SEPTEMBER 2009

InterPLAN strategies inc.

SEPTEMBER 2009

SOUTHPOINTE NASP

SOUTHPOINTE NEIGHBOURHOOD AREA STRUCTURE PLAN

PLANNING TEAM:



AECOM



InterPLAN strategies inc.
Land Planning Services

PREPARED FOR:



THE BOWER FAMILY

SUBMITTED BY:

InterPLAN strategies inc.

September 2009

SEPTEMBER 2009

SOUTHPOINTE NASP

NOTE

The Neighbourhood Area Structure Plan for Southpointe is a planning document prepared for adoption by City Council under the provisions of the Municipal Government Act. The Supporting Information contained in the provided Appendices are for information purposes only and are not adopted by Bylaw.

SEPTEMBER 2009

SOUTHPOINTE NASP

TABLE OF CONTENTS

1.0	LOCATION AND PURPOSE	1
1.1	LOCATION	1
1.2	PURPOSE	2
2.0	NEIGHBOURHOOD AREA STRUCTURE PLAN OBJECTIVES	3
3.0	POLICY FRAMEWORK	4
3.1	INTERMUNICIPAL DEVELOPMENT PLAN	4
3.2	MUNICIPAL DEVELOPMENT PLAN	4
3.3	CITY OF RED DEER LAND USE BYLAW	8
3.4	CITY OF RED DEER NEIGHBOURHOOD PLANNING GUIDELINES AND STANDARDS	8
3.5	RED DEER TRAILS MASTER PLAN	10
3.6	COUNCIL DIRECTION AUGUST 2007	10
3.7	ENTRANCE CORRIDOR GUIDELINES	10
4.0	SITE CHARACTERISTICS	12
4.1	LEGAL DESCRIPTION AND OWNERSHIP	12
4.2	PLAN AREA	15
4.3	HISTORY OF SITE	15
4.4	CURRENT LAND USE CONTEXT	15
4.5	LAND FORM	17
4.6	ECOLOGICAL PROFILE	17
4.7	CURRENT ACCESS	18
4.8	VEGETATION	18
4.9	ENVIRONMENTAL SITE ASSESSMENT CONSIDERATIONS	18
4.10	EXISTING STRUCTURES	19
4.11	GEOTECHNICAL CONSIDERATIONS	19
4.12	SITE SERVICING	20
5.0	DEVELOPMENT CONCEPT	21
5.1	LAND USE	21
5.2	OPEN SPACE AND MUNICIPAL RESERVE	27
5.2.1	PEDESTRIAN TRAILS AND LINKAGES	31
5.2.2	ANIMAL CONNECTIONS	33
5.2.3	RECREATION OPPORTUNITIES	34
5.3	WASKASOO NATURAL AREA	34
5.4	BOWER NATURAL AREA	36
5.5	RED DEER COLLEGE SOUTH LANDS	36
5.6	SOUTHPOINTE JUNCTION	38
5.6.1	RESIDENTIAL COMPONENT	39
5.6.2	COMMERCIAL AND OFFICE COMPONENT	41
5.6.3	MAIN STREET COMPONENT	44
5.6.4	CENTRAL PLAZA AND CONSTRUCTED WETLAND AND DRYPOND	44
5.6.5	DISTRICT ENERGY FACILITY	47

SEPTEMBER 2009

SOUTHPOINTE NASP

6.0	TRANSPORTATION	48
6.1	TRANSPORTATION NETWORK	48
6.2	TRAFFIC IMPACT ANALYSIS	52
6.3	PUBLIC TRANSIT	54
7.0	SERVICING SCENARIO	56
7.1	STORM WATER MANAGEMENT	56
7.1.1	EXISTING STORM WATER CHARACTERISTICS	56
7.1.2	SOUTHPOINTE STORM WATER MANAGEMENT STRATEGIES	56
7.2	SANITARY SEWER	58
7.3	WATER SUPPLY	58
7.4	SHALLOW UTILITIES	58
7.5	SITE GRADING	58
7.6	WASTE DISPOSAL	61
8.0	DEVELOPMENT STAGES	63
9.0	PUBLIC CONSULTATION	63
10.0	PLAN SUMMARY	65
APPENDIX A	66
APPENDIX B	68
APPENDIX C	70

LIST OF FIGURES

FIGURE 1:	LOCATION	1
FIGURE 2:	EXISTING LAND USE	9
FIGURE 3:	RED DEER TRAILS MAP	11
FIGURE 4:	AIR PHOTO	13
FIGURE 5:	SITE TOPOGRAPHY	14
FIGURE 6:	LAND USE CONTEXT	16
FIGURE 7:	LAND USE CONCEPT PLAN	22
FIGURE 8:	OPEN SPACE CONCEPT	28
FIGURE 8A:	NATURAL AREAS TO BE DISTURBED OR REMOVED (SP JUNCTION)	29
FIGURE 9:	PROPOSED TRAIL SYSTEM	32
FIGURE 10:	SOUTHPOINTE CONCEPT PLAN	35
FIGURE 11:	CONCEPT PARCELS	39
FIGURE 12:	CONSTRUCTED WETLAND CONCEPT PLAN	45
FIGURE 13:	TRANSPORTATION NETWORK	49
FIGURE 14:	LOCAL COLLECTOR STANDARD	50
FIGURE 15:	PUBLIC TRANSIT	55
FIGURE 16:	STORM WATER	57
FIGURE 17:	SANITARY SEWER	59

SEPTEMBER 2009

SOUTHPOINTE NASP

FIGURE 18: WATER	60
FIGURE 19: TOPSOIL STOCKPILE LOCATIONS	62
FIGURE 20: DEVELOPMENT STAGES	64

LIST OF TABLES

TABLE 1: LAND USE ALLOCATION FOR WASKASOO SOUTH NEIGHBOURHOOD	24
TABLE 2: LAND USE STATISTICS FOR WASKASOO SOUTH	25
TABLE 3: LAND USE STATISTICS FOR SOUTHPOINTE JUNCTION	25
TABLE 4: DIRECT CONTROL COMPONENT OF SOUTHPOINTE JUNCTION.....	26
TABLE 5: ANTICIPATED POPULATION OF SOUTHPOINTE JUNCTION ..	26
TABLE 6: DEVELOPMENT SUMMARY FOR ROAD NETWORK OPTION ..	52
TABLE 7: NET DIFFERENCE TO TIA FROM REVISED CONCEPT	53

SEPTEMBER 2009

SOUTHPOINTE NASP

1.0 LOCATION AND PURPOSE

1.1 LOCATION

Southpointe Neighbourhood Area Structure Plan (The Plan) (**Figure 1**) is located in the southern part of The City of Red Deer between the Queen Elizabeth II Highway (formally Highway #2) and Taylor Drive, south of Waskasoo Creek and north of 19th Street.

The Southpointe Neighbourhood Area Structure Plan boundary was delineated by City of Red Deer Administration.

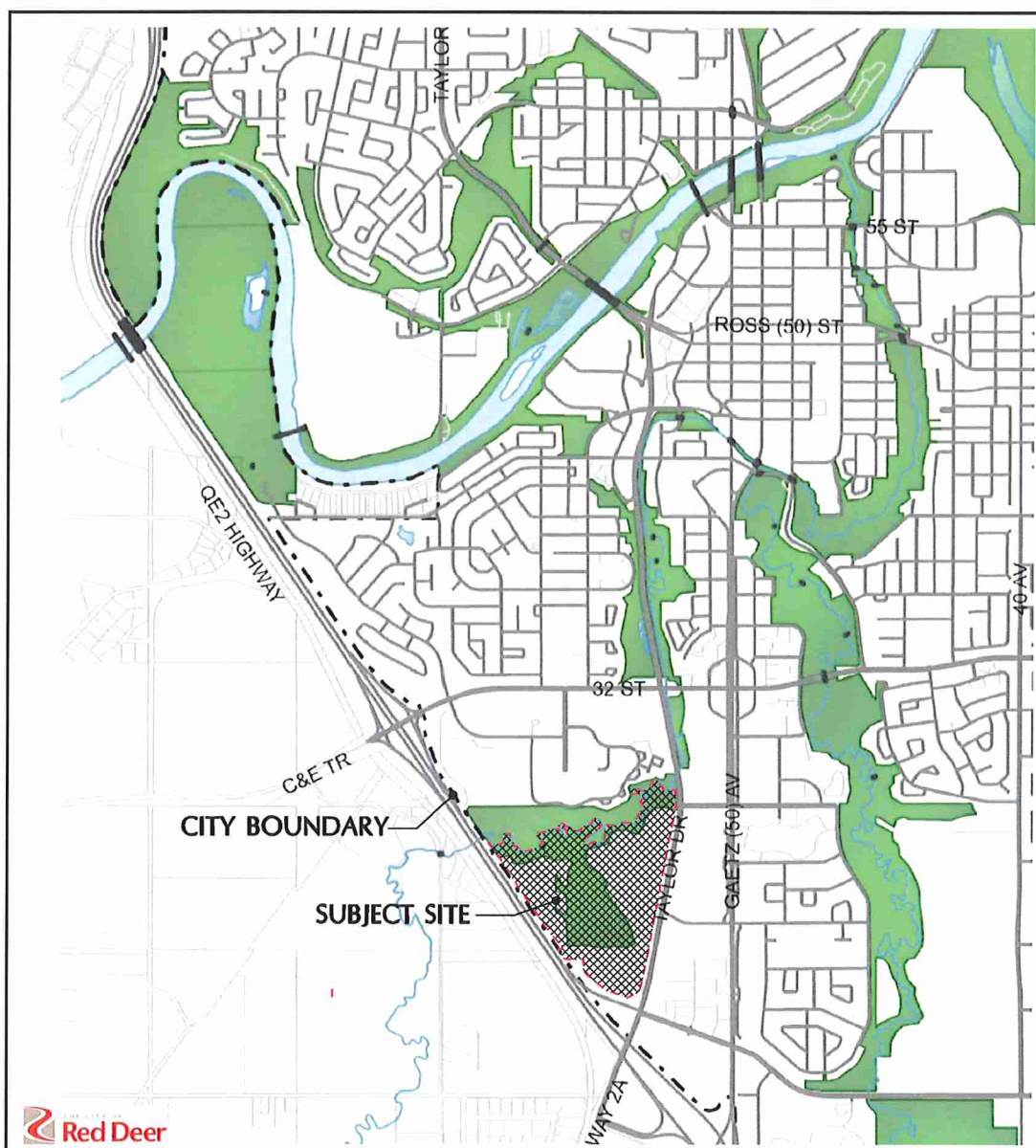


FIGURE 1: LOCATION

SEPTEMBER 2009

SOUTHPOINTE NASP

1.2 PURPOSE

The Neighbourhood Area Structure Plan (NASP) for Southpointe is intended to provide a foundation for subdivision and development. In preparation of this Neighbourhood Area Structure Plan, careful attention was paid to the edge conditions on all sides and the policies and objectives set forth in The City of Red Deer Municipal Development Plan (Bylaw 3404/2008), the Neighbourhood Planning Guidelines and Standards, the Red Deer Trails Master Plan and Council direction of August 13, 2007.

The NASP describes how ± 157.0 acres (± 63.54 hectares) of vacant land will be developed in an efficient and orderly manner. Included in the NASP are four distinct areas:

1. The Waskasoo Creek Natural Area south of the creek;
2. The natural area (referred to as the Bower Natural Area) which lies near the centre of the area;
3. The lands belonging to the Red Deer College which have been planned by the College according to their own Master Plan; and
4. A $95 \text{ acre} \pm$ ($38.44 \text{ ha} \pm$) parcel, referred to as Southpointe Junction (SP Junction), being proposed by Qualico for the development of a mixed use urban village incorporating residential, retail, office, open space and a potential location for a hotel/convention facility.

As part of the NASP, the developer, Qualico, on behalf of the landowner, has negotiated an agreement with The City Of Red Deer regarding the preservation of a portion of a natural area referred to as the Bower Natural Area that will run north south along the middle of part of the NASP

area and link with the Waskasoo Creek Natural Area to the north.

INTERPLAN has prepared, on behalf of Qualico and Red Deer College, a Neighbourhood Area Structure Plan for Southpointe.

The following sections of this report are intended to discuss the NASP objectives, policy framework, site characteristics, proposed development concept and land uses, municipal reserve and open space requirements, transportation and access, proposed site servicing and implementation strategy.



View looking north west from east side of subject site

2.0 NEIGHBOURHOOD AREA STRUCTURE PLAN OBJECTIVES

The following is a list of objectives for the Neighbourhood Area Structure Plan for Southpointe:

- To establish a comprehensive Neighbourhood Area Structure Plan that describes uses and strategies for appropriate development of the Plan area;
- To provide a policy framework consistent with the provisions of the relevant City of Red Deer policies for guiding development and subdivision of the plan area;
- To create the opportunity for potential development that meets the needs of The City of Red Deer and is accepted by local residents;
- To illustrate the physical characteristics of the plan area and describe the proposed development;
- To identify any constraints on the plan area and how these will be addressed in the proposed development, and
- To address the servicing, transportation and open space requirements associated with the proposed development.

3.0 POLICY FRAMEWORK

3.1 INTERMUNICIPAL DEVELOPMENT PLAN

The NASP area is situated outside of the legislative framework of the Intermunicipal Development Plan.

combination of Open Space, Major, Commercial, Residential and Public Service. The area is further identified as a mixed use area under 'Intensification and Mixed Use Opportunities'.

The MDP defines Mixed Use as: *"A combination of different uses, such as, but not limited to, residential, office commercial, retail commercial, public or entertainment, which are horizontally integrated (i.e. uses located on the same site beside on another) and/or vertically integrated (i.e. uses located on different floors in the same building) within a single compact form of urban development. The mixes of uses are to be compatible, mutually beneficial, and integrated into the community, for example, live/work in the same complex. Mixed use also relates to a range of dwelling types that could provide residences to a diversity of living arrangements and incomes"*

3.2 MUNICIPAL DEVELOPMENT PLAN

The City of Red Deer Municipal Development Plan was adopted by City Council as Bylaw 3404/2008 in May 2008 concurrent with the preparation of this NASP. The role of the MDP is identified as: *"guides and directs future growth and development for Red Deer, ensuring orderly, economical and beneficial development while balancing the environmental, social and economic needs and desires of the community."*

It is the requirement of the NASP to comply with the MDP. The "Generalized Land use Concept" Map in the Municipal Development Plan shows the land use for the Southpointe NASP site as a

The NASP complies with all relevant principles in the MDP, the following chart outlines the more specific sections of the MDP and how the goals and/or principles contained are reflected in NASP.

MDP Section #	Principle/Goal/Objective	Southpointe NASP
Section 3.0: Vision and Guiding Principles	3.1 A Vision for the Future <ul style="list-style-type: none"> • "...a community with a unique natural environment preserved and enhanced by careful community planning; • A community which reflects high standards in terms of quality of life; • A caring community with a strong volunteer ethic; • A community which offers a wide range of opportunities for employment, education, recreation and culture" 	Maintains a portion of the natural environment in balance with a need for urban development to sustain growth and to provide high quality and varied opportunities for living and working environments.

SEPTEMBER 2009

SOUTHPOINTE NASP

MDP Section #	Goal / Principle	Southpointe NASP
Section 3.0: Vision and Guiding Principles	3.2.3: <i>"Ensure the efficient use of land for urban purposes by encouraging integration of uses, increased densities and innovative designs"</i>	Adheres to all 16 overall guiding principles listed but focuses most specifically on the key principles listed here. Ensures efficient use of land.
	3.2.4: <i>"Sustain the natural environment and protect natural systems by paying attention to site resources (hydrology, terrain, geology, biodiversity of vegetation and wildlife) while providing a climate for community and economic growth."</i>	Promotes community and economic growth to occur while allowing the City, Red Deer College, and the Developer to protect natural systems through careful consideration and stewardship of site resources.
	3.2.10: <i>"Build vibrant, attractive and safe neighbourhoods that provide for a range of housing choices, access to services, local employment, recreation, and open space."</i>	Offers a range of housing choices, access to services, local employment, recreation, and open space.
Section 5.0: Growth Management and Urban Form	A stated Goal is: <i>"Ensure the efficient utilization of lands and infrastructure, while encouraging a greater mix of uses and socio-economic activities in both new and established areas."</i>	Fulfills this goal
	5.0(b) <i>"Encourage growth in locations and patterns that can utilize existing or planned infrastructure capacity and reduce overall travel demands;"</i>	Location along existing major transportation routes and adjacent to existing infrastructure. Employment and residential opportunities in the same location thereby potentially reducing the need for travel.
	5.0(d) <i>"Minimize conflicts between efficient urban growth, the preservation of ecologically important natural areas,..."</i>	Attains a balance between development and the preservation of a significant and ecologically important natural area.
	5.0(e) <i>"Encourage a compact and efficient urban form;"</i>	Provides higher density residential developments contained in a smaller footprint.
	Policy 5.7 <i>"The City should ensure new development is contiguous to the existing built-up area."</i>	Provide for sequential development from east to west.

SEPTEMBER 2009

SOUTHPOINTE NASP

MDP Section #	Goal / Principle	Southpointe NASP
Section 5.0: Growth Management and Urban Form	<p>Policy 5.9</p> <p><i>"The City shall seek to reduce travel demands by seeking to locate:</i></p> <ul style="list-style-type: none"> <i>• Appropriate employment opportunities in or adjacent existing and future residential areas.</i> <i>• New residential areas adjacent to existing and future employment opportunities:</i> <i>• Appropriate commercial and community services in proximity to residential areas."</i> 	Includes a variety of uses including Public Service, Commercial, Office and Residential and makes it an ideal example of how to reduce travel demands.
Section 7.0: Urban Design	<p>Goal: <i>"To create a physical environment that is attractive, safe, functional, vibrant and a source of community pride, where residents and visitors experience a strong sense of place."</i></p>	Provides for an attractively designed, pedestrian oriented mixed use urban node focusing on a central main street and open space.
Section 9.0 Environmental and Ecological Management	<p>Goals:</p> <p><i>"To preserve and integrate significant natural areas into the open space system.</i></p> <p><i>To foster the creation and maintenance of attractive, clean and ecologically responsible natural and built environments.</i></p> <p><i>To recognize and promote environmentally sustainability initiatives and trends in land development."</i></p>	Design facilitates the preservation, through a City land acquisition, of a significant component of the existing natural area and directs development to incorporate environmentally sustainable initiatives.
Section 10.0 Housing and Neighbourhood Design	<p>10.0(b) <i>"Provide for a mix of housing types to meet a variety of lifestyles, special needs, life cycle demands and market preferences;"</i></p> <p>10.0(e) <i>"Promote the efficient utilization of land by achieving increased residential densities"</i></p>	Provides different housing products, including live work units, intended for varied demographics in increased densities.
	<p>10.4 Housing Form</p> <p><i>"The City shall encourage the creation of a wide variety of housing forms. This may include dwelling units in combination with compatible non-residential uses, live-work units and secondary suites."</i></p>	Provides opportunities for live-work units and secondary suites in varied housing types.
Section 12.0: Commercial Development	<p>12.0(b) <i>"Ensure the quality and aesthetics of development along major commercial corridors;</i></p> <p>12.0(c) <i>Recognize emerging trends in retailing and commercial land use, including the creation of mixed use town centres where appropriate; and</i></p> <p>12.0(d) <i>Promote commercial development that generates opportunities for local employment;"</i></p>	Commits to innovative and quality commercial development and provides for a Mixed Use Area, with commercial, residential, office and public service uses and opportunities for local employment.

SEPTEMBER 2009

SOUTHPOINTE NASP

MDP Section #	Goal / Principle	Southpointe NASP
Section 14.0: Parks, Recreation and Culture	Policy 14.3 Trails and Pathways <i>"Trails and pathways shall be designed and constructed in accordance with the direction provided through the Trails Master Plan, as amended from time to time"</i>	Provides for trails designed in accordance with the Trails Master Plan.
	Policy 14.4 Open Space Connections <i>"As new areas are planned and developed, The City shall ensure the design of the parks and open space system provides:</i> <ul style="list-style-type: none"> <i>• Linkages to the major open space,...</i> <i>• Linear corridors and pedestrian connections within and between neighbourhoods; and</i> <i>• Consideration of continuous wildlife corridors and key wildlife habitat..."</i>	Provides clear linkages between the open space systems both within the NASP area and connections to outside systems.
	Policy 14.8 Gathering Spaces <i>"In conjunction with streetscapes and other public realm areas, parks and open space shall be designed to be easily accessible to pedestrians and create opportunities for area residents to gather and interact wherever possible"</i>	Provides for an open space system with gathering places and easy access.
Section 16.0: Transportation	Goal: <i>"Provide for the safe and efficient movement of people and goods within and through Red Deer. Encourage the use of alternate means of transportation to the private automobile. Concentrate the planning of land use and transportation."</i>	Provides an efficient road network, an opportunity for a well situated transit service, and the provision of an extensive selection of pedestrian and bicycle pathways.
Section 17.0 Utilities	Goal: <i>"Provide environmentally responsible, safe, efficient and reliable utility systems to serve the City"</i>	Meets or exceeds all City of Red Deer engineering standards.

Policy 12.2 of the MDP establishes a hierarchy of commercial places. The commercial uses in the NASP will be a mixture of Arterial Commercial and District Commercial as defined in the MDP.

It is the intention of the NASP to concentrate the office use permitted in the commercial area into a central location within the NASP. The rationale behind this is to provide the opportunity for office development to occur within the development near

or on the main street. If deemed appropriate by the developer, a market analysis may be conducted to rationalize an application for higher than the permitted floor area of office space.

In an Administration report to Council on May 5th, 2008, Attachment "A" (Document #: 753507) has acknowledged the NASP area *"...as having great potential for mixed use residential, commercial, and institutional development both in single*

SEPTEMBER 2009

SOUTHPOINTE NASP

purpose and multi-purpose buildings. The Administration sees this as a good candidate for a mixed use area, which could be treated uniquely due to the circumstances of geography and the surrounding uses." The response goes on to add, *"Should the developer come forward with an acceptable plan calling for and substantiating a town centre or other designation, then a supporting amendment could be considered concurrently with the adoption of the neighbourhood area structure plan."*

The NASP has been prepared in accordance with the Municipal Development Plan.

3.3 CITY OF RED DEER LAND USE BYLAW

The City of Red Deer Land Use Bylaw 3357/2006 establishes the land use districts in The City of Red Deer and their associated permitted and discretionary uses and regulations. The current land use for the NASP area is divided into three districts: PS Public Service (Institutional or Governmental) District throughout the Waskasoo Creek area and north; P1 (Parks and Recreation) District in the west portion of the site; and A1 (Future Urban Development) District in the eastern and southern part of the parcel (see **Figure 2**).

The City of Red Deer Land Use Bylaw Constraints Map conceptually identifies a number of constraints on the subject site including floodway, flood fringe, escarpment, and major entry areas. These constraints have been reviewed with Administration and are addressed in the NASP. In summary:

- Both the floodway and the flood fringe along Waskasoo Creek have been examined, modeled, and refined by the Developer and relevant City

Departments. Results of these efforts are reflected in the design concept and accompanying reports to the NASP. All proposed development in the flood fringe, as identified, will comply with both the land use bylaw and the building code requirements for flood proofing.

- Extensive examination of the escarpment areas has taken place during both an Environmental Site Assessment and the Geotechnical Investigation. The investigations concluded that the slopes are stable and suitable for development. The investigations also provide recommendations and measures for development.
- Because Taylor Drive is identified as a major entry area, architectural guidelines, landscaping, and other design elements will be addressed at the development permit and detailed design stage to ensure that the interface with Taylor Drive is complementary with existing development to the east and to the satisfaction of the Approving Authority.

3.4 CITY OF RED DEER NEIGHBOURHOOD PLANNING GUIDELINES AND STANDARDS

The City of Red Deer Neighbourhood Planning Guidelines and Standards adopted by City Council on December 16, 2002 (revised November 30, 2006) provide "*guidelines and standards for the planning and design of neighbourhoods including parks and public facilities/amenities in The City of Red Deer.*" The Neighbourhood Planning Guidelines and Standards define a neighbourhood as "A predominately residential area, which is usually a quarter section (65 hectares or 160 acres) in size."

