

AGENDA

FOR THE **REGULAR MEETING OF RED DEER CITY COUNCIL**

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, MARCH 12, 2001

COMMENCING AT **4:30 P.M.**

- (1) (a) Confirmation of the Minutes of the regular meeting of Monday, February 26, 2001.
- (b) Confirmation of the Minutes of the special meeting of Council held Tuesday, March 6, 2001.

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(2) **UNFINISHED BUSINESS**

1. City Clerk – Re: Request to Amend Noise Bylaw 3153/95 - Snow Removal from Commercial or Industrial Sites / **Noise Bylaw Amendment 3153/A-2001** / (Consideration of Three Readings of the Bylaw) .. 1

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1. (a) City Clerk – Re: **Anders on the Lake Neighbourhood Area Structure Plan Amendment 3217/A-2001** / Associated with Land Use Bylaw Amendment 3156/H-2001 / (Consideration of 2nd & 3rd Readings of the Bylaw)
- (b) City Clerk - Re: **Land Use Bylaw Amendment 3156/H-2001** / Rezoning / Anders on the Lake - Stages 7, 8 & 9 / Redbrook Group 2 / UMA Engineering Ltd. / Associated with Area Structure Plan Amendment 3217/A-2001 (Consideration of 2nd & 3rd Readings of the Bylaw) .. 6
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9. Parkland Community Planning Services – Re: **Land Use Bylaw Amendment 3156/N-2001** / Johnstone Park – Phase 2 / Remainder of Lot 3, Plan 962 4094, NE ¼ 30-38-27-4 / Carolina Homes Inc. / (Consideration of 1st Reading of the Bylaw) . . 82

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DATE: February 28, 2001
TO: City Council
FROM: City Clerk
RE: Request for Amendment to Noise Bylaw 3153/95 (3153/A-2001) –
Snow Removal from Commercial or Industrial Sites

At the City of Red Deer's Council meeting held Monday, February 26, 2001, the following Notice of Motion was submitted to Council for their consideration:

Whereas the City of Red Deer Noise Bylaw 3153/95 states that "unless permission from the Development Officer is first obtained, no person, other than The City of Red Deer, shall use any mechanical equipment (including snow removal equipment) capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on in any district after the hour of ten o'clock in the evening and before the hour of seven o'clock in the morning of any day";

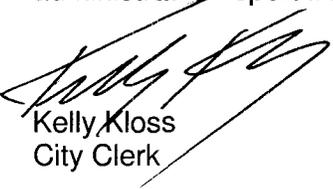
Whereas a local business has asked permission to remove snow during the restricted time period noted above;

Whereas due to concerns expressed by residents, the Development Officer has not granted this permission;

Whereas the plowing of snow during regular daytime/evening hours is difficult due to traffic and parked vehicles and contributes to hazardous driving conditions:

Resolved that Council of the City of Red Deer hereby directs the administration to bring back an amendment to the Noise Bylaw with respect to Section 11 to allow commercial snow removal contractors to be exempt from the bylaw subject to noise abatement, satisfactory to the Development Officer, in areas that directly back onto residential developments."

As directed, an amendment to the Noise Bylaw was prepared and is attached, along with the administrative report from the Inspections and Licensing Manager.


Kelly Kloss
City Clerk

/clr
attchs.

MEMO

DATE: March 1, 2001

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER, Manager
Inspections & Licensing Department

RE: SNOW REMOVAL

In response to Council's resolution of February 26, 2001 the City Solicitor has prepared the attached bylaw amendment.

As well, comments from Mr. Riebeek are attached. We agree with Mr. Riebeek that this amendment will provide discretion for the administration to deal with the issue of noise associated with snow removal.

However, it will not solve every situation. We receive several complaints about the noise generated by snow removal each year and there may be some residents who will not be satisfied with a comprise solution as suggested in the bylaw. In some of these cases we will be unable to bring the situation to satisfactory close for both parties.

The amendment can be approved, and if we find there are an unacceptable number of complaints, the bylaw can be revisited after some experience with it.



Ryan Strader
Inspections & Licensing Manager
INSPECTIONS & LICENSING MANAGER

Attachment

CHAPMAN RIEBEEK

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C. (Council)
DONALD J. SIMPSON*
GARY W. WANLESS*
NANCY A. BERGSTROM*
JASON R. SNIDER

NICK P. W. RIEBEEK*
T. KENT CHAPMAN*
LORNE E. GODDARD*
GAYLENE D. BOBB

208, 4808 Ross Street
Red Deer, Alberta
T4N 1X5

TELEPHONE (403) 346-6603
FAX (403) 340-1280

e-mail: info@chapmanricbeck.com

*Denotes Professional Corporation

Your file:
Our file: BYLAWS

February 28, 2001

**TRANSMITTED VIA FAX: 342-8200
ORIGINAL ON FILE**

City of Red Deer
P.O. Box 5008
Red Deer, AB T4N 3T4

**ATTENTION: Mr. Ryan Strader
Inspections and Licensing Manager**

Dear Sir:

RE: Noise Bylaw Amendment – Snow Removal

At the February 26, 2001, Council Meeting, Council directed an amendment to the Noise Bylaw on the motion of Councillor Hull seeking to have contractors exempted from the provision of the Noise Bylaw prohibiting snow removal activities between 10:00 p.m. and 7:00 a.m.

At Council Meeting a representative of the industry indicated that they are carrying on these activities anyway and that, where there have been complaints from residents, they generally speaking have complied with these concerns by changing the sequence in which they clear snow at particular locations or changing the hours during which they do so.

It may have been Council's intention to have a blanket exemption for commercial snow removal and, as you can observe, the attached proposed amendment does not really do this. It does not do so because several members of Council also indicated that they felt the Development Officer should have certain authority to require noise abatement practices on the part of contractors, while at the same time not unduly restricting the ability of contractors to remove snow from commercial or industrial sites, particularly in response to snow storms or overnight snow falls.

It is my opinion that the amendment as proposed gives discretion to the Development Officer to deal with ongoing complaints by residents or with contractors who are not willing to be sensitive or flexible with respect to the needs of residents, while at the same time, making it clear that generally speaking the removal of snow from commercial or industrial sites is an exception to the generally strict interpretation which the City adheres to with respect to the Noise Bylaw.

Please do not hesitate to advise of any questions, concerns or comments. If it is convenient to you, please provide us with your instructions before Friday, so that we can have the matter placed on the agenda for the next Council Meeting.

Yours truly,



NICK P. RIEBEEK
NPR/vjh
Enclosure

Comments:

We agree that Council proceed with the amendment to the Noise Bylaw

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

**COMMERCIAL ENTERTAINMENT FACILITIES
LUB Amendment 3156/A-2001**

DESCRIPTION: provides for changes to the definition section re: commercial entertainment facilities and late night clubs and provides for discretionary use

FIRST READING: February 12, 2001

FIRST PUBLICATION: February 23, 2001

SECOND PUBLICATION: March 2, 2001

PUBLI HEARING & SECOND READING: March 12, 2001

THIRD READING: _____

LETTERS REQUIRED TO PROPERTY OWNERS: *Downtown Safety*
YES NO

DEPOSIT? YES \$ _____ NO BY: CITY

ACUTAL COST OF ADVERTISING:

1ST \$ 137.76 & 2ND \$ 137.76 TOTAL: \$ 275.52

MAP PREPARATION: \$ N/C

TOTAL COST: \$ 275.52

LESS DEPOSIT RECEIVED: \$ _____

AMOUNT OWING/ (REFUND): \$ _____

INVOICE NO.: _____

(Account No. 59.5901)

Council Decision – Monday, February 12, 2001

DATE: February 13, 2001

TO: Inspections & Licensing Manager
Inspector G. Guertin, OIC Red Deer City RCMP

FROM: City Clerk

RE: *Recommendations Regarding Safety, Cleanliness & Security in the Downtown Area:*
(a) License Bylaw Amendment No. 3159/A-2001
(b) Late Night Clubs Bylaw 3275/2001
(c) Land Use Bylaw Amendment 3156/A-2001

Reference Report: Inspections & Licensing Manager dated February 6, 2001

Bylaw Readings:

- (a) License Bylaw Amendment 3159/A-2001 was given three readings. A copy is attached.
- (b) Late Night Clubs Bylaw 3275/2001 was given three readings. A copy is attached.
- (c) Land Use Bylaw Amendment 3156/A-2001 was given first reading. A copy is attached.

Report Back to Council Required: Yes

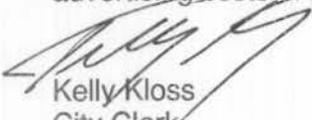
Comments/Further Action:

License Bylaw Amendment 3159/A-2001 provides for the amendment of definitions respecting "festivals" and makes provisions for the increase in fees for licenses for such events. This office will now update the consolidated version of the License Bylaw and distribute it in due course.

Late Night Clubs Bylaw 3275/2001 provides for the regulations regarding late night clubs and repeals previous Late Night Clubs Bylaw 3269/2000. A copy of the bylaw is attached.

Land Use Bylaw Amendment 3156/A-2001 provides for changes in the definition section regarding commercial entertainment facilities and late night clubs. The bylaw also provides for *late night clubs* being added as Discretionary Uses to the C1 Commercial (City Centre) and C1A Commercial (City Centre West) Districts. A *Special Regulations* section has also been added to the Land Use Bylaw regarding late night clubs.

This office will now proceed with the advertising for a **Public Hearing to be held Monday, March 12, 2001** in the Council Chambers, City Hall, at 7:00 p.m. The City will be responsible for the advertising costs in this instance.


Kelly Kloss
City Clerk

/clr
attchs.

c	Director of Community Services	Red Deer Policing Committee, c/o S. Cross, Chair
	Director of Corporate Services	G. Adams, Administrative Assistant
	Director of Development Services	C. Kenzie, Clerk Steno

BYLAW NO. 3156/A-2001

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of The City of Red Deer.

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

That Bylaw 3156/96 be amended as follows:

1 Section 2 "Definitions", is amended by:

- (1) Deleting the existing definition of "Commercial Entertainment Facility" and replacing it with the following new definition:

" 'Commercial Entertainment Facility' means an enclosed facility in which:

- (a) a fee is charged to the public for the provision of a performance; or
- (b) a minimum fee is charged for admission to the facility or the sale of any item, food, or beverage therein, which includes the provision of a performance; and

without limiting the generality of the foregoing, may include facilities for movies, live theatres, and dancing, but does not include an adult mini theatre, a facility in which lap dancing is performed, or a late night club."

- (2) Adding the following new definition:

" 'Late night club' means a facility, the primary purpose of which is to host late night events where:

- (a) no alcohol or alcoholic beverages are available on the premises for consumption or for sale;
- (b) 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
- (c) the event is held for the purpose of gain or profit;
- (d) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
- (e) music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music sound or band music is performed or played."

2 The C1 Commercial (City Centre) District is amended by adding to Section 100 "Discretionary Uses":

"(13) Late night club."

3 The C1A Commercial (City Centre West) District is amended by adding to Section 107 Discretionary Uses”:

“(16) Late night club.”

4 The following new Special Regulation is added as Section 65.3:

“65.3 Late Night Club

(1) In considering an application for a new late night club or for renovations to an existing late night club (whether as a principal use or ancillary use), the Development Authority shall obtain and consider a report from the RCMP and where an application is granted, the Development Authority shall require the developer to:

- (a) demonstrate provision of adequate parking within 150 m of the site;
- (b) provide adequate outside lighting in the area; and
- (c) if the proposed development abuts a residential area, provide an impact statement as part of the application indicating the measures to be taken to ensure that noise and visual impacts from the late night club will not negatively affect the adjoining neighbourhood.

(2) A late night club shall meet the following regulations:

- (a) limit gross floor area to a maximum of 557 m² ;
- (b) limit building occupancy to a maximum of 300 persons; and
- (c) shall be located on a lot the boundary of which is not less than 150 m from the boundary of a lot containing an existing drinking establishment or late night club if either of which has a gross floor area greater than 186 m².

READ A FIRST TIME IN OPEN COUNCIL this 12 day of February 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2001.

MAYOR

CITY CLERK

BYLAW 3217/A-2001

BACKGROUND

The developer in Anders on the Lake is proposing to amend the existing Neighbourhood Area Structure Plan (NASP). This Plan Amendment application proposes to consolidate land for a multiple family site, to make minor changes to roadways and to introduce more low density housing and an additional park site into the undeveloped areas of the neighbourhood, forming part of Stages 7, 8 and 9 of the subdivision.

PURPOSE OF THE BYLAW

To approve the following amendments to the existing Anders on the Lake Neighbourhood Area Structure Plan:

- The consolidation of the church site with a block of single family housing and to redesignate the new parcel to multiple family housing.
- To redesignate the multiple family area west of the church site to single family housing.
- At the collector access on the east boundary of the plan area, the developer proposes to redesignate the small multiple family site to duplex housing,
- Adjacent to the south of the east collector access road, it is proposed that the land be redesignated from single family housing and duplexes to multiple family housing.
- The developer proposes to consolidate the Social Care and Day Care sites into one Social Care site for Red Deer Hospice, and to reposition the through road and eliminate a laneway in this location.
- In the southeast corner of the plan area the developer proposes to change the roadway layout from cul-de-sacs to a P-loop, and to redesignate the land use from multiple family to single family housing.
- East of the central lake area the developer intends to change the roadway layout and to introduce a linear park area between the lake and the social care site to support the proposed hospice with a formal, passive park and pathway linkage to the trail system.

FILE

Office of the City Clerk

February 16, 2001

Bylaw No. 3156/A-2001

«OwnerName»
«OwnerAdd1»
«OwnerAdd2»
«OwnerAdd3»
«OwnerAdd4»

Dear Sir/Madam:

Re: Land Use Bylaw Amendment 3156/A-2001
Recommendations Regarding Safety, Cleanliness & Security in the Downtown Area

As a member of the Downtown Safety Task Force and/or a property owner in the Downtown area, this letter is to inform you that Council of the City of Red Deer has given the first of three readings to implement changes in the Land Use Bylaw regarding safety, cleanliness and security in the Downtown area.

This Land Use Bylaw amendment provides for changes in the definition section regarding commercial entertainment facilities and late night clubs. The bylaw also provides for *late night clubs* being added as Discretionary Uses to the C1 Commercial (City Centre) and C1A Commercial (City Centre West) Districts. A *Special Regulations* section has also been added to the Land Use Bylaw regarding late night clubs. A copy of proposed Land Use Bylaw Amendment 3156/A-2001 may be inspected by the public at the office of the City Clerk, 2nd Floor of City Hall between 8:00 a.m. and 4:30 p.m. Monday to Friday.

Prior to considering this bylaw, City Council will hold a Public Hearing, in the Council Chambers, 2nd Floor of City Hall on **Monday, March 12, 2001 at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions may be submitted to the City Clerk at the Public Hearing, or to the Office of the City Clerk, City Hall, prior to the Public Hearing. Persons wishing to have their letters or petitions included on the Council agenda must submit them by 4:30 p.m. on **Monday, March 5, 2001**.

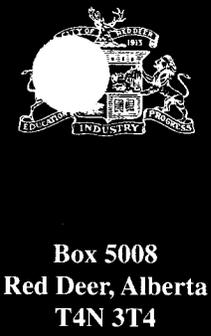
If you have any questions regarding the use of your letters or petitions or this Land Use Bylaw Amendment, please contact me at (403) 342-8132.

Yours truly,



Jeff Graves
Deputy City Clerk

/chk



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

LETTER SENT RE LUB. AMENDMENT 3156/A-2001 TO:

MEMBERS OF THE DOWNTOWN SAFETY TASK FORCE COMMITTEE
AS FOLLOWS:

Owner Name	OwnerAdd1	OwnerAdd2	OwnerAdd3	OwnerAdd4
Denise Heinrichs	Bell Fever Lounge/Gent's Club	4620 – 50 Avenue	Red Deer, AB T4N 3Z9	
Steve Cross	Red Deer Policing Committee	4603 – 44 Street	Red Deer, AB T4N 6S7	
Inspector Gilles Guertin	R.C.M.P. City Detachment			
Naomi Hanna	Women's Outreach Society	4808 – 51 Avenue	Red Deer, AB T4N 4A2	
Darren Kuz		16 Stewart Street	Red Deer, AB T4N 0B6	
Kildy Li / Kathy Guss	Brandon County Saloon	4608 – 50 Avenue	Red Deer, AB T4N 3Z8	
Inspector Wayne Orobko	Alberta Gaming Commission	6910 – 50 Avenue	Stettler, AB T0C 2L0	
Gary Osterhoff	Century Centre Bldg.	205, 4807 – 50 Avenue	Red Deer, AB T4N 4A5	
Carlos Perez / Brandon Li	Catwalk	4618 – 50 Avenue	Red Deer, AB T4N 3Z8	
Ray Congdon	Downtown Business Association	9, 4921 – 49 Street	Red Deer, AB T4N 1V2	
Student Association President	Red Deer College	Box 5005	Red Deer, AB T4N 5H5	
Sam Wong	Monsieur Wongs	5005 – 48 Street	Red Deer, AB T4N 5K4	

BYLAW NO. 3156/A-2001

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- (1) Deleting the existing definition of "Commercial Entertainment Facility" and replacing it with the following new definition:

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- (b) a minimum fee is charged for admission to the facility or the sale of any item, food, or beverage therein, which includes the provision of a performance; and

without limiting the generality of the foregoing, may include facilities for movies, live theatres, and dancing, but does not include an adult mini theatre, a facility in which lap dancing is performed, or a late night club."

- (2) Adding the following new definition:

" 'Late night club' means a facility, the primary purpose of which is to host late night events where:

- (a) no alcohol or alcoholic beverages are available on the premises for consumption or for sale;
- (b) 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
- (c) the event is held for the purpose of gain or profit;
- (d) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
- (e) music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music sound or band music is performed or played."

- 2 The C1 Commercial (City Centre) District is amended by adding to Section 100 "Discretionary Uses":

"(13) Late night club."

3 The C1A Commercial (City Centre West) District is amended by adding to Section 107 Discretionary Uses”:

“(16) Late night club.”

4 The following new Special Regulation is added as Section 65.3:

“65.3 Late Night Club

(1) In considering an application for a new late night club or for renovations to an existing late night club (whether as a principal use or ancillary use), the Development Authority shall obtain and consider a report from the RCMP and where an application is granted, the Development Authority shall require the developer to:

- (a) demonstrate provision of adequate parking within 150 m of the site;
- (b) provide adequate outside lighting in the area; and
- (c) if the proposed development abuts a residential area, provide an impact statement as part of the application indicating the measures to be taken to ensure that noise and visual impacts from the late night club will not negatively affect the adjoining neighbourhood.

(2) A late night club shall meet the following regulations:

- (a) limit gross floor area to a maximum of 557 m² ;
- (b) limit building occupancy to a maximum of 300 persons; and
- (c) shall be located on a lot the boundary of which is not less than 150 m from the boundary of a lot containing an existing drinking establishment or late night club if either of which has a gross floor area greater than 186 m².

READ A FIRST TIME IN OPEN COUNCIL this 12 day of February 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2001.

MAYOR

CITY CLERK

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001

TO: Inspector G. Guertin, OIC Red Deer City R.C.M.P.
Inspections & Licensing Manager

FROM: City Clerk

RE: *Land Use Bylaw Amendment 3156/A-2001, Commercial Entertainment Facilities and Late Night Clubs*

Reference Report: City Clerk dated March 6, 2001 and Inspections & Licensing Manager dated February 6, 2001

Bylaw Readings:

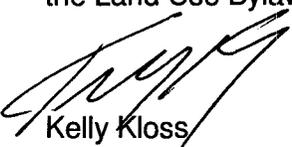
Following the Public Hearing, this bylaw was given 2nd and 3rd readings. A copy is attached.

Report Back to Council: No

Comments:

This office will now be updating the consolidated copy of the Land Use Bylaw and distributing those amendments in due course.

Land Use Bylaw Amendment 3156/A-2001 provides for changes in the definition section regarding commercial entertainment facilities and late night clubs. The bylaw also provides for *late night clubs* being added as Discretionary Uses to the C1 Commercial (City Centre) and C1A Commercial (City Centre West) Districts. A *Special Regulations* section has also been added to the Land Use Bylaw regarding late night clubs.



Kelly Kloss
City Clerk

/clr
attchs.

c	Director of Community Services	Downtown Safety Committee
	Director of Corporate Services	C. Adams, Administrative Assistant
	Director of Development Services	C. Kenzie, Clerk Steno
	Red Deer Policing Committee	C. Rausch, Administrative Assistant

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Inspections & Licensing Manager
FROM: City Clerk
RE: *Amendment to Noise Bylaw 3153/95 (3153/A-2001) – Snow Removal from Commercial or Industrial Sites*

Reference Report: Inspections & Licensing Manager dated March 1, 2001 & City Clerk dated February 28, 2001

Bylaw Readings:
Noise Bylaw Amendment 3153/A-2001 was given three readings. A copy is attached.

Report Back to Council: No

Comments:
This bylaw provides for amendments to the Noise Bylaw with respect to snow removal from commercial and industrial sites. An updated consolidated copy of the Noise Bylaw is also attached.



Kelly Kloss
City Clerk

/clr
attchs.

c Inspector G. Guertin
Bylaw Officers: J. Henfrey, P. Weddell & G. Hornaday
City Solicitor



Office of the City Clerk

FILE

March 13, 2001

Doug Bettenson
Bettenson's Sand & Gravel Co. Ltd.
4320-52 Avenue
Red Deer, AB T4N 4J9

Dear Mr. Bettenson:

Re: Noise Bylaw Amendment 3153/A-2001 (3153/95) – Snow Removal from Commercial or Industrial Sites

At the City of Red Deer's Council meeting held Monday, March 12, 2001, Council passed an amendment to the Noise Bylaw with respect to snow removal from commercial and industrial sites.

This bylaw states that it does not apply to contractors carrying out snow removal from commercial or industrial sites, which are not adjacent to residential districts. In the case of snow removal from commercial or industrial sites located adjacent to residential districts, the Development Officer may require noise abatement practices as set out in the bylaw and may use his discretion in endeavoring to meet the needs of both residents and contractors. Attached for your information is a copy of Noise Bylaw Amendment 3153/A-2001 and a consolidated copy of Noise Bylaw 3153/95.

Please do not hesitate to contact Ryan Strader, Inspections and Licensing Manager at 342-8195, should you require further clarification regarding the bylaw, or myself at 342-8132 for further information regarding Council's decision.

Sincerely,

Kelly Kloss
City Clerk

/clr
attchs. (2)

c Inspections & Licensing Manager
Inspector G. Guertin, OIC Red Deer City R.C.M.P.
Border Paving Ltd. (Faxed to: 346-9690)



FILE

Office of the City Clerk

March 13, 2001

Greg Footz
72 Dixon Crescent
Red Deer, AB T4R 2H5

Dear Mr. Footz:

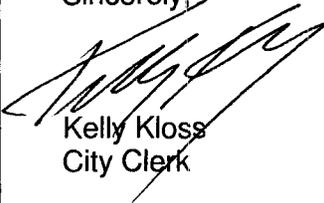
Re: Noise Bylaw Amendment 3153/A-2001 (3153/95) – Snow Removal from Commercial or Industrial Sites

At the City of Red Deer's Council meeting held Monday, March 12, 2001, Council passed an amendment to the Noise Bylaw with respect to snow removal from commercial and industrial sites.

This bylaw states that it does not apply to contractors carrying out snow removal from commercial or industrial sites, which are not adjacent to residential districts. In the case of snow removal from commercial or industrial sites located adjacent to residential districts, the Development Officer may require noise abatement practices as set out in the bylaw and may use his discretion in endeavoring to meet the needs of both residents and contractors. Attached for your information is a copy of Noise Bylaw Amendment 3153/A-2001 and a consolidated copy of Noise Bylaw 3153/95.

Please do not hesitate to contact Ryan Strader, Inspections and Licensing Manager at 342-8195, should you require further clarification regarding the bylaw, or myself at 342-8132 for further information regarding Council's decision.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs. (2)

c Inspections & Licensing Manager
Inspector G. Guertin, OIC Red Deer City R.C.M.P.

The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4

*** TX REPORT ***

FILE

TRANSMISSION OK

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CONNECTION TEL 3469690
SUB-ADDRESS
CONNECTION ID
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9
OK



Office of the City Clerk

March 13, 2001

Doug Bettenson
Bettenson's Sand & Gravel Co. Ltd.
4320-52 Avenue
Red Deer, AB T4N 4J9

Dear Mr. Bettenson:

Re: Noise Bylaw Amendment 3153/A-2001 (3153/95) – Snow Removal from Commercial or Industrial Sites

At the City of Red Deer's Council meeting held Monday, March 12, 2001, Council passed an amendment to the Noise Bylaw with respect to snow removal from commercial and industrial sites.

This bylaw states that it does not apply to contractors carrying out snow removal from commercial or industrial sites, which are not adjacent to residential districts. In the case of snow removal from commercial or industrial sites located adjacent to residential districts, the Development Officer may require noise abatement practices as set out in the bylaw and may use his discretion in endeavoring to meet the needs of both residents and contractors. Attached for your information is a copy of Noise Bylaw Amendment 3153/A-2001 and a consolidated copy of Noise Bylaw 3153/95.

Please do not hesitate to contact Ryan Strader, Inspections and Licensing Manager at 342-8195, should you require further clarification regarding the bylaw, or myself at 342-8132 for further information regarding Council's decision.

Sincerely,

Kelly Kloss
City Clerk

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

DATE: March 6, 2001
TO: City Council
FROM: City Clerk
RE: (a) ***Anders on the Lake Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-2001,***
(b) ***Land Use Bylaw Amendment 3156/H-2001 Redbrook Group 2/UMA Engineering Ltd.***

History

Anders on the Lake Area Structure Plan Bylaw Amendment 3217/A-2001 proposes to amend the existing Anders on the Lake Neighbourhood Area Structure Plan and has been processed in accordance with the City of Red Deer's Planning and Subdivision Guidelines. The purpose of the bylaw is to make changes to land use designations and roadways in the undeveloped portions of the plan area, prior to commencing with development of Phases 7, 8 & 9. This bylaw must be dealt with prior to consideration of Land Use Bylaw Amendment 3156/H-2001.

Land Use Bylaw Amendment 3156/H-2001 provides for land in Phases 7, 8 & 9 to be rezoned from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Residential (Semi-detached Dwelling) District, R2 Residential (Medium Density) District and P1 (Parks and Recreation) District as well as from PS Public Service District to R2 Residential (Medium Density) District.

Consultation Process

Public Hearings have been advertised for the above noted bylaws to be held on Monday, March 12, 2001 at 7:00 p.m. in the Council Chambers, during Council's regular meeting. In addition to the owner of the site, the owners of the properties bordering the site have been notified by letter of the Public Hearings.

Attached is a report from Parkland Community Planning Services dated March 5, 2001, requesting Council to make a slight technical amendment to the Area Structure Plan.

Recommendations

That following the Public Hearings, Council may proceed with:

1. Passage of an amending resolution to change Bylaw 3217/A-2001.
2. Second and third readings of Bylaw 3217/A-2001, as amended.
3. Second and third readings of Bylaw 3156/H-2001.


Kelly Kloss
City Clerk

/clr
attchs.

DATE: March 05, 2001
TO: Kelly Kloss, City Clerk
FROM: Johan van der Bank, Planner
RE: Revisions to Bylaw Amendment No. 3217/A-2001
Anders on the Lake Neighbourhood Area Structure Plan Amendment

PURPOSE AND BACKGROUND

Council gave first reading to Bylaw Amendment No. 3217/A-2001 on February 12, 2001. The purpose of this correspondence is to effect a revision to Bylaw Amendment No. 3217/A-2001 prior to the public hearing that takes place on March 12, 2001.

After discussions with the developers, Engineering Services has requested that certain information regarding the location of an E, L & P vault in relation to the alignment of Austin Drive and details regarding its intersection with 22 Street be reflected in the NASP text. The wording of the clause to be inserted into the Neighbourhood Area Structure Plan has been agreed to by the developer

PLANNING ANALYSIS

Although this type of detail is not usually dealt with at the Neighbourhood Area Structure Plan level, in this case it was considered necessary to include these details into the NASP in order to identify a road alignment issue and to identify a potential solution. This amendment will provide a framework for resolving the issue at the subdivision stage.

The proposed revision does not affect the land use map that was presented at the neighbourhood meeting. Consequently the revision is more in the nature of a technical amendment providing clarification in the plan. Planning Staff therefore supports the revision of Bylaw Amendment No. 3217/A-2001 prior to second and third readings.

RECOMMENDATION

That Council revise the first read Bylaw Amendment No. 3217/A-2001, by including Appendix 1 and the revised pages (1), (2), 6.4 and 6.5 of the Anders on the Lake Area Structure Plan.


for Johan van der Bank, TRP (SA)
Planner
attachments

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Anders on the Lake Neighbourhood Area Structure Plan

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Appendix 1: Austin Drive Re-alignment

Appendix 2: Encumbrance

Anders on the Lake Neighbourhood Area Structure Plan

6.2.1 Access to the Inglewood Subdivision

The extension of Austin Drive south of 22 Street is required for future access to the proposed Inglewood Subdivision. The proposed Austin Drive/Collector Roadway and 22 Street intersection design is in conflict with an existing E. L. & P. manhole/pullbox located on the south side of 22 Street. The alignment of Austin Drive/Collector Roadway could be adjusted to eliminate the conflict with this facility. A suggested re-alignment of the Austin Drive/Proposed Collector roadway is shown on the drawing included in Appendix 1. The Anders on the Lake developer will endeavour to negotiate a solution with the Engineering Services Department and the Inglewood Subdivision developer.

6.3 Local Roads

The local roads are planned with 15 m rights-of-way, routing traffic onto the collectors. The loop road west and south of the pond and the roads closer to the higher density development may be designed with a 17 m ROW allowing for a larger 12 m carriageway to handle possible shortcutting and increased traffic flow. This will be decided during the tentative plan stage through discussions with the City's Engineering staff. A typical cross section is included as Figure 4. None of the cul-de-sacs exceed the 230 m maximum length, and have lane access within 90 m of the bulb. Cul-de-sacs have been utilized because of their aesthetic value, as well as conduciveness to pedestrian and child safety.

6.4 Lanes

The majority of the subdivision is designed with access to rear laneways that are 6 m wide. The only variation is behind those lots backing onto the storm water pond, as well as the lots backing onto the neighbourhood park.

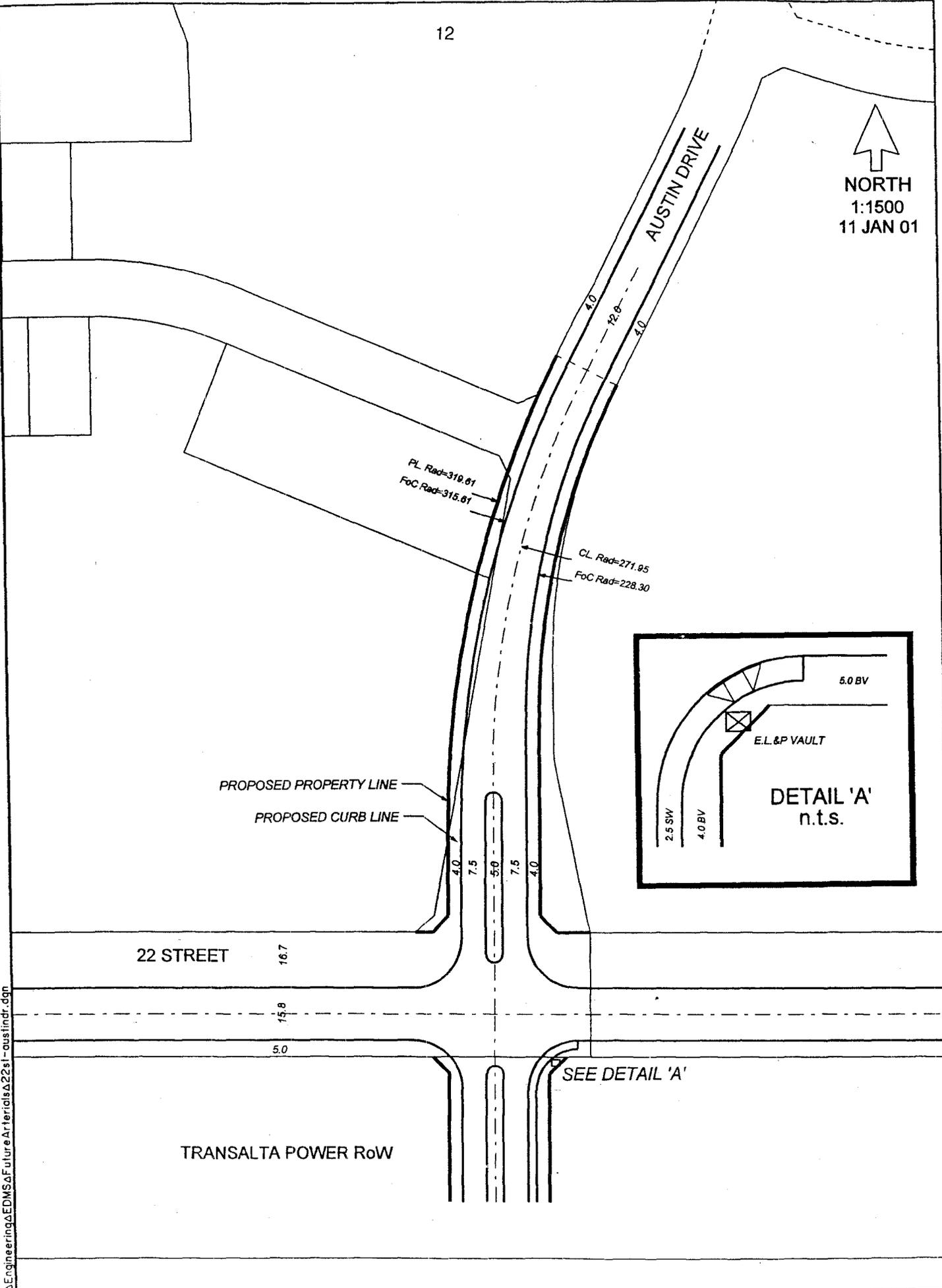
6.5 Trail System

The last transportation consideration is the inclusion of the pedestrian/cycle trail as outlined within the Area Structure Plan. The trail, as diagrammed within the Area Structure Plan, allowed for an east-west alignment within the utility ROW, as well as a branch veering to the northwest within the arterial ROW. With the modification to the road network, the trail system was altered slightly. The east-west connection will be maintained on the south side of the major collector within the ROW. From the major collector, the trail will cross at the intersection point with the collector road, travel north and west into the MR adjacent to the storm water pond. The trail will circle the pond with an arm running west along the south side of the circularis collector, access 40 Avenue at the intersection, and join up to the trail on the east side of 40 Avenue. A second arm will lead east across the circularis collector into the neighbourhood park, eventually meandering in a northeast direction moving into the adjacent quarter within the easement established for the sanitary force main. The proposed trail alignment is depicted on Figure 2. Trails planned along collectors or the major collector will be constructed of asphalt or incorporated into the sidewalk construction at a width of 2.5 m. Trails planned around the pond and within the neighbourhood park area will be constructed of crushed shale to a width of 1.5 m.

