



Regular Council Meeting, January 18, 2016

**Municipal Development Plan – Bylaw 3404/A-2015
North of 11A Major Area Structure Plan – Bylaw 3554/2015
Land Use Bylaw 3357/U-2015**

DOCUMENT STATUS: Public

REFERS TO: Public Feedback received after publication of
agenda

From: Marg Chiles [<mailto:>]
Sent: January 13, 2016 8:33 AM
To: Angus Schaffenburg
Subject: January 13, 2016 RE: Submission By Mr. Chiles On Development In Chiles Industrial Park

Angus:

Yes please.

Norman Chiles

From: Angus Schaffenburg [<mailto:Angus.Schaffenburg@reddeer.ca>]
Sent: January-13-16 8:22 AM
To: 'Marg Chiles'
Cc: Emily Damberger
Subject: January 13, 2016 RE: Submission By Mr. Chiles On Development In Chiles Industrial Park

Mr. Chiles

Did you want your email to be considered a submission for the public hearing record on January 18, 2016?

Thank you.

Angus Schaffenburg, RPP, MCIP
Major Projects Planner
City of Red Deer Planning department
403-309-8545 (direct)
403-342-8200 (fax)
angus.schaffenburg@reddeer.ca

From: Marg Chiles [<mailto:>]
Sent: January 13, 2016 8:14 AM
To: Angus Schaffenburg
Subject: RE: Confirmed: Development in Chiles Industrial Park

Angus:

Thank you for the meeting yesterday. I appreciate the time.

I still request Highway Commercial on the east side of Highway 2A. All the businesses that are there would fall into this category and it would stop some of the long delays encountered by new construction.

Norman Chiles, President
Chiles Development Corp. Ltd.



January 11, 2016

The City of Red Deer
Box 5008
Red Deer, AB, Canada T4N 3T4
403-342-8111

Attention: Mayor and the Council of the City of Red Deer

Re: Comments pertaining to the North of 11A Major Area Structure Plan (MASP)

Dear Council

Lansdowne Equity Ventures Ltd. (LEV) would like to ask of City Council key questions pertaining to the North of 11A MASP. As a current landowner within the future developable region, LEV has approximately 146 acres (59 ha) dispersed over two (2) sites:

1. Our "Hazlett Lake" lands are bounded by Hwy. 11A (82nd Street) and RRd 273A (60 acres).
2. Our "Murray" lands" are bounded by Twship Rd. 391 and RRd 273A (86 acres).

Our series of questions are as follows:

1) Arterial Roads:

As one of several landowners along the C&E Trail, it is LEV's understanding, based on Figure 6 of the MASP (Road Classification System), that the C&E Trail will construct into an arterial road.

- A. **What is the Purchase Plan for land required for the Arterial Road(s)?** Will the City will compensate landowners at FMV for the required lands needed to construct arterial roads? It is LEV's understanding that the lands are not dedicated, but purchased from landowners by the City. If the price cannot be negotiated then expropriation can occur and the FMV is determined through due process. Is our understanding correct?
- B. **What is the anticipated construction 'cost recovery' plan?**
Understanding the need to pay for construction of such arterial roads, it is LEV's understanding that cost recovery of these roads is based upon the offsite levy bylaw; in effect, at the time of development by a developer, who otherwise benefits from the access of that arterial road. Is our understanding correct? If so, how will these off-site levies be negotiated to ensure fairness to landowners that may defer their lands for development?



- C. **Should/will landowners be required to pay for levies** for which such levies provide access and 'use benefit' for others? How are such levies calculated in order to compensate the cost of road construction? How (if so the case) are levies then applied against landowners and developers? Is this a community or city wide levy item?

2) Lake Setbacks:

- D. Given the proximity to Hazlett Lake and the strategic importance of recreation in Red Deer, **what are the anticipated setbacks** and when are they transferred to the City?
- E. **Are they considered ER or MR?** What policies govern the loss of developable lands and compensation to the landowner who lose developable asset? Is there consideration for monetary concession in deemed land lost for the purpose of recreational space?
- F. If such setbacks are required, **what compensation options are available to mitigate** the loss of developable/buildable lands? Lose of lands reduces unit density targets, can density bouncing be increased to compensate for the imposed shortfall?