SEPTEMBER 2009

SOUTHPOINTE NASP

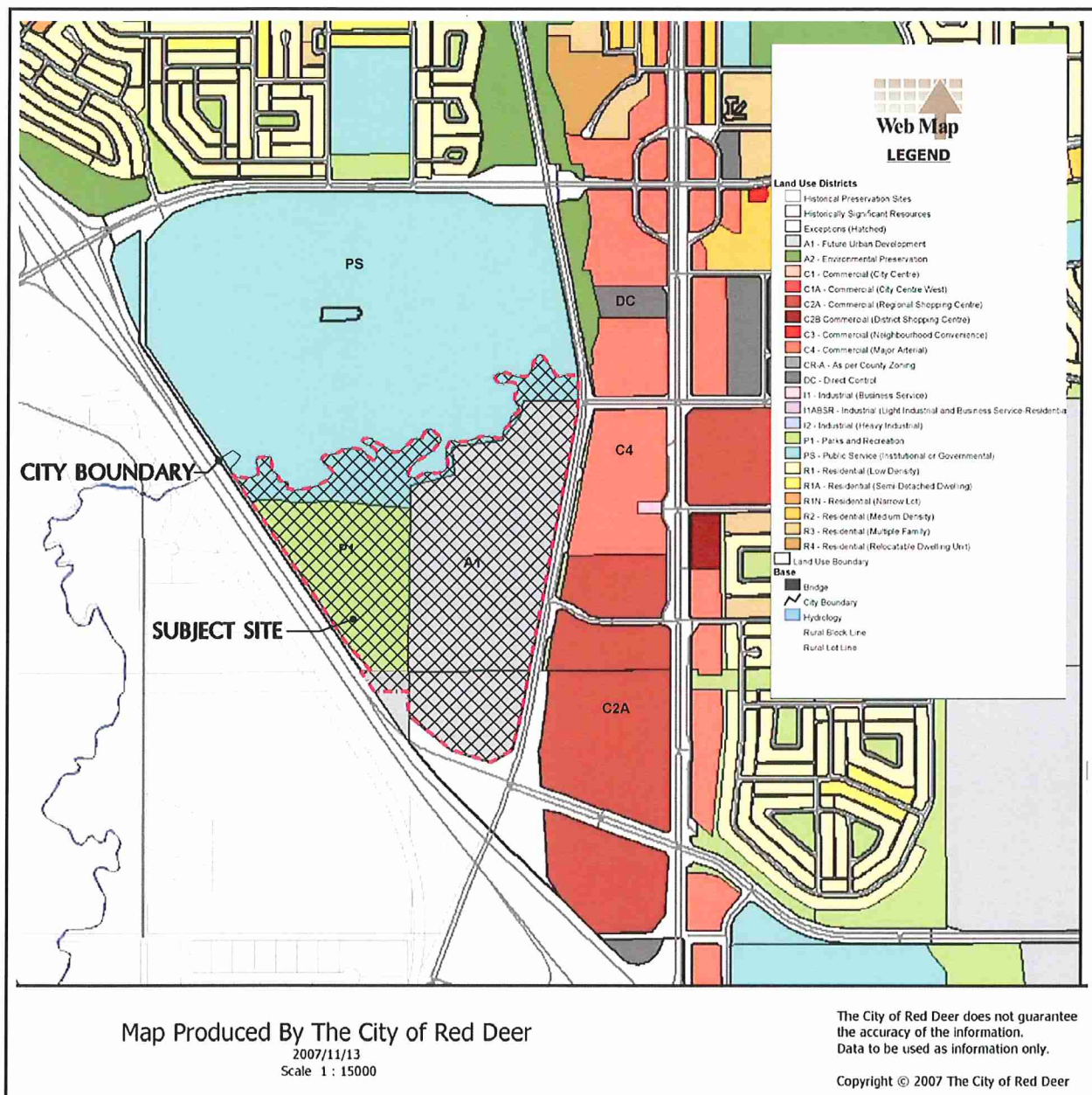


FIGURE 2: EXISTING LAND USE

The Southpointe NASP is not a typical quarter section neighbourhood and does not contain predominantly residential uses, however the NASP has given careful consideration to these and additional guidelines and standards outlined in the Neighbourhood Planning Guidelines and Standards. The NASP strives to follow all relevant guidelines and standards outlined as well as the following General Design Considerations.

"A. Neighbourhood planning and design in The City of Red Deer strives to create desirable and sustainable places for healthy living, learning, working and recreation for families and individuals of all ages and with varying needs, interests and desires.

B. Community development calls for people-friendly streets and a sense of place. Developers are encouraged to incorporate considerations and elements which

SEPTEMBER 2009

SOUTHPOINTE NASP

enhance the sensed quality of the built environment. The street and block layout should create opportunities to integrate sidewalks, trails, parks, squares, transit stops and large residential, commercial and public or semi-public buildings into a coherent whole rather than unrelated individual parts. This may include design considerations such as siting, orientation, visual sequences, viewpoints, spatial connotation, proportion and scale."

3.5 RED DEER TRAILS MASTER PLAN

Map 3.0 of the Red Deer Trails Master Plan approved by City Council on October 11, 2005 identifies the future trail network for the NASP and surrounding areas. The relevant section of the map is shown in **Figure 3**.

The NASP complies with the intent of the future trail network outlined in the Red Deer Trails Master Plan. The proposed future Waskasoo Trail will be accommodated through the site by linking to the North College lands across the existing concrete bridge and then extending south along the east edge of the wooded area before linking east and south to the arterial trail located along Taylor Drive. The Proposed Future Bikeway can be accommodated along the edge of the proposed collector road running north south through the centre of the eastern portion of the site or along the arterial trail along Taylor Drive. Nature Trails as shown in the Master Plan will be maintained or realigned to accommodate development.

3.6 COUNCIL DIRECTION AUGUST 2007

At The City of Red Deer Council meeting on August 13th, 2007 the following motion was introduced and passed:

"Resolved that Council of the City of Red Deer having considered the report from the Recreation, Parks & Culture Manager, dated August 7, 2007, re: Southpointe Junction Concept Development, Bower Natural Area Preservation, hereby agrees in principal to the amount of area and location of the open space and natural area design and directs Administration to develop an agreement with the developer and land owner to:

- 1. Purchase +/- 12.26 acres of treed escarpment,*
- 2. Purchase the additional noted 2.76 acres of open space for \$1.00,*

*Direct the additional 1.95 acres of owned municipal reserve to be applied to the natural treed area and Waskasoo Creek for the purpose of preserving additional amounts of natural environment and current natural trail connections."*¹

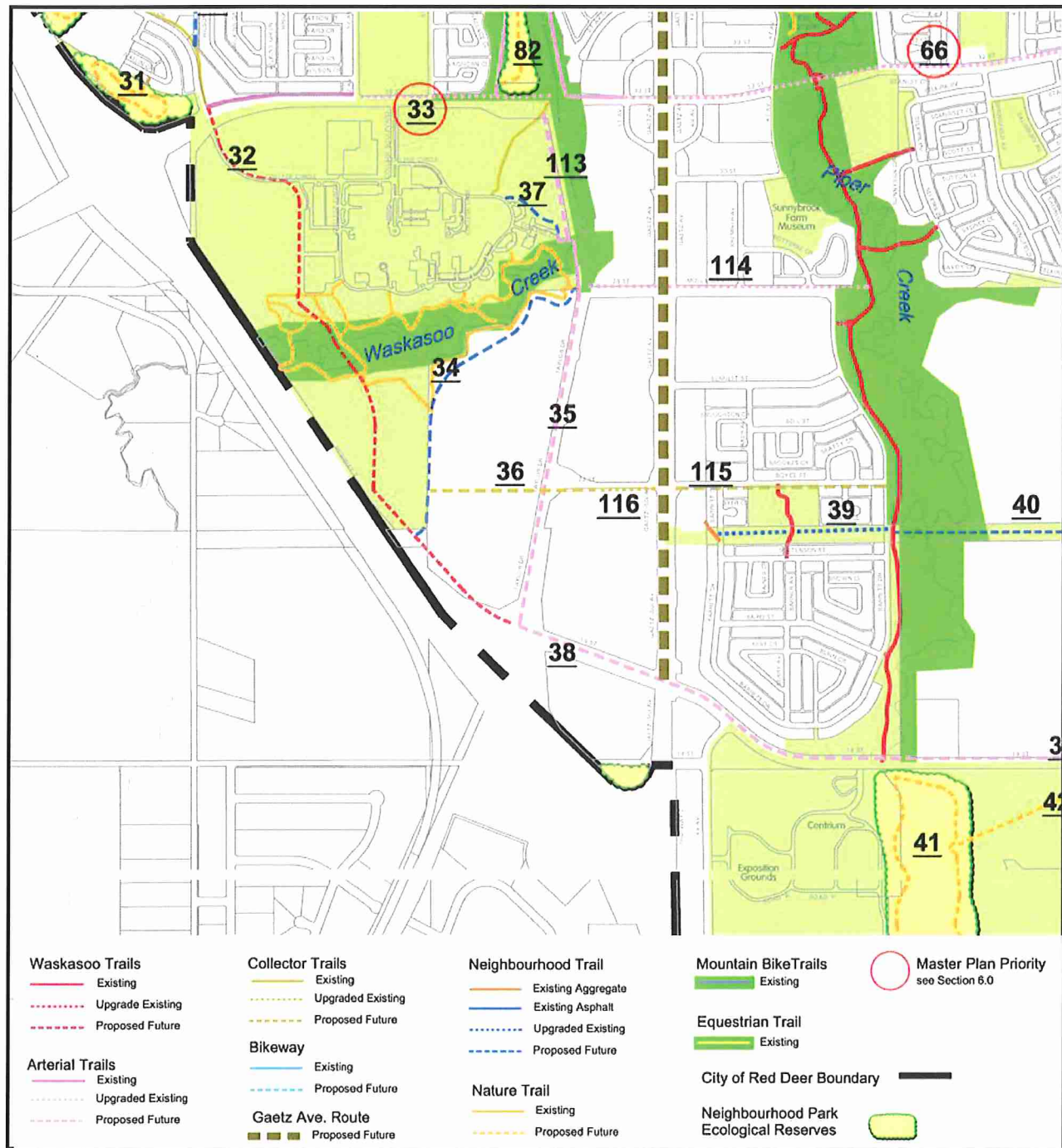
3.7 ENTRANCEWAY CORRIDOR GUIDELINES

A draft version of the Entranceway Corridor Guidelines was prepared for the City of Red Deer and Red Deer County in February 2009. Consideration will be given to the final version of this study for all areas within the proposed overlay district at the time of detailed design.

¹ Since this agreement was made, it has been determined by The City and the developer that there is no reserve owing on the Southpointe Junction portion of the lands (A Subdivision by Re-plotting, approved Nov. 20, 1969).

SEPTEMBER 2009

SOUTHPOINTE NASP

**FIGURE 3: RED DEER TRAIL MAP**

Source: Red Deer Trails Master Plan

4.0 SITE CHARACTERISTICS

An air photo and a topographic map of the NASP area are illustrated in **Figures 4** and **5** respectively.

4.1 LEGAL DESCRIPTION AND OWNERSHIP

The legal description and land ownership for the subject site are indicated below. The site is currently divided into five legal entities.

1) Red Deer Junior College

- Title Number: 012 370 530
- All that portion of the NW ¼ Section 5, TWP 38, Range 27, W of 4 which lies east of the north easterly and south easterly limits of the road.
- Containing 34.2 hectares (84.43 acres) more or less (including lands outside the NASP area)
- Excepting thereout:
 - 0.174 hectares (0.43 acres) more or less for creek diversion
 - Plan 0125532 – Road (1.245 hectares / 3.08 acres more or less)

2) The Red Deer College

- Title Number: 012 027 698
- A portion of the SE ¼ Section 7, TWP 38,



View looking south east from north side of subject site.

Range 27, W of 4 which lies south of Waskasoo Creek.

- Containing 3.05 hectares (7.53 acres) more or less

3) AltaLink Management Ltd.

- Title Number: 022 202 207 +1
- A portion of the SW ¼ Section 5, TWP 38, Range 27, W of 4 : Plan 5003NY
- Excepting thereout:
 - Plan 8922991:
 - Road (0.221 hectares / 0.55 acres more or less)
 - Railway (0.220 hectares / 0.54 acres more or less)

4) Her Majesty the Queen in Right of Alberta*

- Title Number: 932 133 824
- Plan 9321221: Storm Detention Pond within NE ¼ Section, TWP 38, Range 27, W of 4
- Containing 1.375 hectares (3.40 acres) more or less

5) James Bower and Cynthia Bower-Pelech

- Title Number: 972 391 239
- Plan 977RS, Block B, within E ½ Section 5, TWP 38, Range 27, W of 4
- Containing 42.4 hectares (104.67 acres) more or less
- Excepting thereout:
 - Plan 9222024: Road (3.894 hectares / 9.62 acres more or less)
 - Plan 9321221: Public Work (1.375 hectares / 3.40 acres more or less)

The legal parcels are shown on **Figure 4**.

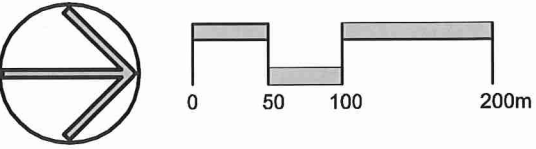
***Note:** Agreement with Alberta Transportation at the time of Expropriation 3(d) "The Detention Pond may be relocated at the Owner's discretion in future at the Owner's expense in accordance with good engineering practice."



SOUTHPOINTE NASP

FIGURE 4
AIR PHOTO
& LEGAL
DESCRIPTIONS

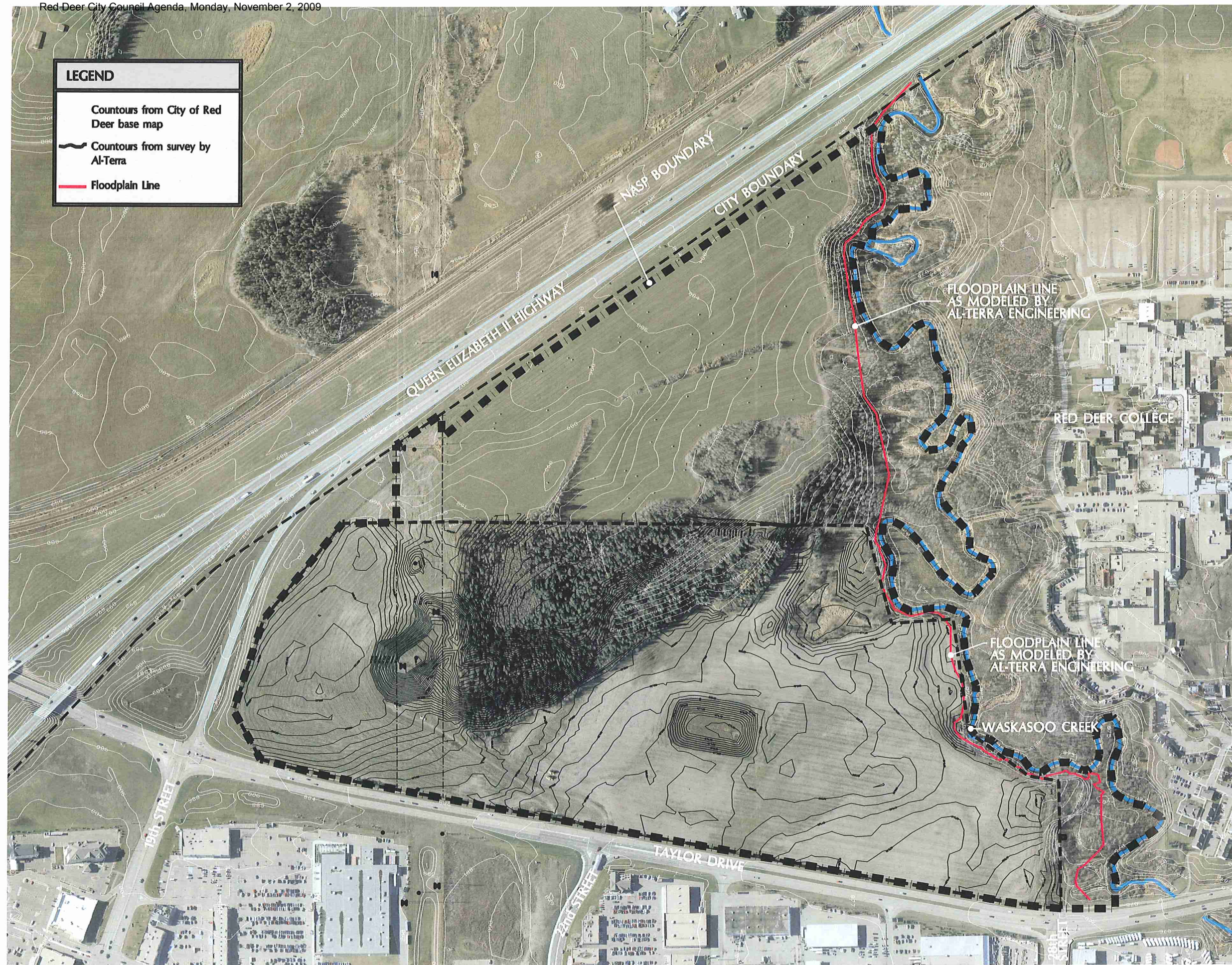
DATE: September 2009



DRAWING BY: Group 2/Al-Terra

Group2 architecture
engineering
AL-TERRA
ENGINEERING LTD.

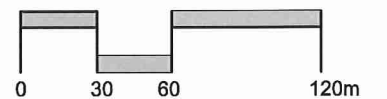
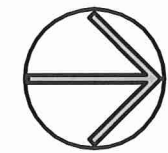
InterPlan strategies inc.
Land Planning Services



SOUTHPOINTE NASP

FIGURE 5 SITE TOPOGRAPHY

DATE: September 2009



DRAWING BY: Group 2/Alterra

Group2 architecture
engineering

AL-TERRA
ENGINEERING LTD.

InterPlan strategies inc.
Land Planning Services

SEPTEMBER 2009

SOUTHPOINTE NASP

4.2 PLAN AREA

The subject site contains approximately 157 acres (63.54 ha) more or less.

4.3 HISTORY OF SITE

Prior to settlement, the land was largely comprised of small treed hills and valleys and small meadows. The Bower family acquired the east parcel in the mid 1920's and proceeded to farm the meadows and run cattle in the wooded areas. Gradual clearing occurred in both the east and west parcels as the treed areas were used as wood lots. The sand mining operation was initiated with the construction of Highway 2 in the early 1960's and clearing occurred for the power line installation around the same time. In the later part of the 1960's the land to the west was purchased by Red Deer College from the original farmer, Lawrence Banting, and further clearing of that portion occurred to make way for more farm land.

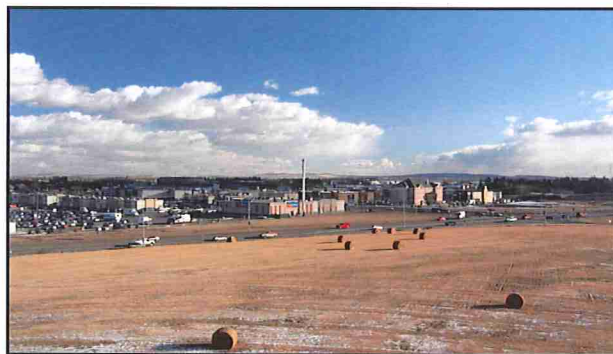
During this period additional sand mining occurred on the east portion of the site, slightly north of where the existing storm pond is located. A then existing hill was used for fill, initially for developments to the east and later for the hospital site. The 1990's saw the construction of Taylor Drive and further sand extraction was used for the project. In the mid 1990's a joint project with Alberta Transportation and the City of Red Deer saw the purchase and development of the existing storm pond.

The sand mining operation was ended approximately six years ago. The remainder of the two portions of land have been farmed through their post settlement history with the exception of the wooded parcel.

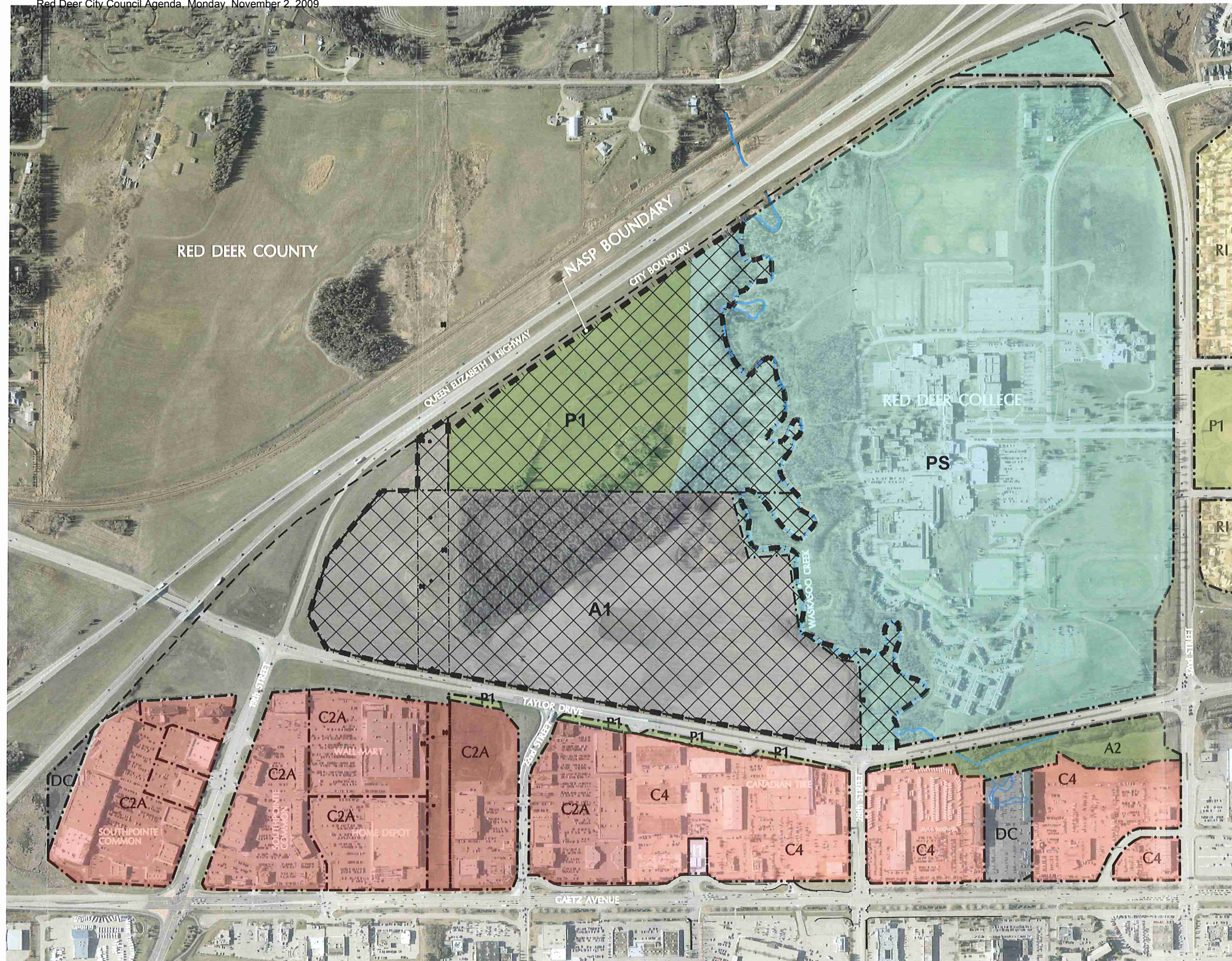
4.4 CURRENT LAND USE CONTEXT

The lands to the north of Southpointe NASP are designated as PS Public Service (Institutional or Governmental) District and include the Waskasoo Creek Natural Area and the Red Deer College Lands (Figure 6). The lands immediately to the west are outside of The City of Red Deer boundary and are currently owned by Alberta Transportation for QE II Highway. Agricultural uses occur further to the west in Red Deer County. The lands to the east include a small strip along the east side of Taylor Drive that are designated P1 (Parks and Recreation) District and then a combination of C4 Commercial (Major Arterial) District to the north and C2A Commercial (Regional Shopping Centre) District to the south. The lands to the east are developed with the exception of a parcel at the south east corner of 22nd Street and Taylor Drive which is under construction. South of 22nd Street is Southpointe Common, a commercial area containing a range of commercial tenants including Wal-Mart as well as two hotels. North of 22nd Street are a combination of commercial uses such as Petland and Michael's, restaurants and several commercial buildings offering rear bays.

The lands within the subject site proposed for future development are currently designated as A1 (Future Urban Development) District to the east and P1 (Parks and Recreation) District to the west.



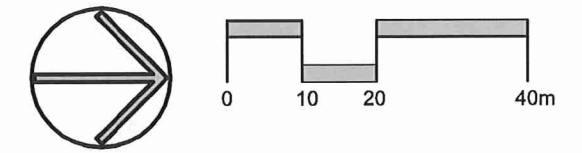
Southpointe Common



SOUTHPOINTE NASP

FIGURE 6 LAND USE CONTEXT

DATE: September 2009



DRAWING BY: Group 2/Al-Terra

Group2 architecture
engineering

AL-TERRA ENGINEERING LTD.
EDMONTON RED DEER

InterPlan strategies inc.
Land Planning Services

4.5 LAND FORM

The majority of the site has been used as farmland and is gently undulating. A heavily treed area runs north south through the centre of the NASP area linking to the Waskasoo Creek Natural Area. The south east end of this treed area is steeply sloped and at the south end the rise has been partially removed by sand mining operations. This can be seen in the aerial photo shown in **Figure 4** and the site topography map in **Figure 5**. There is an overall downward slope in the eastern portion of the site towards the existing storm detention pond located near the center of the open area to the east of the trees.

Two natural low areas also exist on the site, both at the north end of the treed Bower Natural Area and south of Waskasoo Creek.

Figure 5 also shows the floodplain line south of the creek as modeled by Al-Terra Engineering.



Existing path in Bower Natural Area

The evaluations of the major natural features included an evaluation of the tree types and locations, established path systems, wetland areas, ridges, and established a boundary delineating the natural areas. This boundary helps in establishing the natural areas to be protected or maintained during development and is reflected in the Concept Plans.

The initial ecological evaluation helped to determine the outline of the portion of lands to be designated as the Bower Natural Area as well as the placement of proposed future wetlands.

The subsequent evaluation identified the need to accommodate a 2.5 metre pathway adjacent to the west side of the treed edge on the Red Deer College side of the NASP. It was determined the area to be preserved would extend 2.5 metres into the current crop area. Also two linear treed hedges were identified, one located near the middle of the College South Lands and the other closer to the south end of the College South Lands, and were determined and agreed to by attending

4.6 ECOLOGICAL PROFILE

An ecological evaluation of the natural area that runs north south through the centre of the NASP area as well as a portion of the Waskasoo Creek Natural Area was initially carried out in November 2004 by Al-Terra Engineering Ltd. and The City of Red Deer, Recreation Parks and Culture Department. The Waskasoo Creek Natural Area and the Red Deer College portion of the NASP was evaluated again in November 2007 by Al-Terra Engineering Ltd., Red Deer College, and The City of Red Deer, Recreation Parks and Culture Department. Both of these evaluations have been included under separate cover with the NASP submittal.