APPENDIX 1:
Re-alignment of Austin Drive and 22 Street Intersection Details

12

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\\Engineering\EDMS\Future Arterials\22st-austindr.dgn



DATE: February 05, 2001
TO: Kelly Kloss, City Clerk
FROM: Johan van der Bank, Planner
RE: Anders on the Lake Neighbourhood Area Structure Plan Amendment
Bylaw Amendment No. 3217/A-2001

PURPOSE

Redbrook Group 2, being the landowner/developer of the undeveloped lands in Anders on the Lake, is proposing to amend the existing Anders on the Lake Neighbourhood Area Structure Plan. The proposed amendment was processed in accordance with the City of Red Deer's *Planning and Subdivision Guidelines*. In accordance with Section 3.1.3.5 of the ***Planning and Subdivision Guidelines*** this proposed Area Structure Plan amendment is being forwarded to the Municipal Planning Commission for a recommendation to City Council.

The purpose of this Plan Amendment application is to effect changes to land use designations and roadways in the undeveloped portions of the plan area, prior to commencing with development of Stages 7, 8 and 9.

BACKGROUND

The original Anders on the Lake Area Structure Plan was prepared by UMA Engineering Ltd. and adopted by Council in January 1998. UMA Engineering on behalf of the developer is also the applicant proposing this Plan Amendment.

The proposed amendments are labelled on the attached map and are summarised as follows:

1. The developer proposes to consolidate the church site with a block of single family housing and to redesignate the new parcel to multiple family housing.
2. In this location the developer proposes to redesignate the multiple family area in the existing Neighbourhood Area Structure Plan to single family housing.
3. At the collector access on the east boundary of the plan area, the developer proposes to redesignate the small multiple family site to duplex housing,
4. Adjacent to the south of the east collector access road, it is proposed that the land be redesignated from single family housing and duplexes to multiple family housing.

5. The developer proposes to consolidate the Social Care and Day Care sites into one Social Care site for Red Deer Hospice, and to reposition the through road and eliminate a laneway in this location.
6. In the southeast corner of the plan area the developer proposes to change the roadway layout from cul-de-sacs to a P-loop, and to redesignate the land use from multiple family to single family housing.
7. East of the central lake area the developer intends to change the roadway layout and to introduce a linear park area between the lake and the social care site to support the proposed hospice with a formal, passive park and pathway linkage to the trail system.

A few issues were identified during the Plan Amendment referral process, and these have been resolved to the satisfaction of all parties.

NEIGHBOURHOOD MEETING

A neighbourhood meeting was hosted by Parkland Community Planning Services on January 30, 2001 at the St. Elizabeth Seton School in Anders. Six area residents attended the meeting. The developers' consultants presented the proposed amendments. The residents did not raise any major concerns, and discussion focussed on matters in general. By February 5, 2001 no comment sheets had been submitted to our office.

PLANNING ANALYSIS

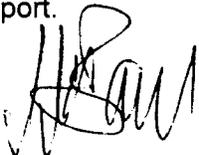
The proposed Plan Amendment is balanced in the sense that it does not add additional multiple family sites, but rather restructures the multiple family land use designations to concentrated locations close to the neighbourhood entrances. This proposal is supported. The developer expressed his intent to ensure that the standard of these developments follows that of the existing development in Adams Close.

The church site had been subdivided and sold to a church group in 1998. Plans to construct the church did not materialise, and subsequently Redbrook Group 2 acquired the land with a view to submit this Plan Amendment.

The other proposals in terms of roadway changes, the consolidation of the social and day care sites into one larger site and the addition of park designations are supported as well.

MPC RECOMMENDATION

MPC has considered the report on this proposed Plan Amendment, supports the recommendation of Planning Staff and recommends that Council gives first reading to Bylaw No. 3217/A-2001, seeking to amend the existing Anders on the Lake NASP as described in this report.



Johan van der Bank, TRP (SA)
Planner
attachments

DATE: February 6, 2001
TO: City Council
FROM: Municipal Planning Commission
RE: Anders on the Lake Neighbourhood Area Structure Plan Amendment

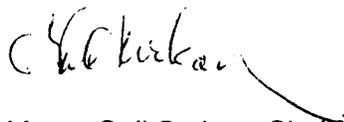
Redbrook Group 2 is requesting an amendment to the Anders on the Lake Neighbourhood Area Structure Plan prior to development of Phases 7 and 8. The proposed amendment will effect changes to the land use designations and roadways in the undeveloped portion of the Plan area.

At its meeting of Monday, February 5, 2001, the Municipal Planning Commission considered the proposed Anders on the Lake Neighbourhood Area Structure Plan Amendment. At that meeting, the following resolution was passed:

“RESOLVED that the Municipal Planning Commission support the approval of the Anders on the Lake Neighbourhood Area Structure Plan Amendment, Bylaw Amendment 3217/A-2001.”

Recommendation:

That Council pass a resolution to adopt the Anders on the Lake Neighbourhood Area Structure Plan Amendment.



Mayor Gail Surkan, Chairperson
Municipal Planning Commission

/fm



DATE: February 05, 2001
TO: Kelly Kloss, City Clerk
FROM: Johan van der Bank, Planner
RE: Land Use Bylaw Amendment No. 3156/H-2001
Map 6/2001
Anders on the Lake – Stages 7, 8 and 9
Redbrook Group 2 / UMA Engineering Ltd.

Background

Redbrook Group 2, being the landowner/developer of the undeveloped lands in Anders on the Lake, is proposing to redistrict land to facilitate subdivision and development of Stages 7, 8 and 9. This application proposes that land be redistricted from A1 Future Urban Development District to R1 Residential (Low density) District, R1A Residential (Semi-detached Dwelling) District, R2 Residential (Medium Density) District and P1 (Parks and Recreation) District, as well as from PS Public Service District to R2 Residential (Medium Density) District.

Map 6/2001 reflects the redistricting proposals.

Staff recommendation

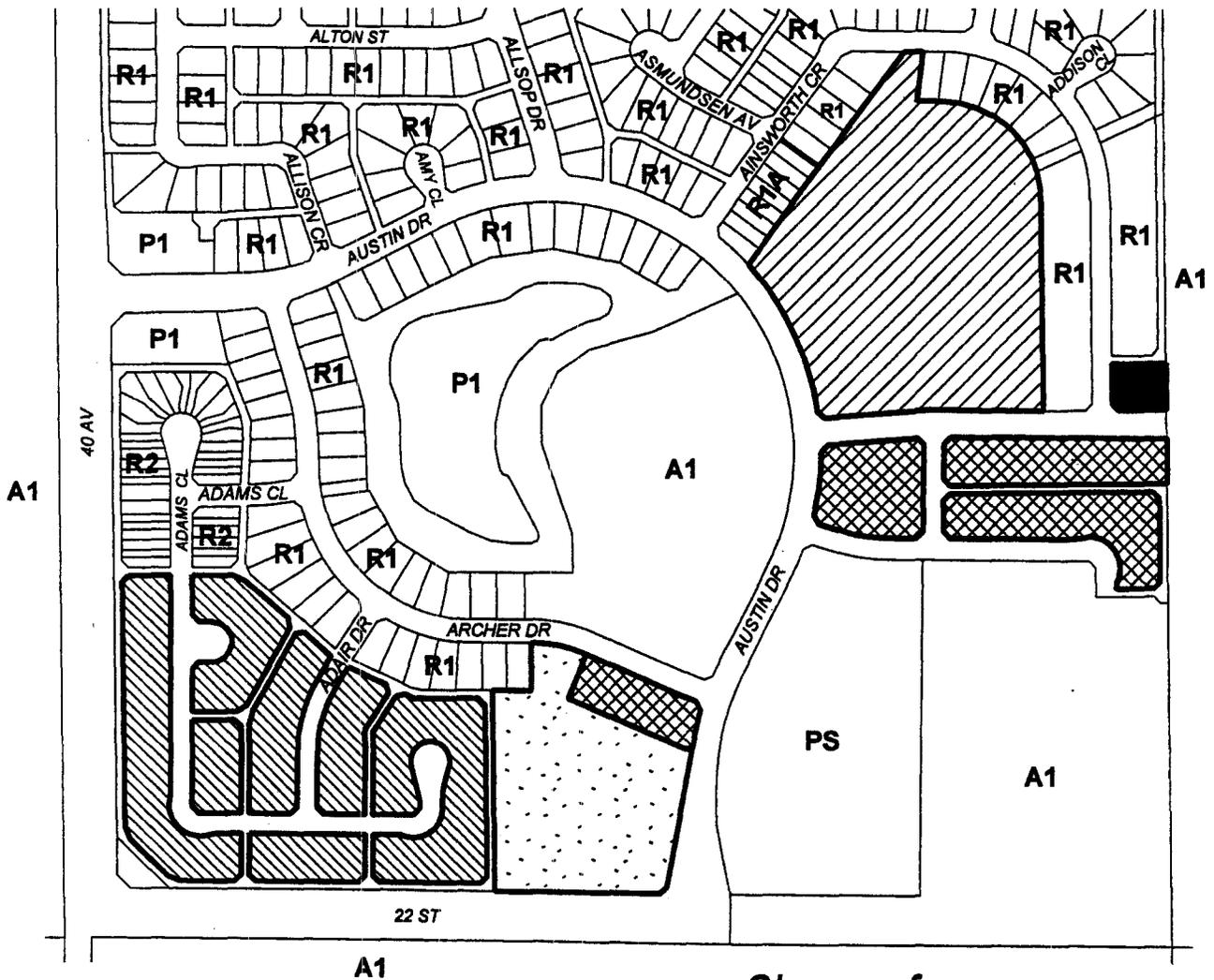
Subject to City Council giving first reading to the Anders on the Lake Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-2001, it is recommended that City Council proceed with first reading of this Land Use Bylaw Amendment 3156/H-2000.

A handwritten signature in black ink, appearing to read 'Johan van der Bank'.

Johan van der Bank, TRP (SA)
Planner
attachments

The City of Red Deer

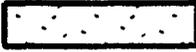
PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi-Detached Dwelling)
- R2 - Residential (Medium Density)
- PS - Public Service (Institutional or Government)
- P1 - Parks & Recreation

Change from:

- A1 to R1 
- A1 to R1A 
- A1 to R2 
- A1 to P1 
- PS to R2 

MAP No. 6/2001

BYLAW No. 3156 /H - 2001

**ANDERS ON THE LAKE
LUB Amendment 3156/H-2001 &
Neighbourhood Area Structure Plan 3217/A-2001**

DESCRIPTION: changes to land use designations and roadways in the undeveloped portions to commence development of phases 7, 8 and 9 and rezone from A1 to R1, R1A, P1 and PS

FIRST READING: February 12, 2001

FIRST PUBLICATION: February 23, 2001

SECOND PUBLICATION: March 2, 2001

PUBLI HEARING & SECOND READING: March 12, 2001

THIRD READING: _____

LETTERS REQUIRED TO PROPERTY OWNERS: YES NO

DEPOSIT? YES \$ _____ NO BY: UMA Engineering

ACUTAL COST OF ADVERTISING:

1ST \$ 327.18 & 2ND \$ 327.18 TOTAL: \$ 654.36

MAP PREPARATION: \$ N/A

TOTAL COST: \$ 654.36

LESS DEPOSIT RECEIVED: \$ 400.00

AMOUNT OWING/ (REFUND): \$ 254.36

INVOICE NO.: 151-126455



THE CITY OF RED DEER
City Clerk's Department Payment Receipt

01 | 02 | 20
Year Month Day

Name: REDBROOK MANAGEMENT LTD. Reference: L. B. ANDERS ON THE LAKE
3156/H 2001.

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ITEM

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L.U.B. Advert	59.5901				400.00
D.A.B. Fee	54.5722				
D.A.B. Advert	54.5901				
	TOTAL				400.00

GST. REGISTRATION # R119311785

SUNDAY
CHECK

400.00
\$400.00

FILE



Office of the City Clerk

February 16, 2001

**Bylaw No. 3156/H-2001
& N.A.S.P. No. 3217A-2001
(Map Attached)**

«OwnerName»
«OwnerAdd1»
«OwnerAdd2»
«OwnerAdd3»
«OwnerAdd4»

Dear Sir/Madam:

**Re: Anders on the Lake Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-2001
Land Use Bylaw Amendment 3156/H-2001
Anders on the Lake – Phases 7, 8 and 9**

As a property owner adjacent to the above land, this letter is to inform you that Council of the City of Red Deer has given the first of three readings to make changes in the undeveloped area of Anders on the Lake prior to commencing with the development of Phases 7, 8 & 9.

Anders on the Lake Area Structure Plan Bylaw Amendment 3217/A-2001 proposes to amend the existing Anders on the Lake Neighbourhood Area Structure Plan and has been processed in accordance with the City of Red Deer's Planning and Subdivision Guidelines. The purpose of the bylaw is to make changes to land use designations and roadways in the undeveloped portions of the plan area, prior to commencing with development of Phase 7, 8 & 9.

Land Use Bylaw Amendment 3156/H-2001 provides for land in Phases 7, 8 & 9 to be rezoned from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Residential (Semi-detached dwelling) District, R2 Residential (Medium Density) District and P1 (Parks and Recreation) District as well as from PS Public Service District to R2 Residential (Medium Density) District. Copies of proposed Anders on the Lake Area Structure Plan Bylaw Amendment 3217/A-2001 and Land Use Bylaw Amendment 3156/H-2001 may be inspected by the public at the office of the City Clerk, 2nd Floor of City Hall between 8:00 a.m. and 4:30 p.m. Monday to Friday.

Prior to considering this bylaw, City Council will hold a Public Hearing, in the Council Chambers, 2nd Floor of City Hall on **Monday, March 12, 2001, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions may be submitted to the City Clerk at the Public Hearing, or to the Office of the City Clerk, City Hall, prior to the Public Hearing. Persons wishing to have their letters or petitions included on the Council agenda must submit them by 4:30 p.m. on **Monday, March 5, 2001.**

If you have any questions regarding the use of your letters or petitions or this Land Use Bylaw Amendment, please contact me at (403) 342-8132.

Yours truly,

Jeff Graves
Deputy City Clerk

/chk

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4

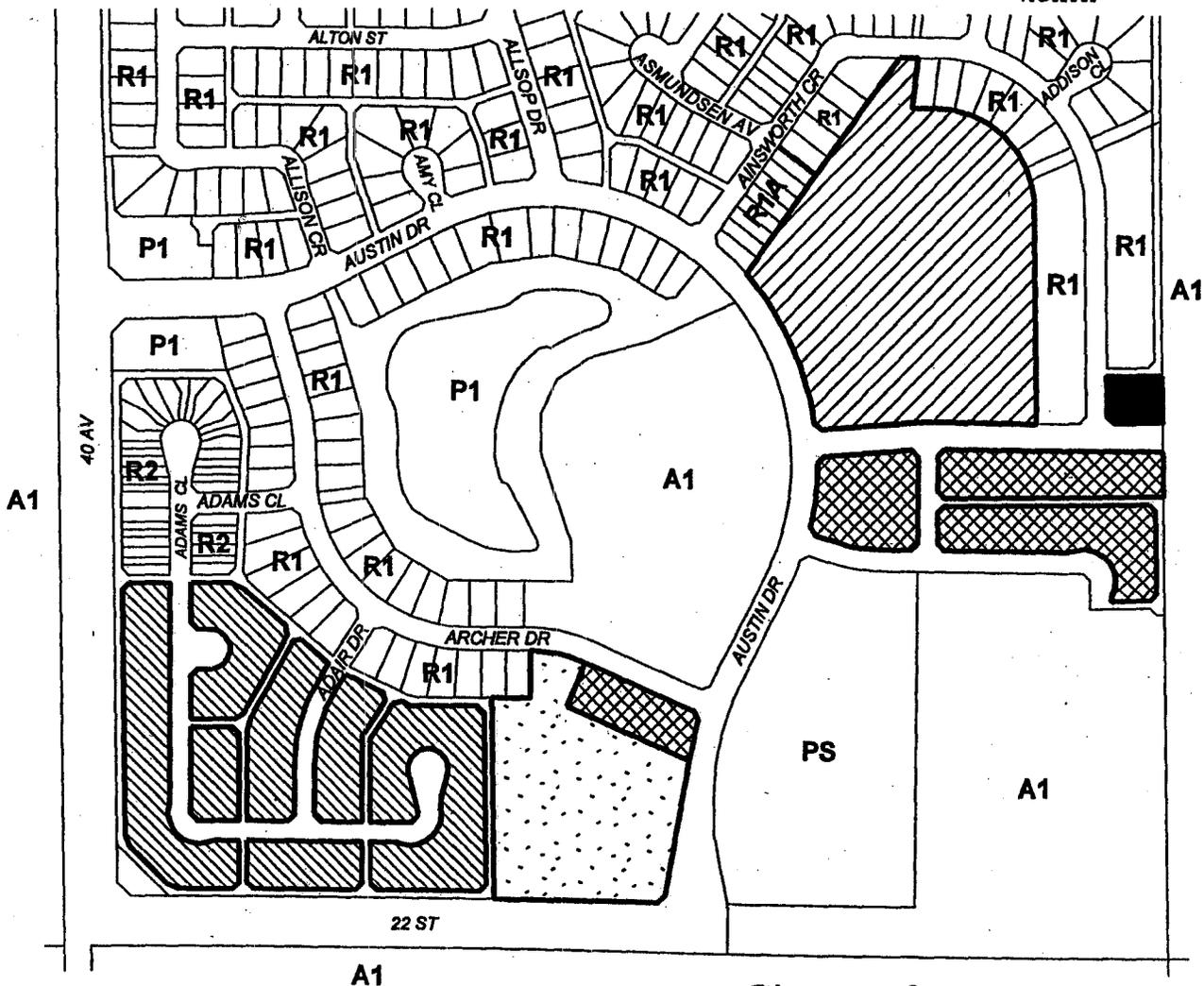
Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

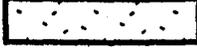
PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi-Detached Dwelling)
- R2 - Residential (Medium Density)
- PS - Public Service (Institutional or Government)
- P1 - Parks & Recreation

Change from:

- A1 to R1 
- A1 to R1A 
- A1 to R2 
- A1 to P1 
- PS to R2 

MAP No. 6/2001

BYLAW No. 3156 /H - 2001

Council Decision – Monday, February 12, 2001

DATE: February 13, 2001

TO: J. van der Bank, Planner,
Parkland Community Planning Services

FROM: City Clerk

RE: (a) *Anders on the Lake Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-2001*; (b) *Land Use Bylaw Amendment 3156/H-2001/Redbrook Group 2/UMA Engineering Ltd.*

Reference Report: Reports from Parkland Community Planning Services, dated February 5, 2001

Bylaw Readings:

- (a) Area Structure Plan Bylaw Amendment 3217/A-2001 was given first reading
- (b) Land Use Bylaw Amendment 3156/H-2001 was given first reading

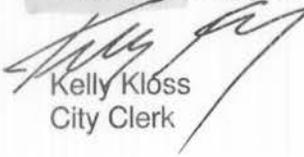
Report Back to Council Required: Yes

Comments/Further Action:

Anders on the Lake Area Structure Plan Bylaw Amendment 3217/A-2001 proposes to amend the existing Anders on the Lake Neighbourhood Area Structure Plan and has been processed in accordance with the City of Red Deer's Planning and Subdivision Guidelines. The purpose of the bylaw is to make changes to land use designations and roadways in the undeveloped portions of the plan area, prior to commencing with development of Phases 7, 8 & 9.

Land Use Bylaw Amendment 3156/H-2001 provides for land in Phases 7, 8 & 9 to be rezoned from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Residential (Semi-detached Dwelling) District, R2 Residential (Medium Density) District and P1 (Parks and Recreation) District as well as from PS Public Service District to R2 Residential (Medium Density) District.

This office will now proceed with the advertising for Public Hearings to be held Monday, March 12, 2001 at 7:00 p.m. during Council's regular meeting. UMA Engineering Ltd. on behalf of Redbrook Group 2, the landowner/developer, will be responsible for the advertising costs in this instance. A copy of the correspondence forwarded to them is attached for your information.


Kelly Kloss
City Clerk

/clr
attchs.

c Director Development Services
Land & Economic Development Manager
Inspections & Licensing Manager

C. Kenzie, Clerk Steno
C. Adams, Administrative Assistant

BYLAW NO. 3156/H-2001

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Land Use District Map 15" contained in "Schedule "B" of the Land Use Bylaw is hereby amended in accordance with the Land Use Bylaw Amendment Map No. 6/2001 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 12 day of February 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of 2001.

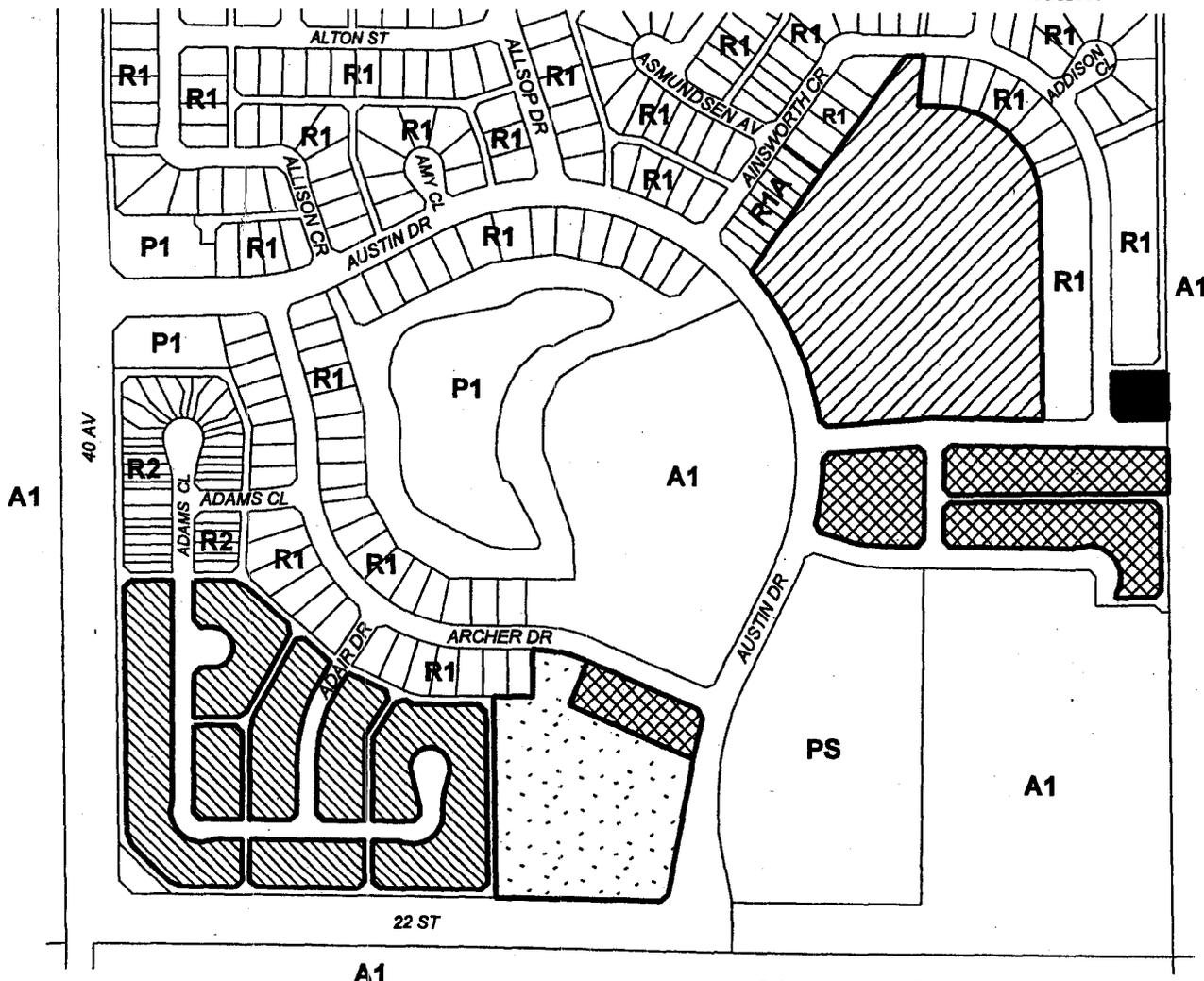
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2001.

MAYOR

CITY CLERK

The City of Red Deer

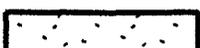
PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi-Detached Dwelling)
- R2 - Residential (Medium Density)
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- P1 - Parks & Recreation

Change from:

- A1 to R1 
- A1 to R1A 
- A1 to R2 
- A1 to P1 
- PS to R2 

MAP No. 6/2001

BYLAW No. 3156 /H - 2001

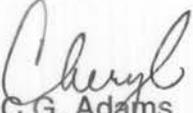
DATE: February 15, 2001
TO: Norma Lovell, Assessment
FROM: C.G. Adams,
City Clerk's Office

RE: LUB Amendment 3156/H-2001 Anders on the Lake
Disposal of Municipal Reserve Part of Lot 24 MR, Block 3, Plan 002-4978

Please provide **Christine Kenzie** with the names and addresses of the subject property owners and all contiguous/adjacent property owners as outlined on the attached maps.

It would be helpful if the lists could be received at your earliest convenience in order to process the letters within the required time period. I have attached the maps that appeared on the Council agenda for your reference.

Thanks Norma.


C.G. Adams
City Clerks' Office

Attach.

BYLAW 3156/H-2001

BACKGROUND

This redistricting proposal is required to permit the development of Stages 7, 8 and 9 of the Anders on the Lake subdivision. The proposed land use designations are in accordance with the proposed amendments to the Anders on the Lake Neighbourhood Area Structure Plan, which have been read a first time by Council on February 12, 2001.

PURPOSE OF THE BYLAW

To approve the proposed redistricting as shown on Map No. 6/2001:

- From A1 Future Urban Development District to R1 Residential (Low density) District;
- From A1 Future Urban Development District to R1A Residential (Semi-detached Dwelling) District;
- From A1 Future Urban Development District to R2 Residential (Medium Density) District;
- From A1 Future Urban Development District to P1 (Parks and Recreation) District; and
- From PS Public Service District to R2 Residential (Medium Density) District.

February 14, 2001

Mr. Dan Young
UMA Engineering Ltd.
2540 Kensington Road, N.W.
Calgary, AB T2N 3S3

Dear Sir:

**Re: (a) Anders on the Lake Neighborhood Area Structure Plan Amendment
No. 3217/A-2001/(b) Land Use Bylaw Amendment 3156/H-2001 (Stages 7,
8 & 9)/RedBrook Group 2, UMA Engineering Ltd.**

At the City of Red Deer's Council meeting held Monday, February 12, 2001, Anders on the Lake Neighbourhood Area Structure Plan Amendment 3217/A-2001 and Land Use Bylaw Amendment 3156/H-2001 were both given first readings.

Anders on the Lake Area Structure Plan Bylaw Amendment 3217/A-2001 proposes to amend the existing Anders on the Lake Neighbourhood Area Structure Plan and has been processed in accordance with the City of Red Deer's Planning and Subdivision Guidelines. The purpose of the bylaw is to make changes to land use designations and roadways in the undeveloped portions of the plan area, prior to commencing with development of Phases 7, 8 & 9.

Land Use Bylaw Amendment 3156/H-2001 provides for land in Phases 7, 8 & 9 to be rezoned from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Residential (Semi-detached Dwelling) District, R2 Residential (Medium Density) District and P1 (Parks and Recreation) District as well as from PS Public Service District to R2 Residential (Medium Density) District.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, March 12, 2001 at 7:00 p.m. during Council's regular meeting, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$400. We require this deposit by no later than 10:00 a.m., Wednesday, February 21, 2001, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,

Kelly Kloss
City Clerk

/clr

attchs.

c City Planning Manager

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001

TO: J. van der Bank, Planner,
Parkland Community Planning Services

FROM: City Clerk

RE: (a) *Anders on the Lake Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-2001*; (b) *Land Use Bylaw Amendment 3156/H-2001/Redbrook Group 2/UMA Engineering Ltd.*

Reference Report: Reports from Parkland Community Planning Services, dated February 5, 2001 & March 5, 2001, and City Clerk dated March 6, 2001

Resolution and Bylaw Readings:

- (a) Following the Public Hearing and passage of the following amending resolution, Area Structure Plan Bylaw Amendment 3217/A-2001 was given second and third readings:

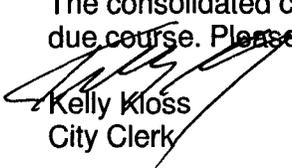
Resolved that Council of The City of Red Deer, having considered the report from Parkland Community Planning Services dated March 5, 2001, re: Revisions to Bylaw No. 3217/A-2001, an amendment to the Anders on the Lake Neighborhood Area Structure Plan, hereby agrees to amend Bylaw No. 3217/A-2001, as follows:

1. By adding Appendix 1 forming part of the above noted report;
 2. By deleting pages (1), (2), 6.4 and 6.5 of the Anders on the Lake Area Structure Plan and replacing them with the amended pages forming part of the above noted report.
- (b) Following the Public Hearing, Land Use Bylaw Amendment 3156/H-2001 was given second and third readings.

Report Back to Council: No

Comments:

The consolidated copy of the Land Use Bylaw will be updated by this office and distributed in due course. Please provide the appropriate amended pages for insertion into Bylaw 3217/98.


Kelly Kloss
City Clerk

/clr

c Director of Development Services
Land & Economic Development Manager
Inspections & Licensing Manager

C. Kenzie, Clerk Steno
C. Adams, Administrative Assistant
D. Rutinsky

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001

TO: J. van der Bank, Planner,
Parkland Community Planning Services

FROM: City Clerk

RE: (a) *Anders on the Lake Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-2001*; (b) *Land Use Bylaw Amendment 3156/H-2001/Redbrook Group 2/UMA Engineering Ltd.*

Reference Report: Reports from Parkland Community Planning Services, dated February 5, 2001 & March 5, 2001, and City Clerk dated March 6, 2001

Resolution and Bylaw Readings:

- (a) Following the Public Hearing and passage of the following amending resolution, Area Structure Plan Bylaw Amendment 3217/A-2001 was given second and third readings:

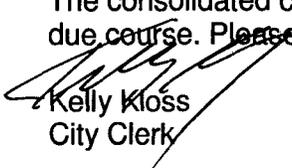
Resolved that Council of The City of Red Deer, having considered the report from Parkland Community Planning Services dated March 5, 2001, re: Revisions to Bylaw No. 3217/A-2001, an amendment to the Anders on the Lake Neighborhood Area Structure Plan, hereby agrees to amend Bylaw No. 3217/A-2001, as follows:

1. By adding Appendix 1 forming part of the above noted report;
 2. By deleting pages (1), (2), 6.4 and 6.5 of the Anders on the Lake Area Structure Plan and replacing them with the amended pages forming part of the above noted report.
- (b) Following the Public Hearing, Land Use Bylaw Amendment 3156/H-2001 was given second and third readings.

Report Back to Council: No

Comments:

The consolidated copy of the Land Use Bylaw will be updated by this office and distributed in due course. Please provide the appropriate amended pages for insertion into Bylaw 3217/98.


Kelly Kloss
City Clerk

/clr

c Director of Development Services
Land & Economic Development Manager
Inspections & Licensing Manager

C. Kenzie, Clerk Steno
C. Adams, Administrative Assistant
D. Rutinsky



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

March 13, 2001

Mr. Dan Young
UMA Engineering Ltd.
2540 Kensington Road, N.W.
Calgary, AB T2N 3S3

Dear Sir:

Re: (a) Anders on the Lake Neighborhood Area Structure Plan Amendment No. 3217/A-2001/(b) Land Use Bylaw Amendment 3156/H-2001 (Stages 7, 8 & 9)/ RedBrook Group 2, UMA Engineering Ltd.

At the City of Red Deer's Council meeting held Monday, March 12, 2001, following the Public Hearing and passage of the following amending resolution, Anders on the Lake Neighbourhood Area Structure Plan Amendment 3217/A-2001 was given second and third readings:

Resolved that Council of The City of Red Deer, having considered the report from Parkland Community Planning Services dated March 5, 2001, re: Revisions to Bylaw No. 3217/A-2001, an amendment to the Anders on the Lake Neighborhood Area Structure Plan, hereby agrees to amend Bylaw No. 3217/A-2001, as follows:

1. By adding Appendix 1 forming part of the above noted report;
2. By deleting pages (1), (2), 6.4 and 6.5 of the Anders on the Lake Area Structure Plan and replacing them with the amended pages forming part of the above noted report.

As well, following the respective Public Hearing, Land Use Bylaw Amendment 3156/H-2001 was given second and third readings. Copies of both bylaws are attached for your information.

Anders on the Lake Area Structure Plan Bylaw Amendment 3217/A-2001 provides for amendments to the existing Anders on the Lake Neighbourhood Area Structure Plan and has been processed in accordance with the City of Red Deer's Planning and Subdivision Guidelines. The purpose of the bylaw is to make changes to land use designations and roadways in the undeveloped portions of the plan area, prior to commencing with development of Phases 7, 8 & 9.