3) Zoning – Residential (land lease communities) -

- G. **Pertaining to lands north of TWP.Rd 391 and west of James Street**, Figure 5 (Generalized Land Use Concept) of the MASP indicates that residential zoning is in place. Does this zoned district include area for land lease communities? If not, we request the City provide such flexibility in zoning.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Sanford", written over a horizontal line.

Don Sanford
Executive Vice President



#350, 295 Midpark Way SE
Calgary, AB T2X 2A8
Canada
www.lansdowne.ca

403 254 6440, ext 254
403 585 0024 cellular
403 254 6362 fax

A handwritten signature in black ink, appearing to read "Rod Neumann", written over a horizontal line.

Rod Neumann RPP,MCIP
Development Manager



Suite 350, 295 Midpark Way SE
Calgary, Alberta T2X 2A8
rod.neumann@lansdowne.ca

403 254-6440 Ext 262
403-254-6362 fax

From: Frieda McDougall

Sent: January 16, 2016 11:30 AM

To:

Subject: FW: January 14, 2016 - Re: Lansdowne Equity Ventures Letter regarding the North of 11A Major Area Structure Plan Administrative Response

Good morning Rod. Thank you for your submission, via Angus Schaffenburg, to Council's consideration of the North of Highway 11A MASP. As you requested, your letter will be circulated for Council's information. Following is the administrative response to the questions you pose; for ease of reading the questions have been repeated:

1. **Question: What is the Purchase Plan for land required for the Arterial Road(s)?** Will the City compensate landowners at FMV for the required lands needed to construct arterial roads? It is the LEV's understanding that the lands are not dedicated, but purchased from landowners by the City. If the price cannot be negotiated then expropriation can occur and the FMV is determined through due process. Is our understanding correct?

Response: There is no purchase plan for arterial roads as they are generally dedicated at time of development. Over dedication requirements or lands required prior to development are purchased at raw land value as determined at that time. If a purchase of the lands cannot be negotiated, then expropriation can be initiated. The expropriation process is generally last resort.

2. **Question: What is the anticipated construction "cost recovery" plan?** Understanding the need to pay for construction of such arterial roads, it is LEV's understanding that cost recovery of these roads is based upon the offsite levy bylaw; in effect, at the time of development by a developer, who otherwise benefits from the access of that arterial road. Is our understanding correct? If so, how will these off-site levies be negotiated to ensure fairness to landowners that may defer their lands for development?

Response: An offsite levy for roads is charged at time of development and is based on the per hectare rate of the day outlined in the Offsite Levy Bylaw. There is no negotiation on the rate of the Offsite Levy Bylaw. The rates are set in accordance with the provisions in the MGA and represent the recovery of costs associated, which include lands purchased as required.

3. **Question: Should/will landowners be required to pay for levies** for which such levies provide access and 'use benefit' for others? How are such levies calculated in order to compensate the cost of road construction? How (if so the case) are levies then applied against landowners and developers? Is this a community or city wide levy item?

Response: Landowners will not pay until time of development and all such charges/levies will be outlined in a Development Agreement through Engineering Services. Infrastructure constructed outside of Offsite Levies that will benefit future development usually are brought forward as an Endeavour to Assist clause in a Development Agreement. The Offsite Levy Bylaw is a City wide levy.

Lake Setbacks:

4. **Question:** Given the proximity to Hazlett Lake and the strategic importance of recreation in Red Deer, what are the anticipated setbacks and when are they transferred to the City?

Response: The proposed North of 11A MASP, on page 17, outlines the steps required to define the environmental reserve and the municipal reserve requirements during preparation of the multi-neighbourhood and neighbourhood area structure plan. Environmental reserve and the municipal reserve would normally be transferred to The City at the subdivision stage of the development process. In addition, there will be setbacks of any buildings from the private property line in accordance with the Land Use Bylaw.

5. **Question: Are they considered ER or MR?** What policies govern the loss of developable lands and compensation to the landowner who lose developable assets? Is there consideration for monetary concession deemed land lost for the purpose of recreational space?