SEPTEMBER 2009

SOUTHPOINTE NASP

representatives of the City of Red Deer Parks Department to be "*preserved at the discretion of Red Deer College*"²

Further recommendations by the City included that plant material from these two hedges could be salvaged and used elsewhere should eventual development determine that they cannot be preserved. Red Deer College will also consider offering equitable green space in their eventual final plan to compensate for these hedge areas should they be removed.

4.7 CURRENT ACCESS

There is an existing access road entering the south eastern portion of the site directly across from the intersection of Taylor Drive and 22nd Street. This entrance is gated and was used to access the sand mining area at the south end of the site. A second gated entrance is located across from 28th Street into the natural area. **Figure 4** shows these access points. Alternate access is through the network of pathways that traverse the site from the Waskasoo Creek Natural Area and an existing concrete bridge that crosses the Creek. The bridge is currently used for pedestrian traffic and agricultural equipment crossing to farm the south College lands.

4.8 VEGETATION

In addition to the treed area discussed in **Section**

4.6 the remainder of the subject site is largely cultivated farmland. The treed area is predominantly spruce and aspen forest with some pine and poplar. In addition to the manufactured storm retention pond on the east side of the site, there are two low areas between Waskasoo Creek and the majority of the treed area to the south which support the associated vegetation.



View of eastern side of subject site looking north.

4.9 ENVIRONMENTAL SITE ASSESSMENT CONSIDERATIONS

A Phase I Environmental Site Assessment (ESA) for the subject site, a copy of which is submitted under separate cover, was performed by Parkland Geotechnical Consulting Ltd. in May 2006 for the eastern portion of the site including the area referred to as the Bower Natural area. The primary objectives of the Phase 1 ESA were to identify environmental issues associated with the subject property and to determine whether any identified issues required a detailed site investigation or other action.

The Assessment identified a number of potential issues which are shown on **Figure 4**:

"A former Canadian Fina Oil Ltd. Well was located on the subject property at LSD 07-05-38-27-W4. There was

2 Ecological Profile: Assembled in November 2007 by AL-Terra in conjunction with City of Red Deer, Recreation, Parks and Culture Department.

SEPTEMBER 2009

SOUTHPOINTE NASP

no visual indication of contamination or environmental impacts from this site. The area was also mined so the potential for residual surface contamination from the reclaimed site is very low. If any indication of hydrocarbon contamination is detected during site grading and preparation, further investigation may be required to determine the nature and extent of the contaminants.

Two former City landfill sites are located north of the subject property at SE 8-38-27-4. The landfills are both down-gradient and over 300 m from the subject property. Therefore the potential for environmental impact on the property is negligible. The subject property meets the existing planning setback of 300 m from a closed landfill so there are no regulatory restrictions to property development.

The EUB reported a release of crude oil relating to activities from a former oil well on the adjacent quarter to the west of the subject property at LSD 14-05-38-27-W4. Due to the distance from the subject property and the cross gradient position of the well, this facility is not expected to pose significant adverse environmental impacts."

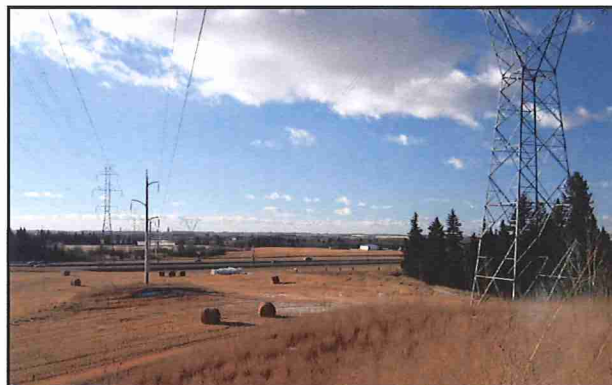
In conclusion, the assessment stated that "...the subject property is considered to have a "low" rating in terms of environmental risk....No other additional site investigation is recommended at this time."

In November 2007 Parkland Geotechnical Consulting Ltd. conducted a further Phase 1 Environmental Site Assessment on behalf of Red Deer College for the lands on the west side of the subject property. Based on the information gathered the report made the following conclusion:

"In summary, no environmental issues were identified during this assessment. Parkland GEO considers the level of environmental risk associated with the subject property to be low. The level of information for this property is considered to be sufficient at this time for the assessment of the site. No further investigation is required at this time."

4.10 EXISTING STRUCTURES

There is an AltaLink power line running east west through the southern part of the site. As shown in **Figure 4**, AltaLink own the portion of the R.O.W. directly east of the QE II Highway, the remainder of the R.O.W. is under the ownership of the Bowers. Towers supporting this line are located at the southern end of the forested area in the existing Utility Easement. AltaLink has been consulted with and acknowledges that there are no particular issues at this stage. Specific development related issues will be reviewed with AltaLink at the time of detailed design stage.



View west under the AltaLink power line.

The concrete bridge described in **Section 4.6** is also located partly on the NASP site. In addition there is a constructed storm water pond located in the centre of the cultivated portion of the NASP area on the east side of the trees. These structures are shown on the aerial in **Figure 4**.

4.11 GEOTECHNICAL CONSIDERATIONS

Parkland Geotechnical Consulting Ltd. completed a Geotechnical Investigation, submitted under separate cover, for the eastern portion of the

SEPTEMBER 2009

SOUTHPOINTE NASP

subject site in August 2006. The investigation generally concluded that *"The soil conditions at the site are considered to be suitable for the proposed development..."*. The evaluation goes on to list several geotechnical issues that may impact site development. The report provides geotechnical recommendations *"...with respect to design, development layout and installation of underground services, general foundation conditions, roadway subgrades and flexible pavement design for proposed roads."*

In conclusion the report states *"it is recommended that on-site inspection and testing be performed to verify that actual site conditions are consistent with assumed conditions which meet or exceed design criteria."*

An addendum to the Geotechnical Investigation was completed in April 2007 by Parkland Geotechnical Consulting Ltd. to review slope development issues. This investigation concluded that *"... slope issues will not be a significant obstacle to safe construction of residences and commercial developments on this property provided reasonable design and construction practices are followed."* The investigation provided some general recommendations in order to minimize potential disturbance to slopes in the

NASP area. This addendum is also included under separate cover.

The City of Red Deer has advised that the College lands will not require a specific Geotechnical Investigation until detailed servicing drawings are being prepared, therefore it is not a requirement of this NASP.

4.12 SITE SERVICING

Sanitary and water servicing of the site will be accomplished by extending the existing city system into the development. Storm water servicing will be accomplished by discharging into the Waskasoo Creek.

A Development Agreement will be required for payment of off-site levies and other development charges as well as for construction of roadway and utility improvements.



Existing Storm Detention Pond.

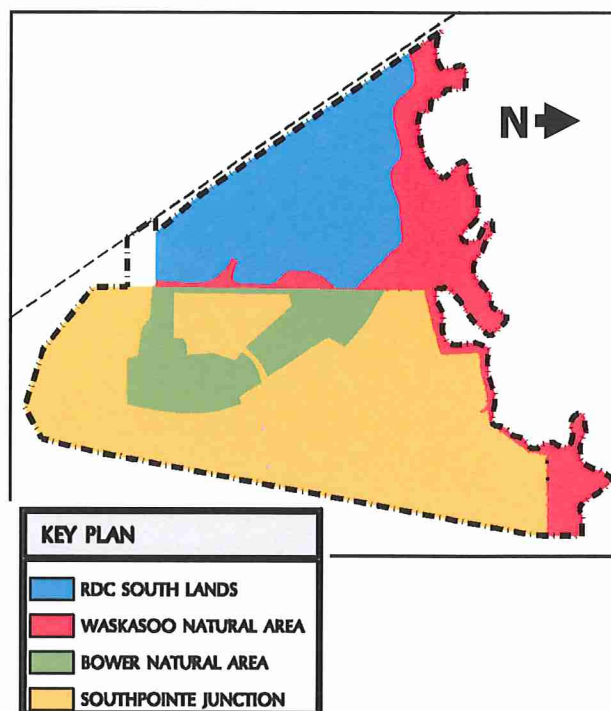
SEPTEMBER 2009

SOUTHPOINTE NASP

5.0 DEVELOPMENT CONCEPT

Based upon The City of Red Deer policies, market considerations and site characteristics, a Development Concept has been prepared for the entire ± 157.00 acre (± 63.54 ha) site as illustrated in **Figure 7**. The Southpointe NASP incorporates four distinctive areas (see Key Plan):

- 1) The South Red Deer College Lands (west of the Bower Natural Area and south of Waskasoo Creek Natural Area);
- 2) The proposed Bower Natural Area located along the centre of the NASP area and oriented north south;
- 3) The Waskasoo Creek Natural Area south of the creek; and
- 4) The east and south portion of the lands referred to as Southpointe Junction (SP Junction).



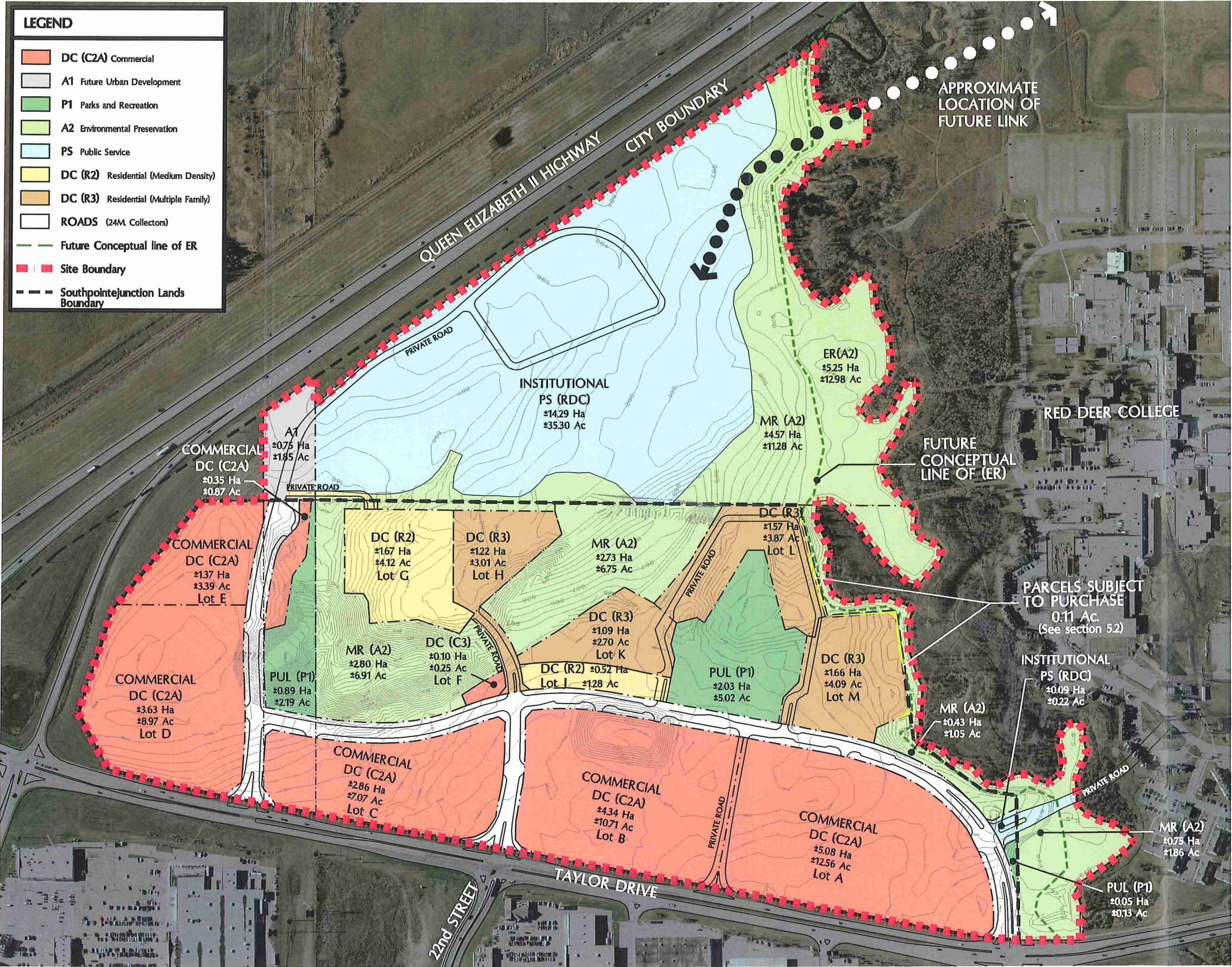
Concept plans have been developed based on anticipated future use for both SP Junction and the South College Lands and include retaining and incorporating portions of the Bower and Waskasoo Natural Areas. A figure illustrating this conceptual layout is included in **Appendix A**.

A more detailed description of the development concept will follow in **Sections 5.1** to **Section 5.6** and will discuss Land Use, Open Space, and more detail on the four areas described above.

5.1 LAND USE

The Southpointe Neighbourhood Area Structure Plan proposed land uses are shown in **Figure 7: Land Use Concept Plan**. The proposed development will see the land delineated into a combination of Land Uses.

The Red Deer College South Lands, including the Waskasoo Creek Natural Area currently under Red Deer College ownership, will, at the time of future subdivision, be comprised of a combination of PS (Public Service) District (± 35.28 acres / 14.28 ha) and A2 (Environmental Preservation) District (± 24.89 acres / 10.07 ha). Based upon the ecological survey of the lands in November 2007 (discussed in **Section 4.5**), a conceptual boundary of these designations has been established. South of Waskasoo Creek to the conceptual boundary will be designated as A2. The

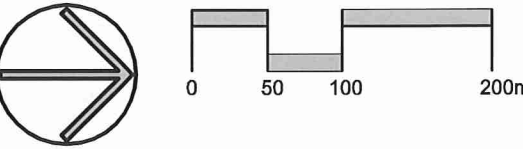


SOUTHPOINTE NASP

FIGURE 7
LAND USE
CONCEPT PLAN

NOTE: All private roads will have a Public Access Easment.

DATE: September 2009



DRAWING BY: Group 2 / Al-Terra

Group2 architecture engineering
AL-TERRA ENGINEERING LTD.

InterPlan strategies inc. Land Planning Services
RDC

SEPTEMBER 2009

SOUTHPOINTE NASP

remainder of the south College lands would be designated as PS to allow for future development with the exception of several pockets of natural area along the eastern edge of the College South lands and connected to the Bower Natural Area.

Based on the ecological profile described in **Section 4.6**, a line delineating the conceptual future division of ER (Environmental Reserve) and MR (Municipal Reserve) is shown on **Figure 7**. This line is subject to change at the time of Subdivision of the College Lands. As will be explained in more detail in **Section 5.5**, Red Deer College is in the early stages of visioning and planning the south lands.

Retained areas of the Bower Natural area will be designated a combination of P1 and A2 as determined by The City, as will a portion of natural area south of Waskasoo Creek within the SP Junction lands.

The land to the east, which encompasses SP Junction, would be designated a mixture of commercial, residential and P1 districts. All commercial and residential parcels are to be designated DC Districts. The purpose of DC Districts *"...is to provide for innovative developments, which in the opinion of Council, require specific regulations unavailable in other land use districts."* The commercial parcels will be based primarily on the C2A (Commercial (Regional Shopping Centre) District *"...to facilitate the development of a regional trade centre, which also include services, offices and dwelling units as secondary functions..."*.

The SP Junction proposal includes six parcels under two residential direct control districts based on R2 (Residential (Medium Density) District and R3 (Residential (Multiple Family) District. The DC (R3) component comprises approximately ± 13.68 acres (± 5.53 ha) and is intended to accommodate medium and high density residential development

in Lots H, K, L and M. The DC(R2) District comprises ± 5.41 acres (± 2.19 ha) in Lot G and Lot J. The DC designation is intended to facilitate the opportunity to create an urban context for the proposed neighbourhood by accommodating a denser, pedestrian-oriented, mixed-use environment. The general guidelines of the Residential DC Districts are described in more detail in **Section 5.6.1**. The location of these residential parcels is shown in **Figure 7**.

The commercial portion of the proposal (including Lot F) comprising ± 43.84 acre (± 17.74 ha) is proposed as DC (Direct Control). The DC designation is necessary to facilitate more concentrated office space in the NASP area. The SP Junction commercial component allows for a maximum of $636,603 \text{ ft}^2$ ($\pm 59,142 \text{ m}^2$) of floor area (based on 17.74 ha of commercial area). According to the C2A district Bylaw, a maximum 10% of the gross leasable area can be office which totals approximately $63,660 \text{ ft}^2$ ($\pm 5914 \text{ m}^2$). The entire commercial area is comprised of five lots, the intention is that through the DC designation, the office space from these five lots could be concentrated in one or two of these lots.

In addition, a DC designation would provide an opportunity to vary setback depths of commercial buildings along the "main street" collector road. Setback depths will be determined with the DC guidelines at detailed design stage. The general guidelines for the Commercial DC parcels is included in **Section 5.6.2**.

Lot F of the SP Junction portion of the concept is proposed as DC(C3) to provide a opportunity for a District Energy Facility (± 0.25 acres (± 0.10 ha). At this time, the Developer is assessing the feasibility of this proposed use. However it is the intent of the Developer to conduct more detailed discussions with the City, as well as the relevant

SEPTEMBER 2009

SOUTHPOINTE NASP

provincial authorities and regulatory bodies, should they decide to proceed with this concept. A more detailed explanation of the District Energy Facility is included in **Section 5.6.5**.

Should the need for this use not materialize, the intent is for Lot F to revert to PS District land use. If the Facility goes through as intended, provision of a social care site in the SP Junction development is envisioned as a leasing opportunity

within one of the commercial buildings being proposed, and would be held for a minimum of six months, after which, if there is no interest, the property would revert to commercial uses.

All proposed districts will be designed to otherwise adhere, where applicable, to Part 3: General Regulations Applicable to All Districts in the Land Use Bylaw. The proposed Land Use Allocation for the neighbourhood is summarized in **Table 1**.

TABLE 1 :

LAND USE ALLOCATION FOR SOUTHPOINTE NEIGHBOURHOOD *

	±Area (ha)	% of Gross Plan Area
Gross Plan Area*		
Southpointe NASP Boundary	63.54	100
Gross Plan Area less		
Red Deer College Lands (PS)	14.28	22.5
Red Deer College Lands (P1)	10.07	15.8
AltaLink (A1)	0.75	1.2
Net Developable Area for Southpointe (SP) Junction	38.44	60.5
Residential Uses		
Multi Family Dwelling Units DC(R2)	2.19	3.4
Multi Family Dwelling Units DC(R3)	5.53	8.7
Open Space		
Municipal Reserve (Lands Subject to Purchase)	5.96	9.4
Possible Future Environmental Reserve (Lands Subject to Purchase)	0.04	0.06
Public Utility Lot	2.97	4.7
Transportation		
Collector Roadways	3.92	6.2
Commercial		
Commercial Regional District DC(C2A/C3)	17.74	27.9
Other Uses		
Institutional (RDC)	0.09	0.14

*Note: Gross plan area is the entire Southpointe Neighbourhood

SEPTEMBER 2009

SOUTHPOINTE NASP

The proposed land uses for the Neighbourhood Area Structure Plan boundary are summarized in

Table 2. The proposed land uses for SP Junction are summarized in **Table 3.**

TABLE 2 :

LAND USE STATISTICS FOR SOUTHPOINTE

Land Use	Acres±	Hectares±	Percent
PS (Public Service)	35.50	14.37	22.6
P1 (Parks and Recreation)	7.46	3.02	4.8
A2 (Environmental Preservation)	39.58	16.02	25.2
A1 (Future Urban Development)	1.85	0.75	1.2
DC (R3)(Residential (Multiple Family))	13.68	5.53	8.7
DC (R2)(Residential (Medium Density))	5.41	2.19	3.4
DC (C2A/C3)(Commercial)	43.84	17.74	27.9
Roads ¹	9.68	3.92	6.2
Total	157.00	63.54	100

¹Roads include: All public roads as shown on Figure 7

TABLE 3

LAND USE STATISTICS FOR SOUTHPOINTE JUNCTION

Land Use	Acres±	Hectares±	Percent
P1 (Parks and Recreation) ¹	7.46	3.02	7.8
A2 (Environmental Preservation) ²	14.71	5.95	15.5
DC (R3) (Residential (Multiple Family))	13.68	5.53	14.4
DC (R2) (Residential (Medium Density))	5.41	2.19	5.7
DC (C2A/C3) Commercial	43.84	17.74	46.2
Roads ³	9.68	3.92	10.2
PS (Public Service)	0.22	0.09	0.2
Total	95.00	38.44	100

¹P1 includes the land subject to purchase within PUL lots.

²A2 includes the land subject to purchase.

³Roads include: All public roads as shown on Figure 7.

SEPTEMBER 2009

SOUTHPOINTE NASP

The proposed land uses for the Direct Control (DC) component of SP Junction are summarized in **Table 4**. Conceptual plans for the commercial areas shown as DC are based primarily on the bylaws for a C2A (Commercial Regional (Shopping Centre)) Land Use District.

The anticipated population for Southpointe Junction is outlined in **Table 5**.

TABLE 4
DIRECT CONTROL (C2A/C3) COMPONENT OF SOUTHPOINTE JUNCTION

Total DC Area (±acres/ha)	% of Site Area (Max) area	Max. Allowable Floor Area (m² / ft²) based on 33% of total	Max. % of DC Floor Area for Office	Max. anticipated Office Space (m² / ft²)
43.84/ 17.74	33%	59142 / 636,620	10%	5914 / 63,662

TABLE 5
ANTICIPATED POPULATION OF SOUTHPOINTE JUNCTION

Lot	Proposed Land Use	Maximum # of Units	Persons per Unit	Anticipated Population	Area (ha)	Density Per Net Residential ha
Lot G	DC R2 (D52)*	86	3.2	275	1.67	52 units/ha
Lot H	DC R3 (D99)	120	2.2	264	1.22	99 units/ha
Lot J	DC R2 (D58)	30	3.2	96	0.52	58 units/ha
Lot K	DC R3 (D107)	116	2.2	255	1.09	107 units/ha
Lot L	DC R3 (D115)	180	2.2	396	1.57	115 units/ha
Lot M	DC R3 (D102)	168	2.2	369	1.66	102 units/ha
Total		700		1655	7.73	91 units/ha

* D x area = the maximum number of units

5.2 OPEN SPACE AND MUNICIPAL RESERVE

Figure 8 shows the distribution of open space envisioned for the NASP area and includes the natural areas, public open space, and public utility lots. The natural areas, as shown, are comprised of two distinct but connected areas: the Waskasoo Creek Natural Area along Waskasoo Creek and the College South Lands, and; the proposed Bower Natural Area. **Figure 8a** shows the natural areas to be disturbed or removed. FireSmart and grading plans at detailed design stage will further refine the boundaries of these areas.

Pursuant to Section 666 of the Municipal Government Act, The City of Red Deer, as the Approving Authority, may require the owner of a parcel of land that is the subject of a proposed subdivision to provide up to ten (10) percent of the parcel as:

1. *land for municipal reserve, school reserve or municipal and school reserve,*
2. *money in place of municipal reserve, school reserve or municipal and school reserve, or*
3. *a combination of land or money.*

The area of the NASP identified as the lands owned by the Bowers and Her Majesty the Queen in Right of Alberta (**Section 4.1**) comprises a total area of ± 95.0 acres (± 38.4 ha). The 10% of MR from this portion has been previously dedicated through a prior agreement between The City and the landowner (A Subdivision by Re-plotting, approved Nov. 20, 1969).

At the time of future subdivision, the Red Deer College south lands (including parcels north of the Waskasoo Creek NASP boundary) will have to accommodate 13.21 acres (5.35 ha) of MR as per the above mentioned 1969 agreement, in addition to the standard 10% required. A letter stating

agreement to these terms from the College to the City has been included in **Appendix B**. Refer to **Figure 8** for a clarification of the lands that will be included when the owed MR is dedicated.

The City has identified that a significant portion of the treed natural area, referred to as the Bower Natural Area (see **Figure 8**) be preserved. The developer, Qualico, and the land owner, the Bower Family, have entered into negotiations with The City of Red Deer regarding the preservation, through municipal purchase, of this portion of the Southpointe NASP. This land, though privately owned, has long been utilized by both the College and the public and contains a network of trails and is considered by The City to be a valuable part of the regional open space system in and around Red Deer.

Therefore, at The City of Red Deer Council meeting on August 13th, 2007 the following motion was introduced and passed:

"Resolved that Council of the City of Red Deer having considered the report from the Recreation, Parks & Culture Manager, dated August 7, 2007, re: Southpointe Junction Concept Development, Bower Natural Area Preservation, hereby agrees in principal to the amount of area and location of the open space and natural area design and directs Administration to develop an agreement with the developer and land owner to:

1. *Purchase +/- 12.26 acres of treed escarpment,*
2. *Purchase the additional noted 2.76 acres of open space for \$1.00,*
3. *Direct the additional 1.95 acres of owned municipal reserve to be applied to the natural treed area and Waskasoo Creek for the purpose of preserving additional amounts of natural environment and current natural trail connections."*¹

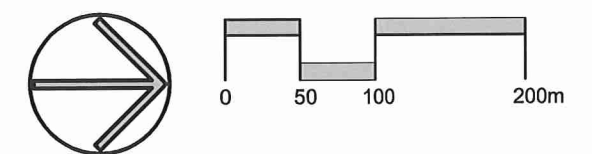
The Bower Natural Area shown as MR/A2 (see

¹ As already discussed, since this agreement was made, it has been determined by The City and the developer that there is no reserve owing on the Southpointe Junction portion of the lands (A Subdivision by Re-plotting, approved Nov. 20, 1969).