Land Use Bylaw Amendment 3156/H-2001 provides for land in Phases 7, 8 & 9 to be rezoned from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Residential (Semi-detached Dwelling) District, R2 Residential (Medium Density) District and P1 (Parks and Recreation) District as well as from PS Public Service District to R2 Residential (Medium Density) District.

UMA Engineering Ltd.
March 13, 2001
Page 2

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written in a cursive style.

Kelly Kloss
City Clerk

/clr
attchs.

Item No. 2

DATE: February 13, 2001
TO: City Council
FROM: City Clerk
RE: *Land Sale to Mr. & Mrs. Rumohr / 5830-58 A Street, Part of Lot 24 MR, Block 3, Plan 002-4978 / Disposal of Municipal Reserve*

History

At the Council meeting of February 12, 2001, Council passed the following resolution agreeing to advertise and consider the proposed Disposal of Municipal Reserve:

Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, hereby agrees that the following resolution be considered at the Council meeting of Monday, March 12, 2001 and to allow for the advertising of a Public Hearing to be held on Monday, March 12, 2001:

"Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, Part of Lot 24 MR, Block 3, Plan 002-4978, hereby agrees to the disposal of municipal reserve lands described as:

'All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.' "

The purpose of the proposed Disposal of Municipal Reserve is to accommodate the sale of property from the City to Mr. & Mrs. Rumohr.

Consultation Process

A Public Hearing has been advertised for the Disposal of the Municipal Reserve, to be held on Monday, March 12, 2001 at 7:00 p.m. in the Council Chambers, during Council's regular meeting. Notices were mailed to adjacent property owners and the site has been posted.

Recommendations:

That following the Public Hearing Council may pass a resolution agreeing to the disposal of the noted municipal reserve.



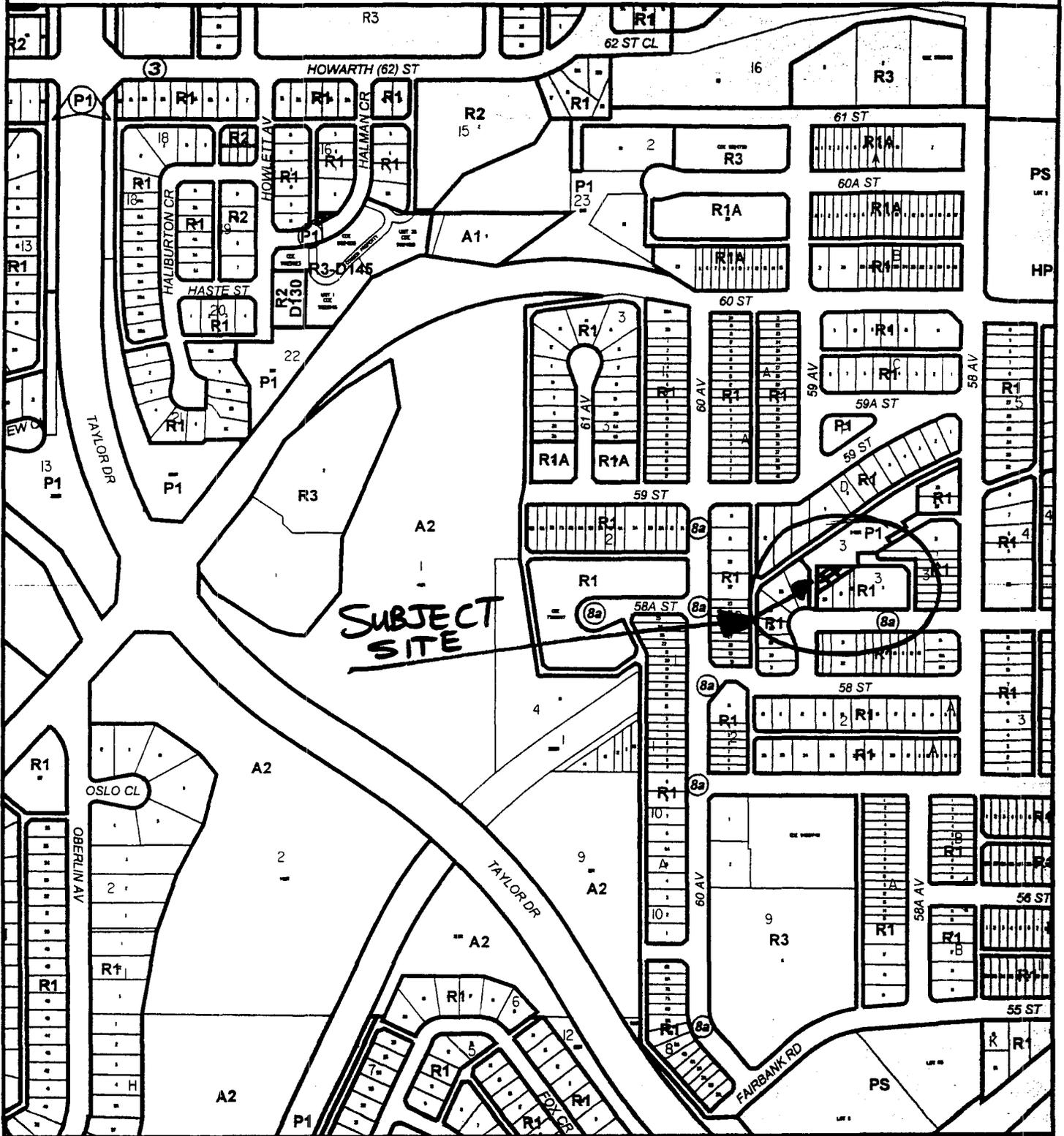
Kelly Kloss
City Clerk

/clr
attchs.

THE CITY OF RED DEER - LAND USE BYLAW

LAND USE DISTRICTS

E10



SUBJECT SITE

BYLAW NUMBER - 3156/96

AMENDMENTS:

All properties in Riverside Meadows refer to 8b and 8c

- 3156 / H - 96 26 - Aug - 1996
- 3156 / M - 98 19 - May - 1998
- 3156 / R - 2000 19 - June - 2000
- 3156 / V - 2000 17 - July - 2000
- 3156 / NN - 2000 15 - Jan - 2001

SEE SECTION SIX FOR LANDUSE DISTRICT DEFINITIONS

D11	E11	F11
D10	E10	F10
D9	E9	F9



1:5,000
19-JAN-2001

S.W. 1/4 -20-38-27-4

MEMO

DATE: February 5, 2001

TO: Kelly Kloss, City Clerk

FROM: Howard Thompson, Land and Economic Development Manager

RE: **Land Sale to Mr. and Mrs. C. Rumohr – 5830 – 58A Street
Part of Lot 24 MR, Block 3, Plan 002-4978
& Disposal of Municipal Reserve**

This piece of property is located in Riverside Meadows and was part of the former CP Rail right-of-way that was transferred to the City in the early 1990's. Recently, as part of the Riverside Meadows Redevelopment Plan this area was redesigned to accommodate Habitat for Humanity. During this process Mr. and Mrs. Rumohr, owners of Lot 18 to 20, Block 3, Plan 934 AJ, indicated interest in purchasing an adjacent portion of City land to square off their residential lot. The Rumohr's currently have a License to Occupy with the City due to the corner of their shed and garage encroaching onto City lands, as shown on the attached real property report.

With this in mind, the Riverside Meadows Redevelopment Plan supported the possibility to square off the property, as shown on the attached map. Also, Parkland Community Planning Service issued the attached approval for the plan of subdivision with this parcel being proposed Lot 32 in Phase II of the subdivision. Subsequently, Phase I was registered as Plan 002 4978, which incorporated Lot 32 into the Municipal Reserve, as Lot 24MR, until such time as this proposal came forward. To sell the City lands requires the approval of Council to dispose of that portion of Municipal Reserve consisting of 4,256 sq. ft. (395.51 sq. m.), more or less. Recently, Council passed the rezoning of this area to R1 as part on the implementation of the Riverside Meadows Redevelopment Plan.

On February 19, 1996 City Council approved the sale of approximately 1,600 sq. ft. of surplus land in the same area to Mr. and Mrs. Burk for \$1,000.00, which is equivalent to \$0.63 per sq. ft. plus G.S.T. After many months of negotiations, the Rumohrs have offered to purchase the lands at \$1.00 per sq. ft. including G.S.T.. Land and Economic Development support this value as being fair market value in this particular case, as a significant further investment for fill and re-landscaping of the ditch along the former rail bed will be required by the Rumohrs to raise the ground elevations. Engineering Services has indicated that development charges of \$1,269.36 will be recovered from the above sale. All other associated costs related to the consolidation of lands will be the responsibility of the Purchaser.

.../2

MEMO

City Clerk
Page 2

Recommendation

Land and Economic Development Department recommends that Red Deer City Council approve the sale of Part of Lot 24 MR, Block 3, Plan 002-4978 to Mr. and Mrs. Rumohr, subject to the following conditions:

1. The sale of 4,256 sq. ft., more or less, be at \$1.00 per sq. ft. including G.S.T.
2. Consolidation of the City lands with Lot 18(West ½) to 20, Block 3, Plan 934 AJ.
3. All related costs for the survey, consolidation and advertising being the responsibility of the Purchaser.
4. Land sale agreement satisfactory to the City Solicitor.
5. City Council approval to dispose of the Municipal Reserve described as:

"All that portion of Lot 24MR, Block 3, Plan 002 4978 lying within subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less"

Respectfully submitted,



Howard Thompson, Ec.D.
Land and Economic Development Manager

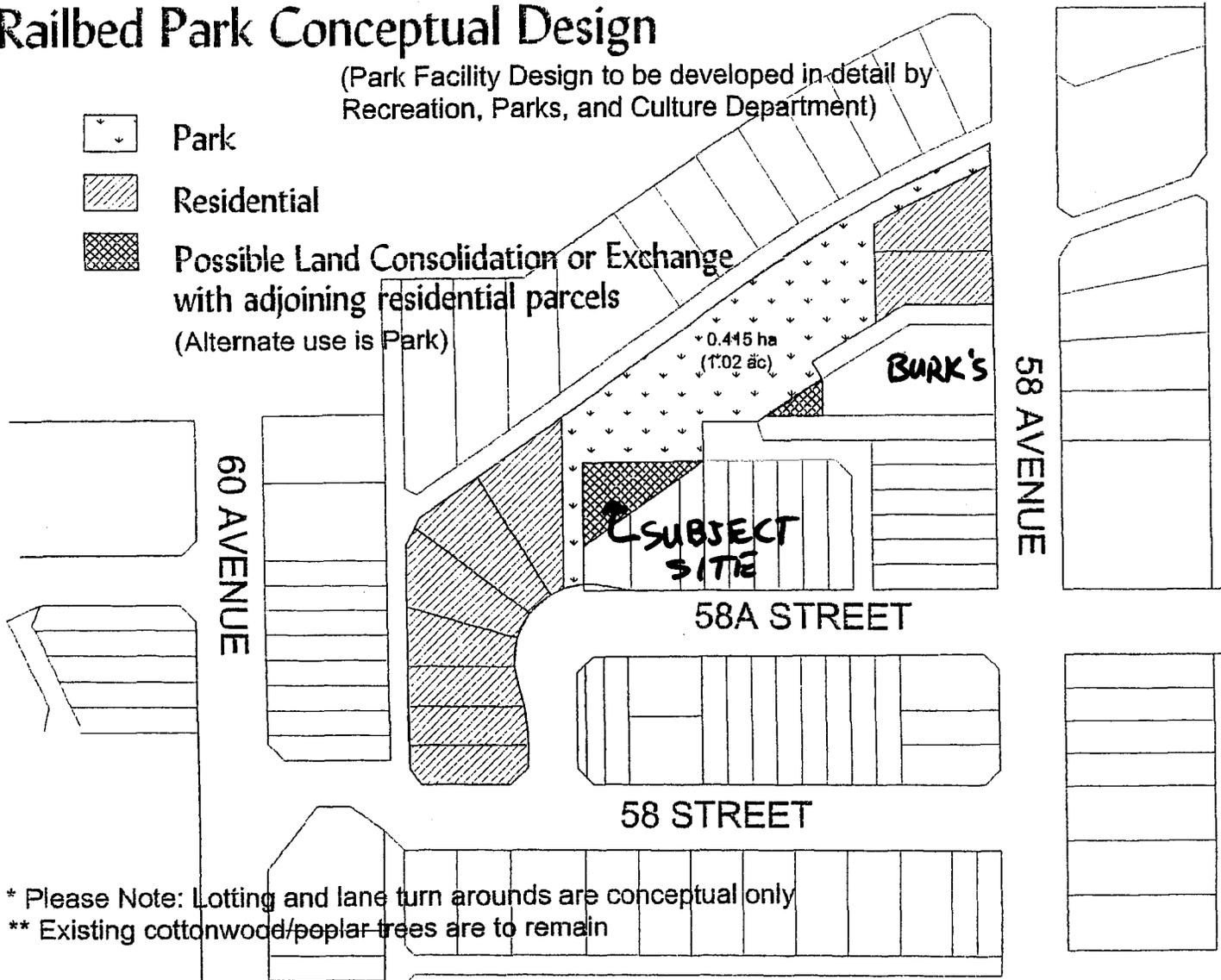
Att.

- c. Bryon Jeffers, Director of Development Services
Don Batchelor, Recreation, Parks & Culture Manager
Paul Meyette, Parkland Community Planning Services
Greg Scott and Nancy Hackett, Downtown Action Plan and Riverside Meadows Implementation Team

Railbed Park Conceptual Design

(Park Facility Design to be developed in detail by Recreation, Parks, and Culture Department)

-  Park
-  Residential
-  Possible Land Consolidation or Exchange with adjoining residential parcels (Alternate use is Park)



* Please Note: Lotting and lane turn arounds are conceptual only
 ** Existing cottonwood/peplar trees are to remain

DISPOSAL OF MUNICIPAL RESERVE

DESCRIPTION: Disposal of Municipal Reserve to accommodate the sale of 4256 square feet to 5830-58A Street to square off the property

FIRST READING: February 12, 2001

FIRST PUBLICATION: February 23, 2001

SECOND PUBLICATION: March 2, 2001

PUBLI HEARING & SECOND READING: March 12, 2001

THIRD READING: _____

LETTERS REQUIRED TO PROPERTY OWNERS: YES NO

DEPOSIT? YES \$ _____ NO BY: Land & Economic Dev.

ACUTAL COST OF ADVERTISING:

1ST \$ 265.68 & 2ND \$ 265.68 TOTAL: \$ 531.36 *to their acct.#*

MAP PREPARATION: \$ ~~17.15~~ 17.15

TOTAL COST: \$ 548.51

LESS DEPOSIT RECEIVED: \$ —

AMOUNT OWING/ (REFUND): \$ _____

INVOICE NO.: JE to Acct. 30026.7396.

(Account No. 59.5901)

for map

*done
03/01/01
6*

4720

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Land & Economic Development Manager
FROM: City Clerk
RE: *Disposal of Municipal Reserve, Part of Lot 24 MR, Block 3, Plan 002-4978
Rumohr – Land Sale*

Reference Report: City Clerk dated February 13, 2001

Resolution:

“Resolved that Council of the City of Red Deer, having considered report from the City Clerk dated February 13, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, Part of Lot 24 MR, Block 3, Plan 002-4978, hereby agrees to the disposal of municipal reserve lands described as:

‘All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.’ “

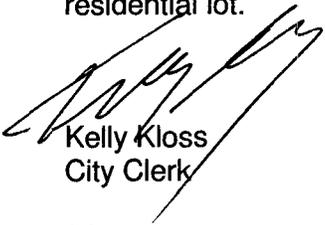
Report Back to Council: No

Comments:

Attached for your information and that of Land Titles is an Affidavit outlining Council's decision regarding the Disposal of Municipal Reserve.

Comments/Further Action:

The Disposal of Municipal Reserve as noted above, will accommodate the sale, to Mr. & Mrs. Rumohr, of a piece of land adjacent to their property for the purposes of squaring off their residential lot.


Kelly Kloss
City Clerk

/clr
attchs.

- c Director of Corporate Services
- Director of Development Services
- Recreation, Parks & Culture Manager
- City Planning Manager, Parkland Community Planning Services
- Greg Scott, Downtown Action Plan & Riverside Meadows Implementation Plan
- Nancy Hackett, Downtown Action Plan & Riverside Meadows Implementation Plan
- C. Adams, Administrative Assistant
- C. Kenzie, Clerk Steno

Council Decision – Monday, February 12, 2001

DATE: February 13, 2001
TO: Land & Economic Development Manager
FROM: City Clerk
RE: (a) *Land Sale to Mr. & Mrs. Rumohr / 5830-58 A Street, Part of Lot 24 MR, Block 3, Plan 002-4978;* (b) *Disposal of Municipal Reserve*

Reference Report: Land & Economic Development Manager, dated February 5, 2001

Resolution #1:

Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, hereby approves the sale of Part of Lot 24 MR, Block 3, Plan 002-4978 to Mr. & Mrs. Rumohr, subject to the following conditions:

1. The sale of 4,256 square feet, more or less, be at \$1.00 per square foot including GST.
2. Consolidation of The City lands with Lot 18 (West ½) to 20, Block 3, Plan 934 A.J.
3. All related costs for the survey, consolidation, and advertising to be the responsibility of the Purchaser.
4. A Land Sale agreement satisfactory to the City solicitor.
5. The disposal of Municipal Reserve described as:

'All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____ , and containing 0.040 Hectares (395.51 m²) more or less.' "

Resolution #2:

Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, hereby agrees that the following resolution be considered at the Council meeting of Monday, March 12, 2001 and to allow for the advertising of a Public Hearing to be held on Monday, March 12, 2001:

"Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, Part of Lot 24 MR, Block 3, Plan 002-4978, hereby agrees to the disposal of municipal reserve lands described as:

'All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.' "

Report Back to Council Required: Yes

Comments/Further Action:

The Disposal of Municipal Reserve as noted above, is being initiated to accommodate the sale, to Mr. & Mrs. Rumohr, of a piece of land adjacent to their property for the purposes of squaring off their residential lot. The Rumohr's currently have a License to Occupy with the City due to the corner of their shed and garage encroaching onto City lands.

This office will now proceed with the advertising for a Public Hearing for the Disposal of Municipal Reserve as noted above. The Public Hearing is scheduled for Monday, March 12, 2001 at 7:00 p.m. in the Council Chambers. In this instance, the City will be responsible for a portion of the advertising. As directed by the Land and Economic Development Manager, advertising will be charged to the Land & Economic Development Department who will then invoice the Rumohr's for their portion of the advertising.



Kelly Kloss
City Clerk

/clr
attchs.

- c Director of Corporate Services
- Director of Development Services
- Recreation, Parks & Culture Manager
- City Planning Manager, Parkland Community Planning Services
- Greg Scott, Downtown Action Plan & Riverside Meadows Implementation Plan
- Nancy Hackett, Downtown Action Plan & Riverside Meadows Implementation Plan
- C. Adams, Administrative Assistant
- C. Kenzie, Clerk Steno

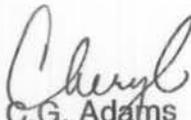
DATE: February 15, 2001
TO: Norma Lovell, Assessment
FROM: C.G. Adams,
City Clerk's Office

RE: LUB Amendment 3156/H-2001 Anders on the Lake
Disposal of Municipal Reserve Part of Lot 24 MR, Block 3, Plan 002-4978

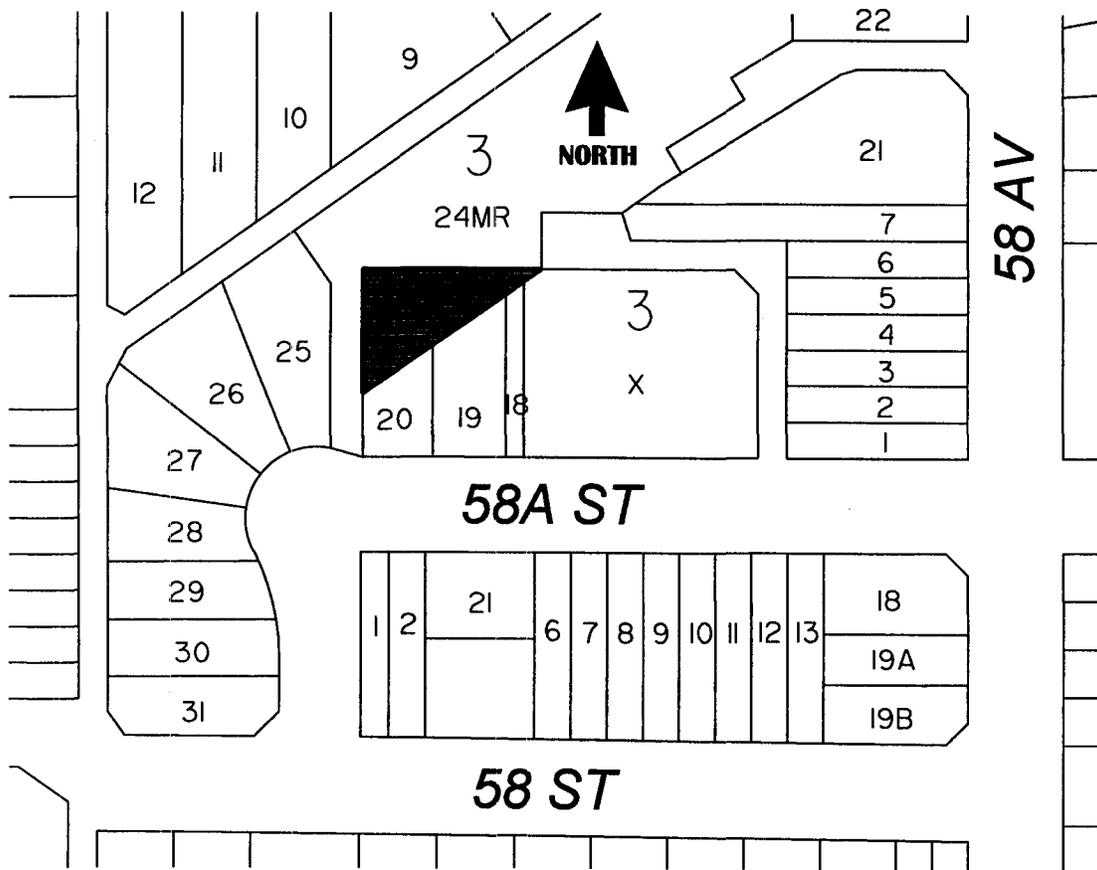
Please provide **Christine Kenzie** with the names and addresses of the subject property owners and all contiguous/adjacent property owners as outlined on the attached maps.

It would be helpful if the lists could be received at your earliest convenience in order to process the letters within the required time period. I have attached the maps that appeared on the Council agenda for your reference.

Thanks Norma.


C.G. Adams
City Clerks' Office

Attach.



**DISPOSAL OF
MUNICIPAL RESERVE**





Office of the City Clerk

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

February 13, 2001

Mr. & Mrs. C. Rumohr
5830-58 A Street
Red Deer, AB T4N 2M7

Dear Mr. & Mrs. Rumohr:

**Re: (a) Land Sale: 5830-58 A Street, Part of Lot 24 MR, Block 3,
Plan 002-4978; (b) Disposal of Municipal Reserve**

At the City of Red Deer's Council meeting held Monday, February 12, 2001, Council passed the following resolutions regarding the proposed sale of land:

Resolution #1:

Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, hereby approves the sale of Part of Lot 24 MR, Block 3, Plan 002-4978 to Mr. & Mrs. Rumohr, subject to the following conditions:

1. The sale of 4,256 square feet, more or less, be at \$1.00 per square foot including GST.
2. Consolidation of The City lands with Lot 18 (West ½) to 20, Block 3, Plan 934 A.J.
3. All related costs for the survey, consolidation, and advertising to be the responsibility of the Purchaser.
4. A Land Sale agreement satisfactory to the City solicitor.
5. The disposal of Municipal Reserve described as:

'All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.' "

Resolution #2:

Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, hereby agrees that the following resolution be considered at the Council meeting of Monday, March 12, 2001 and to allow for the advertising of a Public Hearing to be held on Monday, March 12, 2001:

Mr. & Mrs. Rumohr
February 13, 2001
Page 2 - Continued ...

"Resolved that Council of the City of Red Deer, having considered report from the Land and Economic Development Manager dated February 5, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, Part of Lot 24 MR, Block 3, Plan 002-4978, hereby agrees to the disposal of municipal reserve lands described as:

'All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.' "

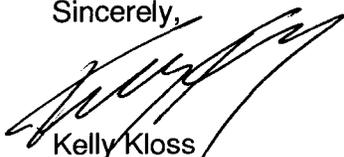
This Disposal of Municipal Reserve will accommodate the proposed sale of a piece of land adjacent to your property.

This office will now proceed with the advertising for a Public Hearing for the Disposal of Municipal Reserve. The Public Hearing is scheduled for Monday, March 12, 2001 at 7:00 p.m. in the Council Chambers.

The Land & Economic Development department will provide you with an invoice for your portion of the advertising once the actual cost is known.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,



Kelly Kloss
City Clerk

/clr

c Land & Economic Development Manager
C. Adams, Administrative Assistant

MEMO

DATE: February 5, 2001

TO: Kelly Kloss, City Clerk

FROM: Howard Thompson, Land and Economic Development Manager

RE: **Land Sale to Mr. and Mrs. C. Rumohr – 5830 – 58A Street
Part of Lot 24 MR, Block 3, Plan 002-4978
& Disposal of Municipal Reserve**

This piece of property is located in ~~Riverside Meadows~~ ~~part of the former CP~~ ~~Rail~~ ~~right-of-way~~ that was transferred to the City in the early 1990's. Recently, as part of ~~the Riverside Meadows Redevelopment Plan~~ this area was redesigned to accommodate Habitat for Humanity. During this process Mr. and Mrs. Rumohr, owners of Lot 18 to 20, Block 3, Plan 934 AJ, ~~expressed interest in purchasing an adjacent~~ ~~portion of City land to square off their residential lot.~~ The Rumohr's currently have a ~~License to Occupy with the City~~ due to the corner of their shed and garage encroaching onto City lands, as shown on the attached real property report.

With this in mind, the Riverside Meadows Redevelopment Plan supported the possibility to square off the property, as shown on the attached map. Also, Parkland Community Planning Service issued the attached approval for the plan of subdivision with this parcel being proposed Lot 32 in Phase II of the subdivision. Subsequently, Phase I was registered as Plan 002 4978, which incorporated Lot 32 into the Municipal Reserve, as Lot 24MR, until such time as this proposal came forward. To sell the City lands requires the approval of Council to dispose of that portion of Municipal Reserve consisting of 4,256 sq. ft. (395.51 sq. m.), more or less. Recently, Council passed the rezoning of this area to R1 as part on the implementation of the Riverside Meadows Redevelopment Plan.

On February 19, 1996 City Council approved the sale of approximately 1,600 sq. ft. of surplus land in the same area to Mr. and Mrs. Burk for \$1,000.00, which is equivalent to \$0.63 per sq. ft. plus G.S.T. After many months of negotiations, the Rumohrs have offered to purchase the lands at \$1.00 per sq. ft. including G.S.T.. Land and Economic Development support this value as being fair market value in this particular case, as a significant further investment for fill and re-landscaping of the ditch along the former rail bed will be required by the Rumohrs to raise the ground elevations. Engineering Services has indicated that development charges of \$1,269.36 will be recovered from the above sale. All other associated costs related to the consolidation of lands will be the responsibility of the Purchaser.

.../2

MEMO

DATE: February 5, 2001

TO: Kelly Kloss, City Clerk

FROM: Howard Thompson, Land and Economic Development Manager

RE: **Land Sale to Mr. and Mrs. C. Rumohr – 5830 – 58A Street
Part of Lot 24 MR, Block 3, Plan 002-4978
& Disposal of Municipal Reserve**

This piece of property is located in Riverside Meadows and was part of the former CP Rail right-of-way that was transferred to the City in the early 1990's. Recently, as part of the Riverside Meadows Redevelopment Plan this area was redesigned to accommodate Habitat for Humanity. During this process Mr. and Mrs. Rumohr, owners of Lot 18 to 20, Block 3, Plan 934 AJ, indicated interest in purchasing an adjacent portion of City land to square off their residential lot. The Rumohr's currently have a License to Occupy with the City due to the corner of their shed and garage encroaching onto City lands, as shown on the attached real property report.

With this in mind, the Riverside Meadows Redevelopment Plan supported the possibility to square off the property, as shown on the attached map. Also, Parkland Community Planning Service issued the attached approval for the plan of subdivision with this parcel being proposed Lot 32 in Phase II of the subdivision. Subsequently, Phase I was registered as Plan 002 4978, which incorporated Lot 32 into the Municipal Reserve, as Lot 24MR, until such time as this proposal came forward. To sell the City lands requires the approval of Council to dispose of that portion of Municipal Reserve consisting of 4,256 sq. ft. (395.51 sq. m.), more or less. Recently, Council passed the rezoning of this area to R1 as part on the implementation of the Riverside Meadows Redevelopment Plan.

On February 19, 1996 City Council approved the sale of approximately 1,600 sq. ft. of surplus land in the same area to Mr. and Mrs. Burk for \$1,000.00, which is equivalent to \$0.63 per sq. ft. plus G.S.T. After many months of negotiations, the Rumohrs have offered to purchase the lands at \$1.00 per sq. ft. including G.S.T.. Land and Economic Development support this value as being fair market value in this particular case, as a significant further investment for fill and re-landscaping of the ditch along the former rail bed will be required by the Rumohrs to raise the ground elevations. Engineering Services has indicated that development charges of \$1,269.36 will be recovered from the above sale. All other associated costs related to the consolidation of lands will be the responsibility of the Purchaser.

.../2

MEMO

City Clerk
Page 2

Recommendation

Land and Economic Development Department recommends that Red Deer City Council approve the sale of Part of Lot 24 MR, Block 3, Plan 002-4978 to Mr. and Mrs. Rumohr, subject to the following conditions:

1. The sale of 4,256 sq. ft., more or less, be at \$1.00 per sq. ft. including G.S.T.
2. Consolidation of the City lands with Lot 18(West ½) to 20, Block 3, Plan 934 AJ.
3. All related costs for the survey, consolidation and advertising being the responsibility of the Purchaser.
4. Land sale agreement satisfactory to the City Solicitor.
5. City Council approval to dispose of the Municipal Reserve described as:

"All that portion of Lot 24MR, Block 3, Plan 002 4978 lying within subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less"

Respectfully submitted,



Howard Thompson, Ec.D.
Land and Economic Development Manager

Att.

- c. Bryon Jeffers, Director of Development Services
Don Batchelor, Recreation, Parks & Culture Manager
Paul Meyette, Parkland Community Planning Services
Greg Scott and Nancy Hackett, Downtown Action Plan and Riverside Meadows Implementation Team



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

February 16, 2001

«OwnerName»
«OwnerAdd1»
«OwnerAdd2»
«OwnerAdd3»
«OwnerAdd4»

Dear Sir/Madam:

Re: Disposal of Municipal Reserve
5830 – 58 A Street
Part of Lot 24 MR, Block 3, Plan 002-4978

As a property owner adjacent to the above land, this letter is to inform you that Council of the City of Red Deer has passed a resolution agreeing to advertise and consider the proposed Disposal of Municipal Reserve as outlined on the attached map.

The proposed Disposal of Municipal Reserve is being initiated to accommodate the sale of 4,256 square feet, more or less, of land adjacent to the above referenced property for the purposes of squaring off the residential lot. The land owners currently have a License to Occupy with the City due to the corner of their shed and garage encroaching onto City lands.

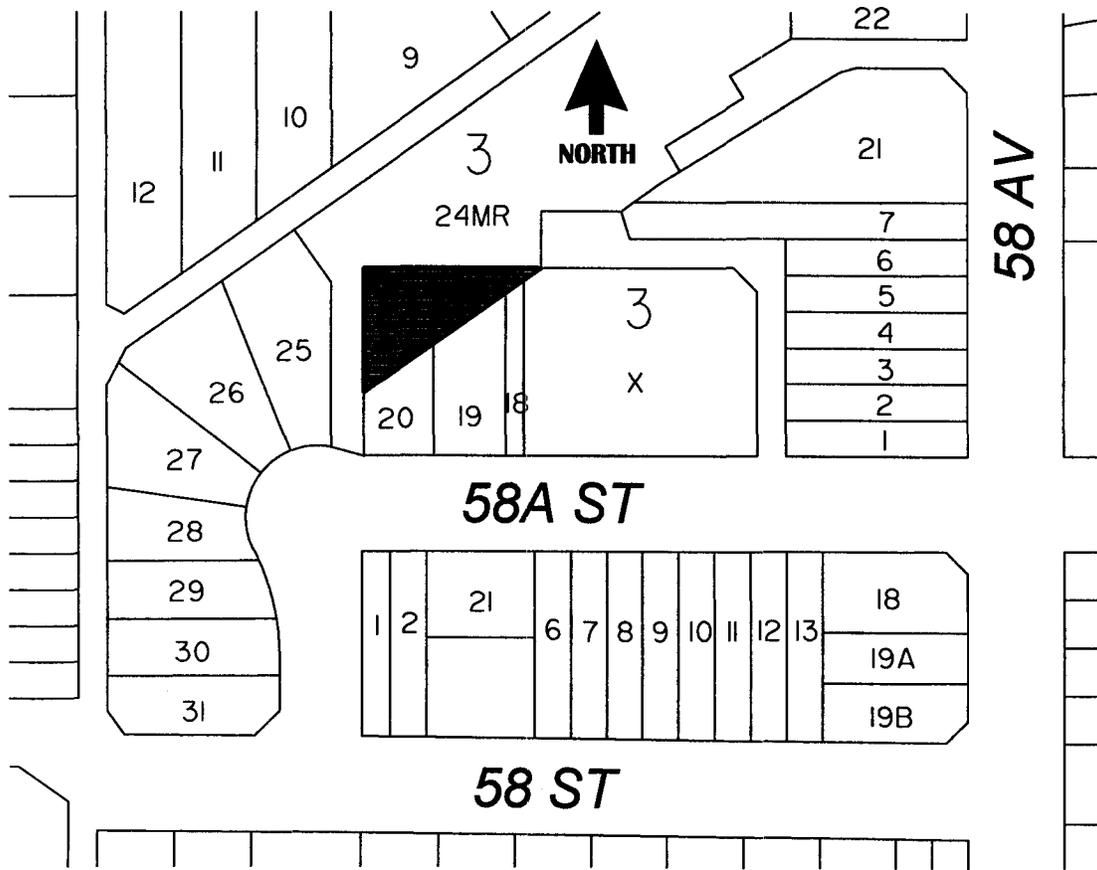
Prior to considering this bylaw, City Council will hold a Public Hearing, in the Council Chambers, 2nd Floor of City Hall on **Monday, March 12, 2001, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions may be submitted to the City Clerk at the Public Hearing, or to the Office of the City Clerk, City Hall, prior to the Public Hearing. Persons wishing to have their letters or petitions included on the Council agenda must submit them by 4:30 p.m. on **Monday, March 5, 2001**.