Response: Environmental Reserve (ER) and Municipal Reserve (MR) lands would be taken by The City, acting as the Subdivision Authority, in accordance with the Municipal Government Act and the Subdivision Development Regulations. The proposed North of 11A MASP, on Figure 5: Generalized Land Use Concept does not differential between ER and MR as they are included in one category titled "Open Space/Natural Area (includes ER and MR).

Sections 621 (1) and Section 661 of the Municipal Government Act provide for land dedication without any compensation for the taking of environmental reserve and municipal reserve. Municipal Reserve may not exceed 10 percent of the total land parcel less environmental reserve.

In response to the submission dated October 28, 2014 made on your behalf by City Spaces Consulting Limited, the Generalized Land Use Concept contained in the Draft North of 11A Major Area Structure Plan of June 2, 2015 was amended to show an area designated as "Mixed Residential Commercial" on your lands adjacent to Hazlett Lake. This designation has been continued in the proposed North of 11A MASP. In addition, on page 15 under the heading of "Mixed Residential and Commercial" increased densities are encouraged.

6. **Questions:** If such setbacks are required, **what compensation options are available to mitigate** the loss of developable/buildable lands? Loss of lands reduces unit density targets; can density bouncing be increased to compensate for the imposed shortfall?

Response: On page 15 under the heading of "Mixed Residential and Commercial" increased densities are encouraged as noted above. The type and nature of the increased densities would be discussed and considered during the multi-neighbourhood and the neighbourhood area structure plan. These plans must be adopted by Council.

Zoning – Residential (land lease communities)

7. **Pertaining to lands north of TWP. RD 391 and west of James Street**, Figure 5 (Generalized Land Use Concept) of the MASP indicates that residential zoning is in place. Does this zoned district include area for land lease communities? If not, we request the City provide such flexibility in zoning.

Response: The lands north of TWP. Road 391 and generally west of James Street in Central Park are designated "Residential" on Figure 5: Generalized Land Use Concept. The proposed A1 (Future Urban Development) District is to supersede the County of Red Deer Land Use Bylaw AG (Agriculture) District. The intent is that this A1 District would be in place until after the

multi-neighbourhood and neighbourhood area structure plan has been adopted by Council. Your plans for a land lease community would be discussed during the preparation of the multi-neighbourhood and the neighbourhood area structures plans.

Frieda McDougall | Manager
Legislative Services
The City of Red Deer

T: 403-342-8136
F: 403-346-6195

From: Rod Neumann [[mailto:](mailto:rod.neumann@lansdowne.ca)]
Sent: January 11, 2016 2:31 PM
To: Angus Schaffenburg
Cc: Don Sandford; Anne Ribano; Brian Sidorsky
Subject: RE: January 11, 2016 - Re: Lansdowne Equity Ventures Letter regarding the North of 11A Major Area Structure Plan.

Angus

To follow on Don's email correspondence with yourself regarding the North of 11A Major Area Structure Plan, LEV would like to submit the attached letter to be reviewed and responded to by City Council. This letter is submitted in regards to the January 18th Public Meeting that is to take place.

If you or any Council Member has any questions please do not hesitate to contact us.

Cheers

Rod Neumann RPP,MCIP
Development Manager
Lansdowne Equity Ventures Ltd.
Suite 350, 295 Midpark Way SE
Calgary, Alberta T2X 2A8
rod.neumann@lansdowne.ca
Ph: 403 254-6440 Ext 262
Fax: 403-254-6362



From: Angus Schaffenburg [<mailto:Angus.Schaffenburg@reddeer.ca>]
Sent: Thursday, January 07, 2016 1:54 PM

To: Don Sandford <

Subject: January 7, 2016 - Re: Questions by Lansdowne Equity Ventures on North of 11A Major Area Structure Plan

I have asked for some information from Engineering Services on your questions related development of arterial roadways. I will get back to you on those questions.

The Administration Report (attached) speaks to the request for temporary access from Highway 11A and the Proposed North of 11A MASP (attached) on page 20 under the heading "Expressway" contains discussion on the temporary access. Other related material can be found on The City web site.

Angus Schaffenburg, RPP, MCIP
Major Projects Planner
City of Red Deer Planning department
403-309-8545 (direct)
403-342-8200 (fax)
angus.schaffenburg@reddeer.ca

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