FIGURE 8 OPEN SPACE CONCEPT

DATE: September 2009



DRAWING BY: AECOM



Group2
architecture
engineering

AL-TERRA
ENGINEERING LTD.

RDC

InterPlan strategies inc.
Land Planning Services

SOUTHPOINTE
NASP

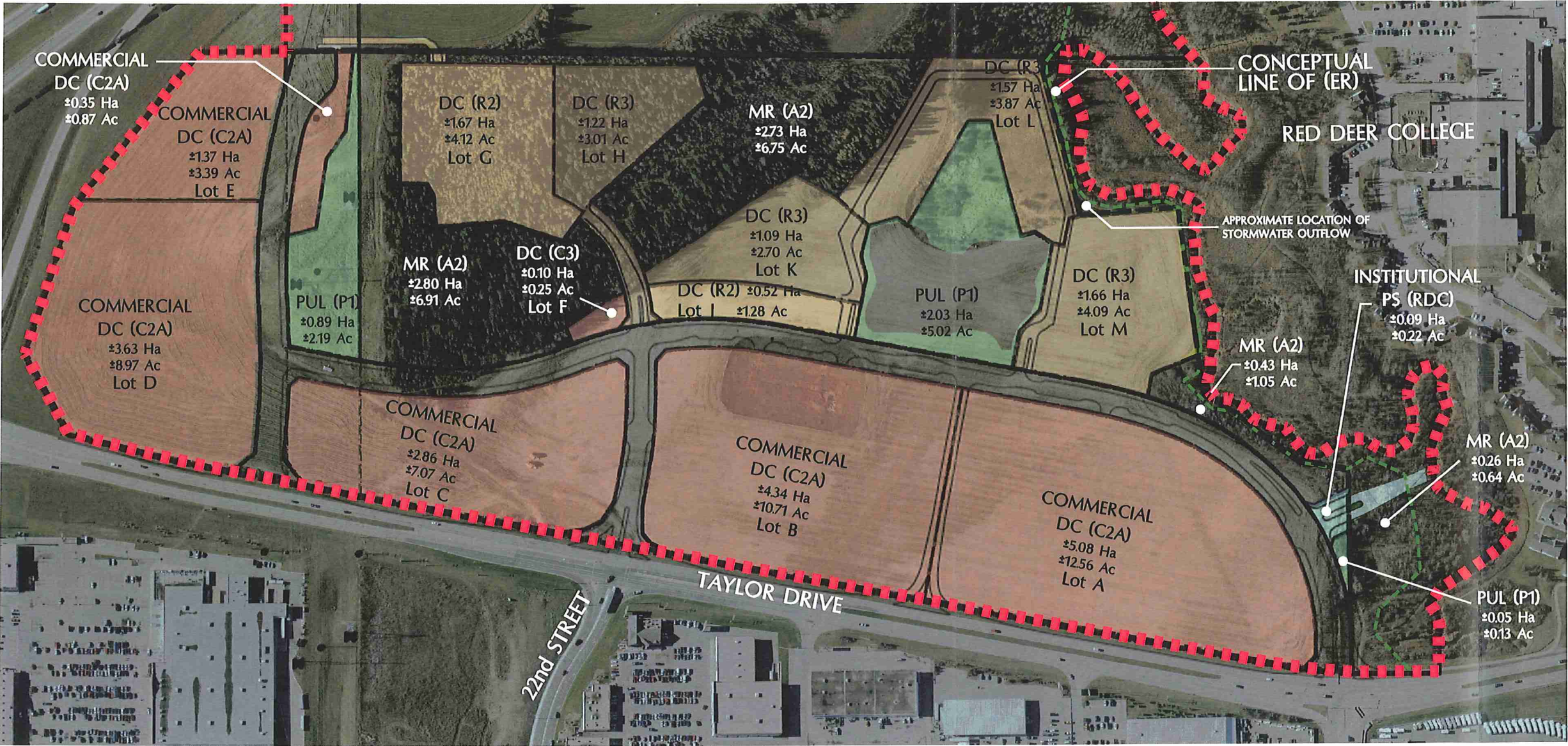
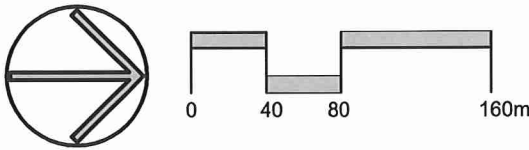


FIGURE 8A
NATURAL
AREAS TO BE
DISTURBED OR
REMOVED
(SP JUNCTION)

NOTE: Conceptual plan only. To be finalized at detailed design phase.

DATE: September 2009



DRAWING BY: Group 2 / Al-Terra

Group2 architecture engineering
AL-TERRA ENGINEERING LTD.

InterPlan strategies inc. Land Planning Services
RDC

SEPTEMBER 2009

SOUTHPOINTE NASP

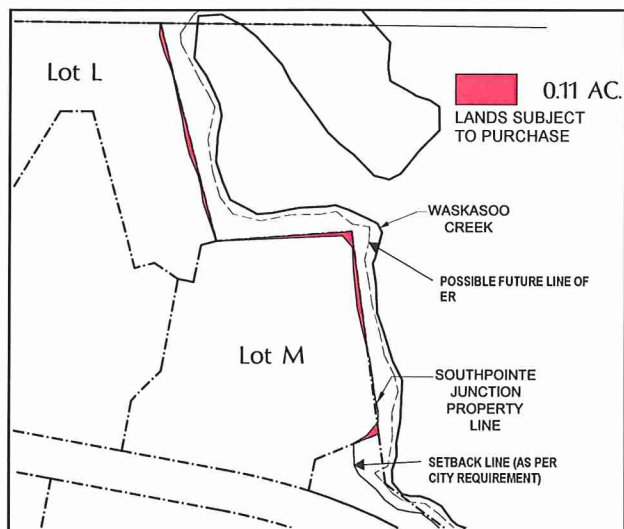
Figure 7) totals ± 16.94 acres (± 6.85 ha). This area will be purchased by The City based on Council resolution on August 13, 2007 and is comprised of:

- ± 13.66 acres (5.53 ha) in the Bower Natural Area*
- ± 2.19 acres (0.89 ha) of open space in the utility ROW south of the woods**, and;
- ± 1.05 acres (0.43 ha) south of Waskasoo Creek.**

*Note: Due to concept refinement, this area is greater than the ± 12.26 acres discussed at Council in August 2007.

**Note: These portions will be sold by the developer to The City for \$1.00, the value in excess will be recognized as a tax deductible donation.

In May 2008 a further agreement was made for the purchase (under the same conditions as the Bower Woods Agreement - see * above) of three additional parcels of land located at the north end of SP Junction and totaling ± 0.11 acres (± 0.04 ha) (see detail below). These will be used by The City to facilitate efforts to maintain the path system on the south side of the creek.



Detail of north property line.

The Waskasoo Creek Natural Area, with the exception of the small strips of land shown above and the ± 1.05 acre parcel east of Lot M, is under the control and ownership of the College.

The Red Deer College Master Plan lists a number of principles for the Waskasoo Creek Natural Area that will guide its future maintenance and preservation:

- "Preservation of the central core of the natural area should be an overriding goal.
- Facilitate greater management and monitoring.
- Integration of natural and developed areas.
- Maintain current uses of the natural area (education, recreation, habitat, wildlife corridor).
- Acknowledge need to link the areas north and south of the creek, but in the least obtrusive way.
- Minimize impact on natural area through proper management of storm water, utilities, roads and pathways.
- Facilitate access for the General Public."

As discussed above and illustrated in **Figures 7 and 8**, a portion of the natural lands south of the creek are being retained as the Waskasoo Creek Natural Area.

All pathway connections to both the Waskasoo Creek and Bower Natural Areas from the proposed development will be maintained or realigned as discussed in **Section 5.2.1 Pedestrian Trails and Linkages**.

The open space, shown in **Figure 8**, includes the constructed wetland and the public spaces to the north, south, west and east of it. In addition there will be a naturalized open space beneath the existing power lines in the utility ROW. These are shown as Public Utility Lots (PUL). Also part of the public open space realm is the streetscape along the collector roads.

SEPTEMBER 2009

SOUTHPOINTE NASP

The private open space will be identified at the detailed design stage and will include significant green space in SP Junction on both residential and commercial sites and will contribute to the visual appeal of the development. Both soft and hard landscaping is envisioned for these areas in order to enhance pedestrian use and overall aesthetics.

The private open space in the Red Deer College lands will eventually be developed to reflect their guiding principles as outlined in the Red Deer College Master Plan;

"Landscape designs will express a park-like setting that unifies the campus while stimulating social interactions among community members, offering comfort and security and reflecting the college's environmental consciousness."

It should be noted that not all existing vegetation can be preserved but effort will be made to retain existing trees where possible and have them incorporated as a development feature.

5.2.1 PEDESTRIAN TRAILS AND LINKAGES

The proposed trail system and linkages in the NASP area are illustrated in **Figure 9** and follow the recommendations of the Red Deer Trails Master Plan.

As illustrated in **Figure 9**, there will be a hierarchy of trails in both the natural and urban areas which will connect both the existing retained trails, proposed trails, and the elements of the plan. One pedestrian gathering place has been identified on the SJ Junction side of the NASP at the plaza on the constructed wetland. Barrier free pedestrian links can be accommodated in developed urban areas wherever considered necessary at the detailed design stage.

Development along the north south collector road in SP Junction is intended to create an inviting pedestrian environment and as such, poses some design challenges. There are considerable distances between public road intersections and driveway locations have yet to be finalized. Due to the distances between intersections, the need may occur to provide mid-block crossings to facilitate pedestrian movements. Should a mid-block crossing be appropriate, design elements will be included at the detailed design stage to ensure pedestrian safety and vehicle flow (ie. marked and signed crossings, bump outs, pavement texture/colour change).

The legend on **Figure 9** more fully explains the proposed trail/sidewalk sizes and materials. Existing trails that fall within the Bower and Waskasoo Creek Natural Areas will be retained, and may over time be rehabilitated or upgraded by The City. Due to the density of the vegetation within the Natural Areas, the existing trails could not be located using GPS. All trail locations within vegetated areas are estimated only and final realignment, where required, will have to be undertaken in the field during detailed design and/or construction by The City.

An above grade pedestrian crossing will be provided where the Bower Natural Area trails cross the private residential connector road into lots G and H (see **Figure 9**). This crossing will help maintain the continuity of the path system in this area. The actual bridge design and location will be determined at a future stage of development however, some description of what is intended follows.

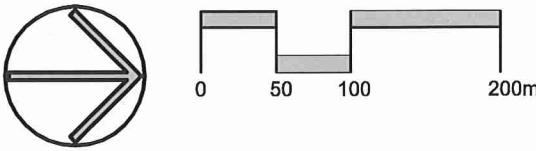
The pedestrian bridge will be developed to carry walkers, joggers, and cross country skiers and the occasional quad used by the park staff. As per discussions with Parks staff, the bridge will not be



SOUTHPOINTE
NASP

FIGURE 9
PROPOSED
TRAIL SYSTEM

DATE: September 2009



DRAWING BY: AECOM

AECOM Group2
architecture
engineering

AL-TERRA
ENGINEERING LTD. RDC

InterPlan strategies inc.
Land Planning Services

SEPTEMBER 2009

SOUTHPOINTE NASP

required to support a maintenance vehicle such as a truck nor does it need to be totally enclosed. The bridge may be of weathered steel with the top rail and decking clad in wood. The weathered steel will provide a more natural feel to the structure and allow it to blend into the site. A photo of a similar bridge design is included below. In order to retain the site as natural as possible the trail grades and alignments leading up to the bridge will be field fit to provide ready access to the bridge.



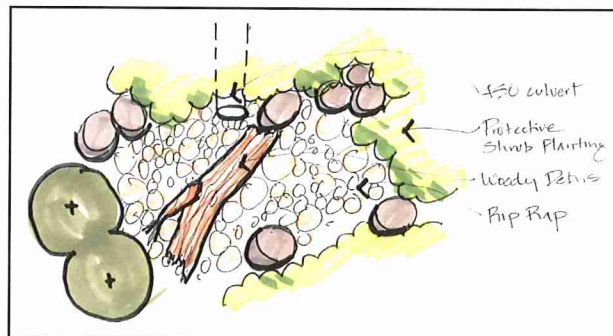
Example of pedestrian bridge design

Funding for the pedestrian bridge will be provided by the developer, however, should any City funds remain in the recreation amenity fund planned for this development, the City has agreed that these could be directed to offset the bridge cost.

Trails in the Waskasoo Creek Natural Area north of the creek are outside the NASP area but their connections with the south side are relevant to the NASP trails and linkages. The Red Deer Trails Master Plan, Section 4.3.1 (pg 55) deals specifically with the standards desired for the Waskasoo Trails.

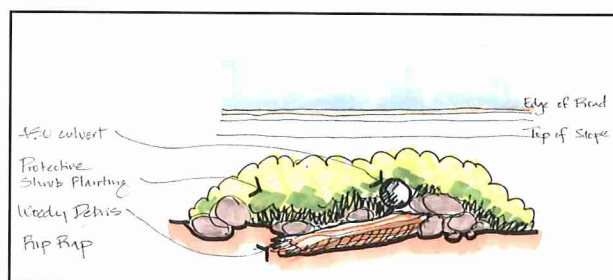
5.2.2 ANIMAL CONNECTIONS

Animal crossings were also considered in the preparation of the NASP open space and trails system. The intent is to provide connections for large and small animals now found on, or moving through, the site. This is particularly relevant where the private access road to residential Lots G and H crosses the Bower Natural Area and where the north south road linking the north Red Deer College lands and SP Junction crosses Waskasoo Creek. A more detailed description of these roadway designs is included in **Section 6.1.**



Conceptual wildlife crossing plan.

Efforts will be made to minimize road widths in the Bower Natural Area, while the possibility of an enlarged culvert accommodating Waskasoo Creek and serving as a wildlife/pedestrian crossing where the proposed easterly road link is located will be explored at the detailed engineering and design stage. The Red Deer College Master Plan does indicate that the crossing at this location will be at grade.



Conceptual wildlife crossing section.

5.2.3 RECREATION OPPORTUNITIES

There will be a diverse range of recreational amenities available in the NASP area. The existing trail system in the Bower and Waskasoo Creek natural areas provide an opportunity for both passive and active recreation with walking, running, cycling and cross-country skiing as potential activities.

The strong link between the community and Red Deer College will also offer additional opportunities in several different ways. The College offers non-credit courses for the public in a variety of areas, including culture and fitness. The varied fitness facilities on campus are available for rent or for use through a community membership and include racquet courts, playing fields, weight training facilities and gymnasiums. Future plans for the South Campus may include additional facilities. Child care facilities, arts and culture events and a public library are also offered at the College.

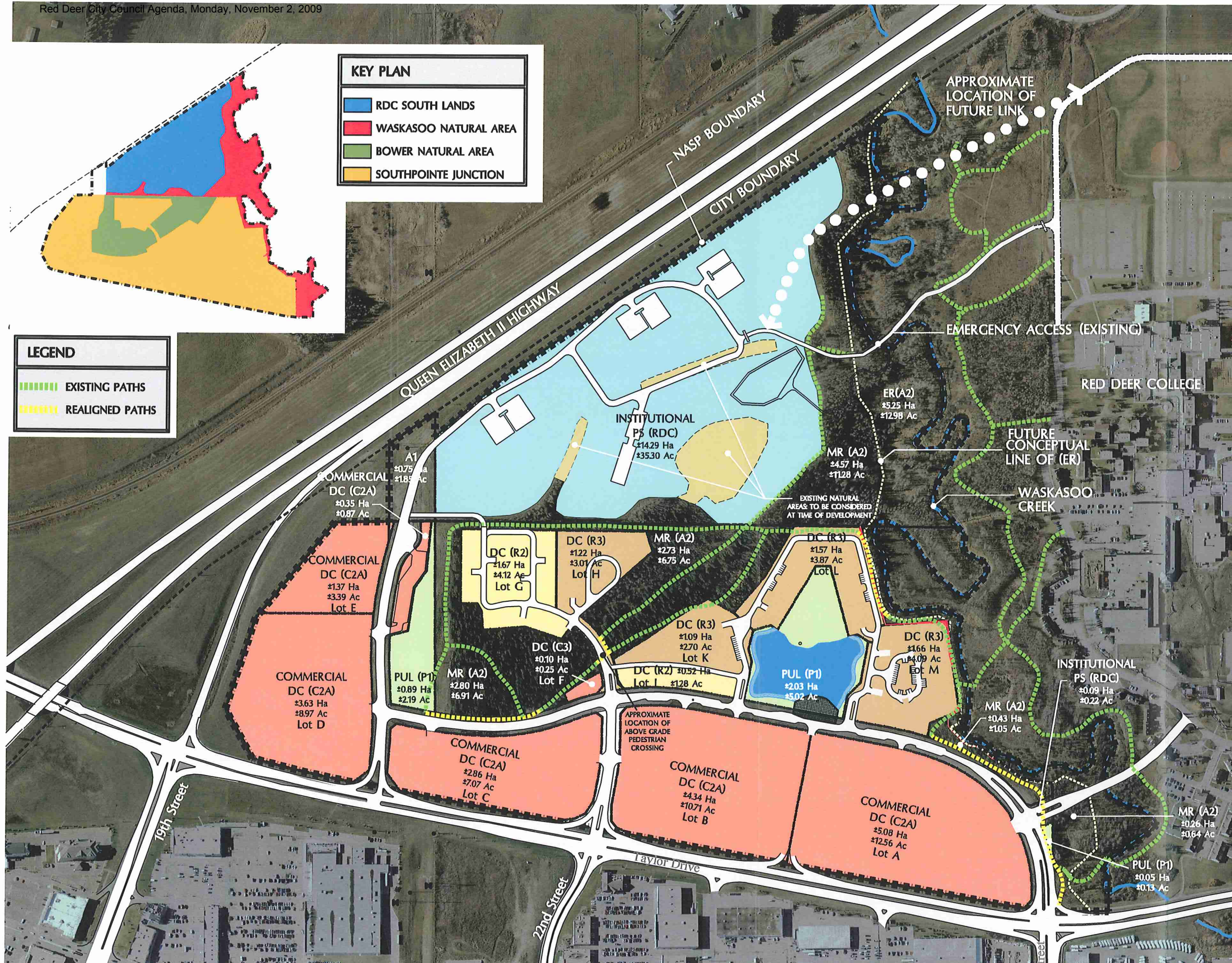
5.3 WASKASOO CREEK NATURAL AREA

The area described as the Waskasoo Creek Natural Area is shown in the Key Plan on **Figure 10**. Only the area south of Waskasoo Creek is included in the NASP, however the natural area should be considered in the overall context of the entire Waskasoo Creek open space system. The Waskasoo Creek Natural Area, in combination with the proposed Bower Natural Area, has been functioning as a significant open space within The City of Red Deer. A large portion of the Waskasoo Creek Natural Area between the QE II and Taylor Drive is owned and maintained by the Red Deer College (grounds staff and volunteers).

The vision for this portion of the NASP is to maintain and protect the natural aspects of this area. It has been recognized by the College and The City that pedestrian and vehicular links across this natural area are, and will be, necessary as development of both the College and SP Junction lands proceeds. In order to mitigate the possible negative impact these crossings may have on the creek and surrounding area, the intent is to introduce pedestrian and vehicular crossings as close to the east and west fringes as possible.

Both The City and the College have identified the need for a transportation corridor linking the campus core and the proposed development to the south east. As seen in **Figure 10**, a proposed access road is shown across the creek just west of the intersection of Taylor Drive and 28th Street. In addition, it is recommended that an emergency access road and creek crossing would be incorporated farther west where an existing concrete service bridge is located. This bridge is currently used for pedestrian access across the creek as well as farm equipment, from the north, to service the agricultural land currently leased by Red Deer College to a local area farmer. As the Red Deer College South Lands become developed, it is anticipated that future studies will indicate the need for another vehicular north south link at the west boundary of the creek. Should this become a necessity, it is proposed that the approximate location of the future road link occur next to the QE II Highway right-of-way, thereby reducing its impact on the natural area.

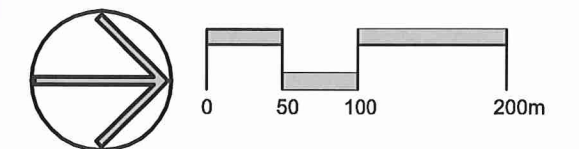
The NASP recognizes the importance of the Waskasoo Creek Natural Area and addresses maintaining the system of pedestrian and bike pathways in and through the area as well as introducing new links to both the existing College Campus and the proposed future development to



SOUTHPOINTE NASP

FIGURE 10
SOUTHPOINTE
CONCEPT
PLAN

DATE: September 2009



DRAWING BY: Group 2

Group2
architecture
engineering

AL-TERRA
ENGINEERING LTD.

ziola newstudio
architecture inc.

RDC

SEPTEMBER 2009

SOUTHPOINTE NASP

the south. This will in part be accomplished by a negotiated sale of lands south of the creek at the north end of SP Junction as discussed and shown in more detail in **Section 5.2**.

5.4 BOWER NATURAL AREA

The establishment of the Bower Natural area will be an attribute for both The City of Red Deer and the Southpointe NASP. As outlined in **Section 5.2** Open Space, the area includes ± 2.19 acres (0.89 ha) in the Utility R.O.W. at the south end and ± 13.66 acres (5.53 ha) of the treed area.

The negotiations to formalize this natural area will continue during the NASP, zoning and subdivision process. The overall success of these negotiations rests largely on the success of these processes, and the achievement of the Developer and The City in reaching agreements for several key components of the proposed development as well as the financial obligations, which were outlined in **Section 5.2**.

Additionally, discussions on the limit of disturbance into the Bower Natural Area during the construction phases of Lots G and H are ongoing and will be addressed at the detailed design stage. All vegetation removal will be done in accordance with City of Red Deer urban forestry best practices and will include consultation with urban forestry staff. Accommodation of grade differences and meeting the FireSmart requirements for the clearing of underbrush within the surrounding natural area will be dealt with at detailed design stage. Initial examinations of the FireSmart requirements have been made and a draft plan delineating the areas affected is included in **Appendix C**.

The proposed boundary for the Bower Natural

Area is shown in the key plan for **Figure 10**.

5.5 RED DEER COLLEGE SOUTH LANDS

Red Deer College developed a Land Use Master Plan in June 2003 which illustrates how the College proposes to guide future development on its lands. The Master Plan includes a Demonstration Plan (see **Appendix A**) showing conceptual road layout and building locations in the south lands. This is conceptual only, but the general road layout is included in the NASP Concept Plan in order to show the potential links between the developable areas in the NASP and the College lands to the north.

The Master Plan describes its vision for development as follows: "...it:

1. recognizes the educational mandate of the College as paramount
2. acknowledges that the College land is a trust and the College is the steward of this trust
3. reflects the College's relationship with the larger community and surroundings
4. supports mutually beneficial partnerships
5. promotes a strong identity and visible presence within the larger community
6. provides integrated design contributing to a strong sense of place
7. manages long-term development needs in a sustainable manner"

In the Master Plan, the College lands have been described as being divided into Precincts (see **Section 5 Precinct Analysis**, page 45 of the Land Use Master Plan). Those lands included in the Southpointe NASP are divided into two precincts: Precinct 5 (Natural Area) and Precinct 6 (South Lands). Although the Bower Natural Area is not part of the College lands, Precinct 5 of the Master Plan includes the Bower Natural Area and assumes that it will remain as is. However, the document

deals more specifically with the natural area around Waskasoo Creek. The recommendations for Precinct 5 are as follows:

"In response to the stewardship commitment in the "Vision for Land Development Master Plan" discussed to in chapter 3, the natural area is depicted as being effectively untouched. To minimize future impact, vehicular access through the natural area is kept to the fringe areas. A new road access to the college core (Precinct 1) is recommended, but is kept as close to Taylor Drive as possible. A low-impact vehicular access (for emergency and service vehicles only) located within the western portion of the natural area is recommended (complete with access control gates at each end), which would link the Campus Core (Precinct 1) to the South Land (Precinct 6). The existing, concrete service bridge would be incorporated into this route. The major use of this road would be pedestrians and cyclists. A more formal path system (i.e. paved or graveled) is proposed for the perimeter of the natural area. An analogy is the sea wall at Stanley Park where the perimeter of the park is well defined by a formal path system with natural / low impact paths branching off into the natural area. Vehicle parking would be incorporated at the trailhead to provide a convenient access point to the Natural Area trails.

For planning purposes, the assumption is made that the natural lands on Bower property will be set up as a natural reserve and continue to be an integral part of the college natural lands, in a consolidated cluster. A joint management strategy for the natural area needs to be developed between the College, the Bower family and The City of Red Deer. The proposal is to develop a core reserve system which identifies priority areas for minimal activity (scientific / educational study) and includes buffer zones that help to maintain the naturalness and ecological function of the priority areas while providing for human use and enjoyment ..."