If you have any questions regarding the use of your letters or petitions or this Land Use Bylaw Amendment, please contact me at (403) 342-8132.

Yours truly,

Jeff Graves
Deputy City Clerk

/chk
/attach.



**DISPOSAL OF
MUNICIPAL RESERVE**



**THE CITY OF RED DEER
(BOX 5008) 4914 - 48 AVENUE
RED DEER, AB T4N 3T4**

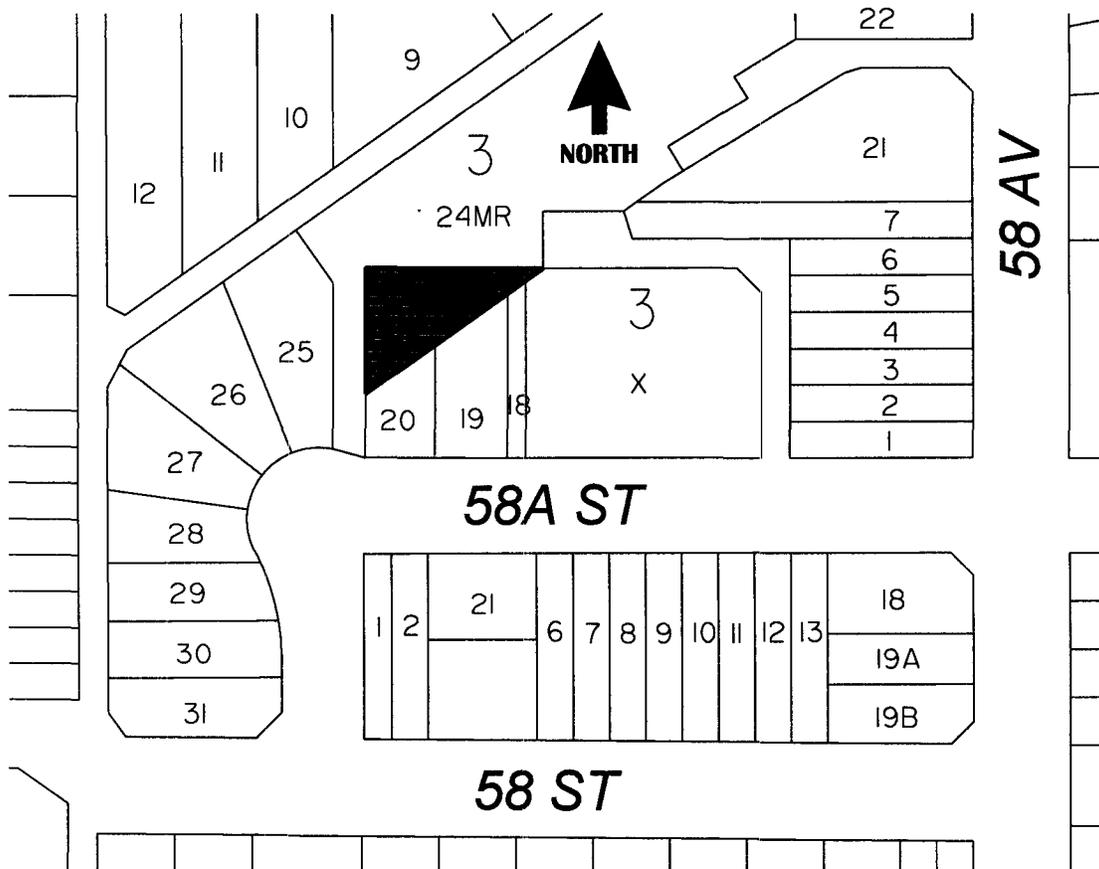
**DISPOSAL OF MUNICIPAL RESERVE
5830 – 58 A STREET
PART OF LOT 24 MR, BLOCK 3, PLAN 002-4978**

Council of the City of Red Deer, at its meeting of FEBRUARY 12, 2001, passed a resolution indicating its intention to dispose of the Municipal Reserve lands as outlined on the above map.

The proposed Disposal of Municipal Reserve will allow for the sale of 4,256 square feet, more or less, of land adjacent to the above referenced property for the purposes of squaring off the residential lot.

Prior to considering the proposed Disposal of Municipal Reserve, City Council will hold a Public Hearing in Council Chambers, 2nd Floor of City Hall on MONDAY, MARCH 12, 2001 at 7:00 p.m., for the purpose of hearing any person claiming to be affected. Letters or petitions may be submitted to the City Clerk at the Public Hearing, or to the Office of the City Clerk, City Hall, prior to the Public Hearing. Persons wishing to have their letters or petitions included on the Council agenda must submit them to the City Clerk by 4:30 p.m. on MONDAY, MARCH 5, 2001.

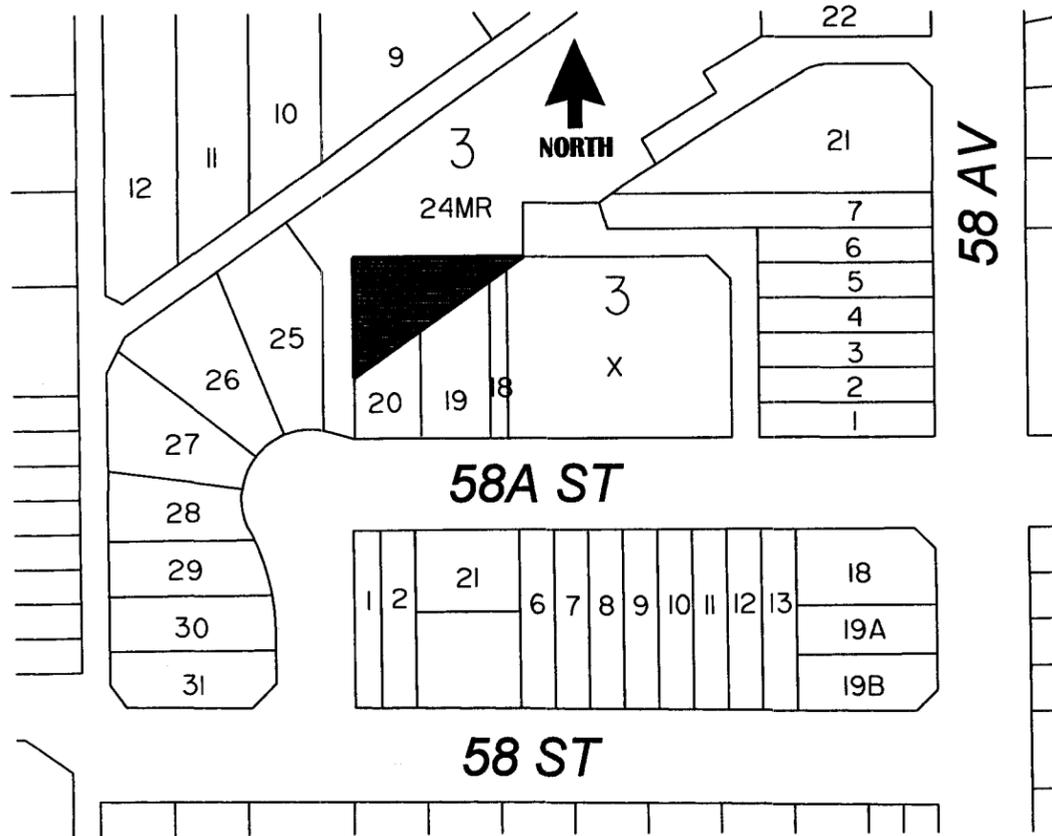
Kelly Kloss
City Clerk



**DISPOSAL OF
MUNICIPAL RESERVE**



**THE CITY OF RED DEER
(BOX 5008) 4914 - 48 AVENUE
RED DEER, AB T4N 3T4**



**DISPOSAL OF
MUNICIPAL RESERVE** 

**DISPOSAL OF MUNICIPAL RESERVE
5830 – 58 A STREET
PART OF LOT 24 MR, BLOCK 3, PLAN 002-4978**

Council of the City of Red Deer, at its meeting of FEBRUARY 12, 2001, passed a resolution indicating its intention to dispose of the Municipal Reserve lands as outlined on the above map.

The proposed Disposal of Municipal Reserve will allow for the sale of 4,256 square feet, more or less, of land adjacent to the above referenced property for the purposes of squaring off the residential lot.

Prior to considering the proposed Disposal of Municipal Reserve, City Council will hold a Public Hearing in Council Chambers, 2nd Floor of City Hall on MONDAY, MARCH 12, 2001 at 7:00 p.m., for the purpose of hearing any person claiming to be affected. Letters or petitions may be submitted to the City Clerk at the Public Hearing, or to the Office of the City Clerk, City Hall, prior to the Public Hearing. Persons wishing to have their letters or petitions included on the Council agenda must submit them to the City Clerk by 4:30 p.m. on MONDAY, MARCH 5, 2001.

Kelly Kloss
City Clerk

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Inspector G. Guertin, OIC Red Deer City R.C.M.P.
Inspections & Licensing Manager
FROM: City Clerk
RE: *Land Use Bylaw Amendment 3156/A-2001, Commercial Entertainment
Facilities and Late Night Clubs*

Reference Report: City Clerk dated March 6, 2001 and Inspections & Licensing
Manager dated February 6, 2001

Bylaw Readings:

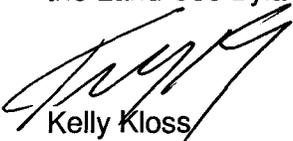
Following the Public Hearing, this bylaw was given 2nd and 3rd readings. A copy is attached.

Report Back to Council: No

Comments:

This office will now be updating the consolidated copy of the Land Use Bylaw and distributing those amendments in due course.

Land Use Bylaw Amendment 3156/A-2001 provides for changes in the definition section regarding commercial entertainment facilities and late night clubs. The bylaw also provides for *late night clubs* being added as Discretionary Uses to the C1 Commercial (City Centre) and C1A Commercial (City Centre West) Districts. A *Special Regulations* section has also been added to the Land Use Bylaw regarding late night clubs.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Community Services Downtown Safety Committee
Director of Corporate Services C. Adams, Administrative Assistant
Director of Development Services C. Kenzie, Clerk Steno
Red Deer Policing Committee C. Rausch, Administrative Assistant

D. Kutinsky

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Land & Economic Development Manager
FROM: City Clerk
RE: *Disposal of Municipal Reserve, Part of Lot 24 MR, Block 3, Plan 002-4978
Rumohr – Land Sale*

Reference Report: City Clerk dated February 13, 2001

Resolution:

“Resolved that Council of the City of Red Deer, having considered report from the City Clerk dated February 13, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, Part of Lot 24 MR, Block 3, Plan 002-4978, hereby agrees to the disposal of municipal reserve lands described as:

‘All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.’ “

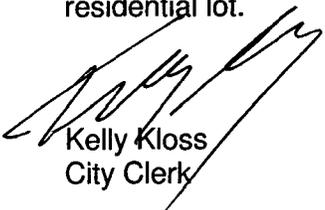
Report Back to Council: No

Comments:

Attached for your information and that of Land Titles is an Affidavit outlining Council’s decision regarding the Disposal of Municipal Reserve.

Comments/Further Action:

The Disposal of Municipal Reserve as noted above, will accommodate the sale, to Mr. & Mrs. Rumohr, of a piece of land adjacent to their property for the purposes of squaring off their residential lot.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Corporate Services
Director of Development Services
Recreation, Parks & Culture Manager
City Planning Manager, Parkland Community Planning Services
Greg Scott, Downtown Action Plan & Riverside Meadows Implementation Plan
Nancy Hackett, Downtown Action Plan & Riverside Meadows Implementation Plan
C. Adams, Administrative Assistant
C. Kenzie, Clerk Steno

D. Kuzon SKY

FILE

CANADA)
)
PROVINCE OF ALBERTA)
)
TO WIT:)
)

IN THE MATTER OF SECTION 674
OF THE MUNICIPAL GOVERNMENT
ACT, 1994, CHAPTER M-26.1

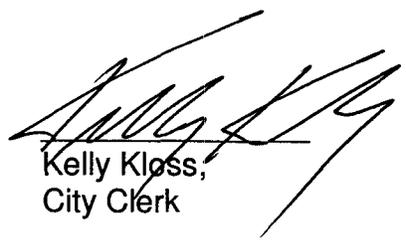
I, Kelly Kloss, of the City of Red Deer, in the Province of Alberta, DO SOLEMNLY DECLARE:

1. THAT I am the duly appointed City Clerk of The City of Red Deer and its proper designated officer in this behalf.
2. THAT the Council of The City of Red Deer wishes to dispose of a municipal reserve.
3. THAT The City of Red Deer has complied with the provisions of Section 674 of the Municipal Government Act, 1994, Chapter M-26.1.
4. THAT The City of Red Deer, in accordance with Section 675(1) of the Municipal Government Act, requests the removal of the designation of municipal reserve from the lands described as follows:

'All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.' "

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of The Canada Evidence Act.

DECLARED before me at the City of)
Red Deer, in the Province of Alberta,)
this 13th day of March, 2001.)
)
)
)


Kelly Kloss,
City Clerk


A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA
J. GRAVES
Commissioner for Oaths in
and for the Province of Alberta.
My Appointment Expires
August 13, 2001

FILE



Office of the City Clerk

March 13, 2001

Mr. & Mrs. C. Rumohr
5830-58 A Street
Red Deer, AB T4N 2M7

Dear Mr. & Mrs. Rumohr:

Re: Disposal of Municipal Reserve - 5830-58 A Street (Part of Lot 24 MR, Block 3, Plan 002-4978)

At the City of Red Deer's Council meeting held Monday, March 12, 2001, following the Public Hearing, Council passed the following resolution agreeing to the Disposal of Municipal Reserve as noted:

"Resolved that Council of the City of Red Deer, having considered report from the City Clerk dated February 13, 2001, re: Land Sale to Mr. & Mrs. C. Rumohr / 5830-58A Street, Part of Lot 24 MR, Block 3, Plan 002-4978, hereby agrees to the disposal of municipal reserve lands described as:

'All that portion of Lot 24 MR, Block 3, Plan 002-4978 lying within Subdivision Plan _____, and containing 0.040 Hectares (395.51 m²) more or less.' "

As you are aware, the Disposal of Municipal Reserve will accommodate the sale of a piece of land adjacent to your property.

Please do not hesitate to contact Howard Thompson, Land and Economic Development Manager at 342-8364, or myself at 342-8132, should you have any questions or require further information.

Sincerely,

Kelly Kloss
City Clerk

/clr

c Land & Economic Development Manager

The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4

DATE: March 6, 2001
TO: City Council
FROM: City Clerk
RE: *Land Use Bylaw Amendment 3156/A-2001, Commercial Entertainment Facilities and Late Night Clubs*

History

At the Council meeting of February 12, 2001, Council gave three readings to an amendment to the License Bylaw providing for changes to the definition of *festivals* and an increase in fines for licenses for such events. A new Late Night Clubs Bylaw was also passed, repealing the previous bylaw.

In addition, Council gave first reading to Land Use Bylaw Amendment 3156/A-2001, providing for changes in the definition section regarding commercial entertainment facilities and late night clubs. The bylaw also provides for *late night clubs* being added as Discretionary Uses to the C1 Commercial (City Centre) and C1A Commercial (City Centre West) Districts. A *Special Regulations* section has also been added to the Land Use Bylaw regarding late night clubs.

Recommendations:

Following the Public Hearing, Land Use Bylaw Amendment 3156/A-2001 may be given 2nd and 3rd readings.



Kelly Kloss
City Clerk

/clr
attchs.

MEMO

DATE: February 6, 2001

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER, Manager
Inspections & Licensing Department

RE: RECOMMENDATIONS REGARDING THE SAFETY, CLEANLINESS,
SECURITY IN THE DOWNTOWN AREA AND AMENDMENTS TO
VARIOUS CITY BYLAWS

Sometime ago the Police Committee made a number of suggestions on changes to various bylaws that would address some of the concerns regarding the downtown bar area. We have been asked to review these changes. After discussion with Tony Lindhout with Parkland Planning and Gilles Guertin with the RCMP, we have the following comments for Council's consideration.

Before addressing the issues raised by the Policing Committee it may be useful to review some of the terms used and what the approval process is for each use:

"Drinking establishment" means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purpose of which may include entertainment, dancing, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in respect of which a "Class A" Liquor License has been issued and where minors are prohibited by the terms of the license."

A drinking establishment is a discretionary use in the Land Use Bylaw in the commercial districts with the exception of C3. A discretionary use requires Municipal Planning Commission approval and for this use the applicant must provide the Municipal Planning Commission with the following information:

- a) *Refer applications to the RCMP for their comments.*
- b) *Require applicants to:*
 - i) *Demonstrate provisions for adequate parking within 150 m of the site.*
 - ii) *Provide adequate outside lighting in the area.*
 - iii) *If the proposed site noted in the application abuts a residential area, or a lane or reserve which abuts a residential area, an impact statement to be provided as part of the application indicating measures to be taken to ensure that noise and visual impacts from the establishment will not negatively affect the adjoining neighborhood."*

No business license is required for this use.

.../2

POLICING RECOMMENDATIONS

February 6, 2001

Page 2

“Commercial Entertainment Facility” means an enclosed facility in which:

- a) a fee is charged to the public for the provision of a performance, or
- b) a minimum fee is charged for admission to the facility or the sale of any item, food, or beverage therein, which includes the provision of a performance and,

without limiting the generality of the foregoing, may include facilities for movies, live theatres, and dancing, but does not include an adult mini theatre or a facility in which lap dancing is performed.

A commercial entertainment facility is a discretionary use in C1, C1A and C2 (regional) land use districts which requires Municipal Planning Commission approval. No license is required.

“Late Night Club” (listed in a separate bylaw) means a commercial entertainment facility which is open any time between 3:00 a.m. and 6:00 a.m. but does not include any commercial entertainment facility which is licensed pursuant to regulations under the Gaming and Liquor Act.

Late Night Clubs are not specifically listed in the Land Use Bylaw at this time but would fall into the discretionary category of a commercial entertainment facility and require a license.

Raves are not listed as a specific use in the city Land Use Bylaw and currently there is no approval process or license required.

Policing Committee Recommendation #1:

“That Nuisance Bylaw No. 3150/95, Noise Bylaw No. 3153/95, License Bylaw No. 3159/96 and Late Night Clubs Bylaw No. 3269/2000 be reviewed to consider increasing fees so that fines will have a significant impact on anyone charged (current fines range from \$100 - \$500, a deterrent to a citizen, however not to a business).”

Administration Response:

The municipality does not have the ability to put in place different fine levels for individuals vs. business. The various bylaws do, however, have escalating fines (i.e. Noise Bylaw first offence fine is \$100 to \$500. Second and subsequent offences range from \$300.00 to \$1000.00).

Policing Committee Recommendation #2:

“That consideration be given to the implementation of a three-strike policy whereby a business license would be reviewed and possibly revoked after a third infraction by the same licensee and/or owner of a premise.”

Administration Response:

The License Bylaw allows the option of canceling or revoking a license if there are just and reasonable grounds to do so. This could and has been done if the infraction is serious enough on the first offence. To put in place a policy of three offences before cancellation would eliminate this option and would require two more offences before cancellation. This option applies only to late night clubs; not to drinking establishments, which do not require licenses; however, there is significant opportunity to apply financial penalties under both the Nuisance and Noise Bylaws. If these penalties prove insufficient, consideration could be given to adding a licensing requirement to these establishments as well.

POLICING RECOMMENDATIONS

February 6, 2001

Page 3

Policing Committee Recommendation #3:

"That consideration be given to the addition of criteria to the License, Land Use and Late Night Clubs bylaws similar to criteria set out in the Land Use Bylaw relating to drinking establishments, as follows:

- c) Refer applications to the RCMP for their comments.*
- d) Require applicants to:

 - iv) Demonstrate provisions for adequate parking within 150 m of the site.*
 - v) Provide adequate outside lighting in the area.*
 - vi) If the proposed site noted in the application abuts a residential area, or a lane or reserve which abuts a residential area, an impact statement to be provided as part of the application indicating measures to be taken to ensure that noise and visual impacts from the establishment will not negatively affect the adjoining neighborhood."**

Administration Response:

The Land Use Bylaw already requires an application for a drinking establishment to adhere to these criteria. We are recommending that the Land Use Bylaw be amended to also apply these criteria to all night clubs. It would not be necessary for the License and Late Night Club Bylaws to contain a similar provision, as the actual land use must receive the Municipal Planning Commission's approval and meet the mentioned criteria before occupancy is allowed.

We are recommending amendments to the Land Use Bylaw and the Late Night Club bylaws that will make it absolutely clear that Late Night clubs must adhere to this approval process and that Late Night dance events (Raves) are included in this process.

Policing Committee Recommendation #4:

"That consideration be given to including restrictions regarding floor area, building occupancy and a minimum separation distance from the boundary of the approved property and future applications."

Administration Response:

We agree Recommended amendments include these provisions.

Policing Committee Recommendation #5:

"That a tag and tow program be implemented within the city."

Administration Response:

This tag and tow policy has already been implemented. It has been successful in that the number of tags being issued has declined to the point where the revenue from these tickets does not offset the cost of having the commissioners operate late night patrols. We may, if this trend continues, have to turn the ticketing function back to the RCMP after regular hours. We will continue to monitor the effectiveness and need for this program.

POLICING RECOMMENDATIONS

February 6, 2001

Page 4

Policing Committee Recommendation #6:

"That a review be conducted of the transportation issues/problems in the early morning hours (midnight to 6:00 a.m.) with a view of implementing measures to combat these problems (ie: transporting bar/club patrons away from the downtown core)."

Administration Response:

When we reviewed this issue with the taxi industry we were told that most drivers prefer not to work the later hours because of concerns over damage to their vehicles and personal safety. Adding additional licenses would not guarantee that these additional units would be available for the time period required. The idea of issuing a special license that is valid only between early hours and only in the downtown area has been suggested. We will discuss this with the industry when the annual Taxi Bylaw is reviewed in February. Other options may include regulated, staggered closing hours for drinking establishments. This is an option we can discuss with Provincial Licensing Authorities.

Policing Committee Recommendation #7:

*"That a bylaw, or amendments to existing bylaws, be implemented to provide for the definition, licensing, operation and number of Raves (and late night events) that will be allowed in Red Deer. Consideration should be given to Raves (and other late night events) being licensed as **special events** with a view to a number of rules being implemented such as other cities currently enforce. Raves, and similar type late night events, should be dealt with and defined in the various bylaws separate from late night clubs."*

Administration Response:

We are proposing several bylaws be amended to incorporate these suggestions under the Late Night Club Bylaw and Licensing Bylaw.

To summarize these recommended changes:

- Land Use Bylaw – amend the present definition of Commercial Entertainment Facility to exclude Late Night Clubs.
- Add new definition and process for approval of Late Night Clubs.
- Amend License Bylaw to provide a category for Raves that requires a license fee.
- Amend the Late Night Club Bylaw to require clubs to be closed at 6:00 am.
- The proposed amendments are attached.

RYAN STRADER

Inspections & Licensing Manager

INSPECTIONS & LICENSING DEPARTMENT

RS/kb

Item No. 1
Reports

Date: February 20, 2001
To: City Clerk
From: Acting Engineering Services Manager
Re: **Development Agreement Administration, Survey, and Mapping Levies**

The City charges administration, survey, and mapping levies on new development land within the City. Brief descriptions of the levies are as follows:

1. The Development Agreement Administration Fee covers the cost of administering Development Agreements, reviewing Construction Drawings, construction inspection, camera testing of sewers, and record drawing preparation.
2. The Legal Base Mapping Charge covers the cost of purchasing updates of the mapping base and incorporating them into our record drawing base.
3. The Survey Network Charge covers the cost of extending Alberta Survey Control Monuments into new development areas.

Each year we review the rates to ensure that our costs are adequately covered. We are currently in a net positive balance with our administration and mapping levies and are, therefore, proposing to keep the rates at the 1999 level again this year.

We have recently changed the way in which the survey control network is maintained. The new system is more precise, but fewer monuments are provided, thus reducing the cost of extending the network. We are, therefore, proposing to reduce the survey levy rate this year.

The following table outlines the current and proposed rates:

City Clerk
 Page 2
 February 20, 2001

	Current Levy Rates 2000	Proposed Levy Rates 2001
Administration Levy (a or b or c)		
a. Residential Developments	\$2,050 / ha	\$2,050 / ha
b. Commercial and Industrial Developments	\$1,460 / ha	\$1,460 / ha
c. Minimum Charge	\$2,500 / Agreement	\$2,500 / Agreement
Survey Network Levy	\$285 / ha	\$200 / ha
Legal Base Mapping Levy	\$100 / ha	\$100 / ha

Recommendation

We respectfully recommend that Council approve the Proposed 2001 administration, survey, and mapping levy rates as shown in the preceding table.



Tom C. Warder, P. Eng.
 Acting Engineering Services Manager

SS/emr

- c. Director of Development Services
 Director of Corporate Services
 Subdivision Administrator
 Customer Service Administrator

Comments:

We agree with the recommendations of the Acting Engineering Services Manager.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Acting Engineering Services Manager
FROM: City Clerk
RE: Development Agreement Administration, Survey and Mapping Levies

Reference Report: Acting Engineering Services Manager dated February 20, 2001

Resolution:

Resolved that Council of The City of Red Deer, having considered the report from the Acting Engineering Services Manager dated February 20, 2001, re: Development Agreement Administration, Survey and Mapping Levies, hereby approves the 2001 Administration, Survey and Mapping Levy rates, as follows:

	Levy Rates 2001
Administration Levy (a or b or c)	
a. Residential Developments	\$2,050 /ha
b. Commercial and Industrial Developments	\$1,460 /ha
c. Minimum Charge	\$2,500 /Agreement
Survey Network Levy	\$200 /ha
Legal Base Mapping Levy	\$100 /ha

Report Back to Council: No

Comments:



Kelly Kloss
City Clerk

/clr

c Director of Corporate Services
Director of Development Services
Subdivision Administrator

DATE: March 5, 2001

TO: City Clerk

FROM: D. Batchelor, Recreation Parks & Culture Manager
C.G. Adams, Cemetery Services

RE: CEMETERY BYLAW AMENDMENTS

Annually, following budget deliberations, Council considers amendments to the Cemetery Bylaw to reflect budget approvals relating to fees. Any other required changes to the bylaw are also considered. Along with the fee schedule there are a few other changes being proposed.

Generally, the recommended changes are to reflect general practices. Following is a list of the sections where changes are proposed and the intent of the change:

- Section 21 (1) Concrete liners are used for both youth and infant burials. The cost of the liner (including installation) is less than previous fees for a wooden liner plus the installation fee. The result is better service to families and less staff time for maintenance.
- Section 25 The maximum height of infant monuments is being set to allow consistency with existing monuments, as well as creating uniformity with other areas of the cemeteries.
- Section 40 & 54 The form used for all purchase/burial orders, including a columbarium niche is a "Burial Deed Application and Permit"; there is no form known as a "Niche Deed". This is a housecleaning matter.
- Section 44 Delete entirely. This is a housecleaning item; we would not sell something that did not exist.
- Section 52 Addition of subsection 52(2) will reflect the direction set out in the Cemeteries Act, which refers to the War Veterans Allowance Act (WVA). The WVA Act defines a veteran as one who "served in a theatre of actual war". All members or retired members of our armed forces will be allowed burial in the veterans section, however only those having served during a time of war will qualify for the reduced rate on the lot. Spouses will continue to have burial options in accordance with Section 53.

Proposed Cemetery Bylaw Amendments

March 5, 2001

Page 2

- Schedule D The fee schedule changes (attached) reflect budget approvals. Other changes include the deletion of the fee for use of a wooden liner; this fee is no longer charged. We are currently not providing fibreglass liners as an option so this line item should be deleted.

The cost of a traditional burial (lot purchase, perpetual care, liner purchase and opening/closing) is \$1685, a 2.4% increase over 2000. The cost for a cremation burial (lot purchase, perpetual care and opening/closing) is \$495, a 3% increase over 2000. Increases focus on areas where the cemeteries have experienced an increase in product and/or operation expenses. The overall increase for all cemetery services reflects on average 2%.

Recommendation:

That Council of The City of Red Deer give three readings to Cemetery Bylaw Amendment 3126/A-2001 to incorporate amendments as noted in this report.



D. Batchelor
Recreation Parks & Culture Manager



Cheryl G. Adams
Cemetery Services

Attach.

SCHEDULE "D"¹

Page 1 of 3

<u>PLOT</u>	<u>SIZE</u>	<u>RESIDENT</u>		<u>PERP. CARE</u>	<u>NON-RESIDENT</u>	
Single lot for persons 6 years of age or over	4' x 12' or 4' x 10' or 4' x 9'	\$475	\$485	\$340 \$345	\$615	\$630
Military (wartime service) (Field of Honour)	4' x 12' or 4' x 10' or 4' x 9'	\$237.50	\$242.50	\$340 \$345		N/A
Double lot for persons 6 years of age or over	8' x 12' or 8' x 10' or 8' x 9'	\$950	\$970	\$680 \$690	\$1,230	\$1260
Youth lot for persons 1-5 years of age	4' x 6'	\$230	\$235	\$160 \$165	\$300	\$305
Infant lot for persons under the age of 1 year	3' x 5'	\$170		\$125 \$130	\$210	\$215
Lot for Columbarium/Upright Monument (cremation)	3' x 4'	\$200	\$225	\$130 \$155	\$300	\$305
Lot for cremated remains	2' x 2'	\$190	\$195	\$120 \$125	\$285	\$290
Lot for Military cremated remains	2' x 2'	\$95	\$97.50	\$120 \$125		N/A
Columbarium niche		\$605	\$620	\$295 \$300	\$750	\$765
Purchase & installation of concrete liners		\$415	\$430	N/A	\$415	\$430

¹ 3126/A-96, 3126/A-97, 3126/A-98, 3126/A-99, 3126/A-2000

SCHEDULE "D"²

Page 2 of 3

Purchase & installation of fibreglass liners	\$350		N/A	\$350 delete
Installation of vaults above ground	\$230	\$235		
Installation of vaults below ground	\$165	\$170		
Supply & Install Youth/Infant Concrete Liner	\$175	\$180	N/A	\$175 \$180

BURIALSCHARGES

For the burial of the body of a deceased person 6 years or over.			\$415	\$425
For the burial of the body of a deceased person between the ages of 1 year and 5 years.			\$200	\$205
For the burial of the body of a deceased person under the age of 1 year.			\$100	
For the extra depth (8') to permit double burial of bodies of persons of any age (extra charge)			\$125	\$130
For the burial of cremated remains of any body.			\$170	\$175
Additional charges in respect of any burials carried out on a Saturday, Sunday or a holiday.			\$265	\$270
Surcharge - for all burials not using concrete liners or vaults (settlement repair).			\$355	\$365
Installation fee - wood liners (exceptions only)			\$160	delete
Opening and closing of columbarium niche (per request)			\$65	

DISINTERMENTSCHARGES

For the disinterment of the body of a deceased person 6 years of age or over.			\$575	\$600
For the disinterment of the body of a deceased person 5 years of age or under.			\$375	\$390
For the disinterment of the cremated remains of any body Re-interments shall be at burial rates.			\$185	

² 3126/A-96, 3126/A-97, 3126/A-98, 3126/A-99, 3126/A-2000

SCHEDULE "D"³**MISCELLANEOUS**

Columbarium vase	\$50
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MONUMENTS

Application Fee for the removal/replacement of monuments	\$20
----------------------------------------------------------	------

Flower vase installation in a monument foundation	\$20
---------------------------------------------------	------

Placement of (flat) monuments contained in a concrete foundation, or constructed with frosted granite (application fee included):

Foundation Size (length)

0" - 47"	\$65	\$70
48" - 95"	\$80	

Supply and placement of concrete foundations required for upright or flat monuments (application fee included):

Foundation Size (length)

0" - 36"	\$100	\$105
37" - 47"	\$115	\$120
48" - 60"	\$150	\$155
60" - 95"	\$200	\$205

³ 3126/A-96, 3126/A-97, 3126/A-98, 3126/A-99, 3126/A-2000

Excerpt of Cemetery Bylaw 3126/95

page 1

Additions to the bylaw are shown in **bold print**. Deletions are shown by a ~~strikethrough~~.

- 21 (1) Liners or vaults are required for all burials ~~of persons 6 years of age or older~~. This requirement may be dispensed with by the Manager if, in his opinion, there are valid religious or personal preference reasons to do so. Burials permitted without the installation of a liner or vault are subject to payment of the fee as outlined in Schedule "D".

MONUMENTS

- 25 (1) No monument shall:
- (a)¹ exceed a height of 5 feet from the surface of the ground adjacent to the grave. In Section EE of the Red Deer Cemetery, the height shall not exceed 34 inches from the surface of the ground adjacent to the grave. **Infant monuments shall not exceed a height of 34 inches from the surface of the ground.**
 - (b) exceed the maximum horizontal dimensions of the foundation as set out in Schedule "C".
- (2)² No monument, marker or foundation shall be placed on a lot until an application is made to the City Clerk's Department and a permit has been issued.

¹ 3126/A-97

² 3126/A-97, 3126/A-2000

COLUMBARIUMS

- 39 The purchase price for niches shall be as set out in Schedule "D".
- 40 A ~~niche deed~~ **burial deed application and permit** shall be completed upon the purchaser paying or being invoiced the amount set forth in Schedule "D".
- 44 ~~The City shall sell niche deeds only as they are available.~~

FIELD OF HONOUR

- 52 (1) The City shall set aside and maintain in a cemetery an area which shall be known as the "Field of Honor" which shall be reserved for burial of members and ex-members of the Canadian and British Naval, Military and Air Forces upon request of a relative or the Department of Veterans Affairs or Department of National Defence.
- (2) **Veterans who served during war time will qualify for the reduced lot rate as set out in Schedule 'D'.**
- 53¹ Spouses of members and ex-members of the Naval, Military and Air Forces may be buried in the same lot as his/her spouse or may purchase a cremation lot only if the first burial is that of the member or the ex-member.

GENERAL PROVISIONS

- 54² (1) No person shall sell or transfer any lot deed ~~or niche deed~~ to any other person, with the exception of lots in the Gardens of Devotion and Christus which may be sold on the open market. Niche deeds and lot deeds may be transferred from one family member to another, but no transfer shall be valid unless such transfer is registered with the City Clerk's Department.
- (2) Notwithstanding Section 54(1), a ~~niche deed or~~ lot deed may be transferred back to The City whereupon the transferor shall be entitled to receive:
- (a) a refund of 85% of the market value of the niche or lot;
 - (b) A refund of 90% of the original purchase price or 35% of market value, whichever is greater, for lots in the Gardens of Devotion and Christus.

¹ 3126/A-99

² 3126/A-97, 3126/A-99, 3126/A-2000

Comments:

We agree that Council should proceed with three readings of Cemetery Bylaw No. 3126/A-2001.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision – Monday, March 12, 2001

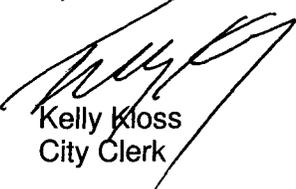
DATE: March 13, 2001
TO: Recreation, Parks & Culture Manager
Cemetery Services, C. Adams
FROM: City Clerk
RE: *Cemetery Bylaw Amendment 3126/A-2001 / Various Amendments & Rate Increases*

Reference Report: Recreation, Parks & Culture Manager and C. Adams,
Cemetery Services dated March 5, 2001

Bylaw Readings:
Cemetery Bylaw Amendment No. 3126/A-2001 was given three readings. A copy is attached.

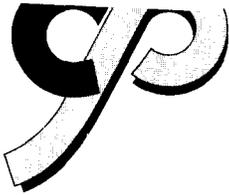
Report Back to Council: No

Comments:
Updated consolidated copies of the bylaw have been provided to all bylaw subscribers.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Corporate Services
Director of Community Services
C. Rausch, Administrative Assistant
F. McDougall, Administrative Assistant
Ron Kraft
Rolf Westera



**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: February 27, 2001

TO: CITY CLERK
Attn: Kelly Kloss

FROM: TONY LINDHOUT, Planner

RE: SUSTAINABLE COMMUNITY GROWTH STUDY

The City's Senior Management Team has recently approved the Terms of Reference for the preparation of a major City study on Sustainable Community Growth. The Municipal Division of Parkland Community Planning Services, under the direction of Bill Shaw, has been chosen by the City as the consultant to undertake this initiative. The Terms of Reference for this study are enclosed for your reference and files.

In order to provide leadership and direction to the consultant, a steering/advisory committee is being formed to oversee the project. Membership on this committee should include a City Councilor and therefore, by way of this letter, a Council appointment to this committee is being requested. It is reasonable to assume that the committee will be in existence for upwards to 12-15 months and meet on a monthly basis.

Please reply with Council's committee appointment by **March 21, 2001** as the committee's first meeting has been scheduled for Thursday April 5th, 2001 from 2:00 to 4:00 P.M. in the boardroom of Parkland Community Planning Services. A meeting agenda will be circulated prior to the meeting. One of the agenda items will be to establish a regular committee meeting schedule for subsequent meeting times suitable for all.

If you have any questions, please call me at 343-3394.

Tony J. Lindhout, ACP, MCIP
PLANNER, City Division

Attachment

CITY OF RED DEER SUSTAINABLE COMMUNITY GROWTH

Designing and Developing Socially, Environmentally, and Fiscally Sustainable Suburbs

DRAFT TERMS OF REFERENCE

(Approved in Principle by the City's Senior Management Team January 18, 2001)

Purpose

The purpose of this study is to evaluate existing planning practices against the concept of sustainability, as this applies to the City of Red Deer as a community. In doing so, this study will re-examine the full implications of the type of suburban growth taking place within city limits. More specifically, this study will review current approaches to planning new residential, commercial, and industrial areas in Red Deer. Further, this study will look at the consequences of current development practices. Finally, this study will define what modifications could be made to these approaches to reduce negative impacts and to best encapsulate the ideals of fiscally, environmentally, and socially responsible growth.

This study is being undertaken in response to the 1998 City of Red Deer Municipal Development Plan. This document directs the City to "apply the principles of sustainability to managing growth and resources so that fiscal, social, and environmental initiatives occur in a manner capable of being sustained in the future."

Introduction

1. *What is Sustainability?*

In general, sustainability is defined as development that meets current community needs and interests, without diminishing future well being or ability to meet future community needs (United Nations, 1987). The concept gained international acclaim in the mid-1980s when the United Nations began to encourage all communities to consider the long term consequences of growth decisions and the carrying capacity of the economic, social, and natural environments (Hackett, 1994; Hanson, 1992). In response to this target, Alberta established a round table on the environment and economy with the mandate of working to achieve sustainable development through leadership, policy advice, and strategies for government, business, and the public (Alberta Round Table on Environment and Economy, 1993). Municipalities in the province, including Red Deer, also began to look at the idea and principles of sustainability.

2. *What has been undertaken so far?*

In 1995 Red Deer's Environmental Advisory Board completed the *REACT Red Deer Environmental Action Plan*. This document dealt primarily with environmental aspects of sustainability listing water quality, air quality, preservation of natural areas, solid waste management and environment education as the top five environment issues in the community. The plan, which will be reviewed as part of the background of this proposed study, launched the following unique environmental efforts:

- Development of Ecological Profiles (inventory of all natural features in developing areas)
- Solid Waste Master Plan (new landfill site, recycling initiatives)
- Red Deer River Corridor Study (regional and provincial study of this resource)
- Back Yard Burning Initiative (elimination of backyard burning to improve air quality and assist those with allergies and breathing difficulties)
- Air quality monitoring Station(s)

Three years later, in 1998, Red Deer completed a new *Municipal Development Plan*, which for the first time, defined sustainability in a complete context. Sustainability was seen to incorporate the following three components:

- Fiscal sustainability:
 - Costs of building, maintaining, and operating economical communities and infrastructure, affordable services, development of a sound/balanced tax base, and have regard for spending priorities that will not burden future generations;
- Social sustainability:
 - Community design enhances social diversity, adapts to changing lifestyles, and meets the objective of providing access to affordable housing, health care, education, essential goods, community amenities, and services in order that basic needs are met; and
- Environmental sustainability:
 - Minimization of air, water, and soil pollution, reduction of resource consumption, waste reduction, and protection of the natural environment through community design.

In response partially to evident, intense growth pressures, and partially to the ramifications of not achieving a balance between fiscal, social, and environmental values, the City's Municipal Development Plan states "a more holistic approach to planning and managing urban growth is needed to create and sustain healthy communities."

This direction and definition forms the foundation for the proposed study. Moreover, the action areas of the Municipal Development Plan which pertain to identifying long term financial implications of new development; affordability of public amenities, services, and housing; community safety; public participation; environmental protection; minimum residential densities, mixed housing types, mixed land uses; and growth management are directly linked to this study. The City of Red Deer Strategic Plan also contains goals and strategies that advocate sustainable community values.

3. Why is it important to complete this study now?

Although Red Deer is aware of the concept of sustainability and has set goals within its Municipal Development Plan to embrace sustainability principles, to date only modest action has been taken in this regard. In reality, many of the City's growth related policies have not been reassessed since the 1970s. For instance, maximum neighbourhood densities today are set at the same level of 45 persons per hectare as in 1978. Moreover, utility servicing models have been based on even lower densities. Safety and security issues also need to be explored with regard to such items as trail and lane lighting, lane vs. laneless subdivisions, development standards and community based policing. Because pertinent growth policies have not been reevaluated it can be argued that in terms of actual design, servicing, and outcome, the style and management of suburban growth today varies little from that of 10, 15, or 20 years ago.

The need to determine how best to implement the Municipal Development Plan's concept of sustainability becomes more evident when one considers growth implications. At the current forecast of 2.18% annual growth, Red Deer's population will increase to 74,370 persons by 2010 (Nichols Applied Management, 1999). An increase of this level will require an addition of 343 hectares of residential housing to be located on land that is today, as yet, unserviced and undeveloped (UMA Engineering Ltd., 2000). Due to the additional roads, water, storm and sanitary services needed, it is expected to cost \$24 million (2000 dollars) to service new

areas. This figure takes into account only major trunk systems and excludes internal servicing and right-of-way costs (UMA Engineering Ltd., 2000). About 600,000 square feet of additional commercial space will be required, not to mention numerous support services both private and public, such as fire halls, expanded transit service, churches, schools, recreation facilities, medical clinics, landfills, and libraries.

As the City's population increases, the Waskasoo Park system and its linkages into the suburbs will require expansion. In the last two years alone, 10-quarter sections of farmland have been proposed for either new residential or commercial development. Two more are in the process of being considered for approval of Neighbourhood Area Structure Plans to allow for additional development. Few vacant quarter sections remain within city boundaries. Moreover, the City has effectively stated that they are out of stock for serviced heavy industrial land and exceptionally short on lighter industrial land. As indicated in the City's 2000 Growth Study, 90 hectares of new industrial space will be needed to meet forecasts of ongoing expansion in Red Deer's manufacturing and industrial base in the next 10 years.

In longer range forecasts, at the 90,000 population mark (potentially by 2030), the City of Red Deer Growth Study estimates that land consumption will have reached 423 hectares for residential development over and above that projected for 2010. More than 120 hectares for industrial development will also be needed. Basic servicing costs are expected to reach \$50.3 million over and above previous spending, with future bridge crossings eating up roughly \$21 million of this figure (UMA Engineering Ltd., 2000).

Clearly, the City's ability to sustain and pay all of the costs associated with current development patterns will affect the quality of life for Red Deer residents for generations to come. Social issues such as poverty, homelessness, care of the young or the elderly, addictions (drugs, alcohol, gambling) and increases in crime may demand substantially more resources in terms of money, staff, and ingenuity. Likewise, the strengthening of the community, community leadership and "community capacity building" (Bopp et al. 2000) in order to maintain the current levels of citizen input, volunteerism, and community participation or ownership may be at issue as Red Deer becomes a larger and more sprawling urban municipality. Maintaining a focus on independent neighbourhoods will continue to be a challenge.

Environmental stewardship will become ever more challenging as Red Deer grows. Portions of the natural areas that support extensive populations of flora and fauna may be threatened by the City's expansion. The health of the Red Deer River will become critical as more residential and commercial development is focused on the riverfront and as river based recreation increases. And because we are increasingly aware of the long term ramifications of compromising clean air, water, and soil, reduction in pollution will be especially important.

On the basis that growth will occur, this study's emphasis will be placed on examining means of achieving livable densities, targeting reductions in hard and soft infrastructure requirements, reducing automobile dependency through enhanced provision of transit options, achieving equal social treatment, limiting pollution, protecting environmental, cultural, and historic resources. Development of an economic strategy to foster growth will be examined as well as a determination of social impacts resulting from new development at the neighbourhood and community levels. Emphasis will also be placed on encouraging energy conservation, greater waste reduction, improved collection of recyclable materials, facilitating bicycle, pedestrian and transit use, integrating social amenities and services based on fairness and impartiality, and improving the quality of public spaces and suburban streetscapes.

Overview of the Study

This study is to be undertaken by the Municipal Section of Parkland Community Planning Services. It will be conducted under the direction of an interdisciplinary Steering Committee including, but not limited to the following representation:

- City Council
- Development Services Division
- Community Services Division
- Parkland Community Planning Services (City Division)
- the local development industry (UDI)
- the environmental community
- Environmental Advisory and Recreation Parks and Culture Boards
- Family and Community Support Services Board
- interest groups involved in suburban development

- as necessary, support or input from other agencies or bodies (e.g. Chamber of Commerce, RCMP, homebuilders' association, social service providers).

This work will take the form of a written document to be provided in draft form as each of the components are completed and in final form when the study is finished. Drafts will be available for stakeholder groups to provide comment on. The consultants will be required to provide 35 copies of the final study for distribution to The City.

This study is expected to refer to appropriate background material and encompass sustainable development research and examples of other communities (particularly the City of Calgary and the smart growth concept/new urban ecology as it is applied in the United States). This study will also look at appropriate City of Red Deer policies, practices, documents, and plans (e.g. Planning and Subdivision Guidelines, Municipal Development Plan, Intermunicipal Development Plan, Eco-Space Inventory Process). To the degree that it is possible, study recommendations will be based on City population thresholds of 75,000, 90,000 and 115,000 persons, thresholds established in the City's Growth Study. Future City studies and major plan updates should use this same approach.

It is the expectation that the study would be adopted by City Council as a general Council policy to guide more efficient, equitable, and effective planning and suburban development.

Study Objectives

The three main areas to be investigated by this study are listed below.

1. Review of current approaches
 - Review current procedures, policies, methods, and approaches in use by The City of Red Deer related to planning new residential, commercial, industrial and park areas.
 - Review actions in other municipalities in Alberta.
2. Outcome of current practices
 - Investigate, discuss, and forecast the consequences of current practices.
 - Identify alternative development options.
 - How to determine/measure social impact of new development.

3. Recommend Changes

- Recommend the types of changes that could be made to existing practices to best meet the ideals of fiscally, environmentally, and socially responsible growth.
- Seek public/stakeholder input.

The detailed study questions will be determined in consultation with the Steering Committee. The following are some potential question areas that could be answered by the study:

1. *Using Land Efficiently*

- i. What are the criteria used for approving current residential densities in Neighbourhood Area Structure Plans? What densities are being achieved in neighbourhoods as they peak in population and then gradually decline as the neighbourhood matures? What are the implications of lower or higher densities in terms of fiscal, social, and environmental costs to The City? Should there be a minimum/maximum acceptable residential density? How could desired densities be achieved and what are the expectations of developed neighbourhoods regarding adjacency densities?
- ii. What is the current housing mix in residential neighbourhoods? Is a variety of housing types and price ranges being achieved in new suburbs? What other options exist? How well does the mix fit changing demographics and shifting social needs in our community? How should the required mix of housing be set and achieved? What mechanisms are available or should be available to ensure that developers set aside land for future residential needs, even though there may not be an immediate need for that use (e.g. multi-family, day care, social care including seniors care homes)?
- iii. How can changing needs in residential areas be anticipated and addressed in land use planning to provide stability but also allow sufficient flexibility for efficient transition (e.g. how could planning address issues such as surplus schools and changing recreation needs)?
- iv. Should lot width be reconsidered? What are the social impacts of the increasing amount of narrow lot housing?
- v. How can landscaped areas and setbacks on private industrial or multi-family sites be used most efficiently?
- vi. Can the disparity between the number of potential school sites shown in our neighbourhood plans and the number actually constructed be resolved?

2. Promoting Community Cohesiveness

- i. Should suburban streetscapes be more people friendly? Can subdivision design reduce crime?
- ii. Where are current community meeting places? Are added community gathering places needed, and if so how would they be designed and what land use policies would encourage them?
- iii. How should open spaces be designed and distributed within neighbourhoods? Should these design guidelines vary from neighbourhood to neighbourhood?
- iv. What form of retail development is needed? How can these be accessible to all - young and old, those of varied abilities and means?
- v. Should an increase in mixed-use (retail, commercial, institutional) development be permitted including mixed residential/commercial uses in the same building? How could this be done?

3. Encouraging Reduction of Automobile Use

- i. What land use policies and standards would encourage broader use of alternate transportation forms?
- ii. How can bus stops, bicycle pathways, and the future transit terminal be made safer, most convenient, and more attractive?
- iii. Can we design to reduce dependence on the automobile and increase use of alternate transportation? If so, how?
- iv. Should The City continue to focus on meeting automobile needs or focus on other forms of transportation?

4. Reducing Infrastructure Costs

- i. What is the rationale for current development standards in Red Deer (relates to affordability), how do those standards compare and contrast with other cities in Alberta?
- ii. What alternatives to reduce capital, operating, and maintenance costs could be considered and what are the positive and negative spin-offs associated with each change? Consider the following:
 - design roadways to facilitate snow plowing to sides rather than removal,
 - reduce number of residential front driveways - creates snow plowing problems,
 - reduce peak storm runoff, and

- treatment of storm water.
- iii. What are the transportation standards for suburban roadways? Given the concept of sustainability, are these feasible? Consider the following:
 - paved lanes, no dead-end lanes, and
 - deeper road cross sections/reinforced sidewalks.
 - iv. Are the parking standards applied in new suburbs to residential and commercial development suitable?
 - v. What are the energy use implications of present subdivision design and building practices? How can conservation of energy/energy savings be encouraged in suburban developments?

5. Protecting Natural, Cultural, and Heritage Resources

- i. What criteria are used to identify and protect natural, cultural, and heritage resources? Are developers aware of these resources? How is protection prioritized?
- ii. What other options are there that may assist in protection/preservation?
- iii. Could natural areas be better utilized for parks, trails and nature scaping rather than deny public access to these areas?
- iv. What measures can be instituted that would assist/encourage private developers to preserve natural features (e.g. wetlands)? How could these measures be implemented (e.g. incentives, reserve credits, density bonus) and enforced (e.g. no ASP approvals, development penalties and/or restrictions)? Will regional environmental issues be identified?
- v. Should there be regulations/permits for grading, filling and tree removal?
- vi. Should uncontrolled use of pesticide and herbicide chemicals be permitted in residential areas?

6. Coordination/Integration of Enhanced Social Services

- i. What mechanisms exist and what should exist for assessing the social implications of suburban development?
- ii. How can the social needs of residents or employees be better accommodated in new developments?
- iii. How can we better achieve social interaction in existing and new neighbourhoods?

Process

The study process is not finalized; however, it most likely will include the following steps:

1. Initiate Study - confirmation of study approach by The City's Senior Management Team, establishment of steering committee with initial task of fine tuning the study terms of reference.
2. Background- prepare material on existing polices, programs, approaches, review economic and demographic projections, The City's demographic profile and Growth Study, consider environmental inventory and resources. Literature review of practices in other communities.
3. Develop Alternative Approaches - the steering committee in consultation with stakeholders would develop alternate standards/modifications, cost-benefit evaluation of potential modifications/changes.
4. Implementation - drafting policy/practice changes required, establish monitoring program.

Budget

The City's 1999-2000 dividend from Parkland Community Planning Services is to be used to cover the estimated \$69,640 cost of producing this study. See attached Appendix A, a letter and study overview from Parkland Community Planning Services. The preliminary \$69,640 study cost estimate from Parkland Community Planning Services is subject to change pending review of the draft Terms of Reference by the Steering Committee.

Final project budget to be approved by the City's Senior Management Team following fine-tuning of the Terms of Reference by the Steering Committee.

Desired Completion Date:

This is to be approximately a one-year study, with the final product available for consideration by City Council in early 2002.

Sources

Alberta Round Table on Environment and Economy, 1993. *Steps to Realizing Sustainable Development, Report of the Alberta Round Table on Environment and Economy*. Edmonton, AB.

Bopp, Michael, Kathy Germann, Judie Bopp, Lori Baugh Littlejohns, and Neale Smith with Maureen Coe, Marian George, Elfie Newman, Connie Reichel, and Judy Stauffer, 2000. *Assessing Community Capacity for Change*. David Thompson Health Region and Four Worlds Centre for Development Learning. Cochrane, AB.

City of Calgary, Planning and Building Department, 1995. *Sustainable Suburbs Study: Creating More fiscally, Socially, and Environmentally Sustainable Communities Draft*. Report and Terms of Reference. Calgary, AB.

City of Calgary, 1994. *Calgary GoPlan Calgary's Future Suburban Growth Moving Towards Sustainable Development*. Calgary, AB.

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Hackett, Nancy C. 1994. *Pointing the Way: Sustainability Indicators for Hamilton-Wentworth*. University of Waterloo: Waterloo, ON.

Hanson, Arthur, 1992. *"Taking Sustainable Development from Concept to Practice" in Management*. Spring.

Nichols Applied Management, 1999. *Final Report Population Projections for the City of Red Deer*. Nichols Applied Management, Management and Economic Consultants: Edmonton, AB.

Parkland Community Planning Services and Lovatt Planning Consultants, 1998. *City of Red Deer Municipal Development Plan*. Bylaw No. 3214/98.

Semandel, Allison and Michael R. Kinde, 2000. *Smart Growth: Creating Communities for People*. Citizens for a Better Environment: Milwaukee, WI.

UMA Engineering Ltd., 2000. *The City of Red Deer Growth Study*. In Association with PricewaterhouseCoopers. Calgary, AB.

United Nations World Commission on Environment and Development, 1987. *Our Common Future* as quoted in *"Sustainable Development - an Agenda for Change in Municipalities"*, Jim Ryan, Municipal World. March, 1992.

Comments:

A number of councillors have expressed interest in this particular study. Although Parkland Community Planning is requesting *one* council member for the steering committee, should more than one be prepared to serve, the membership on the committee would be appreciated.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Parkland Community Planning Services
FROM: City Clerk
RE: Sustainable Community Growth Study

Reference Report: Planner, dated February 27, 2001

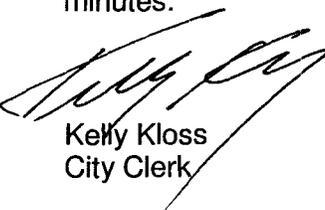
Resolution:

Resolved that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services dated February 27, 2001, re: Sustainable Community Growth Study, hereby agrees to appoint Councillor Flewwelling and Councillor Pimm as the Council representatives to the Sustainable Community Growth Study Steering/Advisory Committee with Councillor Hughes and Council Watkinson-Zimmer as alternate members.

Report Back to Council: No

Comments:

Please ensure that the appointed and alternate Councillors are provided with agendas and minutes.


Kelly Kloss
City Clerk

/clr

c Councillor Flewwelling
Councillor Pimm
Council Hughes
Council Watkinson-Zimmer
C. Kenzie, Clerk Steno (Committee Directory Updates)

Item No. 4

February 28, 2001

City of Red Deer Policing Committee
P.O. Box 5008
4914 – 48 Avenue
Red Deer, AB T4N 3T4

Her Worship Mayor Gail Surkan and Members of City Council:

On January 29, 2001 the Downtown Safety Task Force met after a hiatus of approximately two months. Under the leadership of Colleen Jensen, Director of Community Services, the primary objective of this meeting was to determine if this committee should remain intact, and if so, how it might best move forward. Committee members concluded overwhelmingly that the Safety Task Force has been a significant tool in bettering the situation in the Downtown Bar District. The accomplishments are indicative of the Committee receiving the International Association for Chief's of Police International Award for Community Policing Initiatives. After constructive dialogue and gathering of information, a motion was approved that the Downtown Safety Task Force Committee request that Council of the City of Red Deer give consideration to making the Downtown Safety Task Force Committee a sub-committee of the Policing Committee and that:

1. The Committee maintains its broad based membership including businesses, late night establishments and citizens;
2. The Downtown Business Association continue to be represented;
3. The Committee continue to treat all 'environmental' issues of the downtown as an issue of this Committee; and
4. The Committee continue to maintain a high public profile.

This option provides a broad base of community involvement, but would now receive ongoing support services from the City of Red Deer, under the umbrella of Community Services. It is important to note here that the Downtown Business Association was represented at this meeting, and stated clearly that the Association will continue to be very supportive of the Downtown Safety Task Force, but due to mandate restructuring, it must reluctantly distance itself from continuing to play a leadership role. The Downtown Business Association has, however, appointed a Board Member to sit as a DBA representative on the Policing Committee and the Downtown Safety Task Force Committee. We are very appreciative of this gesture and strongly feel it will be a valuable link as we collectively problem solve.

The Policing Committee met February 27, 2001 to consider the recommendation from the Downtown Safety Task Force. The Committee supports the Downtown Safety Task Force fully and agrees that its very existence will continue to be instrumental in addressing issues in the Downtown Bar District and perhaps

beyond in the near future. However, we feel it very important to ensure that the Safety Task Force be the beneficiary of a solid support base, whereby effective leadership would be in place. Although the Safety Task Force has accomplished some wonderful things since it's formation in 1998, it has done so autonomously (not City Council appointed). In light of the vast numbers of Criminal Code Offences and increased critical social problems evolving from the Bar and Late Night Club District, we strongly feel it is time to shift the Safety Task Force into the City Arena. Not doing so could set up the Task Force for failure. It is interesting to note that the Task Force has played an integral part in assisting the process of shaping and/or improving Municipal Law and Policy, and thus improving the quality of life for citizens of Red Deer. Furthermore, the broad base of community members and businesses comprising the Task Force is congruent with the R.C.M.P.'s philosophy of community based policing. The Policing Committee has unanimously voted to carry forward the Safety Task Force's recommendation. The City of Red Deer Policing Committee hereby requests that City Council consider and approve our recommendation that the Downtown Safety Task Force be appointed by Council as a Sub-Committee of the Policing Committee. A draft Terms of Reference and Action Plan 2001 have been developed, and are included for your information.

The Policing Committee will make itself available to you in Council Chambers on March 12, 2001 should you require more information or clarification.

Respectfully submitted,



Steve Cross
Chairman
Policing Committee

DATE: February 21, 2001
TO: Policing Committee
FROM: Steve Cross, Chair
Policing Committee
RE: *Downtown Safety Task Force: Draft Terms of Reference and Action Plan
2001*

As the Policing Committee is likely aware from coverage in the media, the Downtown Safety Task Force met in the latter part of January to discuss how they best might move forward. The group passed a resolution suggesting that the Downtown Safety Task Force become a sub-committee of the Policing Committee. This was primarily to give some structure to the Task Force, but also it was acknowledging the need for the Task Force to be ongoing. There was lengthy discussion about the work that needs to be done in 2001 that will ensure the downtown area continues to move toward being a more safe, secure and clean environment.

A small group of people from the Task Force volunteered to put together a *Terms of Reference* for what would be the new sub-committee, along with an Action Plan for 2001. Attached is a draft of what the work group has prepared.

The process from here is as follows:

- Policing Committee considers the recommendation from the Downtown Safety Task Force that the Task Force become a sub-committee of the Policing Committee.
- Policing Committee would then consider the attached draft Terms of Reference and Action Plan
- The draft would then be taken to the next meeting of the Downtown Safety Task Force (March 5)
- Assuming approval is given from the above noted groups, then the request would go forward to Council for approval of the suggested changes.

I will be available to speak to this item at the Policing Committee meeting, as will others who worked on the draft Terms of Reference and Action Plan.

c. Rausch

for
Steve Cross, Chair
Policing Committee

attchs.

DOWNTOWN SAFETY COMMITTEE

Terms of Reference

Structure

The Policing Committee is a standing committee of Council. The Downtown Safety Committee will be a sub-committee of the Policing Committee.

Recommendations of the Downtown Safety Committee will be made to the Policing Committee, who will, in turn, make recommendations to City Council.

The RCMP will provide administrative liaison to the Downtown Safety Committee, while the City Clerk's department will record and distribute agendas and minutes.

Chairperson

The Chair of the Downtown Safety Committee will be chosen from members of the committee by a majority vote of the membership in attendance at the committee's organizational meeting.

Membership of the Downtown Safety Committee

Membership of the committee will continue to have a broad-base, public membership, including downtown businesses and agencies, drinking establishments, media, and citizens. The Red Deer Downtown Business Association, the RCMP and other City administration will also be included in the membership. Other stakeholders beyond those from the downtown area will also be welcome to attend.

Meetings

Meetings will be held monthly, unless otherwise decided upon by the membership.

Purpose

To be an active, high profile committee that will identify issues in the downtown, and work together to develop solutions to address each respective issue. The intent is to focus on the complete downtown "environment" including safety, security, and cleanliness.

Action Plan for 2001

- 1. Implement a public awareness campaign about the issues in the downtown.**
 - 1.1 Develop a strong message that indicates that actions such as public intoxication, disorderliness, willful damage, assaults, etc., will not be tolerated.
 - 1.2 Use a variety of approaches to convey the message to the public, including brochures, posters, public advertising and media.
 - 1.3 Work with the Red Deer media to publicize the message.
 - 1.4 Work with media in the surrounding communities to publicize the message.
 - 1.5 Work with the Red Deer College Students Association to ensure the message is conveyed to the students.
 - 1.6 Explore what approaches might be taken to convey the message to high school students.
 - 1.7 Work with other organizations that involve youth in Red Deer to convey the message.
 - 1.8 The RCMP will make sure the policy of "zero tolerance" is known and strictly abided by.
 - 1.9 Ensure that the public is made aware of the "tag and tow" program, why it is in place and how it will be implemented.

- 2. Implement an education/training program to address issues in the downtown.**
 - 2.1 Work with owners and managers of the drinking establishments to train staff to be better able to identify people who are intoxicated, people who leave an establishment with open liquor, how to spot fraudulent identification, etc. It is suggested that the training occur in sessions related to each specific topic.
 - 2.2 Develop a clear process and publicize it so that people and businesses know whom to contact if they are experiencing issues or want to report an incident.
 - 2.3 Develop a campaign to educate the public as to how they might assist in maintaining the downtown as a clean and tidy place. A possible slogan could be "One 'litter' piece a day!"

- 3. Continue to implement solutions, such as a strong emphasis on enforcement, to address issues.**
 - 3.1 Continue with enhanced policing as a key strategy in the downtown, pending the availability of adequate resources.
 - 3.2 Continue the "tag and tow" program that was previously implemented to address parking violations in the downtown.
 - 3.3 Aggressively pursue ensuring adequate gaming and liquor licensing inspectors in Red Deer, so that frequent inspections can be done to address violations, and to ensure high visibility of the inspectors.
 - 3.4 Recruit a more extensive representation from the drinking establishments to serve on the committee.

4. **Ensure that downtown Red Deer is maintained to ensure cleanliness.**
 - 4.1 Continue to monitor the cleanliness and work specifically with identified establishments to ensure that the surrounding areas are kept clean and tidy. Each drinking establishment will be held responsible for the cleanliness and tidiness of its own frontage and surrounding area.
 - 4.2 Ensure that street sweeping and pressure washing is done in any areas where it is deemed necessary. Continue to obtain funding for such work from the drinking establishments in the area.
 - 4.3 Work with the outdoor street vendors to require that they clean up the areas that are nearby to their operations. This should be made a condition of their license, which will require a change to the licensing bylaw.
 - 4.4 Ensure a regular contract is maintained through the Downtown Business Association for the clean-up of garbage and litter in the downtown.
 - 4.5 Increase the number of garbage receptacles in the downtown to supplement those currently in place.
 - 4.6 Develop a strategy to address graffiti in the downtown.

5. **Ensure that the downtown area is maintained so that it will be a safe and secure "environment".**
 - 5.1 Identify if more lighting is required in the downtown and where the lighting might best be placed; install the lighting, pending the availability of resources.
 - 5.2 Address the unavailability of taxis late at night, using the taxi licensing process, whereby, conditions of license will be outlined and enforced. This may require changes to the taxi licensing bylaw.

6. **Ensure that adequate resources are available to implement the action plan.**
 - 6.1 Identify sources of funding and make appropriate applications. Particular attention should be available to funding through Alberta Justice.
 - 6.2 Explore ways that current resources can be deployed to address the issues.
 - 6.3 Work with the business owners to explore what contributions they can make.
 - 6.4 Explore partnerships with the corporate sector (such as Labatt's) such that they will contribute funding to assist in addressing identified issues.
 - 6.5 Work with owners and managers of the drinking establishments to explore what contributions they can make.

Future Considerations

- The committee may need to be expanded to the north and south Gaetz Avenue corridor to encompass other late-night establishments.
- If the mandate of the committee is expanded, then the name of the committee could be changed to the "Community Safety Committee".

EXCERPT FROM COMMITTEES BYLAW

Subcommittees

- 12 A committee may establish a subcommittee to review a specific issue or issues and make recommendations back to the committee. ←

Pecuniary Interest

- 13 The provisions of Division 6, Pecuniary Interest, within the Municipal Government Act applies to all committee members and the proceedings of committee meetings.

Power of Authority

- 14 No committee or any member of a committee has:
- (a) Power to pledge the credit or course of action of The City or enter into any agreement on behalf of the committee or The City;
 - (b) Power to authorize any expenditure to be charged against The City without prior approval by Council;
 - (c) Authority to act administratively except as delegated by the City Manager.

EXCERPT FROM COMMITTEES BYLAW

26 The "Policing Committee"

- (1) The committee consists of seven members as follows:
 - (a) One councillor;
 - (b) Five citizens-at-large;
 - (c) One Downtown Business Association representative.
- (2) The committee will:
 - (a) Act in an advisory role to Council on policy issues relating to policing;
 - (b) Act in an advisory role to City administration on issues that may impact the implementation or administration of policy relating to policing;
 - (c) Provide a forum for the public to share or express concerns and suggestions relating to policing.
- (3) The committee has the following responsibilities pertaining to the Taxi Business Bylaw:
 - (a) To act as the Taxi Commission and fulfil the responsibilities of the commission as outlined in the Taxi Business Bylaw;
 - (b) Make recommendations to Council for changes to the Taxi Business Bylaw.
- (4) The committee is responsible for hearing appeals submitted with respect to revocation of a permit or license under the City Alarm Bylaw and has authority to:
 - (a) Confirm the revocation of any permit or license;
 - (b) Direct that a permit or license be issued;
 - (c) Reinstate a revoked permit or license, either unconditionally or upon completion of specified conditions, such conditions to be determined by the committee.