The South Lands, as identified by the report, include the area south of Waskasoo Creek, east and north of QE II Highway and west of the Bower Natural Area. This area is referred to as Precinct 6 and several potential uses and opportunities for

this area have been identified by the College:

- *"Centre for Sustainable Development including applied research / partnerships, interpretive / conference centre*
- *Recreation, sports fields*
- *Family housing along easterly edge*
- *Public / Private partnerships"*

As with Precinct 5, the following recommendations are made for Precinct 6:

"This area has been divided into two zones. The zone in the west area, with excellent visual exposure to Highway 2 is depicted as Private / Public Partnership land use, where long-term land leases would be incorporated. The building forms would be developed into three or four clusters along the highway with a prominent landscape buffer. The access road (and utility service corridor) would be routed through the Bower Lands from the south. The road would parallel Highway 2 and loop back. No major road linkage is proposed to connect to the College lands to the north. An existing service bridge across Waskasoo Creek is proposed to be upgraded and utilized for emergency and service vehicle access that will also serve as a pedestrian / bike path.*

The pocket of land nestled between the highway zone land use and the natural area is depicted as a low-impact land use zone. Uses that could be considered are a center for sustainable development, in conjunction with demonstration projects, an interpretive center and possibly a small-scale conference center. This type of activity is deemed appropriate because of its visual isolation from Highway 2 and adjacency to the natural area."

*Although the 2003 Land Use Master Plan does not depict a north/south link in the westerly region for regular vehicles, a potential future road link could be built very close to the QE II Highway to facilitate better connectivity and functionality between college activities on both sides of Waskasoo Creek. Final alignment of this potential road would be determined at the time of

SEPTEMBER 2009

SOUTHPOINTE NASP

subdivision in consultation with affected stakeholders.

The Master Plan goes on to discuss the relevancy of the Bower Lands and their impact on the connectivity of the north and south College lands:

"This area is not within the control of the college, yet the future development will influence the college in a number of ways. Any transportation linkage from the south into the north college lands would have to be through the Bower lands. Furthermore, the college's South Lands would require transportation and service linkage from the south and other portions of the Bower land. The timing of the development of Bower lands will likely dictate the college development of the South Land. A perimeter pedestrian / bicycle path system, as described in the Natural Area Precinct, hopefully, would be included in the future development of the Bower Lands."

Figure 10 illustrates three natural areas within the plan that have been identified. Though included in the potential future development area, efforts will be made to retain the areas or at minimum, relocate the vegetation to a more suitable location.

5.6 SOUTHPOINTE JUNCTION

The east and south portion of the NASP area are being planned by Qualico and this portion of the NASP area is called Southpointe Junction (SP Junction). A concept plan of the proposed development is shown in Figures 7 and 10 and in more detail in Appendix A.

SP Junction is envisioned as a Mixed Use Urban Village incorporating residential, retail, office, recreation amenities, and potentially, hotel / convention facilities, within the confines of a ±95 acre (±38.44 ha) site (including the Bower Natural

Area). The goal of Qualico is to create an environment that attains many of the principles of smart growth and sustainability by: including a variety of housing choices; offering a broad spectrum of employment opportunities and services; and by providing for both active and passive recreation; all within walking distance of a village centre. SP Junction intends to achieve the balance of uses required to offer and create a multi dimensional live-work-play community.

The focal point of the village will be a constructed wetland / dry pond / public gathering place centrally located in the village. This central area would feature a series of pathways connecting the hard surfaced public realm to the trail system of the Bower Natural Area and the Waskasoo Natural Area. Placed around this wetland is a combination of residential uses in the form of higher density apartment buildings and townhouses.

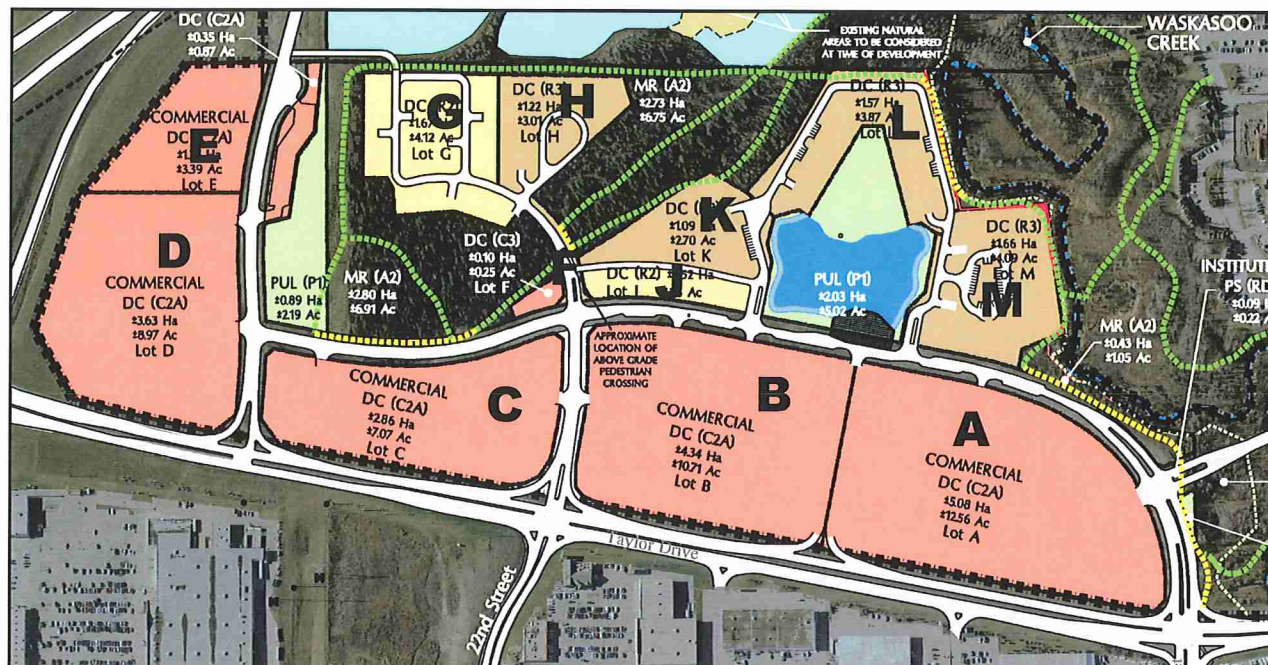


Conceptual view of constructed wetland looking north east.

The main road running through this live-work-play urban village will contain a pedestrian orientated section with a main street feel. In the pedestrian section, the built forms will be sensitive to the street including strong architectural detailing and elements of pedestrian orientated functionality. The office component of the development could be located in this part of the development. The remaining commercial development will be between the internal road

SEPTEMBER 2009

SOUTHPOINTE NASP



running north south and Taylor Drive, as well as west along the south end of the site.

The following sections explain and illustrate the separate components of this concept plan in more detail.

5.6.1 RESIDENTIAL COMPONENT

The residential component of the plan is to be located west of the internal north south road and borders with the proposed Bower Natural Area and the Waskasoo Creek Natural Area thereby taking full advantage of the opportunity provided by these natural areas.

As illustrated in **Figure 11**, SP Junction is divided up into a series of parcels reflecting their proposed land use. The residential parcels are identified as lots G, H, J, K, L and M and collectively constitute ± 19.09 acres (± 7.72 ha). The current vision for these developments is outlined below but are subject to change based on market demand and future approvals.

FIGURE 11: CONCEPT PARCELS

The proposed buildings for Lots K, L and M (shown conceptually in plan in **Appendix A**) are all located around the focal point of the proposed village concept which is the constructed wetland and dry pond. These buildings are envisioned as four story apartment condo units with balconies which will offer views of either the natural areas to the west and north or the urban open space system envisioned in this area. The architectural design style will be specifically reviewed, developed and resolved to compliment the development of both the residential as well as the commercial components of the proposed



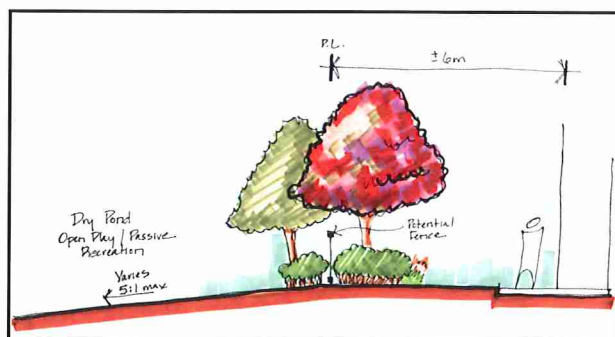
Conceptual view of wetland, central plaza and Lot L.

SEPTEMBER 2009

SOUTHPOINTE NASP

development. It is envisioned that this will develop a cohesive and strong aesthetic for the entire community. Each building could include such amenities as underground parking, a fitness and wellness centre and car wash facilities.

The buildings located in Lot M will also include an elevation along the north south collector road. Careful attention to a relationship with the street will be included in the eventual design of this building. The building located in Lot L will embrace the dry pond planned for this area and be separated from the public realm by a fenced private garden which will be landscaped to compliment the views of the residents as well as the views from the opposite side of the wetland.

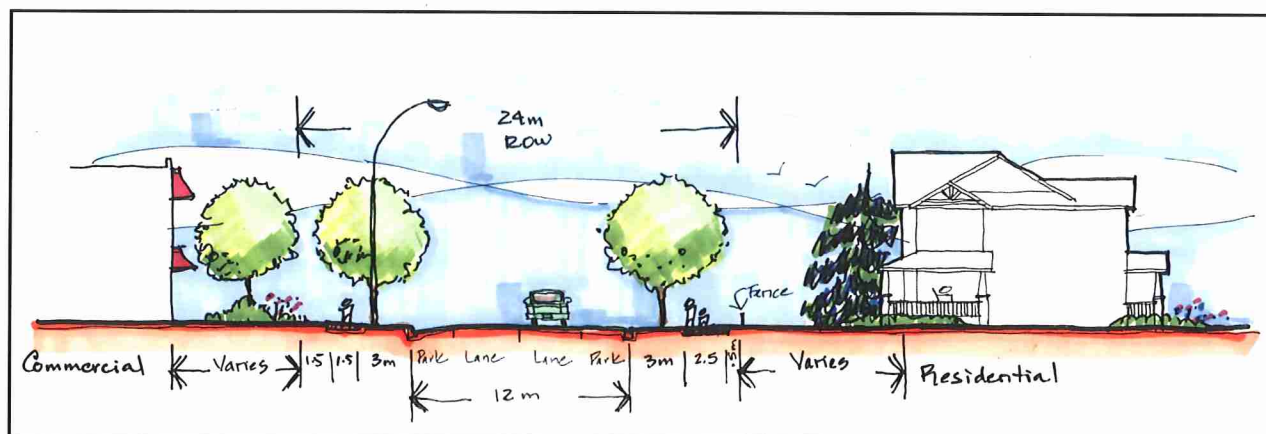


Conceptual section from building L to the dry pond.

To the south of the wetland and located along the major north south road is Lot J. The residential

component in this parcel is envisioned as three two storey townhouse blocks. Parking and vehicle access to these units will be from a rear service road. These units offer an exciting opportunity to live in between natural and urban amenities. Especially important to these units will be their relation to the vibrant streetscape envisioned for this section of the north south collector road. Each unit would boast its own fenced front yard opening to the street which will contribute to the visual diversity of the streetscape. Also envisioned for this development is the opportunity to offer "Live Work Units". These are units where the resident can incorporate their business establishment into their dwelling based on a set of guidelines for acceptable uses.

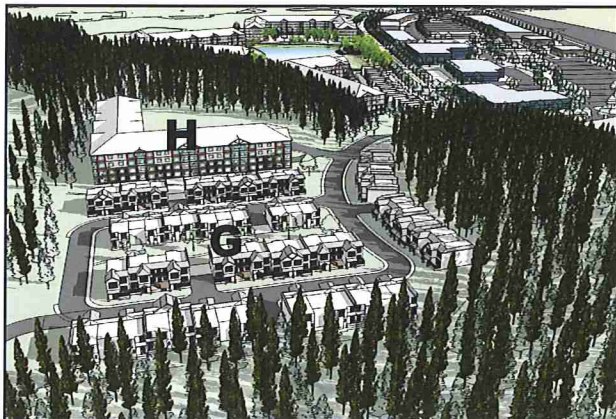
Lots G and H, as shown in **Figure 11**, will be accessed by private roads bridging the natural area. The first, labeled lot H would contain a building similar in design to the four storey apartment condos described above. Market demand will ultimately determine the details of this development, but there is a possibility of offering a 55 plus building either here or in one of the other apartment condos. Additional amenities for a 55 plus building could include private facilities for a games room, an internet café, a small theatre, a library and sitting room and possibly guest suites.



Section through collector between Lots J and B.

SEPTEMBER 2009

SOUTHPOINTE NASP



Conceptual view of Lots G and H looking north.

The buildings envisioned for Lot G are townhouses ranging in size from 700 ft² (bachelor units) to 1800 ft² (3 bedroom units). Parking for residents could be contained in underground parking structures immediately accessible to the units thereby removing a majority of the parking from the landscape of the neighbourhood. Specific unit designs are at an early stage but could offer shared open space amenities that would be professionally managed and maintained.

Townhouse units contained in lots J and G may be designed with the opportunity to provide varied unit widths in the building blocks to accommodate housing options such as in-law suites, student housing and expansion possibilities.

In order to achieve the Developer's vision for these residential parcels, all proposed residential blocks will be zoned as DC Districts, based on either R2 or R3 Land Use Districts as explained in **Section 5.1**. The intent of the DC zoning is to reinforce the creation of an urban-context for the proposed neighbourhood by committing to a denser, pedestrian oriented, mixed-use environment in smaller footprints, thereby preserving, protecting, and invigorating the natural and public areas. The general intent of the DC Residential Districts is summarized below. This list is to serve as a summary only and includes, but is

not limited to, the design elements envisioned for these developments.

General Principles for DC (R2) and DC (R3)

- Increased densities to properly complement the adjacent commercial areas with an increased emphasis on walkability.
- Reduced setbacks to maintain close proximity and access to sidewalks and improve the pedestrian realm; and/or accentuate the proximity to the natural areas.
- Unit types allowing for a variety of living styles within the same neighbourhood.
- Potential for "Live Work Units", particularly along the collector road.
- Varied unit widths in the townhouse blocks to provide housing options such as in-law suites, student housing and expansion possibilities.
- Pedestrian oriented frontages along the collector road to increase the "Main Street" feel and increase street access.
- Landscaping offering a visual continuity with both the urban and natural areas.

The DC Guidelines will be part of the Land Use Bylaw Amendment Application.

5.6.2 COMMERCIAL AND OFFICE COMPONENT

As indicated, the intent of the NASP for SP Junction is to allow for the planning of a full spectrum live-work-play community. An important component of this concept is the commercial and office uses planned on the easterly side of the NASP area. By providing a mix of residential, commercial (both service and retail), and office development, the proposed development will have a broader appeal to both potential residents and businesses looking to locate in this district, and will contribute to the underlying goal of achieving a

SEPTEMBER 2009

SOUTHPOINTE NASP



sustainable node.

Conceptual view of commercial component looking south.

The proposed commercial and office components of the concept plan, shown in the parcels labeled A, B, C, D and E in **Figure 11**, total ± 43.84 acres (± 17.74 ha). The parcels have been planned to accommodate a range of commercial uses, including big box style development to the south (Lot D), and smaller retail and service uses accommodated in parcels A, B and C. Lot E is envisioned as an opportunity for the development of a hotel and conference facility. In addition, Lot F is proposed to house a district energy facility. A more detailed description of this proposed use is included in **Section 5.6.5**.

It is envisioned that the office component be consolidated in Lots A and B. The buildings proposed along the western boundary of these Lots would vary in height and would be encouraged to contain a component of ground floor retail orientated towards the street. The development envisioned in Lots A and B are

expected to have a higher degree of interface with the residential development to the west and would be designed to encourage a pedestrian friendly environment. Lots D and E are not considered to have the same pedestrian interface and will be designed accordingly. Lot C forms a transition zone between the pedestrian and vehicular oriented commercial uses and will be designed to reflect this. In particular the intersection of 22nd Street and the internal collector road will demand corner treatments of the commercial buildings in both Lots C and B that will be both visually appealing and user friendly for pedestrians.

The level of detailing and design on the buildings in Lots C, D and E will be somewhat reliant on the setbacks that are eventually achieved. Smaller setbacks will lead to increased building detailing, while larger setbacks will provide an alternative of a greater degree of landscaping and screening.

Ultimately the market will dictate the viability of this component of the development. If the developer feels that the market demand exceeds the standard 10% of office permitted, a market analysis can be conducted and presented to The City. As outlined in **Section 3.2**, Administration may support an amendment to the NASP should the developer be able to supply adequate supporting information. Should office uses in this location be deemed by the market not to be desirable, then it could either be relocated in SP Junction or revert to a more conventional retail form.

Both soft and hard landscaping will be employed within the commercial areas to enhance the visual appeal and facilitate pedestrian connections. The vision for the ultimate design of SP Junction's commercial and office components is to offer a visually cohesive, high quality range of buildings that include interesting design features and offer easy pedestrian and vehicular accessibility and ample parking for users.

In order to achieve the developers vision for these commercial parcels, all proposed commercial blocks will be zoned DC Districts, based primarily on C2A land uses as explained in **Section 5.1**. The intent of the DC zoning is to facilitate the creation of a vibrant mixed use retail and office centre as part of a pedestrian oriented area that relates to the neighbouring residential and recreational uses. The intent of the DC Commercial Districts is summarized below. This list is to serve as a summary only and includes, but is not limited to, the design elements envisioned for these developments.

General Principles for DC (C2A/C3)

- Facilitate the concentration of the allowable maximum of 10% Office component from all commercial parcels in SP Junction in one or

more of the proposed commercial parcels. Once the 10% allocation has been achieved, no further office space will be granted in SP Junction without an amendment to the NASP.

- Allow for variable setbacks to enhance the relationship of buildings to the streetscape, increase pedestrian accessibility, safety and offer protection from the elements.
- Taylor Drive is identified as a Major Entry and, as such, all development along this corridor will be given special consideration and will compliment the existing development along the east side of Taylor Drive.
- Ensure that development is visually attractive and is safe for pedestrian and vehicular traffic.
- Special attention will be given to the pedestrian precinct along the collector road to achieve a pedestrian and transit friendly environment. This will include, but not be limited to, the following:
 - i. Setbacks along the collector road will be varied to a minimum of 1.6m.
 - ii. Careful consideration will be given to frontage treatments as well as access configurations. Building infrastructure to allow for double frontages will be incorporated where appropriate in Lots A and B.
 - iii. Encourage commercial uses at ground floor level through the DC District permitted and discretionary uses.
 - iv. Include pedestrian scale street lighting.
 - v. Shop front composition within the pedestrian precincts will reflect the following principles.
 - Have a human scale
 - Offer a variety of architectural detailing compatible with the overall architectural theme.

All of the commercial and office parcels would be designed using The City of Red Deer Land Use

SEPTEMBER 2009

SOUTHPOINTE NASP

Bylaws and other relevant guidelines as a base.

5.6.3 MAIN STREET COMPONENT

Particularly important to the vision of this development is the establishment of a Main Street component along the north south collector road. The treatment of the street in this area is important to the success of the Urban Village concept. As described in **Section 5.6.1**, the residential units that face this collector road will be designed to be sensitive to this relationship.

The proposed commercial and office building designs in lots A and B along this collector road would also include design elements that address the street, provide a facade and definition of edge, as well as introduce activity and interest. This would include such elements as varied street front depths, awnings or other overhangs to provide protection from the weather, and pedestrian scaled lighting. Road and sidewalk design could incorporate width variations to accommodate bus stops and parking, and corner bulbing could be added to mark pedestrian crossing areas.



Conceptual view of 'main street' looking north.

Extensive hard and soft landscaping will be used in this segment of the collector road to define the main street. Street tree planting and creative applications of paving patterns will add visual

interest as well as providing opportunities for seating and gathering.

Central to this main street component is the constructed wetland, dry pond, and public plaza envisioned for this area.

5.6.4 CENTRAL PLAZA, CONSTRUCTED WETLAND AND DRY POND

The constructed wetland and dry pond will perform a number of tasks in the plan beyond their function as a stormwater retention facility. A conceptual plan view is shown in **Figure 12**.

The west side of the area is a public space but is bounded by private space and the proposed building located in Lot L, whereas the eastern portion will be surrounded by public spaces offering a range of recreational opportunities to both residents and visitors of the area. The dry pond to the west will be developed with landscaped edges encompassing undulating side slopes. Landscaping in the dry pond will add visual interest and offer opportunities for passive recreation. A garden in front of building 'L' would provide a private green space between the building and the public realm and would be planted with colourful trees and shrubs to further improve the backdrop. An ornamental fence will separate yet provide clear views between the



Conceptual view of the dry pond.

SEPTEMBER 2009

SOUTHPOINTE NASP

public and private lands.

The east side of the open space would contain a constructed wetland with a controlled water level to maintain a minimum level during dryer periods as well as being developed to improve water

quality. The shallow waters would be planted with emergent vegetation known to actively improve water quality. Deeper areas may contain submergent vegetation also to assist with cleaning the water. A deeper section of open water would be located near the plaza in order to provide

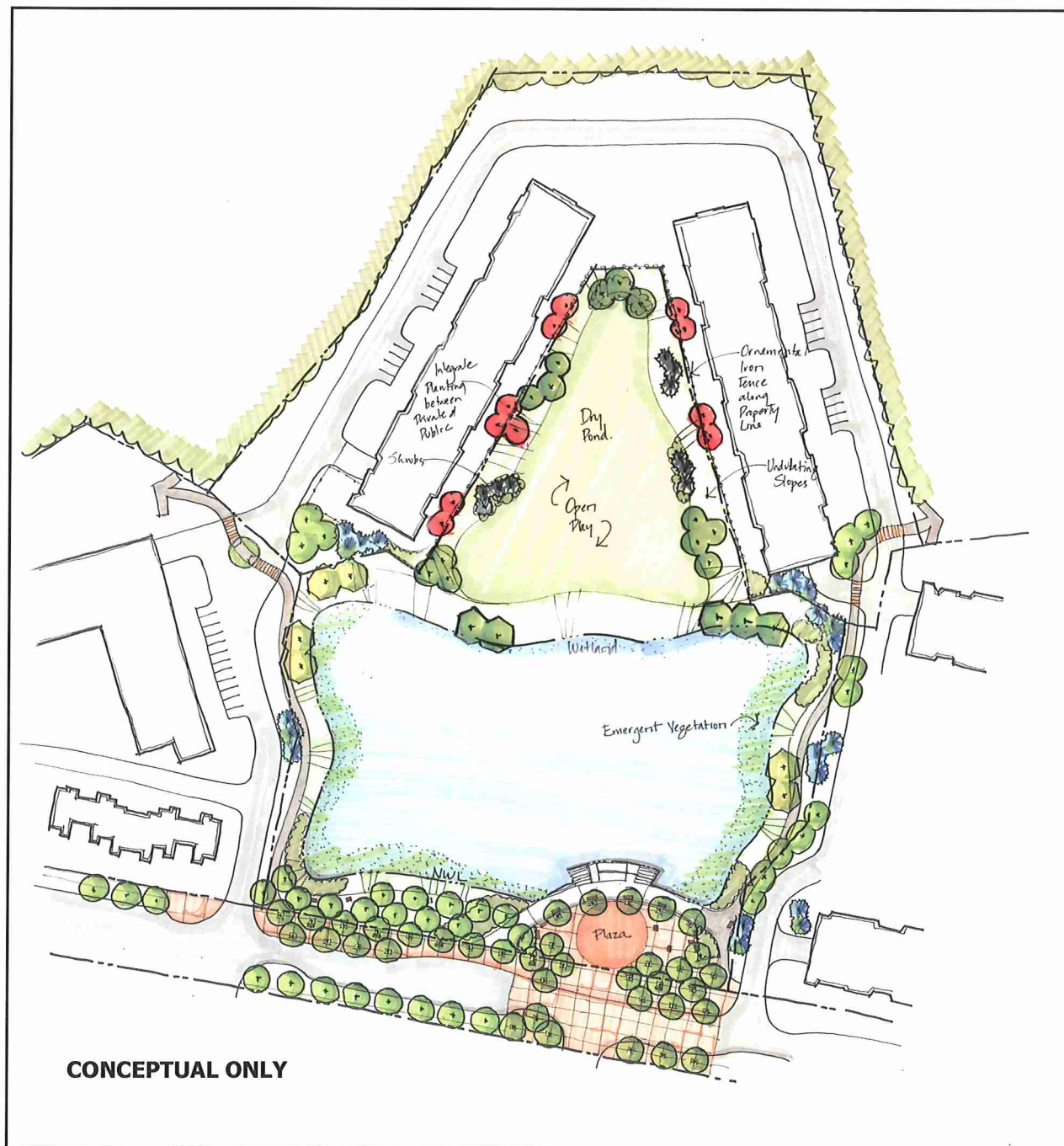


FIGURE 12: CONSTRUCTED WETLAND CONCEPT PLAN

SEPTEMBER 2009

SOUTHPOINTE NASP

potential for leisure skating opportunities in the winter months.

The north, south and west sides of the wetland are envisioned as relatively natural with viewing areas alongside and pathways along the north and south sides. These would be planted with native riparian species that can withstand water fluctuations due to storm events. The east side of the wetland would be directly tied to the streetscape and the public realm with a public plaza. The plaza would incorporate two connected levels. The lower level would be a concrete boardwalk ramped down to the water in order to provide closer interaction with the water, offering visual access to the water for school studies, seating and gathering and physical access for winter skating. This boardwalk would potentially be flooded during major storm events. Further design refinements including lighting and



Conceptual view of main plaza.