Comments:

The Downtown Safety Task Force is an unusual group in that it represents a loosely formed community-based working group that undertakes to identify and resolve issues in a very practical and flexible manner. As such, it does not fit tidily into the advisory structure that normally prescribes the mandate of our standing committees.

We acknowledge the usefulness of continuing to support this working group and the value of having some form of reporting relationship within our committee structure. We believe the simplest way to achieve this is to broaden the mandate of the Policing Committee to include a statement in the mandate of the Policing Committee regarding issues related to the security and safety of the downtown area. The Policing Committee can work with the suggested Terms of Reference and provide for the Downtown Safety Task Force in a general oversight capacity. In the meantime, we will provide administrative and secretarial support to the working group on an ongoing basis. We believe that maintaining this relatively flexible and community-based approach to problem solving, though a bit unusual, is the most practical way of moving ahead.

Inspector Guertin will be the key liaison to the working group and will provide ongoing guidance and advice. The attached Terms of Reference and Action Plan 2001 are provided only for Council's information.

Any budget implications outside the approved business plans would need to be brought to Council for consideration. It is acknowledged that many of the activities may require funding independent of The City. It has been the practice of the group to seek out other sources of funding related to specific projects that they undertake and we believe this should be encouraged on a continuing basis.

We recommend that Council proceed with three readings of Committees Bylaw Amendment 3265/B-2001, which provides for the addition of the following clause regarding the mandate of the Policing Committee:

“26 (2) (d) Act in an advisory role to Council and City Administration on issues that may impact the implementation or administration of policy relative to the safety and security of the downtown area.”

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Policing Committee, c/o Steve Cross
FROM: City Clerk
RE: *Downtown Safety Task Force Draft Terms of Reference and Action Plan 2001 / Committee Bylaw Amendment 3265/B-2001*

Reference Report: Policing Committee dated February 28, 2001 and City Clerk dated February 21, 2001

Bylaw Readings:
Committees Bylaw 3265/B-2001 was given three readings. A copy is attached.

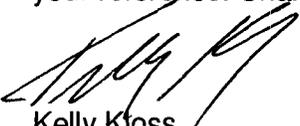
Report Back to Council: No

Comments:
This office will now update the consolidated version of the Committees Bylaw and distribute it to bylaw subscribers.

Inspector G. Guertin will remain as the committee liaison. The Policing Committee should now set out the Terms of Reference for the sub-committee, which may include information as to:

- responsibilities
- membership
- voting process and quorum
- selection process for chairperson
- committee name.

For your information, I have attached the updated mailing list from the Committee Directory for your reference. Char Rausch will regularly update the information for this committee.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Community Services
Inspector G. Guertin, OIC Red Deer City R.C.M.P.
Char Rausch, Administrative Assistant, Policing Committee
Christine Kenzie, Committee Directory Updates
Downtown Safety Committee

DOWNTOWN SAFETY COMMITTEE
(a sub-committee of the Policing Committee)

MAILING LIST FOR AGENDAS & MINUTES:

City Representatives:

1. Mayor Gail Surkan (Ex Officio) 342-8154 Bus.
2. Norbert Van Wyk, City Manager 342-8154 Bus.
City of Red Deer
3. Inspector Gilles Guertin 341-2000 Bus.
OIC Red Deer City R.C.M.P.
Committee Liaison
4. Colleen Jensen, 342-8327 Bus.
Community Services Director
City of Red Deer
5. Sgt. Frank DeHeer 341-2000 Bus.
Acting Ops. NCO,
Red Deer City R.C.M.P.
6. Cst. Dan Doyle, 341-2000 Bus.
Red Deer City R.C.M.P.

Other:

7. Steve Cross 342-4550 Bus.
Red Deer Policing Committee 342-6334 Res.
4603 – 44 Street
Red Deer, AB T4N 6S7
8. Ray Congdon, Executive Director 340-8696 Bus.
Downtown Business Association
9, 4921 - 49 Street
Red Deer, AB T4N 1V2
9. Robert (Bob) Riley, Representative 309-7865 Bus.
Downtown Business Association
Canada Customs & Revenue
4996 – 49 Avenue
Red Deer, AB T4N 6X2
10. Denise Heinrichs 342-4027 Bus.
Bell Fever Lounge / Gent's Club
4620 – 50 Avenue
Red Deer, AB T4N 3Z9
11. Linda Tews 347-2480 Bus.
Women's Outreach Society
4808 – 51 Avenue
Red Deer, AB T4N 4A2
12. Darren Kuz 347-7426 Bus.
16 Stewart Street
Red Deer, AB T4N 0B6

*** TX REPORT ***

FILE

TRANSMISSION OK

TX/RX NO 1464
CONNECTION TEL 3468015
SUB-ADDRESS
CONNECTION ID
ST. TIME 03/14 14:44
USAGE T 01'32
PGS. 6
RESULT OK



THE CITY OF RED DEER

P.O. Box 5008, Red Deer, Alberta T4N 3T4

Web Site: www.city.red-deer.ab.ca

City Clerk's Department (403) 342-8132
Email: cityclerk@red-deer.ab.ca

DATE: MAR-14

OUR FAX NO: (403) 346-6195

NUMBER OF PAGES INCLUDING THIS PAGE: _____

FAX TO: Steve Cross

ATTENTION: _____

THEIR FAX NO: _____

FROM: CHAR

DEPARTMENT: _____

PHONE #: (403) 342-8201

MESSAGE AREA (if required):

Steve, for your info a that of Pol. Comm.
& Safety TASK force committee.

Please disregard the notations on page 44
of Comm. Directory, re: NO set program or

Item No. 5

DATE: March 5, 2001
TO: City Clerk
FROM: Director of Corporate Services
RE: 2001 SHORT TERM BORROWING BYLAW NO. 3276-2001

Council approval is respectfully requested for the above.

The bylaw authorizes the short term borrowing of funds, as required, to meet current expenditures. The need for short term funds is expected to only occur if an unforeseen significant expenditure happens prior to the maturity of an investment.

One of the requirements of the Municipal Government Act is that a maximum rate of interest must be stated. The maximum rate has been set at 20%. The actual rate charged is the prime interest rate.

Council is reminded that funds are only borrowed when required and are repaid as soon as funds become available.

Recommendation

Approval of Bylaw No. 3276-2001.



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

Att.

f:\cs\bylaws\3276 2001 borrowing byl

Comments:

We agree with the recommendations of the Director of Corporate Services.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001

TO: Director of Corporate Services

FROM: City Clerk

RE: 2001 Short Term Borrowing Bylaw No. 3276/2001

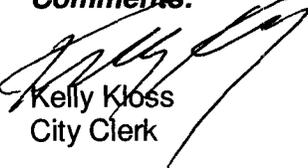
Reference Report: Director of Corporate Services dated
March 5, 2001

Bylaw Readings:

Bylaw No. 3276/2001 was given three readings. A copy is attached.

Report Back to Council: No

Comments:


Kelly Kloss
City Clerk

/clr
attchs.

Item No. 6

SP 6.641

DATE: March 5, 2001

TO: Kelly Kloss, City Clerk

FROM: Rick Assinger, Chair, Community Housing Advisory Committee

RE: Recommendations from the Community Housing Advisory Committee

The Community Housing Advisory Committee is pleased to recommend to City Council another project to be funded through a partnership with the Government of Canada and the Government of Alberta, The City of Red Deer and the broader community. The project meets some of the objectives of *The Journey Home, A Community Housing Plan for the City of Red Deer, Alberta*.

The Community Housing Advisory Committee was appointed by Council on November 20, 2000, and began deliberations in December 2000. On January 29, 2001, the first recommendations of the Community Housing Advisory Committee were approved by Council. At that time, Council was made aware of two proposals requiring further discussion.

The first proposal, from the Foundation for Inspirational Moments, is still being considered by the Committee. The Committee has asked the Foundation to consider seeking another established agency to assist with the program. The Foundation needs time for another organization to consider the ramifications of such a proposal. Alberta Community Development is providing funds to support the existing clients of the program until March 31, 2001. The Community Housing Advisory Committee recommends to Council that Alberta Community Development be asked to continue supporting clients of the Foundation for Inspirational Moments for another 90 days. The funds for that support would come from the allocation to The City of Red Deer, thereby reducing funding to the City. Alberta Community Development has been asked if they would consider such a proposal and, at the time of preparation of this letter, we have not had an answer. The Committee expects the allocation amount to be approximately \$20,000.

The second proposal came from P&S Investments, to renovate a building at 5129 50th Avenue, to allow for the creation of 12 transitional suites and the renovation of 10 existing suites. The company has just opened a similar project in the old Provincial building. The motion that was passed by the Community Housing Advisory Committee is attached. Preliminary discussions with Canada Mortgage and Housing for support to this project, which would reduce the allocation from the Community Housing fund by a maximum of \$218,000, have been very positive.

Recommendations:

That Council approve the recommendation that Alberta Community Development be asked to continue to support the clients of the Foundation for Inspirational Moments for 90 days, from March 31, 2001, until a decision can be made about the program. Council understands that the funding would reduce the allocation from Alberta Community Development to the City of Red Deer.

That Council approve funding to P & S Investments to a maximum of \$380,000 to allow for the development of 12 transitional suites and the renovation of 10 suites. P & S would be asked to agree to the terms proposed by the Community Housing Advisory Committee, as attached.

Cc: Stan Schalk, P&S Investments
Peggy Powell, Red Deer Foundation for Inspirational Moments

Consideration was given to the P and S Investments proposal. Following some general discussion the motion as noted below was introduced and passed.

Moved by R. St. Denys, seconded by V. Sandal

"That the Community Housing Advisory Committee recommend to Council of the City of Red Deer approval of funding to a maximum of \$380,000 to P and S Investments for the development of a transitional apartment complex at 5129 - 50 Avenue Red Deer, subject to the following conditions:

1. That P and S Investments apply to Canada Mortgage and Housing Corporation by March 31, 2001 for funding under the Residential Rehabilitation and Assistance Program (RRAP) to offset the city support of the project;
2. That P and S Investments work with the City Social Planning Department to develop guidelines for this project including but not limited to:
 - Limits on rents to be charged for the rental units
 - Maximum lengths of time for residents to be in the units
 - Method of approval of tenants
 - Criteria for acceptance of tenants
 - Procedures for monitoring the project
 - Method of prorating the public investment in the project over 15 years
 - Financial reporting on community housing funds.
3. That The City register an encumbrance against the facility being developed to protect the public investment over the 15-year period.
4. That P and S Investments enter into a formal arrangement with the Canadian Mental Health Association (CMHA) to enable CMHA, as an interested community, non-profit group, to assist with the project by screening applicants for accommodation, to participate in evaluating the success of the project and to provide support to the tenants."

MOTION CARRIED

DATE: March 6, 2001

TO: Kelly Kloss, City Clerk

FROM: Barbara Jeffrey, Social Planning Manager

RE: Recommendations from the Community Housing Advisory Committee

In late 2000, City Council agreed to be the Fund Administrator for the Community Housing Plan, subject to funding agreements being in place with the Government of Canada and the Government of Alberta and to the City receiving reasonable compensation for being the administrator. Council also established an ad hoc Community Housing Advisory Committee and instructed the Committee to use *The Journey Home, A Community Housing Plan for the City of Red Deer, Alberta*, to recommend to Council proposals for funding to meet the priorities addressed in the Plan.

The Community Housing Advisory Committee presented their first recommendations for six proposals to Council on January 29, 2001 and Council approved the recommendations. The funding dollars that the Community Housing Advisory Committee are allocating at the present time is specifically to deal with issues of homelessness and transitional housing. The Agreement with the Province of Alberta states that the projects will provide "housing and/or housing support services to alleviate the problem of homelessness." The Government of Canada states that projects eligible for funding will address the spectrum of homelessness issues, but can not be used for permanent housing for homeless people. Urban Aboriginal funding available from Human Resources Development Canada for the Homelessness Initiative is also being considered by the Community Housing Advisory Committee

RED DEER HOMELESSNESS PROGRAMS BUDGET
April 1, 2000 – March 31, 2003

	2000 / 2001	2001 / 2002	2002 / 2003
Federal Government (Supporting Community Partnership Initiative SCPI)	\$306,691	\$306,691	\$306,691
Provincial Government (Homeless Funding)	\$200,000	\$200,000	\$200,000
Urban Aboriginal Strategy	\$140,700	\$140,700	\$140,700
TOTALS	\$647,391	\$647,391	\$647,391

Simultaneously, the Social Planning staff prepared the agreements with the Government of Canada and the Government of Alberta. Both levels of government have expressed satisfaction with the Community Housing Plan and directed The City to proceed to the contract stage. The agreement with the Government of Alberta has been signed by the Honourable Stan Woloshyn, Minister of Community Development and the funding for the 2000-2001 fiscal year has been received. The proposal to the Government of Canada has been approved by Claudette Bradshaw, Minister responsible for Homelessness, and a formal agreement should be in place by mid-March.

The Committee had not made a decision on two of the proposals submitted in January and had requested further discussion with the representatives late in February.

The first proposal, from the Foundation for Inspirational Moments, was considered at length by the Committee. The Committee decided to ask the Foundation for Inspirational Moments to seek out another organization to assist with the operation of the program. The Committee is mindful of the clients of the program and want to proceed carefully to protect their need for housing. The Foundation for Inspirational Moments agreed to seek out another organization, and has approached two. One organization was unable to accept the offer because of their own workload. The second organization needs time to consider the offer. Consequently, the Committee decided to recommend to Council that Alberta Community Development be asked to continue the provision of rent supplements to the Foundation for Inspirational Moments, as they have been doing for the last several months. The funding for the rent supplements would come from the allocation for the Homelessness Initiative to the City of Red Deer.

The second proposal, from P&S Investments, was also considered a second time by the Committee. P&S Investments had made some changes to their proposal, based on the Committee's concerns. Social Planning staff, and others, have had discussions with Canadian Mortgage and Housing to see if part of the renovations could be covered by the Residential Rehabilitation Assistance Program (RRAP). Initial discussions have been very positive. The maximum amount available from CMHC/RRAP would be \$218,000. The Community Housing Advisory Committee has also made provisions to provide long term assistance to P&S Investments with the clients of the building and has built in a mechanism to insure that the building be maintained as social housing for the next 15 years.

A chart of the Housing Proposals approved or recommended to Council, with the accompanying funding allocations, is attached.

Rick Assinger, Chair of the Community Housing Advisory Committee has asked to briefly address Council and answer any questions.

RECOMMENDATION

That Council for the City of Red Deer approve the recommendations of the Community Housing Advisory Committee as presented.



Barbara Jeffrey,
Social Planning Manager

**COMMUNITY HOUSING FUNDING ALLOCATIONS
JANUARY 29, 2001**

Applicants	Proposal	Approved	Year One <small>(to March 31, 2001)</small>	Year Two <small>(to March 31, 2001)</small>	Year Three <small>(to March 31, 2001)</small>
Canadian Mental Health Association Central Alberta Women's Outreach Native Friendship Society	Coordinated Outreach Services to persons experiencing difficulties with homelessness and other issues: 5 workers.	Coordinated Outreach Services among the three agencies and with other agencies in the city: 3 workers	\$21,000	\$126,000	\$126,000
Four Private Citizens	To build 15 low income suites with the help of 50% of the cost of the building, \$300,000	Not recommended for funding	--	--	--
Central Alberta Housing Society	Two support workers to staff the People's Place Shelter (existing positions)	Recommended as requested	\$12,500	\$50,000	\$50,000
Central Alberta Housing Society	Purchase of a duplex to provide transitional housing for employed persons, to provide temporary accommodations, mentor and outreach support, and a long range plan	Recommended as requested.	\$190,000	--	--
Loaves and Fishes	Salary to provide extended hours of service to individuals waiting to access People's Place and Inn From The Cold	Recommended as requested	\$2,750	\$16,500	\$16,500
Loan Circle Society of Central Alberta	a) Emergency Fund, in partnership with four agencies, to meet housing crises needs.	Recommended as requested.	\$25,000	--	--

68

**COMMUNITY HOUSING FUNDING ALLOCATIONS
JANUARY 29, 2001**

Applicants	Proposal	Approved	Year One <small>(to March 31, 2001)</small>	Year Two <small>(to March 31, 2001)</small>	Year Three <small>(to March 31, 2001)</small>
Loan Circle Society of Central Alberta (continued)	b) Administration funds to support the interest-free loan programs, emergency fund and money management training	Recommended as requested.	\$2,080	\$12,500	\$12,500

**COMMUNITY HOUSING FUNDING ALLOCATIONS
MARCH 2, 2001**

Applicants	Proposal	Recommendations	Year One <small>(to March 31, 2001)</small>	Year Two <small>(to March 31, 2002)</small>	Year Three <small>(to March 31, 2003)</small>
Foundation for Inspirational Moments	Operate the Community Housing Program, begun in 1996, which provides transitional housing for people, in rental accommodations.	Applicant asked to approach another organization to assist in the operation of the program. Meanwhile, Alberta Community Development has been asked to continue rent supplements for 90 days.	--	Approx. \$20,000	--
P & S Investments	Develop 10 transitional suites and 2 emergency family suites in an existing, owned building in downtown.		Up to a maximum of \$380,000	--	--
TOTALS			\$633,330	\$225,000	\$205,000

Comments:

We agree with the recommendations of the Community Housing Advisory Committee.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Community Housing Advisory Committee, c/o Rick Assinger
FROM: City Clerk
RE: Recommendations from the Community Housing Advisory Committee

Reference Report: Community Housing Advisory Committee dated March 5, 2001

Resolution #1:

Resolved that Council of The City of Red Deer, having considered the report from the Community Housing Advisory Committee dated March 5, 2001 re: Recommendations from Community Housing Advisory Committee, hereby agrees that until the review of the proposal from the Foundation of Inspirational Moments can be completed:

1. Alberta Community Development be requested to continue to support the clients of the Foundation for Inspirational Moments for 90 days commencing March 31, 2001.
2. the costs of approximately \$20,000 related to this support be from the allocation of Alberta Community Development to The City of Red Deer.

Resolution #2:

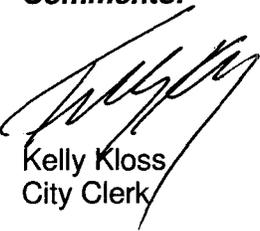
Resolved that Council of The City of Red Deer, having considered the report from the Community Housing Advisory Committee dated March 5, 2001 re: Recommendations from Community Housing Advisory Committee, hereby approves funding of \$164,000 to P & S Investments for the development of a transitional apartment complex at 5129-50 Avenue, Red Deer, Alberta, subject to the following conditions:

1. That P & S Investments apply to Canada Mortgage and Housing Corporation by March 31, 2001, for funding under the Residential Rehabilitation and Assistance Program (RRAP) to offset the City's support of this project.
2. That P & S Investments work with the City's Social Planning Department to develop guidelines for this project including but not limited to:
 - a. Limits on rents to be charged for the rental units
 - b. Maximum lengths of time for residents to be in the units
 - c. Method of approval of tenants
 - d. Criteria for acceptance of tenants

- e. Procedures for monitoring the project
 - f. Method of prorating the public investment in the project over 15 years
 - g. Financial reporting on community housing funds.
3. That the City register an encumbrance against the facility being developed to protect the public investment over the 15-year period.
4. That P and S Investments enter into a formal arrangement with the Canadian Mental Health Association (CMHA) to enable CMHA, as an interested community, non-profit group, to assist with the project by screening applicants for accommodation, to participate in evaluating the success of the project and to provide support to the tenants.

Report Back to Council: No

Comments:



Kelly Kloss
City Clerk

/clr

c Director of Community Services
Director of Corporate Services
Social Planning Manager

Item No. 7

Date: March 1, 2001
 To: City Council
 From: Municipal Planning Commission
 Re: Subdivision File No. RED 01106
 Heritage Village (Trademark Western Properties)

The DC8 Direct Control District No. 8 was created in 1999 to provide a framework for development of the remaining former railway lands south of the Real Canadian Superstore. This District requires that Council approves the site plan and any variance in the setbacks required in the District.

On February 12, 2001, City Council conditionally approved the site development of Heritage Village (Trademark Western Properties) at 5212 – 48 Street, the former downtown railway land which is zoned DC8 Direct Control District No. 8. The development consists of four commercial/office buildings and one multiple-family apartment (Medican). All of the standards related to the development were approved by Council.

On February 26, 2001, MPC considered and conditionally approved the proposed subdivision to subdivide the multiple-family residential portion from the overall site. The proposed subdivision will not affect the approved site plan, however the division of the site between the Medican Building and the commercial development results in new sideyards between the two parcels. There is only 11.56 metres separating the new buildings; the DC8 District requires 6 metres sideyard on each of the proposed new parcels. City Council therefore would need to relax the minimum sideyard requirement by 0.44m or 1.44ft for the Medican site in order to allow this subdivision to proceed. The conditions of subdivision approval are:

- 1 Utility rights of way to be provided by plan of survey for all utilities, including Atco Gas, and should be registered simultaneously with the subdivision plan.
- 2 Joint Agreement, covering access, parking and servicing, will be required with the owners of the two lots.
- 3 Satisfactory arrangements made with utility companies for provision of services to each lot.
- 4 City Council relaxation of the minimum sideyard requirement by 0.44 metres for the proposed Medican lot.

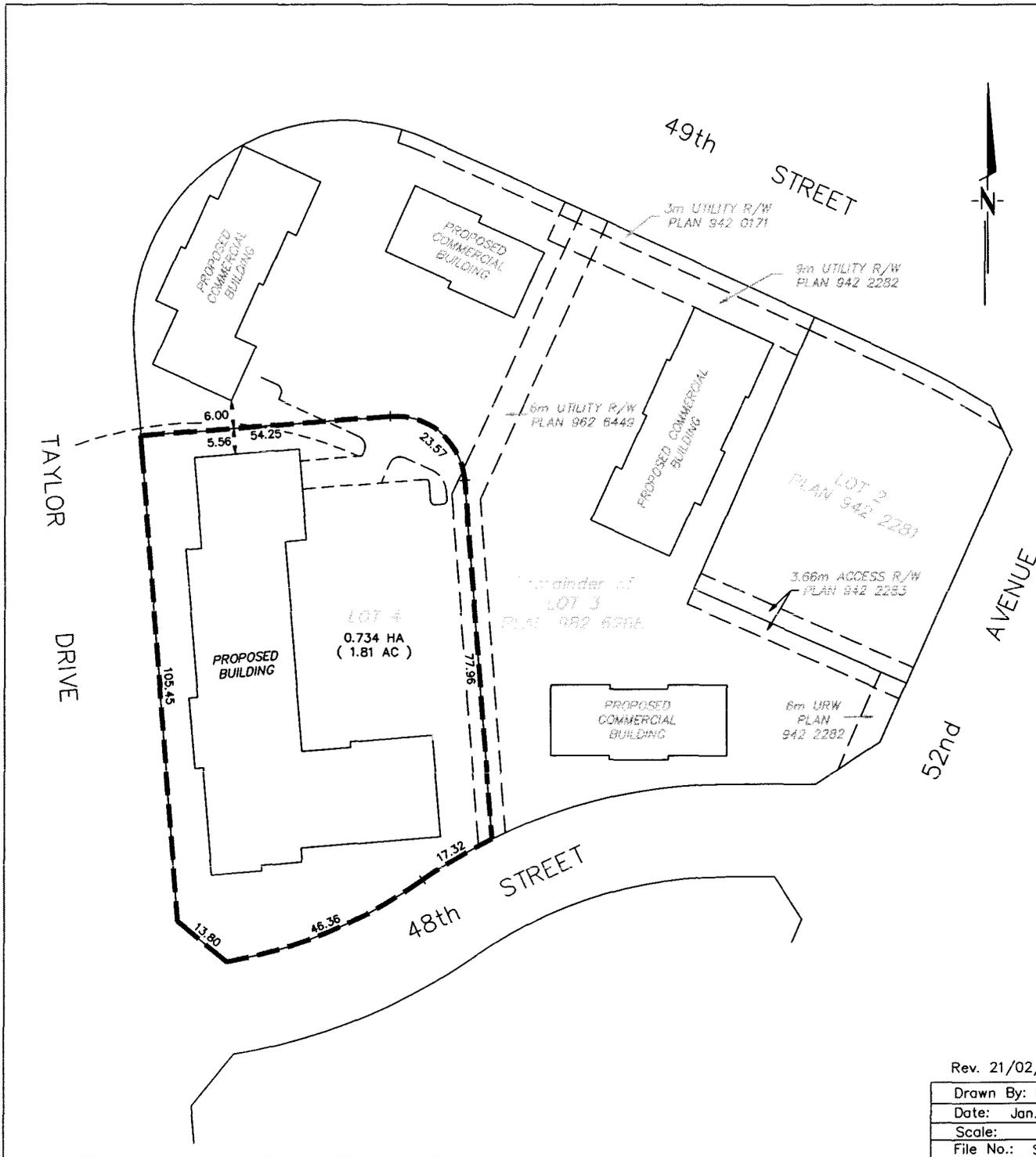
Recommendation

That City council grants relaxation of 0.44 metres (1.44 ft) of the required 6.0 metre sideyard for the multiple-family residential (Medican) lot.



 Mayor Gail Surkan, Chairperson
 Municipal Planning Commission

Attachment



CITY of RED DEER
 TENTATIVE PLAN
 OF
 PROPOSED SUBDIVISION
 OF PART OF
 LOT 3 , PLAN 982 6268
 WITHIN
 E. 1/2 Sec. 17-38-27-4
 SCALE = 1:1000

NOTES:
 -Distances shown are in metres.
 -Area dealt with is bounded thus  and contains 0.734 HA (1.81 AC)

Parkland Community Planning Services
CONDITIONALLY APPROVED
MPC - Feb. 26/01

Subdivision File : RED 01106

Rev. 21/02/01

Drawn By: MY Chk'd DV
Date: Jan. 24th , 2001
Scale: 1 : 1000
File No.: S-006-01

Bemoco Land Surveying Ltd.
 21,7895-49th Avenue
 Red Deer, Alberta

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Municipal Planning Commission
FROM: City Clerk
RE: *Heritage Village (Trademark Western Properties) - Request for Relaxation of Side Yard for Medican Development*

Reference Report: Municipal Planning Commission dated March 1, 2001

Resolution:

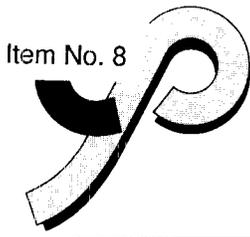
Resolved that Council of The City of Red Deer, having considered the report from the Municipal Planning Commission dated March 1, 2001, re: Heritage Village (Trademark Western Properties), Subdivision File No. RED 01106, hereby grants a relaxation of 0.44 metres (1.44 ft) of the required 6.0 metre sideyard for the multiple-family residential (Medican) lot.

Report Back to Council: No

Comments:


Kelly Kloss
City Clerk

/clr



**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: March 5, 2001

TO: Kelly Kloss, City Clerk

FROM: Johan van der Bank, Planner

RE: BYLAW 3156/M-2001
PROPOSED LOW IMPACT COMMERCIAL USE AREA IN WOODLEA AND
PARKVALE

NO. OF PAGES: Ten

BACKGROUND

In August 2000 City Council approved the Greater Downtown Action Plan. Amongst other recommendations to be implemented in future, the Downtown Action Plan recommends opportunities to accommodate 'low impact commercial uses' in specific areas of the Parkvale and Woodlea residential communities. On August 15, 2000 Century 21 Advantage Commercial requested the rezoning of the property at 4604 – 49 Street from R1A to Low Impact Commercial Use. On August 28, 2000 Council resolved that "consideration of this item be tabled until a comprehensive consultation and review process involving the Parkvale community and other stakeholders in the downtown has been undertaken to ensure the opportunity to provide input into any changes." Council requested Parkland Community Planning Services to undertake community consultation in this regard and to report back to Council by the end of the first quarter in 2001. This issue is also identified as an "early success" in the Greater Downtown Action Plan Implementation Strategy.

WHAT ARE LOW IMPACT COMMERCIAL USES?

The Downtown Action Plan defines 'low impact commercial uses' as follows: 'activities that fall beyond the scope of a home-based business, but remain residential in scale and character'. The concept of 'low impact commercial uses' often appears in land use planning policies for many cities' downtown redevelopment plans, and is usually specifically defined for local circumstances and objectives. The definition of what constitutes 'low impact commercial use' varies from location to location; e.g. low impact commercial uses around the downtown of a major city will be quite different from what it is around the downtown of a rural community. In a general view however, the operation and appearance of low impact commercial uses are of such a nature that they can typically locate in 'non-commercial' buildings, such as detached dwellings. They might include some of the regular commercial uses, but the distinction is the ability to function as a compatible neighbour to residential uses, especially single family homes. Examples of low impact commercial uses could include small professional offices, antique stores, boutiques, medical/dental offices, art studios/galleries, photography studios, personal services, florist shops, etc.

The regulation of low impact commercial uses would involve special provisions to ensure compatibility of those houses that are used for low impact commercial uses with other dwellings in the defined area that remain residential only.

NEIGHBOURHOOD MEETING

A flyer was delivered in the Parkvale and Woodlea neighbourhoods (approximately 200 dwelling units) and mailed to 88 absentee landowners early in January 2001. The flyer explained the concept of low impact commercial uses, advised residents and landowners of a proposal to introduce these uses into certain areas of Woodlea and Parkvale and invited them to an opportunity to provide their views and comments at a neighbourhood meeting on January 16. Forty-seven residents and landowners attended the meeting and nine residents and landowners submitted comment sheets and/or participated in finalising the meeting notes (copies of the attendance sheets from the meeting, comment sheets and other written submissions are circulated under separate confidential letter to Council). The following is a summary of the concerns and general views expressed by the community and landowners in regard to low impact commercial uses. The list includes a summary of the meeting feedback as well as the views expressed in comment sheets received after the meeting.

ITEM	SUMMARY OF RESPONSES
<p>1. <i>How do you feel about the possible introduction of low impact commercial uses in a restricted area of Parkvale and Woodlea, as proposed?</i></p>	<p>The specific area where low impact commercial uses would be allowed along the guidelines proposed were acceptable to the community with little or no opposition specific to the low impact commercial use, provided that appropriate development regulations are set in place. [Two other proviso's were mentioned, and will be discussed further below, i.e. the changing of 46 Avenue between 49 Street and Ross/50 Street into a one way street going north, and 48 Street remaining closed to vehicular traffic between 47A Avenue and 47 Avenue.]. This type of use allows a highly visible location where a choice could be made to expand a business and keep cost low, especially when the decision is made to live in the same home. This proposal might result in the renovation and better maintenance of some of the properties.</p>
<p>2. <i>Do you agree with the proposed area?</i></p>	<p>It was agreed that the subject area include the lots along the north side of 49 Street situated between 46 and 47 Avenue, the lots along both sides of Ross/50 Street situated between 46 and 47 Avenue and the lots along the east side of 47 Avenue between Ross/50 Street and 55 Street. The location of these lots associated with traffic volumes on the major roads, make this area more commercial and less residential. It was suggested that the properties along the south side of 49 Street be included due to the existence of "non-residential" uses such as the Youth Volunteer Centre. The general consensus however is that the boundary between the low impact commercial use area and purely residential properties should be 49 Street and not the lane.</p>
<p>3. <i>What is considered to be a low impact commercial use?</i></p>	<p>The Downtown Action Plan defines 'low impact commercial uses' as follows: 'activities that fall beyond the scope of a home-based business,</p>

ITEM	SUMMARY OF RESPONSES
	<p>but remain residential in scale and character'. At the meeting it was mentioned that adult shops and bars should not be included. A suggestion was raised that 'automotive mechanic' be allowed as a low impact commercial use, however this was considered a use that would not be compatible with residential uses. Another suggestion was that small, exclusive restaurants (elegant dining) be allowed, followed by an objection that only restaurants with no grills and deep fry ovens be allowed. The decision whether or not a specific use qualifies as a low impact commercial use, should be left to the discretion of the Development Authority, based on consultation with landowners and residents that might be affected. Examples of uses that might qualify as low impact commercial uses are small professional offices, antique stores, boutiques, medical/dental offices, art studios/galleries, photography studios, personal services, florist shops, etc. On the contrary it is rather obvious which type of uses would not qualify as low impact commercial uses. Such uses would include businesses that typically operate after normal business hours, businesses that produce smells, are likely to contribute to an increase in noise levels in the area and typically generate delivery vehicle traffic outside of normal business hours, etc. Such undesirable uses would include for example parking lots, pubs, service stations, automotive and other workshops, drug stores, convenience stores, adult shops, restaurants, fast food outlets, places of public entertainment, etc. The proposal to allow low impact commercial uses as discretionary uses would provide all concerned residents ample opportunity to speak for or against any proposed commercial use during the development permit application and appeal procedure.</p>
<p>4. <i>Should more than one business be allowed with a discretionary development permit for low impact commercial use on a lot?</i></p>	<p>Some suggestions were made that low impact commercial uses should not be limited to one per lot. A restriction on the percentage of the floor space would not be appropriate either as some businesses take up more space than others do, yet might have a lesser impact in terms of activity. It was stated that a requirement for on-site parking would control the extent and number of low impact commercial uses that could practically be developed per lot.</p>

ITEM	SUMMARY OF RESPONSES
5. <i>Should the residential function of the subject lots be retained?</i>	It was mentioned that the Downtown Action Plan promotes the retention and increase of downtown residential uses, so these lots should be required to retain a residential function, such as Quintessentials. However, it was pointed out that this could not be justly applied in all situations, e.g. the owner of an accounting business would most likely choose not to reside at the office. Forcing the person to take residence at the office would result in many opportunities being lost and could result in only specific types of businesses being interested to make use of the discretionary use. Consensus was reached at the meeting that the retention of a residential function should be allowed and encouraged, but not required as a condition.
6. <i>Parking</i>	Concerns were expressed that already it is difficult to find a vacant parking space in front of one's home in 50 Street and that the introduction of low impact commercial uses would increase this problem. Some residents inquired about the possibility that the City could guarantee them on-street parking spaces in front of their homes (this would not be possible). Another concern was that the residential streets in Parkvale (e.g. 46 Avenue and 48 Street) would experience more parking problems if low impact commercial uses were allowed. It was generally agreed that all parking requirements for low impact commercial uses (i.e. staff and customers) plus any residential parking requirements (if a residential function is retained) should be provided on-site at the rear of the lots accessing via the laneway.
7. <i>What do we mean by asking that the single-family dwelling appearance of the area be retained?</i>	It was agreed that this aspect is considered to be an essential feature of low impact commercial uses. Aspects that would further this goal would be to retain existing mature trees and hedgerows, to require residential style setbacks and that the front yards be landscaped, limited shopfront windows and standard residential fencing. Bearing this in mind it is recognised that when low impact commercial uses are allowed, some changes to a purely single family residential appearance would be required so as to signal that "you are allowed to enter this property - this property is open to customers".
8. <i>Noise</i>	Low impact commercial uses should be ones that would not contribute to the increase of noise levels in the area. For example businesses that generate delivery truck traffic outside of normal business hours would not qualify as low impact commercial uses.

ITEM	SUMMARY OF RESPONSES
9. <i>Renovating existing homes versus new development</i>	It was agreed that the introduction of low impact commercial uses might contribute to the general upgrading of the area in that businesses cannot afford to have untidy yards and poorly maintained premises, and that the renovation of a home would be part of some development applications. In this regard the preservation of historically and architecturally significant homes would be a benefit to the whole community. At the same time it was agreed that a development proposal could entail the complete redevelopment of a less desirable structure, provided that the appearance and scale of a single family home is retained in the redevelopment.
10. <i>48 Street vehicular traffic</i>	The community would be vehemently opposed to a proposal to open 48 Street between 47A and 47 Avenues to vehicular traffic, because they feel that it would place pressure on the encroachment of businesses into residences along 48 Street. They feel that if low impact commercial uses are to be introduced into Parkvale, it should be contained in the area as described and nothing should be allowed that could place pressure on the residential uses in Parkvale. The community feels so strongly about this that if 48 Street were to be opened for vehicular traffic, they would oppose the introduction of low impact commercial uses anywhere in or around Parkvale.
11. <i>Traffic circulation</i>	It was suggested that 46 Street between Ross and 49 Streets be changed to a one way street going north to keep any commercial traffic related to the low impact commercial uses out of Parkvale residential area.
12. <i>Discretionary use</i>	All agreed that low impact commercial uses should not be allowed in a duplex, fourplex or apartment building, only in a detached house. Further, low impact commercial uses should be a discretionary use to the existing zoning, i.e. in the R1A Residential (Semi-detached Dwelling) District and the R2 Residential (Medium Density) District in the subject area only, by way of a land use exclusion, and associated with an existing or proposed single family detached house only.
13. <i>Hours of operation</i>	It was felt that the types of uses that would ensure compatibility with residential uses would be those that typically operate during normal business hours.
14. <i>Signage</i>	It was agreed that signs should be allowed. These should be of reasonable yet limited size, not too high and if illumination is required the light should be screened to fall on the sign rather than the sign itself being illuminated.

ITEM	SUMMARY OF RESPONSES
15. <i>Referral of development permit applications</i>	The Parkvale Association requests that they, as the official representative of the community, be recognised as a referral agency in the development permit application process for low impact commercial uses.

PLANNING ANALYSIS

The summary in the above table reflects the views of the community and Planning Staff. Draft low impact commercial use regulations were prepared based on these comments and referred to the Inspections & Licensing Department for their input. The traffic issues were referred to Engineering Services for comments.

The defined areas proposed to accommodate low impact commercial uses are adjacent to streets with high traffic volumes and existing commercial uses. This situation places pressure on these properties in that they become less desirable for low-density housing and more desirable for higher densities and commercial uses. Also adjacent to these properties are the remaining predominantly low-density residential areas of Woodlea and Parkvale. By allowing detached dwelling structures on the 'interface' properties to accommodate low impact commercial uses while retaining their detached dwelling appearances, it is intended to assimilate low impact commercial uses into the adjoining residential neighbourhoods.

The consensus from the community and landowner consultation is that, provided appropriate development regulations are introduced to ensure compatibility between adjacent low impact commercial uses and premises that remain purely residential, the area as described lends itself to the introduction of low impact commercial uses as recommended in the Greater Downtown Action Plan.

Of primary concern in this matter are the requirements that low impact commercial uses should retain the appearance of a detached dwelling as prescribed in the underlying land use district (i.e. R1A and R2), provide parking spaces on-site in accordance with special parking provisions (which are more stringent than the requirements in Section 47 of the Land Use Bylaw) and be restricted to those uses which, in the opinion of the Development Officer and in consultation with the community, are compatible with adjacent residential uses.

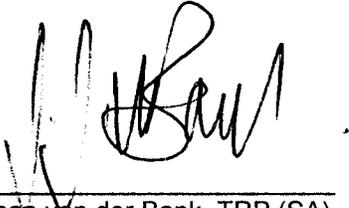
The initial newsletter contained a map showing the proposed low impact commercial area as exclusive of the five properties along the east side of 47 Avenue north of 53 Street. After the meeting, where it was agreed that these five properties be included, a second newsletter indicating the proposed inclusion of these five properties was dropped at the Central Alberta Women's Shelter Society, who owns all five lots. The revised area proposed for the incorporation of low impact commercial uses is shown on the map attached as Appendix 1.

With regard to the request that traffic circulation on 46 Avenue between 49 and 50 Streets be changed to one way traffic going north, Engineering Services commented that they would not support the change, indicating that it would be confusing to motorists, hamper traffic circulation and would likely not resolve the issue of mixing residential and commercial traffic. Engineering Services would not support any additional property access to Ross and 49 Streets, however it was indicated that lane only access to the low impact commercial uses may not be adequate depending on the type of commercial use. It was further indicated that, as a minimum, the back lanes of the low impact commercial area should be paved, while other required road improvements would depend on the intensity of the proposed low impact commercial use. These impacts could be assessed at the development permit stage and if any improvements are considered necessary, these could be imposed by development agreement.

With regard to the community objection to the possible opening of 48 Street between 47 and 47A Avenues, Engineering Services indicated that this matter is included in the recently commissioned Greater Downtown Action Plan Traffic Issues study. The Parkvale Community Association will be involved in this study.

RECOMMENDATION

That Council gives first reading to Bylaw No. 3156/M-2001, seeking to introduce low impact commercial uses in defined areas of Woodlea and Parkvale as described in this report.

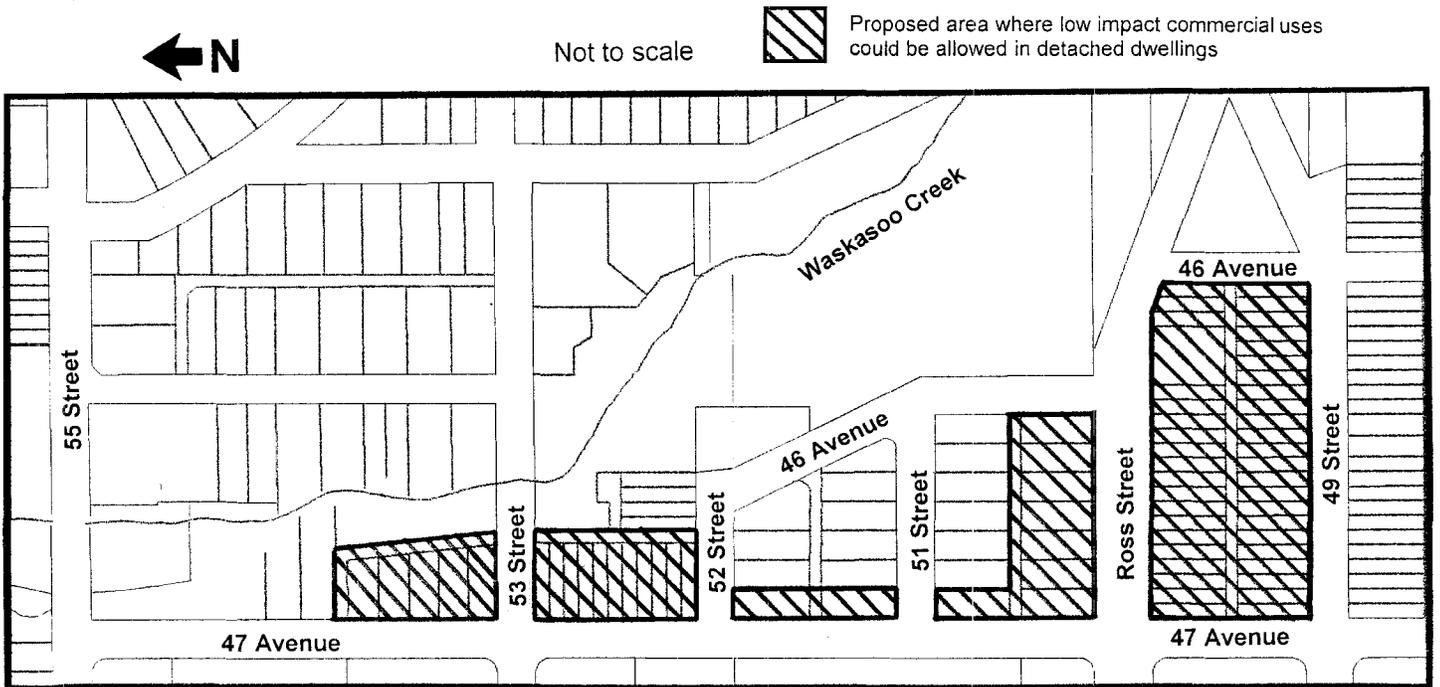


Johan van der Bank, TRP (SA)
Planner

attachments

cc: Colleen Jensen, Director of Community Services Division

APPENDIX 1:
Map showing the proposed area for the incorporation of low impact commercial uses.



Comments:

We agree that Council should proceed with first reading of Land Use Bylaw Amendment 3156/M-2001. A Public Hearing could then be held Monday, April 9, 2001 at 7:00 p.m., during Council's regular meeting.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Johan van der Bank, Planner
FROM: City Clerk
RE: *Land Use Bylaw Amendment 3156/M-2001 / Proposed Low Impact Commercial Use Area in Woodlea and Parkvale*

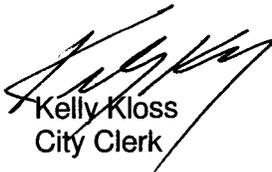
Reference: Correspondence from William & Norma Farrant dated February 16, 2001

Bylaw Readings:
The bylaw was given first reading. A copy is attached.

Report Back to Council:
Yes. A Public Hearing has been scheduled for Monday, April 9, 2001 at 7:00 p.m. in the Council Chambers, during Council's regular meeting.

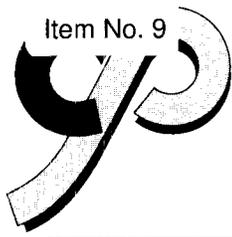
Comments:
Land Use Bylaw Amendment 3156/M-2001 proposes the introduction of low impact commercial uses in defined areas of Woodlea and Parkvale.

This office will now proceed with the advertising for a Public Hearing. The City will be responsible for the advertising costs in this instance.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Community Services
Director of Corporate Services
Director of Development Services
Inspections & Licensing Manager
Land and Economic Development Manager
C. Adams, Administrative Assistant
C. Rausch Administrative Assistant
C. Kenzie, Clerk Steno



**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: March 6, 2001

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/N-2001
Remainder of Lot 3, Plan 962 4094
NE ¼ Sec. 30-38-27-4
Johnstone Park – Phase 2
Carolina Homes Inc.

Carolina Homes Inc. is proposing to develop Phase 2 of the Johnstone Park Subdivision. The proposal redesignates approximately 2.95 ha (7.29 ac) of land from A1 Future Urban Development District to R1 Residential Low Density, P1 Parks and Recreation, and C3 Commercial (Neighbourhood Convenience) Districts. Phase 2 can accommodate the development of a 0.25 ha (0.61 ac) neighbourhood commercial lot, 30 single-family lots, a day care/social care lot and a 0.35 ha (0.86 ac) municipal reserve lot. The day care/social care site can be redeveloped as 3 single-family lots if the site is not sold after being on the market for three months.

The City of Red Deer is in the process changing the standard lane cross-section in order to meet Alberta Environment's water and sewer separation requirements. Carolina Homes Inc. is aware of the change and that Phase 2 of the Johnstone Park Subdivision will require lane widths of 7 m instead of the previous 6 m.

The proposed LUB amendment complies with the Johnstone Park Neighbourhood Area Structure Plan. The Johnstone Park Neighbourhood Area Structure Plan identified an area in the vicinity of the neighbourhood commercial site as contaminated from a former oilfield tanker cleaning operation. The site has since been cleaned as confirmed by the attached executive summary from a report by EBA Engineering Consultants Ltd.

Staff Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/N-2001.

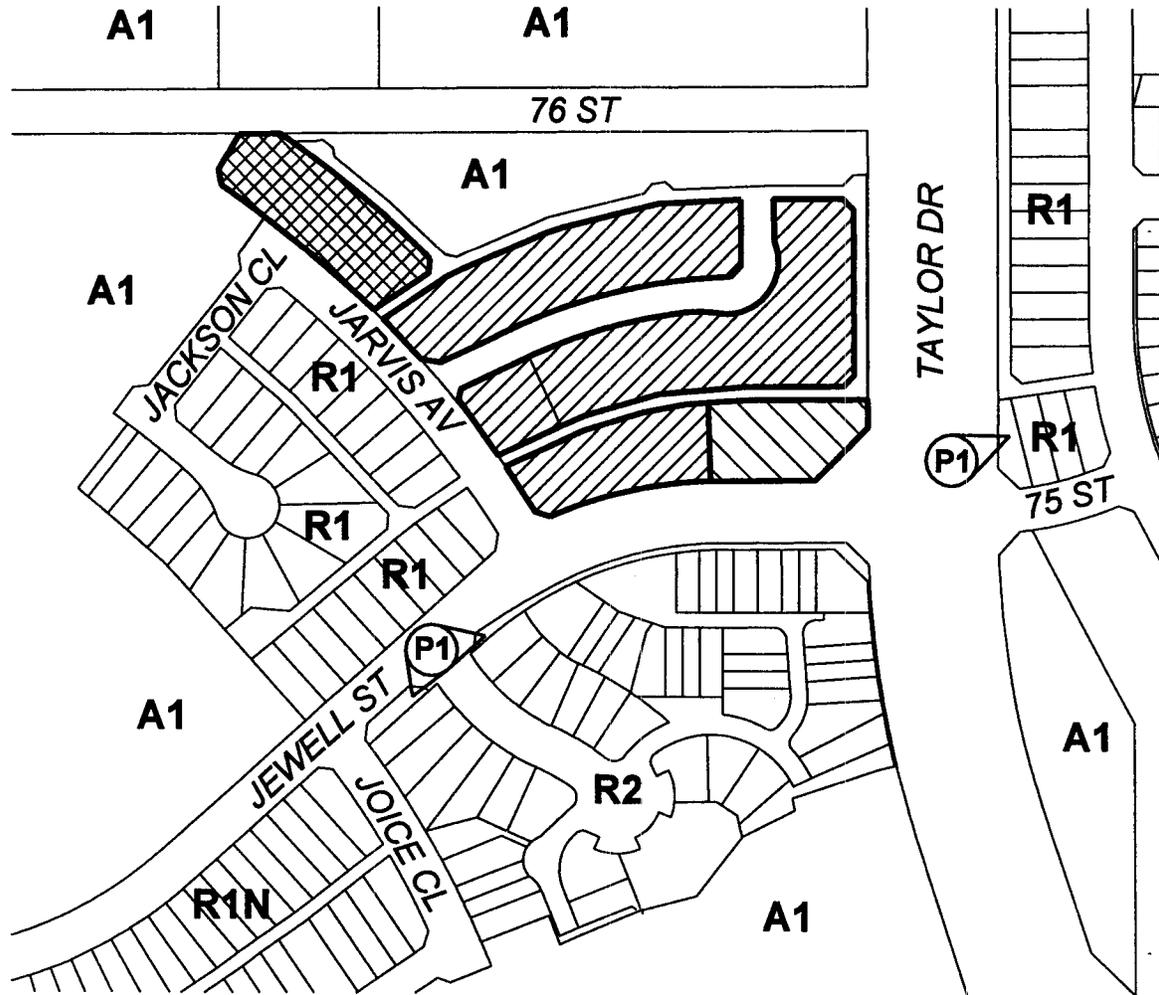
Sincerely,

Frank Wong,
Planning Assistant

Attachment

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

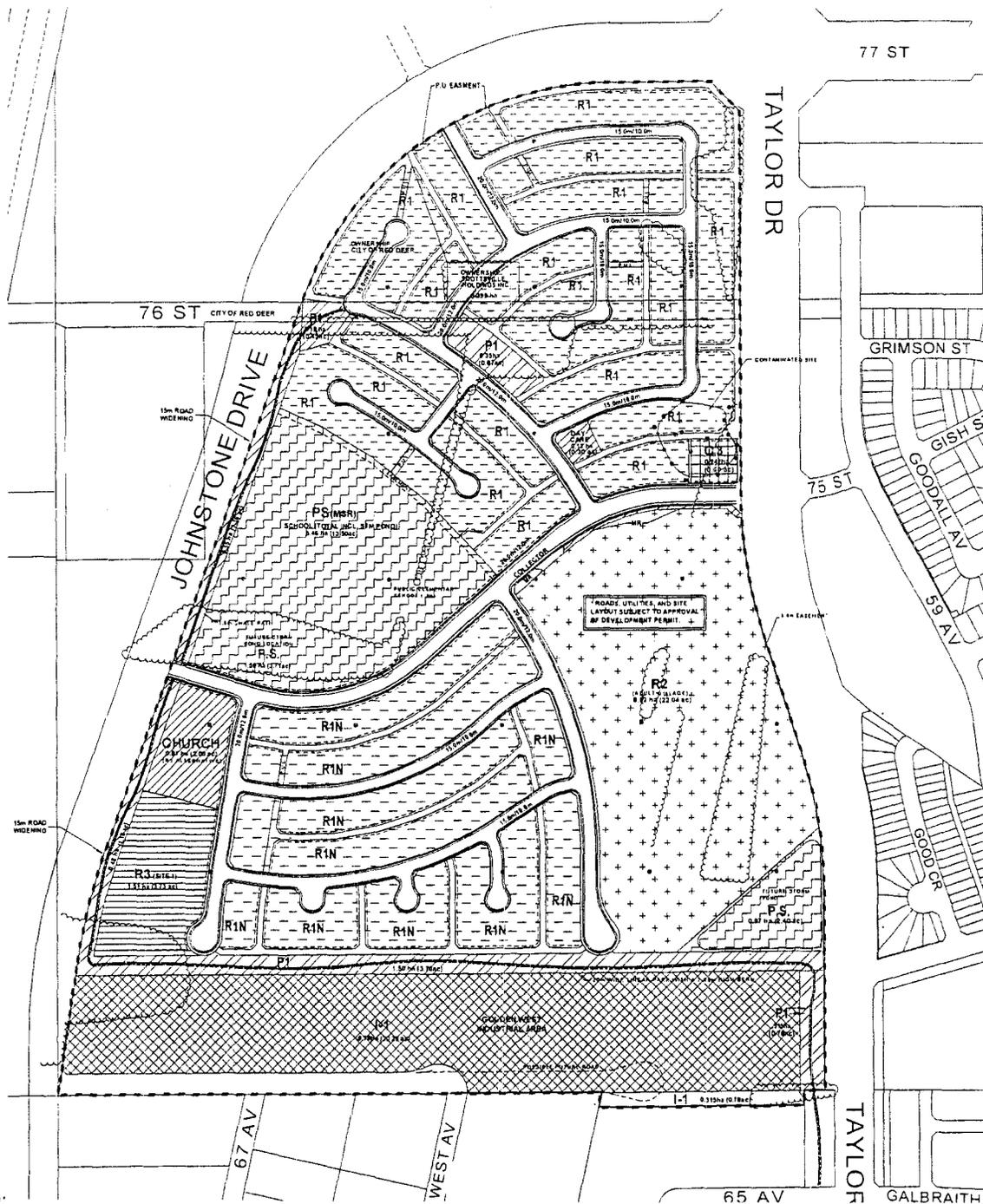
- A1 - Future Urban Development
- R1 - Residential (Low Density)
- C3 - Commercial Neighbourhood Convenience
- P1 - Parks and Recreation

Change from:

- A1 to R1 
- A1 to C3 
- A1 to P1 

MAP No. 9 / 2001
 BYLAW No. 3156 / N - 2001

GENCAN DEVELOPMENT LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



LEGEND:

-  OUTLINE BOUNDARY
-  PEDESTRIAN WALKWAY

PREPARED BY:
IBI GROUP

SCALE: N.T.S.
PREPARED FEB 2000

-  SINGLE FAMILY DETACHED RESIDENTIAL
-  RESIDENTIAL NARROW LOT DISTRICT
-  MEDIUM DENSITY RESIDENTIAL
-  MULTI-FAMILY RESIDENTIAL
-  DAYCARE, CHURCH & SOCIAL CARE FACILITIES
-  INDUSTRIAL
-  PUBLIC UTILITY LOTS
-  WALKWAYS & LOCAL PARKS
-  SCHOOL SITE
-  COMMERCIAL SITE

**FIGURE 3
DEVELOPMENT
PLAN**

EBA Engineering Consultants Ltd.

EXCAVATION OF PETROLEUM IMPACTED SOILS
FORMER OILFIELD SUPPLY COMPANY
JOHNSTONE PARK SUBDIVISION
RED DEER, AB

Submitted to:

CAROLINA HOMES INC.
Calgary, Alberta

Prepared by:

EBA ENGINEERING CONSULTANTS LTD.
Calgary, Alberta

Project No. 0305-99-38819004

OCTOBER 2000

EXECUTIVE SUMMARY

EBA Engineering Consultants Ltd. (EBA) was retained to monitor the excavation and remediation of petroleum impacted soils at a former oilfield supply company site located within a future phase of the Johnstone Park Subdivision development in Red Deer, Alberta. The subdivision property is located in NE 30 and SE 31-38-27 W4M at the southwest corner of the intersection of Taylor Drive and 76 Street. The area of petroleum impacted soils is located in the northeast quarter of Section 30, approximately opposite the right of way for 75 Street at Taylor Drive. At this location, a steel underground storage tank (UST), which formerly contained tank waste wash fluids from pipe and truck cleaning activities, had been removed from the site. The petroleum impacted soils at the site had been identified and characterized during previously completed site assessments.

Between June 21 and July 12, 2000, petroleum impacted soils were excavated from two areas previously identified during the site assessments. Soils exhibiting headspace vapour concentrations greater than 200 ppm were removed from the excavation areas. This threshold value was determined by comparing soil sample vapour concentration readings with corresponding laboratory analyses completed during previous assessments of the site. Soils which exhibited staining or excessive odors were also treated as impacted and removed from the areas. During the course of the excavations, a portion of a steel tank was removed from the large north excavation and portions of several drums were encountered in the smaller south excavation. Soil samples were spot checked to determine field flammability. No flammable soils were encountered. According to truck counts and the estimated volume of each truck, approximately 9,202 m³ of petroleum impacted soils and 1,973 m³ of unimpacted soils were removed from the excavation. This volume was confirmed to be approximately 9,000 m³ of petroleum impacted soils and approximately 1,600 m³ of unimpacted soils by a survey conducted after excavation activities were completed. The petroleum impacted soils were transported to the remote southern and southwest boundaries of the subdivision, where the soils were stockpiled in windrows pending remediation by mechanical aeration. The stockpiled soils were sampled on July 7, 2000 and treated by mechanical aeration on July 5, 2000 and July 8, 2000. The initial soil samples obtained on July 7, 2000 were obtained from untreated petroleum impacted stockpiled soils.

After the excavation and removal of petroleum impacted soils from both excavations on the site, confirmatory soil samples were collected from the final base and sidewalls of each excavation in a grid pattern. Headspace vapour concentrations were measured in each soil sample and selected samples, generally the sample exhibiting the highest headspace vapour concentration from each face of the excavations, were submitted for laboratory chemical analyses. The results of the laboratory analyses indicate that concentrations of the petroleum hydrocarbon parameters analyzed in the soil samples submitted are below the applicable Alberta Environment Petroleum Storage Tank (PST) Level II and Alberta Environment Tier I remediation criteria for coarse grained soils with one exception. The concentration of Total Petroleum Hydrocarbons (TPH) measured in a soil sample obtained from the south wall of the south excavation exceeded the Level II PST Criterion for coarse grained soils. The south wall of the south excavation was

advanced as far south as possible toward the roadway (Jewell Street) and a natural gas line which is buried immediately north of and parallel to the roadway. The vapour concentration reading obtained in the field from the south wall soil sample submitted for laboratory analyses was 180 ppm, which is below the unimpacted threshold value (200 ppm) determined from previous assessments conducted at the site. This indicates that the soils remaining onsite meet the applicable remediation criteria, however some soils beneath the roadway (Jewell Street) south of the south excavation may contain petroleum hydrocarbons at concentrations exceeding the applicable remediation criterion. Recent installation of deep utilities in this area in close proximity to the south excavation wall sample did not exhibit visual or olfactory evidence of petroleum hydrocarbons, as indicated by Carolina Homes personnel. Previous ESA activities indicate that the impacted soils do not extend south of the roadway. The remotely stockpiled petroleum impacted soils contain PAH's and xylenes at concentrations exceeding the Alberta Environment Tier I Criteria. These soils are to be treated on a regular frequency until laboratory analyses of representative samples indicate that contaminant concentrations in the soils meet applicable criteria.

The excavations were backfilled by Carolina Homes contractors. Compaction monitoring was not conducted by EBA during the backfilling of the excavations.

The remediated area is suitable for residential and/or commercial development, as indicated by the results of confirmatory sampling and laboratory analyses conducted on representative soil samples obtained from the final walls and base of the impacted soils excavation.

Comments:

We agree that Council should proceed with first reading of the bylaw. A Public Hearing could then be held Monday, April 9, 2001, at 7:00 p.m. in the Council Chambers, during Council's regular meeting.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: F. Wong, Planning Assistant
FROM: City Clerk
RE: Land Use Bylaw Amendment 3156/N-2001, Remainder of Lot 3, Plan 962
4094, NE ¼ 30-38-27-4, Johnstone Park – Phase 2, Carolina Homes

Reference: Report from Planning Assistant dated March 6, 2001

Bylaw Readings:

The bylaw was given first reading. A copy is attached.

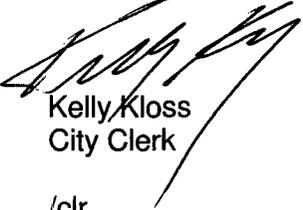
Report Back to Council:

Yes. A Public Hearing has been scheduled for Monday, April 9, 2001 at 7:00 p.m. in the Council Chambers, during Council's regular meeting.

Comments:

Land Use Bylaw Amendment 3156/N-2001 provides for the rezoning of land from A1 Future Urban Development District to R1 Residential Low Density, P1 Parks and Recreation and C3 Commercial (Neighborhood Convenience) Districts. Phase 2 provides for the development of a neighborhood commercial lot, 30 single-family lots, a day care/social lot and a municipal reserve lot. The day care/social care site could be redeveloped as three single-family lots if the site is not sold after being on the market for three months. This amendment complies with the Johnstone Park Neighborhood Area Structure Plan.

This office will now proceed with the advertising for a Public Hearing. Carolina Homes will be responsible for the advertising costs in this instance and a copy of the letter notifying them of that responsibility is attached for your information.


Kelly Kloss
City Clerk

/clr
attchs.

- c Director of Community Services
- Director of Development Services
- Inspections & Licensing Manager
- Land and Economic Development Manager
- C. Adams, Administrative Assistant
- C. Rausch Administrative Assistant
- C. Kenzie, Clerk Steno



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

March 13, 2001

Carolina Homes Inc.
#215, 340 Midpark Way, S.E.
Calgary, AB T2X 1P1

Dear Sirs:

Re: *Land Use Bylaw Amendment 3156/N-2001, Johnstone Park – Phase 2, Request for Rezoning*

At the At the City of Red Deer's Council meeting held Monday, March 12, 2001, first reading was given to Land Use Bylaw Amendment 3156/N-2001. A copy is attached.

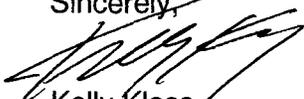
Land Use Bylaw Amendment 3156/N-2001 provides for the rezoning of land from A1 Future Urban Development District to R1 Residential Low Density, P1 Parks and Recreation and C3 Commercial (Neighborhood Convenience) Districts. Phase 2 provides for the development of a neighborhood commercial lot, 30 single-family lots, a day care/social lot and a municipal reserve lot. The day care/social care site could be redeveloped as three single-family lots if the site is not sold after being on the market for three months. This amendment complies with the Johnstone Park Neighborhood Area Structure Plan.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, April 9, 2001 at 7:00 p.m., during Council's regular meeting, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$400. We require this deposit by no later than 10:00 a.m., Wednesday, March 21, 2001 in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Planning Assistant C. Kenzie, City Clerk's Office
C. Adams, Administrative Assistant
C. Rausch, Administrative Assistant

Item No. 10

700-053 058-001
205-001 135-001

Date: March 6, 2001
 To: City Clerk
 From: Acting Engineering Services Manager
 Re: 2001 Area Improvement Levies

Area Improvement Levies are charges payable by a developer for the use of municipal improvements constructed or to be constructed by The City or another developer. The levy is based upon the actual or estimated cost of the improvement divided by the total development area that benefits from the improvement. Unlike trunk utility mains and arterial roadways that are funded by off-site levies and benefit all development areas, the area improvements in question only benefit specific areas.

The following table outlines the proposed area improvement rate changes for 2001.

	Project/Property Owner	2000 Rate	Proposed 2001 Rate	% Change
a.	39 Street Reconstruction, from 800 m east of 30 Avenue to 20 Avenue			
	Devonshire Subdivision (NE 11) Melcor Developments Ltd.	\$7,825/ha	\$7,380/ha	(5.7%)
	Davenport Subdivision (SE 14) Parkside Holdings Ltd.	\$7,475/ha	\$6,915/ha	(7.5%)
b.	Oak Drive, from 175 m west of Farrell Avenue to 245 m south of Orr Drive and Oak Drive intersection			
	Oriole Park West (NW 19) Reid World Wide Corporation	\$8,045/ha	\$8,050/ha	0.1%
	Oriole Park West (SW 19) The City of Red Deer	\$8,045/ha	\$8,050/ha	0.1%
c.	Kingston Drive, from Gaetz Avenue to west property line of Lot 1, Plan 800 HW			
	Part of NE ¼ 32-38-27-4 Laebon Developments Ltd.	\$4,915/ha	\$6,350/ha	29.2%
	Lot 3, Plan 2122 H.W. in the NE ¼ 32-38-27-4 Quatum IV Developments Inc.	\$4,915/ha	\$6,350/ha	29.2%
	Part of NE ¼ 32-38-27-4 Gillmar Management Ltd. and J. Alfred Ordman Professional Corp.	\$4,915/ha	\$6,350/ha	29.2%

City Clerk
Page 2
March 6, 2001

Attached are copies of letters sent to the various property owners detailing the history for each rate. Drawings showing the proposed area improvement project locations and the boundaries of the benefiting areas used to determine the area improvement rate were included with each letter.

Although we have not received written responses from any of the property owners, all parties were contacted by phone. None of the affected property owners expressed an objection to the proposed rate changes.

SUMMARY

We respectfully request Council approval of the proposed 2001 Area Improvement rates for the projects noted in the following table:

	Project	Proposed 2001 Rate
a.	39 Street Reconstruction from 800 m east of 30 Avenue to 20 Avenue	
	Devonshire Subdivision (NE 11)	\$7,380/ha
	Davenport Subdivision (SE 14)	\$6,915/ha
b.	Oak Drive from 175 m west of Farrell Avenue to 245 m south of Orr Drive and Oak Drive intersection	
	Oriole Park West (NW 19 and SW 19)	\$8,050/ha
c.	Kingston Drive from Gaetz Avenue to west property line of Lot 1, Plan 800 HW	
	Kentwood (NE 32)	\$6,350/ha



Tom C. Warder, P. Eng.
Acting Engineering Services Manager

SS/emr

Att.

c. Engineering Accountant

February 9, 2001

Melcor Developments Ltd.
#502 Parkland Square
4901 - 48 Street
Red Deer, AB T4N 6M4

Attention: Guy Pelletier

Dear Sir:

Re: Proposed 2001 39 Street Area Improvement Rates

Area Improvement levies are charges payable by a developer for the use of municipal improvements constructed or to be constructed by The City or another developer. The levy is based upon the actual or estimated cost of the improvement divided by the total development area that benefits from the improvement. Unlike trunk utility mains and arterial roadways that are funded by off-site levies and benefit The City as a whole, the area improvements in question only benefit specific areas. Area Improvement levy rates are reviewed annually to reflect changes in revenues and expenditures made during previous years, the effects of inflation, and revised cost estimates based on current contract unit prices.

The 39 Street Area Improvement was established in 1986 when development of Eastview Estates and Deer Park was underway. The purpose of the 39 Street Area Improvement is to recover the cost of constructing the 39 Street roadway from west of Maxwell Avenue to 20 Avenue. The project was divided into 3 separate projects as follows:

1. From west of Maxwell Avenue to 30 Avenue,
2. From 30 Avenue to the quarter line east of Davison Drive, and
3. From the quarter line east of Davison Drive to 20 Avenue.

The cost of each of the projects was split 50/50 for each of the adjacent quarter sections. Separate rates were determined for each of the five benefiting quarter sections to reflect the different rates of development.

Attached is a drawing showing the proposed area improvement project location and the boundary of the benefiting area used to determine the area improvement rate for the 39 Street roadway from the quarter line to 20 Avenue. The following table outlines the proposed area improvement rate change for 2001.