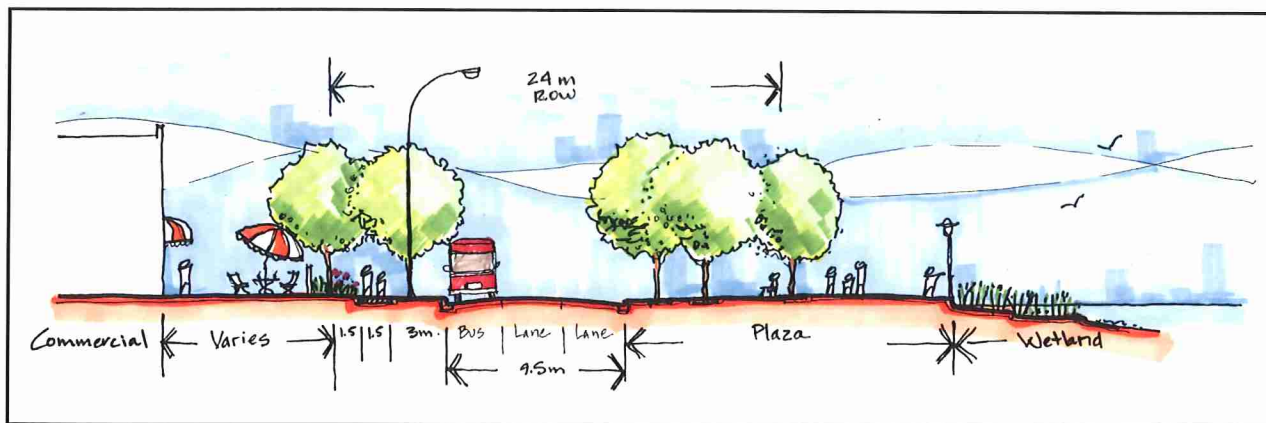
maintenance equipment access will be addressed at the detailed design stage.



Conceptual view of main plaza from east.

The second level, above the high water level of the wetland, would be the main plaza. This plaza will incorporate the pedestrian walk along the collector road. It will be framed to the east by a series of trees planted within a hard surface area. Other features of the plaza area could include benches, waste receptacles, and picnic tables. A further design element could be the inclusion of a labyrinth in the paving pattern to offer additional visual interest.

The plan provides for a raised patterned crosswalk linking the plaza to the commercial area to the east. As a natural meeting and gathering place, this plaza will serve both the immediate area and The City as a whole.



Section through collector road and plaza.

5.6.5 DISTRICT ENERGY FACILITY

The Developer is investigating the inclusion of a District Energy Facility in Lot F of SP Junction. The following is a summary of the nature of the Facility.

The District Energy Facility is envisioned to be a private co-generation unit, producing a supply of hot water within centrally located boilers which is then piped through heat exchange transfer units to heat domestic hot water and hot water heating systems within individual residential buildings. A spin-off benefit from the operation of the District Energy Facility's hot water boilers is the creation of surplus electrical energy which is also fed into the buildings or sold to the electrical grid. The potential to include a cooling function within the District Energy Facility is also being investigated.

At this stage, only the multi-family residential buildings are proposed to be connected to this system although the potential to link one or more commercial / office buildings is being investigated. The District Energy Facility is intended to be owned and operated by Qualico in partnership with an experienced energy management company. The parties would construct the facility, commission the equipment, and operate the facility on property owned by Qualico. The City would not be involved other than as the approving body for matters which fall within the municipal mandate (e.g. planning, land use, engineering design specs, etc.) The facility is intended to be set up as a showcase of "environmental sustainability" in reducing greenhouse gases.

An additional aspect of this concept is the possibility of tying in the proposed facility with the recreation areas through trails, a shelter and/or some interpretive materials. Lot F is designated as DC (C3) and the DC guidelines would reflect those

included in **Section 5.6.3.**

The intent by the Developer is to perform a fiscal analysis on the proposed facility to ensure its viability. Following a satisfactory analysis, the process will be to conduct more detailed discussions with the City, as well as the relevant provincial authorities and regulatory bodies, should they decide to proceed with this concept.

6.0 TRANSPORTATION

6.1 TRANSPORTATION NETWORK

Figure 13 shows the proposed road system for the NASP. The internal and external roadway plan provides for both the continued expansion of the Red Deer College Campus (both the north eastern and South Lands precincts) as well as the proposed land uses within the SP Junction Lands. Intersection configurations and driveway locations as shown are conceptual only and are subject to change at detailed design stage.

Access to the NASP area is restricted to primarily the east side of the area due to the lands location east and north of the QE II Highway and the Waskasoo Creek and Red Deer College to the north.

Four access points are proposed off Taylor Drive. The first access will be provided at the intersection of Taylor Drive and 28th Street at the northern end of the SP Junction Lands. A future proposed north south connection next to Taylor Drive between the Red Deer College North and SP Junction will intersect at the north end of this entrance road and will facilitate additional access to the Red Deer College Lands as well as serving as an equally important alternative to 32nd Street.

The second access at 22nd Street and Taylor Drive is an all turns access near the centre of the proposed development. The third is a right-in, right-out access off Taylor Drive, proposed between 22nd and 28th Streets.

The fourth access point is proposed as a signalized intersection with Taylor Drive at the south end of SP Junction. This access is critical for the future development of the Red Deer College South Lands and the SP Junction south development as it

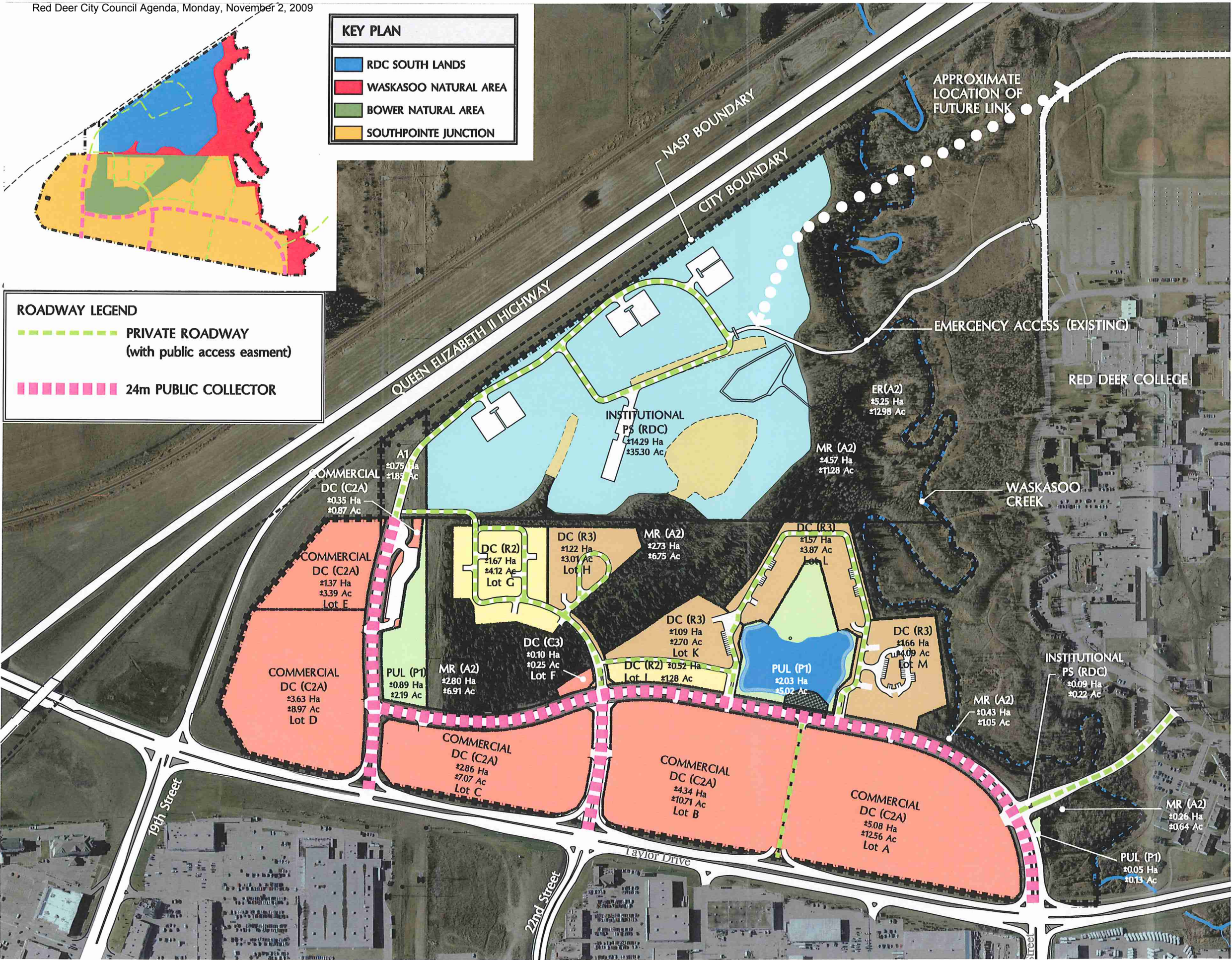
provides the most functional and direct link opportunity available. The intersection design is intended to be a right-in/ right-out / left-in. The final configuration of the intersection will be to the satisfaction of the Alberta Ministry of Transportation and the City of Red Deer.

A summary of the Traffic Impact Assessment completed for these lands is included in **Section 6.2**.

The eventual development of the Red Deer College south lands may signify a need for a further north south vehicular link at the west end of Waskasoo Creek and connecting north to 32nd Street. The approximate location of the future roadway is conceptually located as shown immediately adjacent to the QE II Highway across Waskasoo Creek. This location would reduce the potential fragmentation of the Waskasoo Creek Natural Area. The roadway may be constructed when improvements to QE II take place. Limited mitigation measures will likely be required at that time in order to accommodate both the QE II road widening and the north south connection for Red Deer College.

The internal roadway system is designed to access Taylor Drive at three intersections effectively creating a separation of traffic within the NASP Area. The Red Deer College South Lands will have access from Taylor Drive at the south intersection, the Central Commercial Lands access at the south access road, 22nd Street and 28th Street and the North East College Lands access to/from 28th Street.

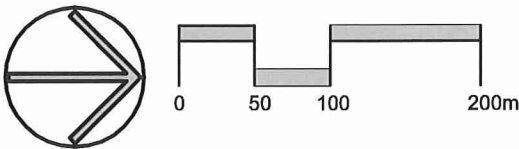
All roads are designed and located to handle traffic in a balanced and efficient manner.



SOUTHPOINTE NASP

FIGURE 13
TRANSPORTATION
NETWORK

DATE: September 2009



DRAWING BY: Group 2, AL-TERRA, INTERPLAN

Group2 architecture engineering
AL-TERRA ENGINEERING LTD.

RDC InterPlan strategies inc. Land Planning Services

SEPTEMBER 2009

SOUTHPOINTE NASP

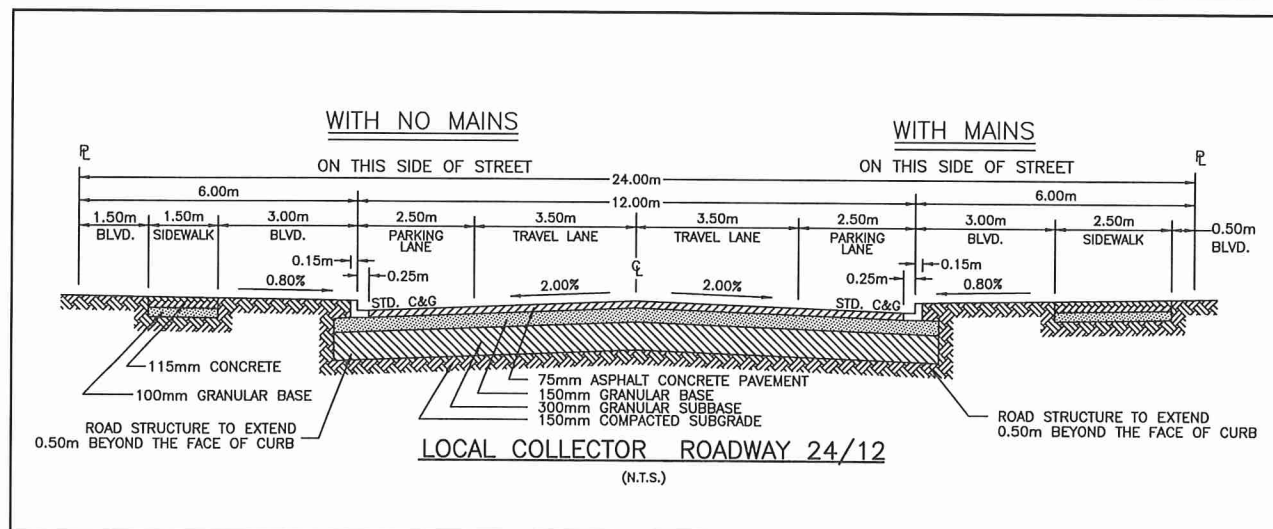


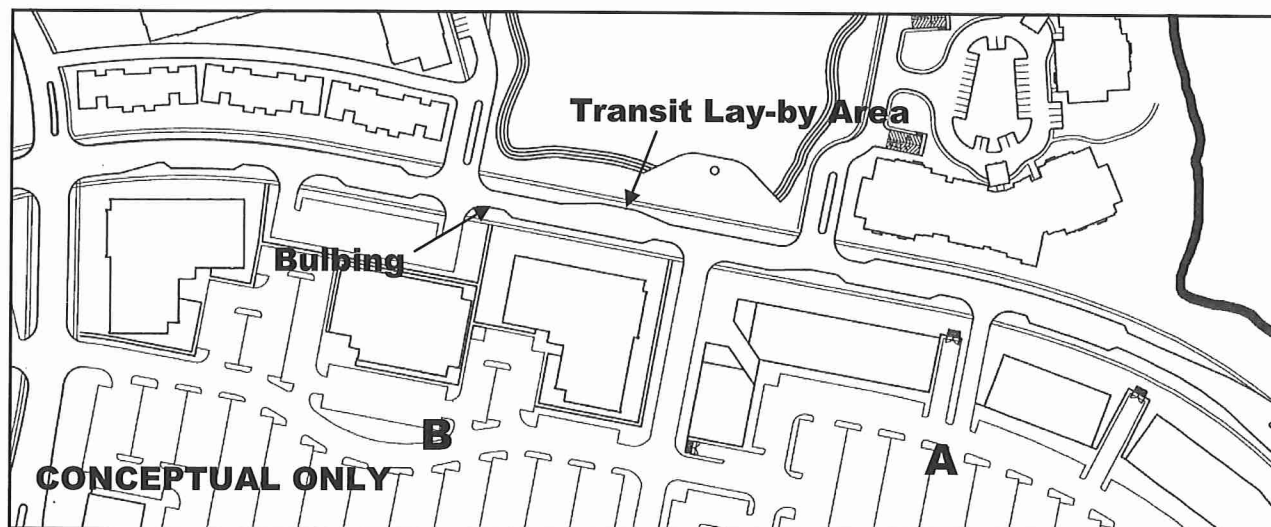
FIGURE 14: LOCAL COLLECTOR STANDARD

Source: City of Red Deer Design Guidelines, Figure 5.07

The internal public roads shown in the Waskasoo South NASP have been designed based on The City of Red Deer standards with some exceptions. Figure 13 indicates the hierarchy of road standards proposed. These include the 24 metre ROW Collector Roadway running from the intersection of Taylor drive and 28th Street and south through to the entrance into Lot D. The entrance from Taylor Drive and 22nd Street is also proposed to be 24m as is the southern entrance leading west into the NASP area and through to

the College South lands. The entrance road between 28th and 22nd Streets is private. Figure 14 shows the standard road section for The City of Red Deer 24 m Collector Roadway.

The variation to this standard is a portion of the north south collector road along Lots A and B where crosswalk bulbing, transit lay-by areas and varying building setbacks are recommended to add interest and improve the pedestrian friendliness and safety of the roadway. The illustration below



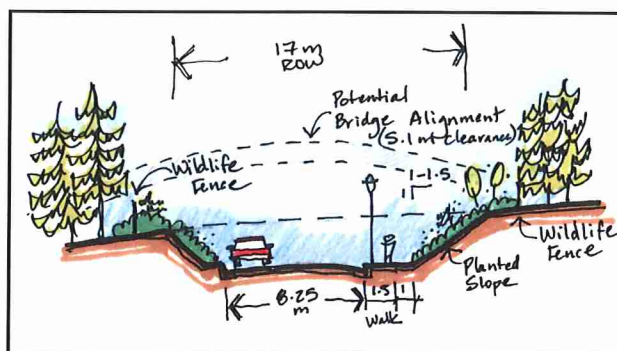
Collector road concept.

SEPTEMBER 2009

SOUTHPOINTE NASP

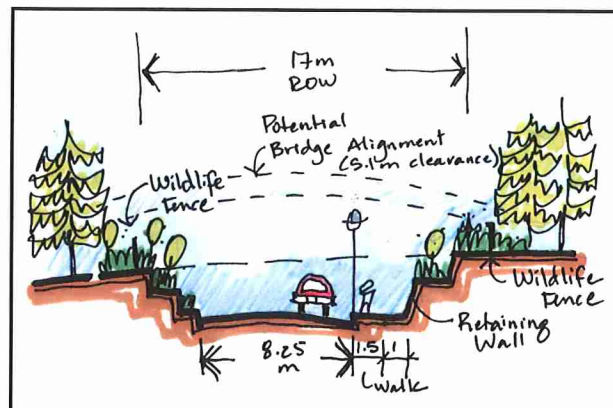
shows the intent for this section of road. Final configuration of this section of the collector road will be designed and reviewed during the servicing study process.

The residential roads in this plan are private roads with a public access easement, and, with one exception, will be 7.3 metres wide (see Figure 17). All private roads will be posted as "Local Traffic Only" and have a public access easement. The roadway that extends from 22nd Street through the proposed Bower Natural Area from the internal north south collector to the residential Lots G and H is also intended to be a private road. This road is recognized as an important link between the residential lots and the rest of the development envisioned for Southpointe Junction. At the same time the road will cross a significant natural area and efforts to reduce its impact on the natural environment are to be considered. The proposed roadway configurations are shown in section and plan in the following pages. Two alternatives are shown for the road edge condition.



Non Standard Residential Road through Bower Natural Area
Option 1: Section

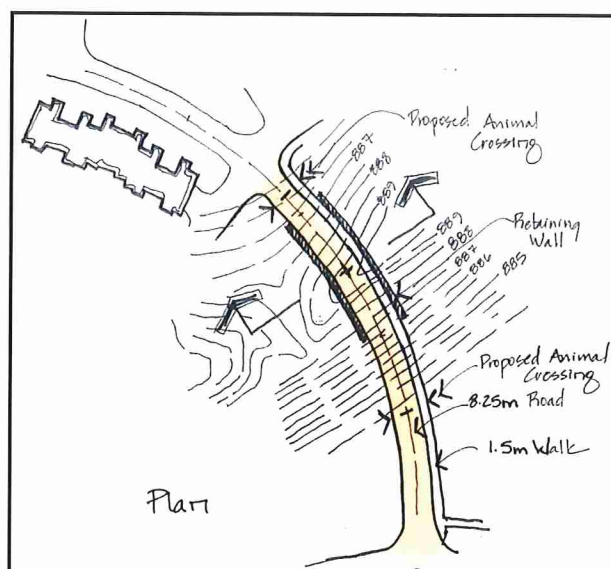
The proposed travel lanes would be 8.25 metres wide in total (verses 7.3 m) with a single 1.5 metre sidewalk on the north side. There would be no parking on this portion of the road. Options for the ROW would be retaining walls or planted slopes on the sides with a wildlife fence at the top



Non Standard Residential Road through Bower Natural Area
Option 2: Section

of the slope to prevent animal crossings other than in established crossing areas. One above grade pedestrian crossing is proposed on this road to allow for pathway connections through the Bower Natural Area and was described in more detail in **Section 5.2.1.**

Should the eventual development of the South College lands lead to an issue of shortcutting through Lots G and H, traffic calming measures will be implemented and ultimately, if necessary, either the south west or east private entrance roads can be modified to accommodate a gate allowing for local and emergency traffic only.



Non Standard Residential Road through Bower Natural Area
Plan View

SEPTEMBER 2009

SOUTHPOINTE NASP

The roadway proposed from the 28th Street entrance north to the College lands is a private road and would be designed to be accommodated within a 32 metre right-of-way. This road will bridge Waskasoo Creek, possibly using an enlarged culvert.

The loop road through the College lands is proposed to be the 24 metre standard to the edge of the College lands. From there, the road becomes a private road.

6.2 TRAFFIC IMPACT ANALYSIS

A Traffic Impact Analysis (TIA) for the Plan area was completed by Morasch Transportation Consultants Ltd. in April 2007. The complete report is submitted under separate cover.

The City of Red Deer had requested that two road network options be evaluated, Option A: an all-turns access between 22 Street and 19th Street (Delburne Road) and Option B: a right-in/right-out access between 22 Street and 19th Street (Delburne Road). The NASP is using a modified Option A which is supported by the subsequent TIA information submitted in support of the plan in this document. **Table 6** summarizes the land use concepts for the preferred road network.

TABLE 6:

DEVELOPMENT SUMMARY FOR ROAD NETWORK OPTION

<i>Use</i>	<i>Road Network Option A**</i>
<i>Multi-Family Residential</i>	<i>687 units</i>
<i>Office</i>	<i>165,000 ft² gross floor area (GFA)</i>
<i>Commercial</i>	<i>324,000 ft² GFA</i>
<i>Hotel / Convention Facility</i>	<i>200 rooms</i>

*RDC Research Park

250,000 ft² GFA

*Source: Bower West Lands, Traffic Impact Assessment, Section 4.1.1

**Concept numbers have altered since the TIA was produced. Please see below for clarification.

Due to concept refinement, the numbers listed in the above table have been altered. The now confirmed numbers related to the most recent concept (supplied by the Developer) indicate a revised land use plan with the following divisions:

Residential	700 units
Hotel and Convention	200 rooms
Office	63,662 ft ²
Commercial	372,958 ft ²

SEPTEMBER 2009

SOUTHPOINTE NASP

Table 7 illustrates a comparison of the original and revised land uses in terms of AM/PM Trip Numbers for the development.

TABLE 7:

NET DIFFERENCE TO TIA FROM REVISED CONCEPT

	Total Trips AM	Total Trips PM
Multi Family		
Original (687 Units)	234	350
Revised (700 Units)	238	357
Difference	+4	+7
Hotel / Convention Facility		
Unchanged	12	118
Office		
Original (165,000 ft ²)	248	248
Revised (63,662 ft ²)	96	96
Difference	(-152)	(-152)
Commercial		
Original (324,000 ft ²)	324	1620
Revised (372,958 ft ²)	373	1865
Difference	+49	+245
Net Difference	(-99)	+100

The net overall traffic for the AM and PM are insignificant relative to the overall volumes compared to the original project TIA. In percentage terms the AM trips are reduced by 10.8 % while the PM trips are increased by 4.2 %.

roadway network and provide a good level of surplus capacity for additional future development.

In addition, roadway infrastructure improvements arising from the proposed development will significantly improve the overall capacity of the

6.3 PUBLIC TRANSIT

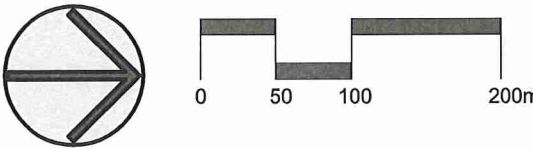
The proposed transit service for the NASP area is illustrated in **Figure 15**. With the development of SP Junction a two directional transit route may be possible on the main north south collector road. With the additional development of the College South lands, a further bus route or extension may be added to connect with the College.

Transit stops would be located to accommodate the maximum walking distance standard of 400 metres.

SOUTHPOINTE
NASP

FIGURE 15
PUBLIC
TRANSIT

DATE: SEPTEMBER 2009

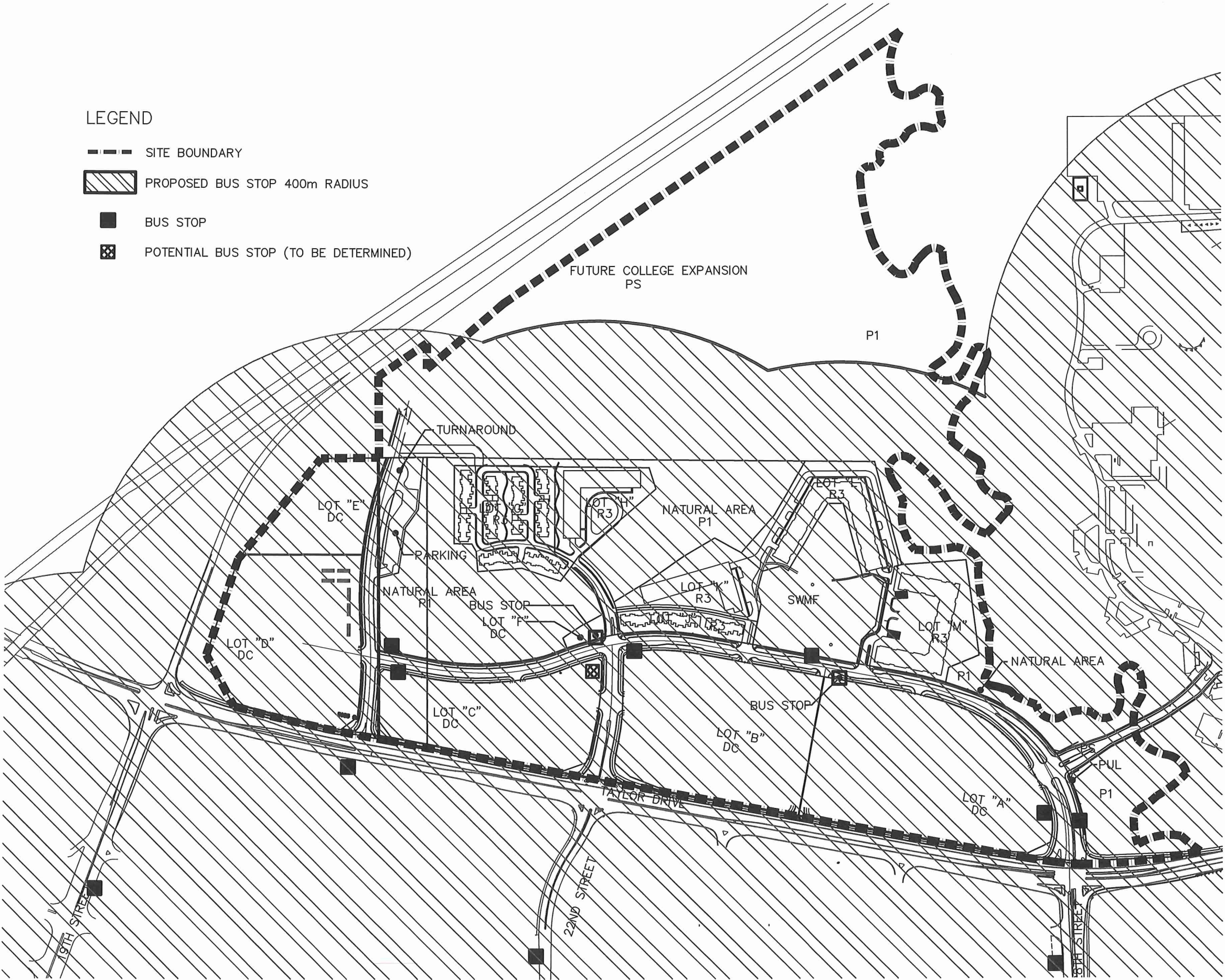


DRAWING BY: AL-TERRA

Group2
architecture
engineering

AL-TERRA
ENGINEERING LTD.

RDC



7.0 SERVICING SCENARIO

The servicing scenario developed for the NASP will support all conceptual planning for the NASP.

Sanitary and water servicing of the site will be accomplished by extending the existing city system into the development. Storm water servicing will be accomplished by discharging into the Waskasoo Creek. Alternative construction methods for the water and sanitary main extensions into the west quarter section will be evaluated during detailed design.

7.1 STORM WATER MANAGEMENT

Storm water management will be based on both a piped (minor) and overland (major) systems.

7.1.1 EXISTING STORM WATER CHARACTERISTICS

All storm water management shall be in accordance with the Best Management Practice outlined within the Alberta Environment Standards and Guidelines for Storm Water Management for the Province of Alberta. **Figure 16** illustrates the existing and proposed piped storm sewer system.

The current flows from the site travel overland and discharge into the Waskasoo Creek at the north side of the site. The City of Red Deer currently operates a storm water management facility in the form of a dry storm water detention pond on the site. It is located on the east side of the site and connected to the storm line along Taylor Drive. The facility currently operates off-line and provides relief to the down stream storm line during an intense or prolonged rainfall event.

As explained in **Section 4.1**, an existing agreement permits the current owner to relocate the pond.

7.1.2 SOUTHPOINTE STORM WATER MANAGEMENT STRATEGIES

Runoff from storms up to a one in five year event will be handled via a gravity piped system. The piped system will consist of catch basins and catch basin manholes to collect runoff and route the runoff to a storm water management facility and then to Waskasoo Creek. The design will be completed in accordance with City of Red Deer Design Guidelines. Due to site grading and ownership, the site will utilize two storm water detention ponds, one for each the east and west side of the NASP area. Both will discharge to the Waskasoo Creek.

It is currently anticipated that the creek outlet can be constructed within a 10 metre wide construction area. Detailed alignment will be done in consultation with the Parks Department.

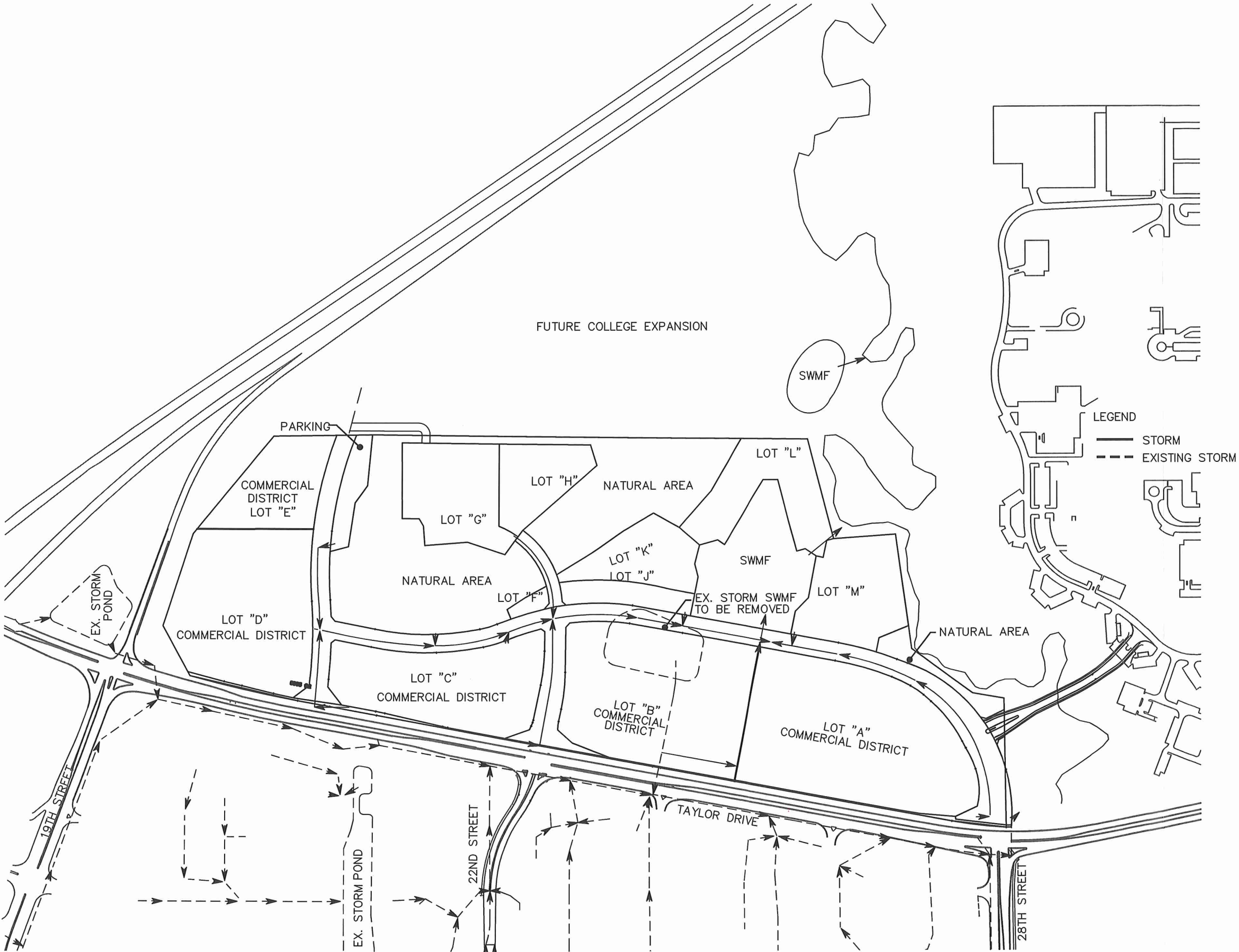
Storm water runoff that is routed to the existing pond will be routed to the future east pond. A volume equal to the existing pond will be allocated in the new pond to allow for continued service of the Taylor Drive storm line. The future east pond will also be designed to service the proposed development.

In areas serviced by the underground storm water conveyance system, runoff from storms larger than 5 year event will be routed via the roadways.

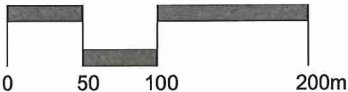
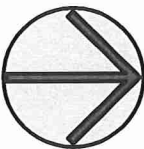
To accommodate this situation, roads will be

SOUTHPOINTE
NASP

FIGURE 16
STORM
WATER



DATE: SEPTEMBER 2009



DRAWING BY: **AL-TERRA**

Group2
architecture
engineering

AL-TERRA
ENGINEERING LTD.

RDC

designed to route the majority of the overland flow runoff to either of the north storm detention ponds. Some ponding will occur within the roads and parking areas. The detailed design process will ensure that the major overland drainage system is designed in accordance with The City of Red Deer Design Guidelines. Routing of the major storm system and the 100 year flood event can be seen in **Figure 16**. Outlet design, including erosion control and creek bank protection, will be determined during the detailed design stage.

The north east storm water pond will contain manmade wetlands, **Figure 12** in **Section 5.6.4** shows the concept plan for this constructed wetland. This will provide enhanced quality to the runoff prior to being discharged into Waskasoo Creek.

The storm water management system within the Plan area shall be in accordance with the Storm Water Management Plan and to the satisfaction of The City of Red Deer and Alberta Environment. The Storm Water Management Report will also address erosion and sediment control measures.

7.2

SANITARY SEWER

The sanitary sewer system will be extended at two locations, one located at 22nd Street and Gaetz Avenue, and a south connection located within the AltaLink right of way.

The north connection will be a 150 mm forced main with a lift station located at the north side of the northwest quarter. Due to downstream limitations, the lift station will operate during off peak hours. Approximately 60% of the site area will utilize this connection.

The remainder of the site will be serviced by a 300

millimeter gravity sanitary main located at the AltaLink right of way. **Figure 17** illustrates the conceptual layout.

7.3

WATER SUPPLY

The water distribution system required to service the subject lands is a direct extension of the water distribution system along Taylor Drive. Three connections to the existing system will be made:

- A 250 mm diameter water main located along 28th Street.
- A 250 mm diameter water main located at 22nd Street
- A 300 mm diameter water main located south of the AltaLink right of way.

The water mains will be connected to form a loop within the subject lands. Computer Modeling will be utilized to evaluate the actual water mains sizes within the subject quarter section. **Figure 18** illustrates the conceptual layout.

7.4

SHALLOW UTILITIES

Electrical, telephone, cable TV and natural gas utilities will be extended into the plan area by The City of Red Deer Electric Light and Power, Telus, Shaw and Atco.

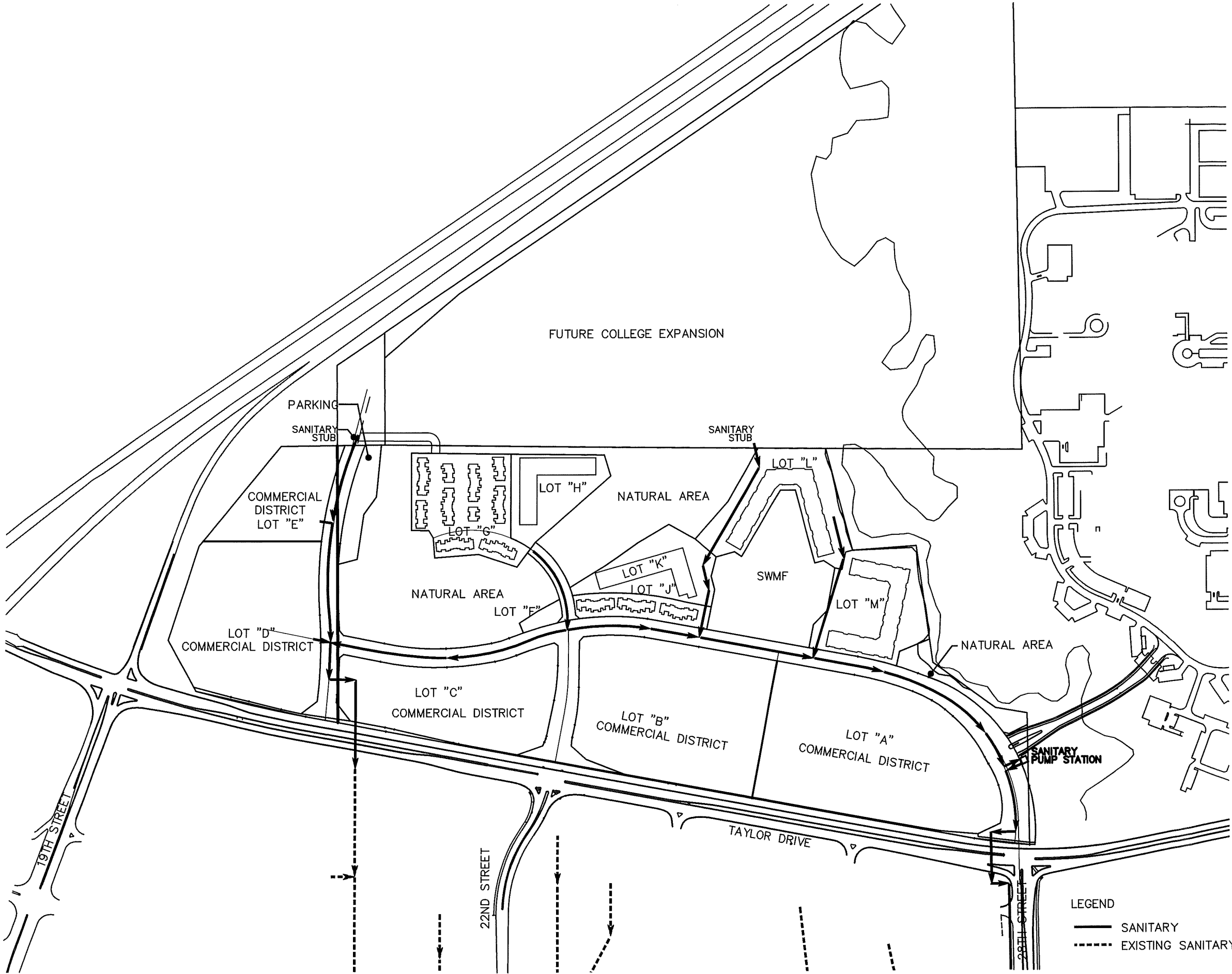
7.5

SITE GRADING

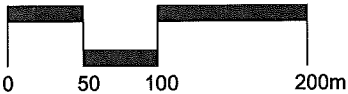
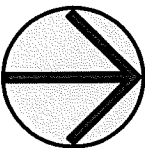
Proposed road grades and drainage courses will take into consideration the existing topography to minimize grading requirements over the Plan area.

SOUTHPOINTE
NASP

FIGURE 17
SANITARY
SEWER



DATE: SEPTEMBER 2009



DRAWING BY: AL-TERRA

Group2
architecture
engineering

AL-TERRA
ENGINEERING LTD.

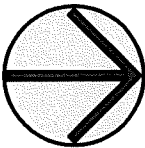
RDC

SOUTHPOINTE
NASP

FIGURE 18
WATER



DATE: SEPTEMBER 2009



DRAWING BY: AL-TERRA

Group2
architecture
engineering

AL-TERRA
ENGINEERING LTD.

RDC

- LEGEND
- WATER
 - EXISTING WATER
 - CONCEPTUAL ALIGNMENT

SEPTEMBER 2009

SOUTHPOINTE NASP

Site grading will be completed using conventional excavation equipment and techniques for the Red Deer area. All erosion and sedimentation measures required will be in place prior to the commencement of grading and topsoil stripping. Detailed information regarding erosion and sedimentation measures while working within the area will be included with the Stripping and Grading Permit application. Efforts will be made to minimize damage to vegetation along slopes. Transitioning grades will be addressed at the time of detailed design on a site specific basis. Transitioning may include retaining walls, bioengineering or other methods as determined during detailed design.

All vegetation removal for both grading and FireSmart protection will be done in accordance with City of Red Deer urban forestry best practices and will include consultation with urban forestry staff.

For the proposed locations of the topsoil stockpiles, refer to **Figure 19**. Note that a majority of the stripped topsoil will be disposed of off-site.

7.6 WASTE DISPOSAL

Access to bins or individual home pick-up will be required to be provided for waste disposal to the satisfaction of The City of Red Deer.

SEPTEMBER 2009

SOUTHPOINTE NASP

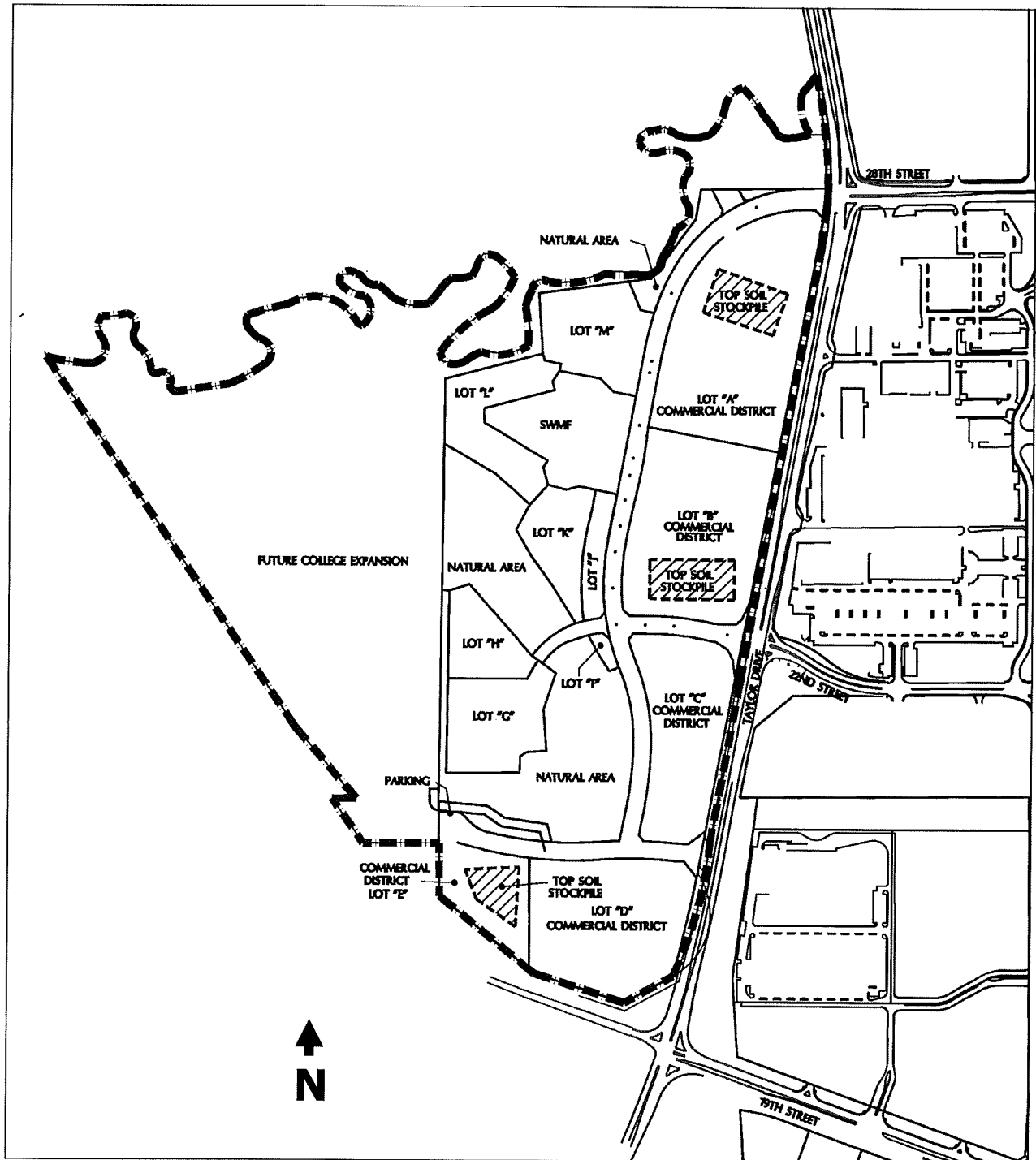


FIGURE 19: TOPSOIL STOCKPILE LOCATIONS

Source: City of Red Deer

8.0 DEVELOPMENT STAGES

The NASP area is proposed to develop in several stages as illustrated in **Figure 20**. The staging boundaries are shown conceptually and may vary from those shown when redistricting and subdivision applications are made. As well, portions of separate phases may be developed concurrently if there is sufficient demand and/or if the municipal servicing is made more efficient.

Upon subdivision of the subject lands, the ownership of the open space will transfer, as agreed, to The City of Red Deer. Maintenance, upgrading and development of pathways in these areas will be the responsibility of the appropriate

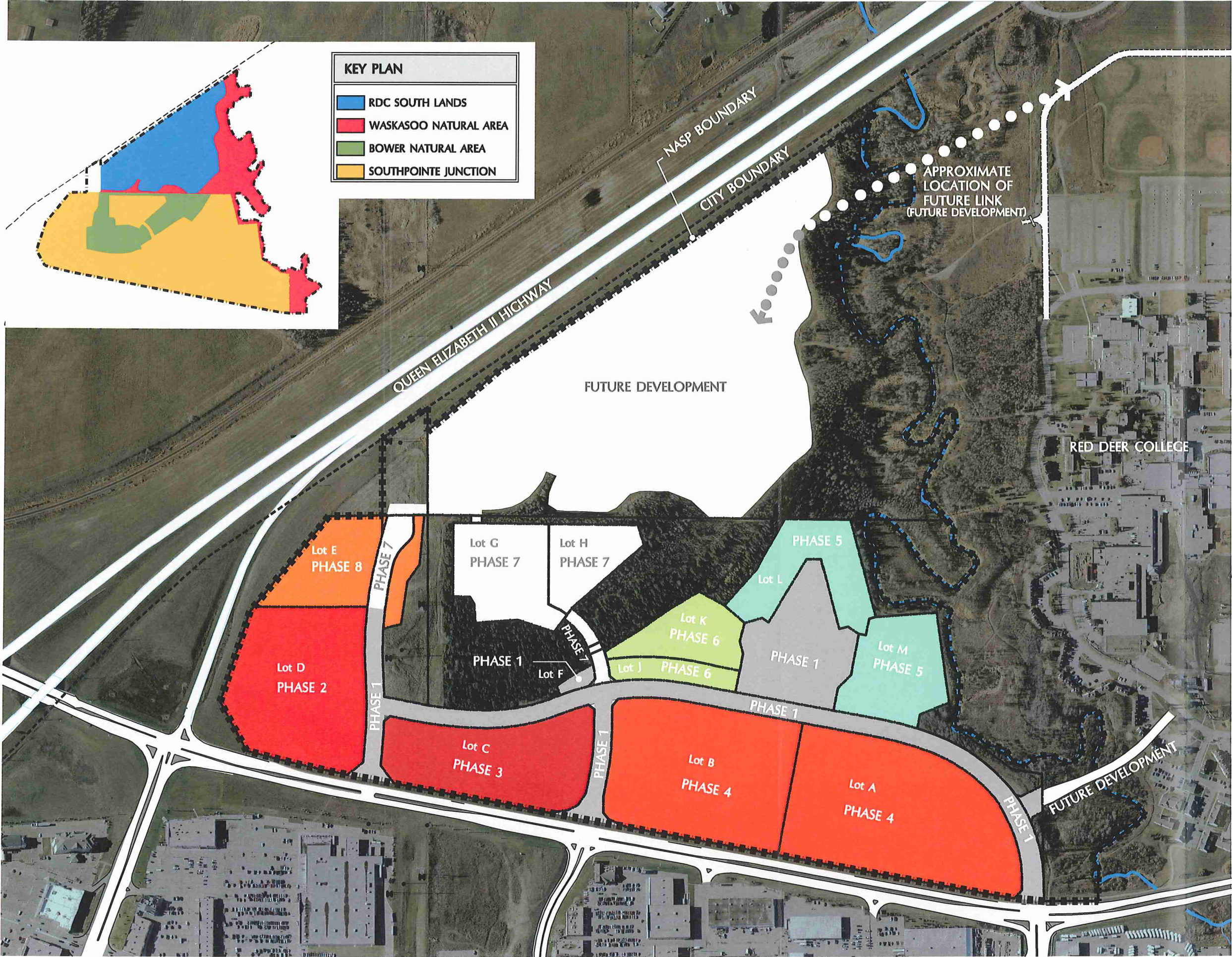
City departments. For the remaining trail system and linkages as shown in **Figure 9** within SP Junction and eventually the Red Deer College South lands, construction will occur concurrently with the land development. Where and when development interrupts existing public trails, the developer agrees to replace and/or repair disturbed portions as necessary. Temporary linkages to facilitate construction may also be provided if necessary.

9.0 PUBLIC CONSULTATION

A public meeting of Council was held in Council Chambers on August 13, 2007 relating to the preservation of the treed portion of Southpointe Junction (Bower natural area). Several options were presented to Council and the public by The City of Red Deer Recreation, Parks and Culture. Presentations were also made by the developer, the landowner and numerous members of the public. After all parties were heard Council supported a framework for the preservation of trees in the Bower natural area which included the ultimate purchase of a significant portion of the natural area. The proposed Waskasoo South NASP reflects the framework and direction for the preservation of trees established by Council at the public meeting.

2009 following the circulation and review of the NASP by administration. One person from the public attended and submitted supportive comments.

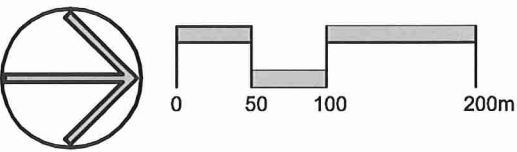
A public Open House was held on January 28th,



SOUTHPOINTE NASP

FIGURE 20
DEVELOPMENT
STAGES

DATE: September 2009



DRAWING BY: Group 2

Group2 *InterPlan strategies inc.*
architecture engineering Land Planning Services

AL-TERRA **RDC**
ENGINEERING LTD.

SEPTEMBER 2009

SOUTHPOINTE NASP

10.0 PLAN SUMMARY

THE SOUTHPOINTE NEIGHBOURHOOD AREA STRUCTURE PLAN COMPLIES WITH THE INTENT AND POLICIES OF:

CITY OF RED DEER MUNICIPAL DEVELOPMENT PLAN BY:

- *Providing a range of residential developments that are innovative, compact, efficient and attractive, and are integrated with open space, recreation, employment opportunities, have access to services, and reflect contiguous development;*
- *Providing commercial developments that reflect emerging trends in retailing and that function as a community focal point while offering local and regional employment and service opportunities;*
- *Preserving as many natural features and existing vegetation as possible, while maintaining a system of pathways.*

CITY OF RED DEER LAND USE BYLAW BY:

- *Providing for suitable land use districts to accommodate the intended land uses,*
- *Adhering to the provisions of the Land Use Bylaw.*

RED DEER TRAILS MASTER PLAN BY:

- *Acknowledging the existing trails in the NASP area to the extent possible,*
- *Providing for trail systems that reflect the proposed future trails of the Red Deer Trails Master Plan.*

ECOLOGICAL PROFILE OF THE NATURAL AREAS BY:

- *Preserving the area in the centre portion of the NASP thereby protecting the existing tree stand and natural area;*
- *Directing the storm water from the proposed development to the constructed wet lands;*
- *Where possible, and within reason, preserve existing trees;*
- *Considering a conceptual site plan for Southpointe that acknowledges the edge condition with the Reserve areas of the proposed Bower and Waskasoo Natural Areas;*
- *Providing for residential development that takes advantage of the nearby natural amenities.*

THE RED DEER COLLEGE LAND USE MASTER PLAN (2003) BY:

- *Identifying the Natural Areas to be preserved and maintained;*
- *Providing opportunities for future transportation links to the south lands;*
- *Providing sufficient developable land for the College to locate potential uses in the future.*

THE SOUTHPOINTE NEIGHBOURHOOD AREA STRUCTURE PLAN:

- ***Fits within an overall context,***
- ***Does not unduly compromise the development of adjacent lands, and***
- ***Addresses the intent and aspirations of The City of Red Deer.***

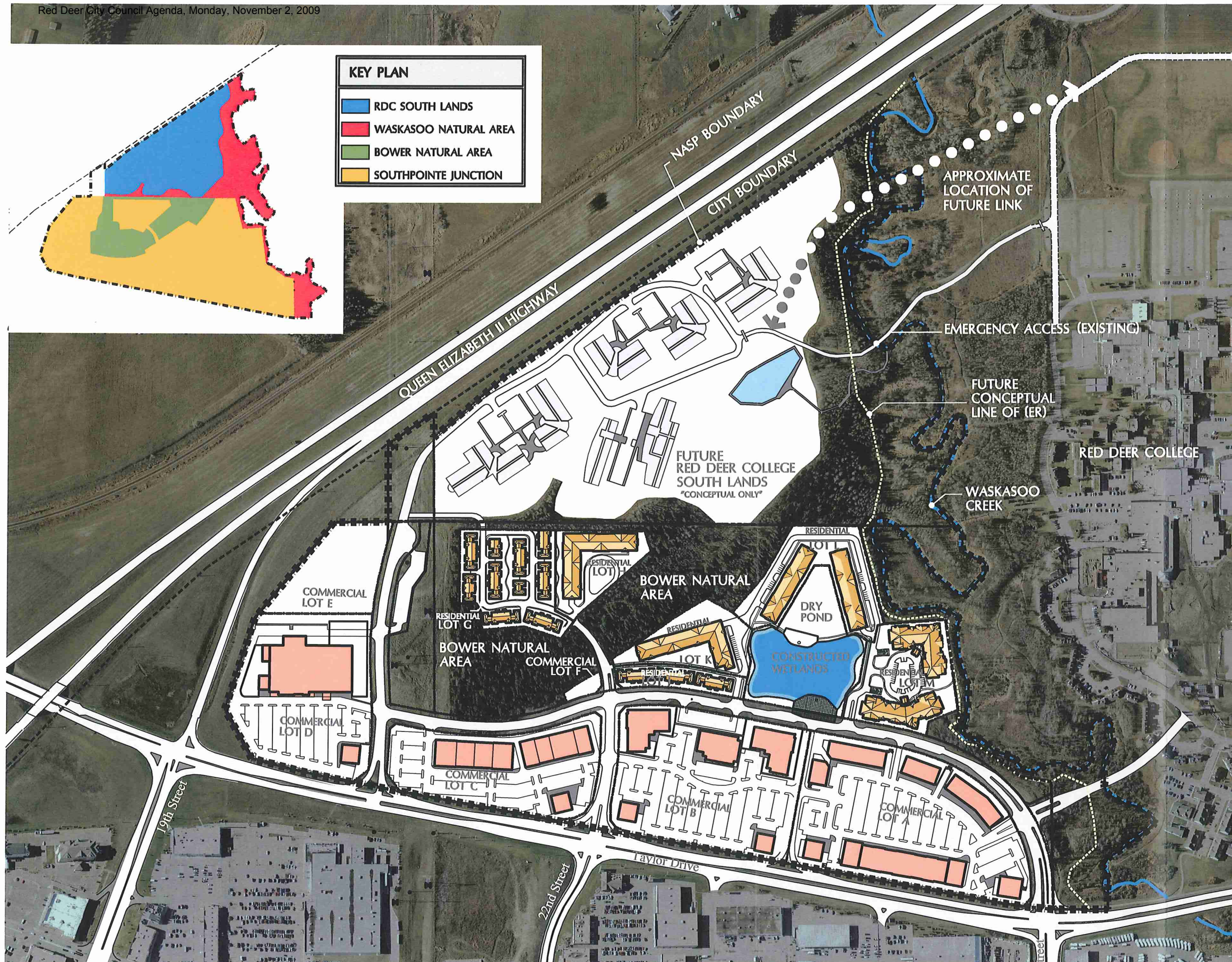
SEPTEMBER 2009

SOUTHPOINTE NASP

APPENDIX A

PRELIMINARY DEVELOPMENT CONCEPT

Please Note: The development concept included in this Appendix is included for illustration purposes only and is subject to change.

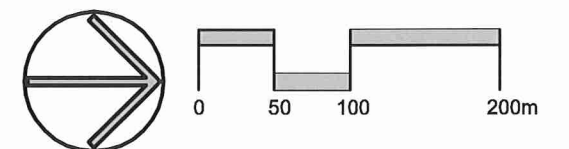


SOUTHPOINTE NASP

DEVELOPMENT CONCEPT

Note: Building Layout is conceptual only and is subject to change.

DATE: September 2009



DRAWING BY: Group 2

Group2 architecture
engineering

AL-TERRA
ENGINEERING LTD.

ziola.newstudio
architecture inc.

RDC

SEPTEMBER 2009

SOUTHPOINTE NASP

APPENDIX B

**LETTER FROM RED
DEER COLLEGE TO CITY
OF RED DEER**



Office of the President
Box 5005
Red Deer, Alberta, Canada T4N 5H5
Phone: 403.342.3233 Fax: 403.341.4899

April 21, 2008

Mr Craig Curtis, City Manager
City of Red Deer, 2nd Floor
4914 – 48 Avenue
Red Deer AB T4N 3T3

Dear Mr. Curtis:

Re: College Natural Area

In response to your letter dated August 15, 2007, Red Deer College has not located any records which suggest that the City's records as summarized in your letter are inaccurate. Red Deer College agrees that the 13.21 acres of reserve will be "replaced" out of the lands to the southwest of the College when such lands are developed and that such will be in addition to the normal 10% Municipal Reserve dedication.

We trust that the foregoing is satisfactory.

Yours truly,

Ron Woodward
President & CEO

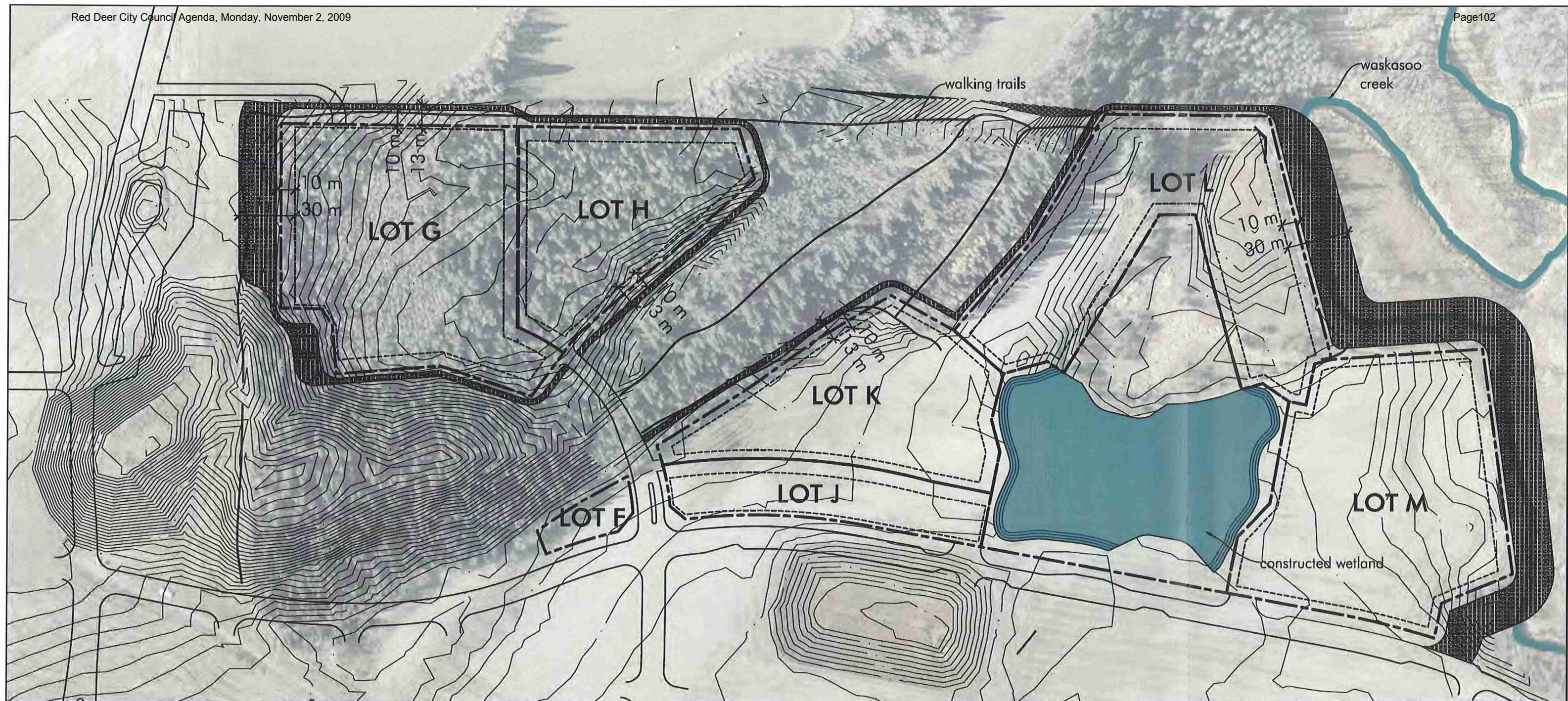
SEPTEMBER 2009

SOUTHPOINTE NASP

APPENDIX C

FIRESMART DRAFT PLAN

Please Note: The building footprints and setbacks shown in this Appendix are included for illustration purposes only and are subject to change.



- residential parcel property lines
- maximum extent of building pockets as per DC zoning
- zone 1:
Flammable vegetation surrounding buildings is eliminated or converted to less flammable species. Distance between building footprint and untreated trees is 10 m.
- zone 2:
Area of reduced flammable vegetation, with variety of thinning and pruning actions.

firesmart interpretation

of maximum vegetation setbacks based on maximum building footprints

Bylaw Item No. 2**BYLAW NO. 3357/F-2009**

Being a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of The City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, DULY ASSEMBLED,
ENACTS AS FOLLOWS:

1. Delete Reader Board Sign and Sponsor Recognition definitions and add the following new definitions to Section 3.3(1):
 - "**Dynamic Sign** – means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A Dynamic Sign includes any display that incorporates a technology or method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or “digital ink”. A Dynamic Sign does not include a sign whose message or image is changed by physically removing and replacing the sign or its components.
 - “**Sponsor Recognition** – means the recognition of a corporation, person or other entity which has donated money, goods or services to the owner of the land on which the sign is located or which has entered into an agreement to pay money to the owner of the land in exchange for public recognition of the contribution, which recognition may consist of one or more of the following: an expression of thanks, the sponsor's name, brand, logo, tagline, website information or phone numbers.”
2. Delete Section 3.3 (7)(b) and replace with:

“No person shall place a Dynamic sign, flashing signs, revolving beacons, scrolling messages, stationary lights at locations which may, in the opinion of the Development Officer, obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.”
3. Delete the following sentence from sections 3.4 (6)(b)(vi) and 3.4 (6)(c)(vi):

“Reader Board signs are however permitted.”

4. Delete the term "Reader Board" and replace with "Dynamic Sign" in sub-sections 3.4 (6)(d)(v) and (vi).
5. In sub-section 3.4 (6)(d)(iii), the area "9.2 m²" is deleted and replaced with the area "18.5 m²".
6. Add new sub-section 3.4 (14) as follows:

"(14) Dynamic Sign Regulations

- (a) No Dynamic Sign may be erected or maintained in any district, whether as part of another sign or not, except as permitted in these Regulations;
- (b) The provisions of subsection 3.4 (14), apply to all Dynamic Signs and notwithstanding section 2.8(1) of this Bylaw, those provisions may not be varied by the Development Authority.
- (c) The Development Authority may, in its discretion, approve a Dynamic Sign as a portion of a permitted Free Standing or Fascia Sign.
- (d) A Dynamic Sign shall not include third party advertising or Sponsor Recognition except when it is located on a site in a PS district which is over 17.0 hectares.
- (e) Messages shall be displayed for a minimum time period of 5 seconds.
- (f) A Dynamic Sign must have an adjustable brightness level, and the level of brightness of a Dynamic Sign shall be to the reasonable satisfaction of the Development Officer.
- (g) Dynamic signs shall not be permitted in Direct Control Districts.

Dynamic Signs shall adhere to the following regulations which may be varied by the Development Authority:

- (h) Dynamic Signs in C2A Commercial (Regional Shopping Centre), C4 Commercial (Major Arterial) and PS (Public Service over 17.0 hectares), I1 Industrial (Business Service) and I2 Industrial (Heavy Industrial) Districts must meet the following requirements:

- (i) not be located within 30.0 m radius of a residential district, and when site or lot of a proposed dynamic sign location is adjacent to a residential district notification will be sent within a 100.0 m radius of the proposed site;
- (ii) be limited to one sign per building or site, with the exception of PS sites over 17 ha will be limited to 2 signs provided that one of the signs must be a fascia sign and the other must be a portion of a freestanding sign, and further provided that the two signs must be at least 50.0 m apart;
- (iii) not be located on a lot within a 50.0 m radius of the boundary of a lot containing an existing dynamic sign;
- (iv) comprise of not more than 25% of the total freestanding or fascia sign area

7. Delete section 3.4 (6) (d)(v), replace with the following and adjust corresponding numbering:

“(v) Of the whole area of a sign, the entire area of the Dynamic Sign portion may be used for the announcement of any activities or events on the site on which the sign is located, for third party advertising, accessory tenants within the principal building or for the use of Sponsor Recognition; provided that where Sponsor Recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors”;

“(vi) in addition to subsection (v), 50% of the total area of the static portion of a sign, may be used for identification of any accessory tenants within the principal building, for the announcement of any activities or events on the site on which the sign is located, for third party advertising or for the use of sponsor recognition; provided that where sponsor recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors”;

8. Delete section 3.3 (3)(o) and replace with the following:

“Directional signs when located within the boundaries of a site with an area less than 1.4 m²”

9. Delete section 3.3 (3.1)(f) and replaced with the following new sub-section:

“Open House or Show Home signs may be placed on boulevards in or adjacent to residential districts where the sale is taking place, for a period

of up to two hours before and after the period of time when the Open House or Show Home is open;"

10. Section 2.8 is deleted and replaced with the following new section 2.8:

- (1) “Notwithstanding any other provisions of this bylaw, even though a proposed development does not comply the provisions of this bylaw, or is a non-conforming building, the Commission may approve the application unconditionally, refuse the application or approve the application subject to such permanent or temporary conditions as it may deem advisable, if, in the opinion of the Commission, the proposed development would not:
- (a) Unduly interfere with the amenities of the neighbourhood, or
 - (b) Materially interfere with or affect the use, enjoyment or value of neighbouring sites, or
 - (c) Contravene the intent of a statutory plan;

and provided that the proposed development conforms with the use prescribed for the site that land or building in this bylaw.”

- (1.1) "Subsection 2.8 (1) does not apply to any provisions of this Bylaw which expressly exclude it."

11. The following heading is inserted after section 3.3(1):

“3.3(2) Sign Regulations”

12. Delete section 3.12 (2)(g) and replaced with the following new sub-section:

“Notwithstanding any other provision of this Bylaw, no billboard signs, and no dynamic signs shall be permitted on lands situated in the major entry areas.”

READ A FIRST TIME IN OPEN COUNCIL this day of 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2009.

READ A THIRD TIME IN OPEN COUNCIL this day of 2009.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2009.

MAYOR

CITY CLERK

Bylaw Item No. 3

BYLAW NO. 3357/DD -2009

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That “Use District Map N14” contained within “Schedule A” of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 18 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2009.

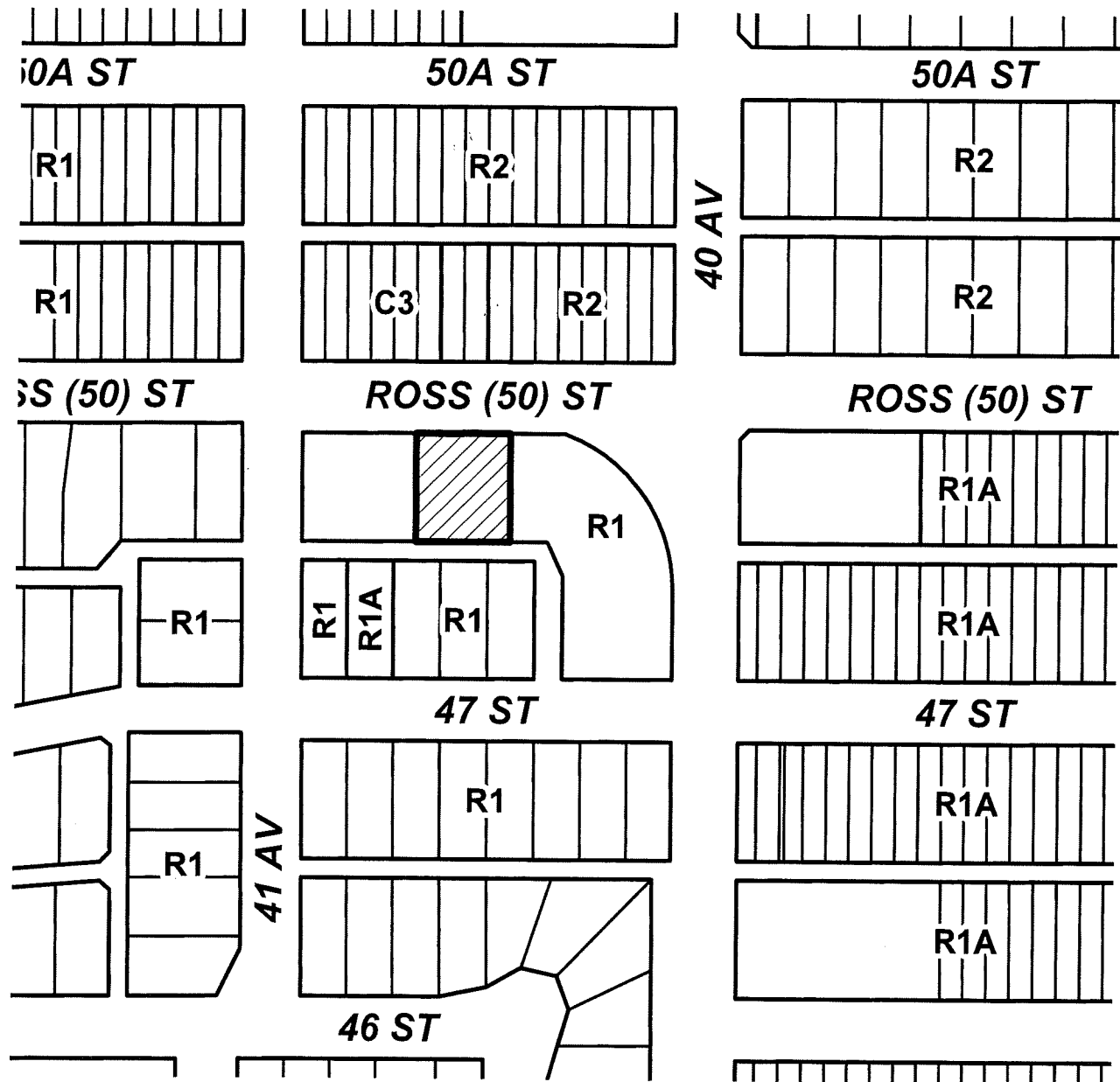
READ A THIRD TIME IN OPEN COUNCIL this day of 2009.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2009.

MAYOR

CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:
Legend



R1 to R2



North
Not to Scale



Affected Districts:
R1 - Residential (Low Density) District
R2 - Residential (Medium Density) District

Proposed Amendment
Map: 18/2009
Bylaw: 3357/DD-2009

Bylaw Item No. 4

BYLAW NO. 3357/II -2009

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That “Use District Map Q16” contained within “Schedule A” of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 24 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2009.

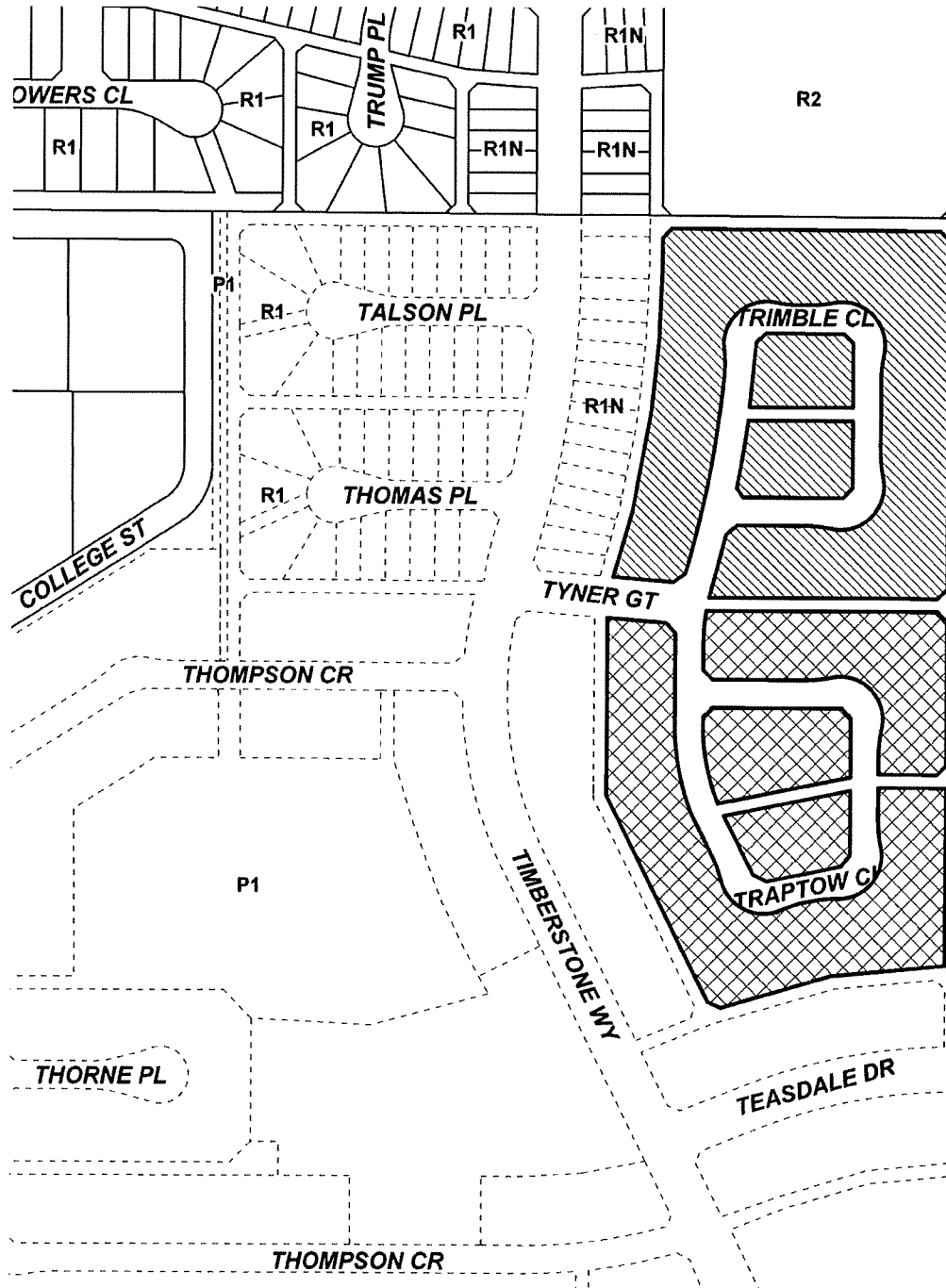
READ A THIRD TIME IN OPEN COUNCIL this day of 2009.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2009.

MAYOR

CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:

R1 - Residential (Low Density) District

R1N - Residential (Narrow Density) District

Change District from:



A1 to P1



A1 to R1



A1 to R1N

Proposed Amendment
Map: 24/2009
Bylaw: 3357/II-2009