Page 2
February 9, 2001

Project	2000 Rate	Proposed 2001 Rate	% Change
39 Street Reconstruction from 800 m East of 30 Avenue to 20 Avenue			
Devonshire Subdivision (NE 11)	\$7,825 /ha	\$7,380 /ha	(5.7%)
Davenport Subdivision (SE 14)	\$7,475 /ha	\$6,915 /ha	(7.5%)

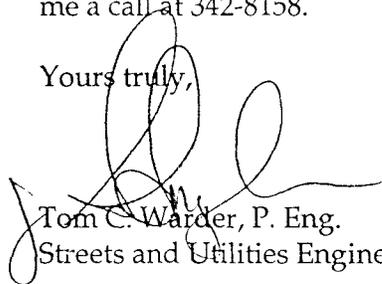
The decrease in the rates is based on the following:

1. Melcor Developments Ltd. has developed approximately 25.7 ha out of a total area of 59.49 ha in the Devonshire Subdivision (NE 11).
2. Parkside Holdings Ltd. has developed 37.42 ha out of a total area of 61.08 ha in the Davenport Subdivision (SE 14).
3. The actual cost of constructing 39 Street from the quarter line to Dowler Street was less than the 2000 estimated cost.
4. The estimated cost for construction of 39 Street from Dowler Street to 20 Avenue was revised using the 2000 contract unit prices.

The 2001 Area Improvement Rates (subject to Council approval) will apply to Development Agreements prepared between January 1, 2001 and December 31, 2001.

Please provide me with your comments by February 16, 2001, if possible. We plan to take this matter to Council on February 26 and would like to include your comments. If you have any questions or would like to meet to discuss this matter further, please give Sybren Spyksma or me a call at 342-8158.

Yours truly,

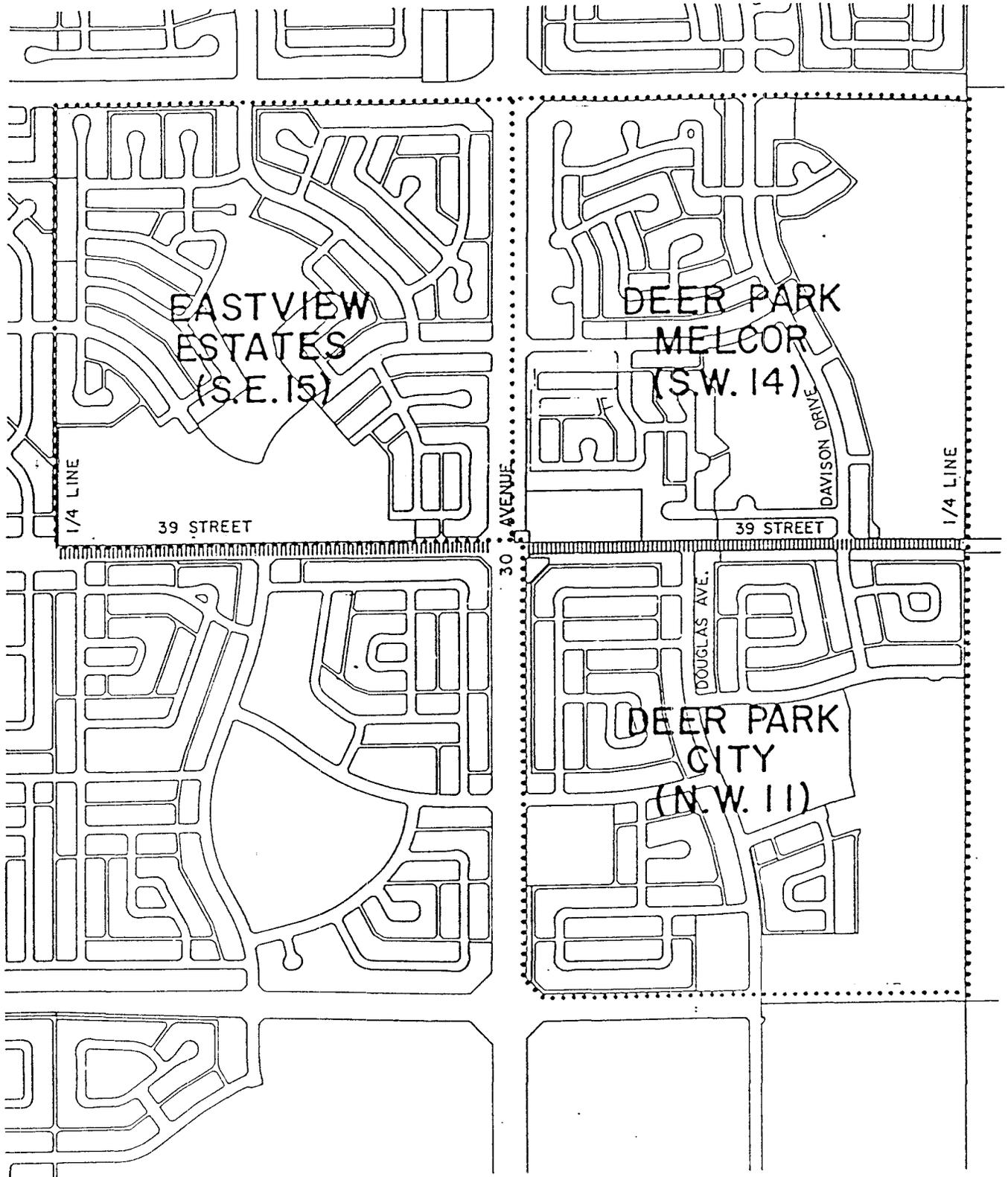


Tom C. Warder, P. Eng.
Streets and Utilities Engineer

SS/nrc

Att.

c. Russ Wlad, Stantec Consulting Group



39 STREET COLLECTOR ROADWAY
AREA IMPROVEMENT LEVY

February 9, 2001

Reid Worldwide Corporation
18140 - 107 Avenue
Edmonton, Alberta T5S 1K5

Attention: Bob Marshall

Dear Sir;

Re: Proposed 2001 Area Improvement Rates

Area Improvement levies are charges payable by a developer for the use of municipal improvements constructed or to be constructed by The City or another developer. The levy is based upon the actual or estimated cost of the improvement divided by the total development area that benefits from the improvement. Unlike trunk utility mains and arterial roadways that are funded by off-site levies and benefit The City as a whole, the area improvements in question only benefit specific areas. Area Improvement levy rates are reviewed annually to reflect changes in revenues and expenditures made during previous years, the effects of inflation, and revised cost estimates based on current contract unit prices.

The Oak Drive Area Improvement was established in 1998 when development of the NW ¼ Section 19 started. The purpose of the Area Improvement is to recover the cost of constructing the Oak Drive (Kerry Wood Drive) roadway from west of Farrell Avenue to the south boundary of the Oriole Park West Subdivision.

The following is a brief history regarding the establishment of the Oak Drive Area Improvement:

1. The 1990 Transportation Study determined that Oak Drive (Kerry Wood Drive) should be constructed as a collector roadway providing access to the proposed Oriole Park West Subdivision. A second access to the area is to be constructed from 67 Street at 68 Avenue and a third from Overdown Drive at Oak Street.
2. In 1995, the owner of the NW 19 - 38 - 27 - W4 proposed to develop a portion of his land. The owner, together with The City (owner of SW 19 - 38 - 27 - W4) retained a traffic consultant to confirm the recommendations in the 1990 Transportation Study. They predicted that the extension of Oak Drive (Kerry Wood Drive) is required and would handle approximately 1500 vehicles per day. This roadway would also serve as an alternate access to Great Chief

Page 2
February 9, 2001

Park, Bower Ponds, Red Deer Golf and Country Club, and the Fairview Subdivision; and would minimize the impact of the new development traffic on the existing Oriole Park Subdivision.

3. The portion of Oak Drive (Kerry Wood Drive) that is of concern was estimated to cost \$710,000 (1998 cost estimate). In this instance there is no adjacent development to fund the construction of this roadway. The proposed rate would also include approximately \$27,600 oversizing a portion of Orr Drive (68 Street) from a standard collector cross-section to a 5 lane divided cross-section to match the proposed roadway cross-section north of 67 Street.
4. In 1998, a report was submitted to City Council recommending that the cost of constructing this roadway and the Orr Drive oversize be funded 50% from the Oriole Park West Subdivision (NW & SW 19 - 38 - 27 - W4) and 50% from the General Subdivision Fund.
5. City Council approved the initial Oak Drive (Kerry Wood Drive) Area Improvement levy rate based on the recommended funding split in August 1998.

Attached is a drawing showing the proposed area improvement project location and the boundary of the benefiting area used to determine the area improvement rate. The following table outlines the proposed area improvement rate change for 2001.

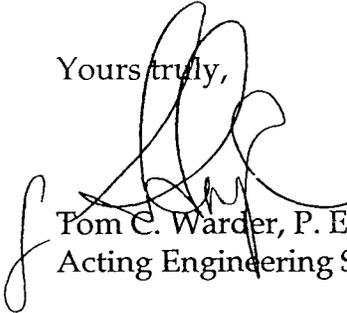
Project	2000 Rate	Proposed 2001 Rate	% Change
Oriole Park West (NW 19 and SW 19)			
Oak Drive from 175 m west of Farrell Avenue to 245 m south of Orr Drive and Oak Drive Intersection	\$8,045 /ha	\$8,050 /ha	0.1%

The 2001 Area Improvement Rates (subject to Council approval) will apply to Development Agreements prepared between January 1, 2001 and December 31, 2001.

Page 3
February 9, 2001

Please provide me with your comments by February 16, 2001, if possible. We plan to take this matter to Council on February 26 and would like to include your comments. If you have any questions or would like to meet to discuss this matter further, please give Sybren Spyksma or me a call at 342-8158.

Yours truly,

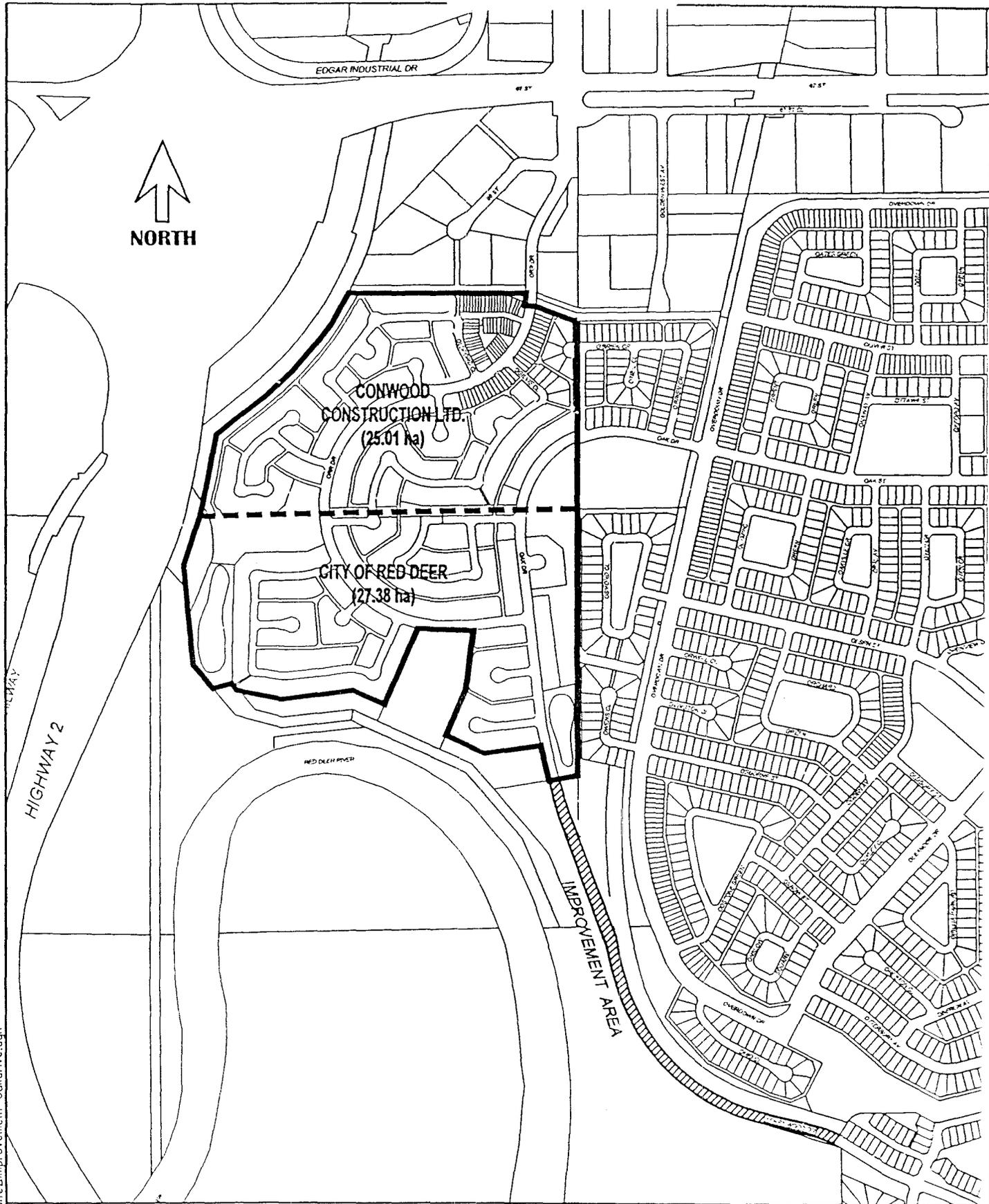


Tom C. Warder, P. Eng.
Acting Engineering Services Manager

SS/nrc

Att.

c. Russ Wlad, Stantec



u:\Engineering\EDMS\Office\improvement-oak drive.dgn

OAK DRIVE AREA IMPROVEMENT

6 FEB. 2001

February 9, 2001

Gillmar Management Ltd. and
 J. Alfred Ordman Prof. Corp.
 Box 1188
 Red Deer, AB T4N 6S6

Dear Sir:

Re: Proposed 2001 Kingston Drive Area Improvement Rate

Area Improvement levies are charges payable by a developer for the use of municipal improvements constructed or to be constructed by The City or another developer. The levy is based upon the actual or estimated cost of the improvement divided by the total development area that benefits from the improvement. Unlike trunk utility mains and arterial roadways that are funded by off-site levies and benefit The City as a whole, the area improvements in question only benefit specific areas. Area improvement levy rates are reviewed annually to reflect changes in revenues and expenditures made during previous years, the effects of inflation, and revised cost estimates based on current contract unit prices.

The Kingston Drive Area Improvement was established in 1998 when development of the North half of Section 32 started. The purpose of the Kingston Drive Area Improvement is to recover the cost of purchasing a 24 m wide right of way and construction of the Kingston Drive (80 Street) roadway from Gaetz Avenue to the west property line of Lot 1, Plan 800 HW.

Attached is a drawing showing the proposed area improvement project location and the boundary of the benefiting area used to determine the area improvement rate. The following table outlines the proposed area improvement rate change for 2001.

Project	2000 Rate	Proposed 2001 Rate	% Change
Kentwood (NE 32)			
Kingston Drive from Gaetz Avenue to west property line of Lot 1, Plan 800 HW	\$4,915 /ha	\$6,350 /ha	29.2%

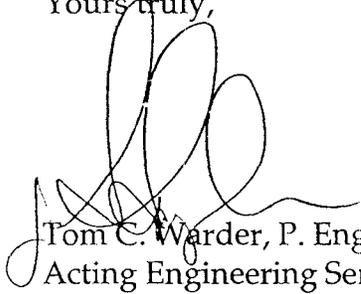
Page 2
February 9, 2001

As noted previously, a 24 m wide right of way must be purchased in order to construct the Kingston Drive roadway, with the purchase cost being recovered as part of the Area Improvement levy. The proposed rate increase has resulted from a recent appraisal of the land in question. The 2000 rate included a land value estimated to be approximately \$3.70 per square foot, whereas the appraisal recommends a value of approximately \$6.90 per square foot. This equates to an additional \$80,000 that must be recovered through the Area Improvement levy.

The 2001 Area Improvement Rates (subject to Council approval) will apply to Development Agreements prepared between January 1, 2001 and December 31, 2001.

Please provide me with your comments by February 16, 2001, if possible. We plan to take this matter to Council on February 26 and would like to include your comments. If you have any questions or would like to meet to discuss this matter further, please give Sybren Spyksma or me a call at 342-8158.

Yours truly,

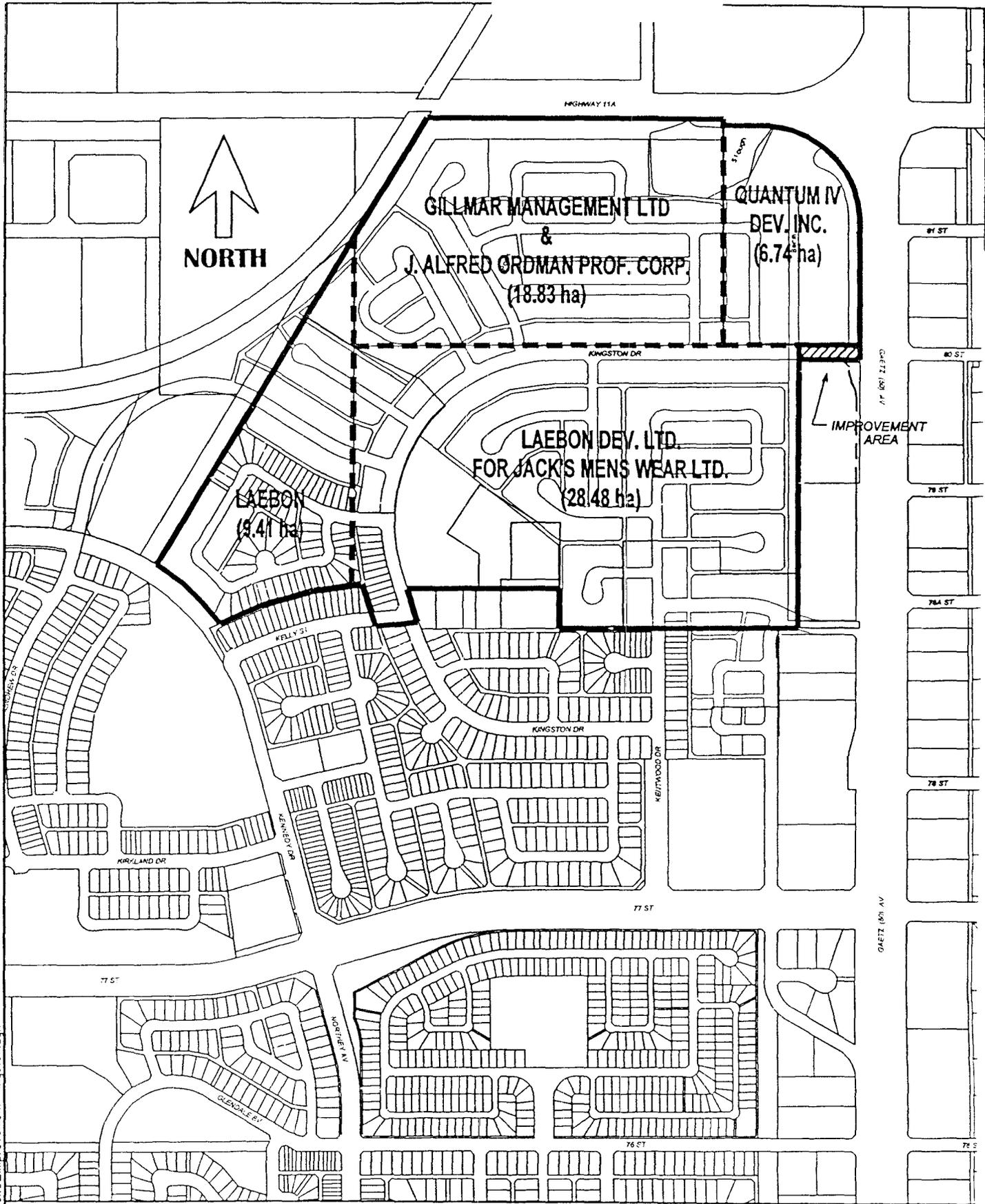


Tom C. Warder, P. Eng.
Acting Engineering Services Manager

SS/nrc

Att.

c. Bill Manning, WNM Engineering Ltd.

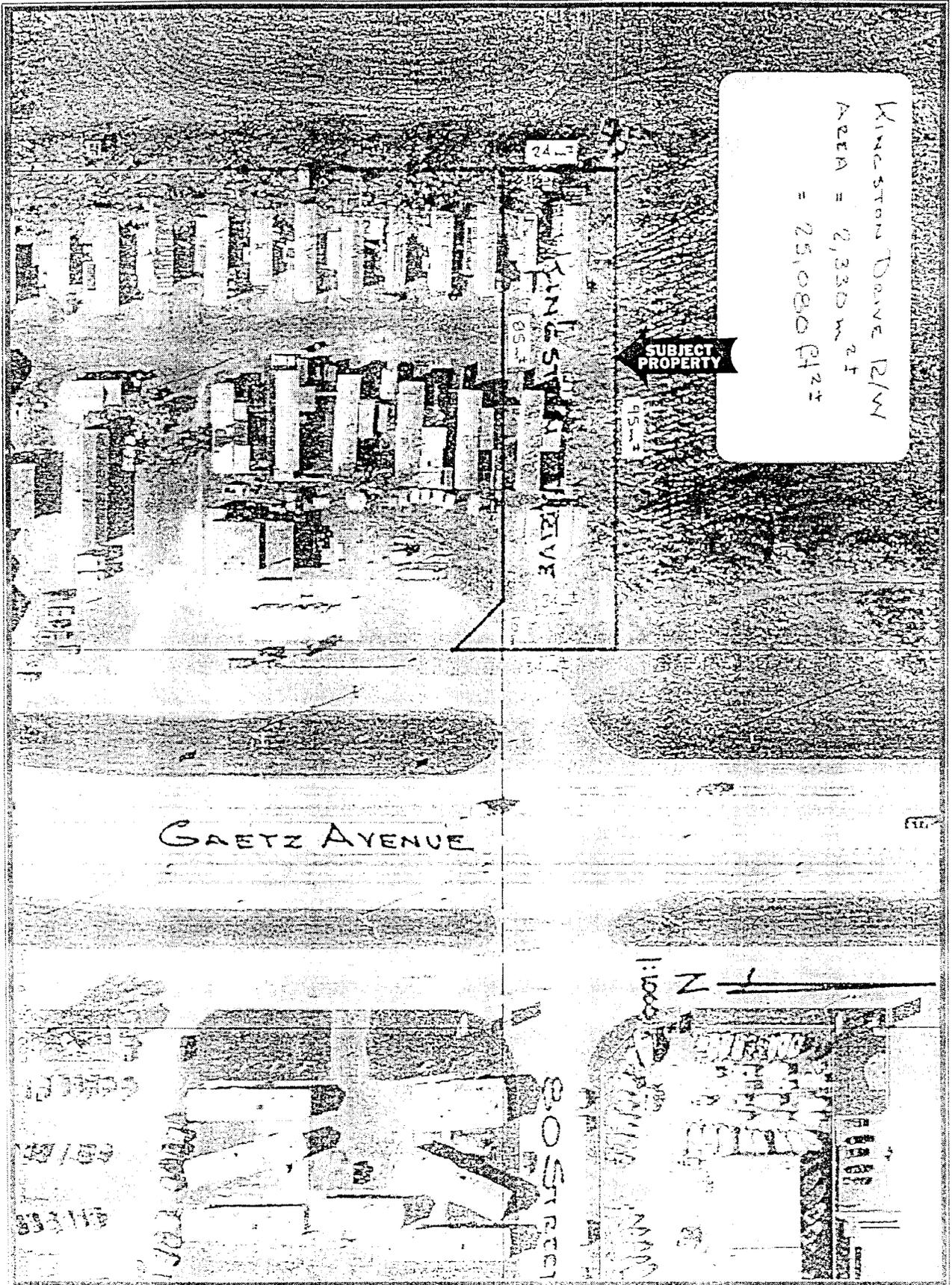


KINGSTON DRIVE AREA IMPROVEMENT

6 FEB. 2001

\\Engineering\EDMS\0\file\improvement-kingston.dgn

ARIEL MAP - Highlighting the Residual Site



Kingston Drive R/W
AREA = 2,330 m²
= 25,080 ft²

SUBJECT PROPERTY

GAEZT AVENUE

80 STREET

Comments:

We agree with the recommendations of the Acting Engineering Services Manager.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Acting Engineering Services Manger
FROM: City Clerk
RE: 2001 Area Improvement Levies

Reference Report: Acting Engineering Services Manager dated March 6, 2001

Resolution:

Resolved that Council of The City of Red Deer, having considered the report from the Acting Engineering Services Manager dated March 6, 2001, re: 2001 Area Improvement Levies, hereby approves the 2001 Area Improvement rates for the projects noted below:

	Project	Proposed 2001 Rate
a.	39 Street Reconstruction from 800 m east of 30 Avenue to 20 Avenue	
	Devonshire Subdivision (NE 11)	\$7,380 /ha
	Davenport Subdivision (SE 14)	\$6,915 /ha
b.	Oak Drive from 175 m west of Farrell Avenue to 245 m south of Orr Drive and Oak Drive intersection	
	Oriole Park West (NW 19 and SW 19)	\$8,050 /ha
c.	Kingston Drive from Gaetz Avenue to west property line of Lot 1, Plan 800 HW	
	Kentwood (NE 32)	\$6,350 /ha

Report Back to Council: No

Comments:



Kelly Kloss
City Clerk

/clr

c Director of Corporate Services
Director of Development Services
Engineering Accountant

William & Norma Farrant

3812 -- 50A Street
Red Deer, AB
T4P 1G3

Item No. 1
Correspondence

bfarrant@telusplanet.net
Home: (403) 309-7776
Cellular: (403) 318-3305

February 16, 2001

Mayor & City Council
c/o Office of the City Clerk
P.O. Box 5008
Red Deer, AB
T4N 3T4

Dear Sir or Madam:

I write this letter to you in regards to a letter we received January 12 of this year, from Deborah C. Mann, a Customer Service Representative in your Inspections & Licensing Department, of which I enclose a copy.

It refers to a secondary suite in the basement of our home at **3812 -- 50A Street, Lot 9 Block 4 Plan 5024TR.**

It is true that we do have an "in-law" suite in our basement that is occupied by Norma's sister, a Nursing student at Red Deer College.

Norma purchased this house in October of 1999 after her separation from her ex-husband. At that time the basement suite already existed and as she knew her sister would be quitting work and moving to Red Deer in the late summer of 2000 to obtain her nursing degree she thought it would be an ideal way to help her sister out. It was one of the factors that made her decide on this house.

Norma had no idea that such a suite was contrary to the bylaws of the City of Red Deer, and was of the same opinion as the rest of us that it seemed quite a normal situation to have a second suite for family, we've all seen examples of it in our lives and never given it a second thought.

She had some renovations done to spruce it up before her sister moved in, and the two of them both worked hard painting and wall papering so it would be a homey place where her sister could be comfortable during her 4 years of college.

There are only the three of us living in this house, my wife Norma, Norma's sister Barb, and myself. We are all quiet individuals in our forties who blend in to our new neighbourhood quite well. We have a two-car garage in the back, so we are not adversely affecting our neighbours with either a large number of people coming and going or by crowding the streets with vehicles.

Although the house is set up with a separate suite, we do largely live as a family. We share laundry and food storage facilities, there is no separate entrance to the house for the basement suite - she uses the same entrances as us, the upstairs and downstairs are not segregated and we all freely roam throughout the house, and share household and yard work. My wife Norma has been ill and unable to work of late, and it has turned out to be a blessing to have Barb living with us to help support Norma emotionally and help with the housework while I've been at work. That being said, we do enjoy our own privacy, having the separate suite set up is a matter of common sense. Norma and I being newlyweds, Barb being a student who needs her study time, and all of us having opposing schedules and being of the opinion that we are entitled to our own space as adults makes the suite more than just a convenience.

February 16, 2001

With the above in mind, we would like to apply to you for an exemption to the bylaw, which forbids this type of "in-law" suite.

We assure you that not only do our living arrangements not infringe upon any of our neighbours enjoyment of their own property, but also will supply council with a petition from our neighbours stating the same when we are invited to address you in person.

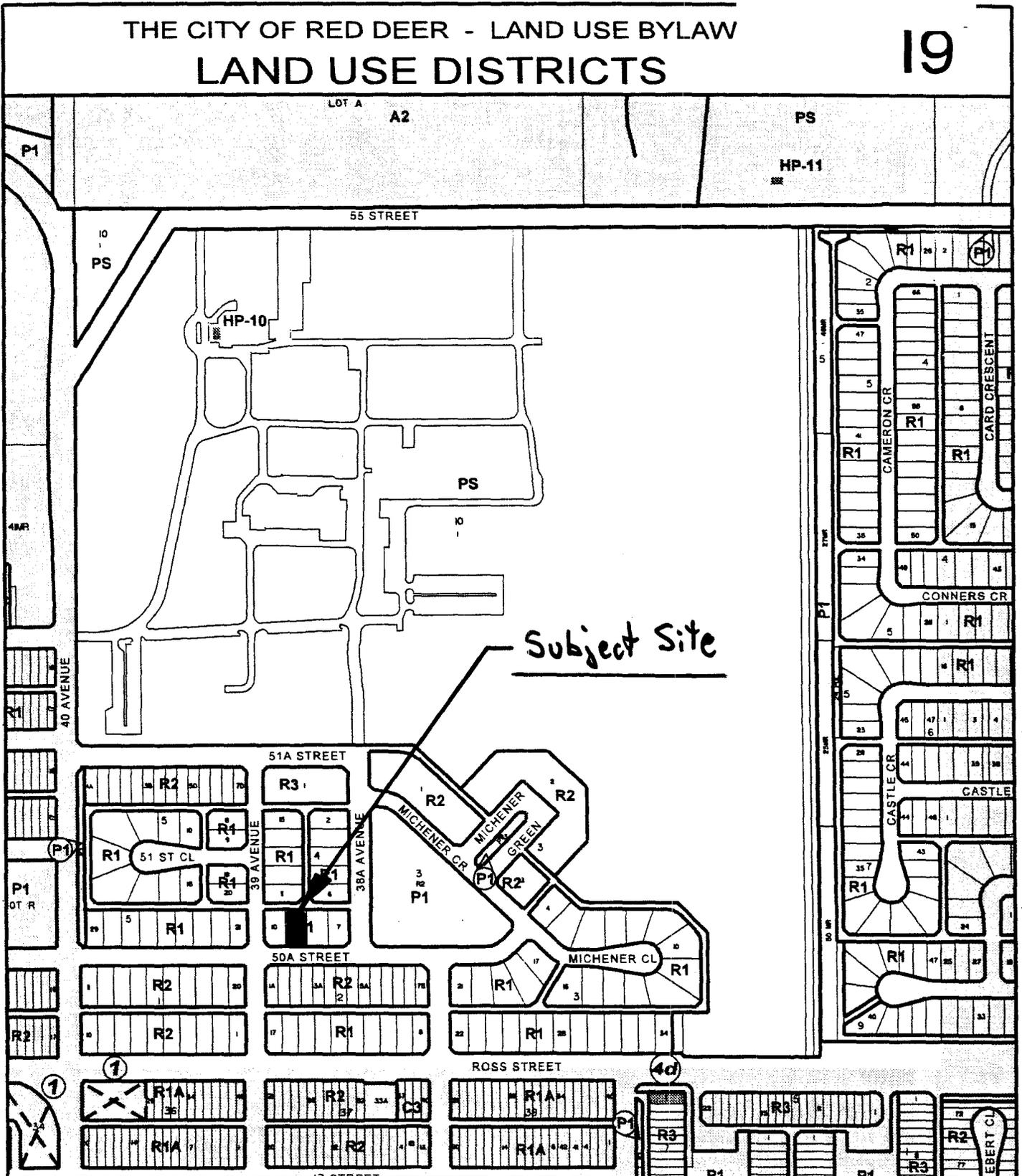
We look forward to answering any questions or concerns you may have at a future meeting of Council, or by phone at any time.

Sincerely,

William (Bill) Farrant
(on behalf of Norma Jean Farrant)

THE CITY OF RED DEER - LAND USE BYLAW LAND USE DISTRICTS

19



Subject Site

BYLAW NUMBER - 3156/96

AMENDMENTS:

SEE SECTION SIX FOR
LANDUSE DISTRICT DEFINITIONS

H10	I10	J10
H9	I9	J9
H8	I8	J8



SCALE 1:5000
30-APR-1996

N.E. ¼ -15-38-27-4

William & Norma Farrant

3812 – 50A Street
Red Deer, AB
T4P 1G3

bfarrant@telusplanet.net
Cellular: (403) 318-3305

March 5, 2001

Mayor & City Council
c/o Office of the City Clerk
P.O. Box 5008
Red Deer, AB
T4N 3T4

Dear Sir or Madam:

Further to our letter to you requesting an exemption to the bylaw restricting secondary suites in an R1 zoned neighbourhood, please find enclosed a petition signed by our surrounding neighbours in support of our request to maintain the existing suite.

Sincerely,



William (Bill) Farrant
(on behalf of Norma Jean Farrant)

THE CITY OF RED DEER
OFFICE OF THE CITY CLERK

RECEIVED	
TIME	9:00 A.M.
DATE	MARCH 5, 2001
BY	AK

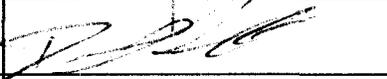
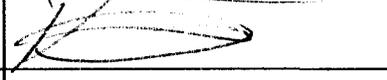
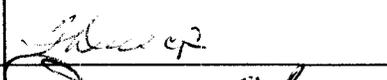
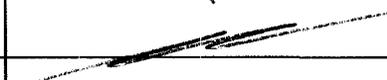
We, the undersigned, being neighbours of Bill and Norma Farrant at 3812 - 50A Street, Red Deer, understand that they are in the process of applying for an exemption to the bylaw that prohibits the existence of a secondary suite in the basement of a residence in an R1 zoned neighbourhood.

We sign this petition feeling that the quality of life in our neighbourhood is not adversely affected by the existence of the basement suite at 3812 - 50A Street, and state that we have no objection to them receiving approval from the City to retain the suite.

Name	Address	Signature
Karen Donald.	3909-50A St.	K. Donald
Mary Guffin	3901 50A St.	Mary Guffin
N. Cole	3816-50A St.	Norma Cole
R. PETER'S	3814-50A St.	R. Peter's
P. ANDERSON	3817-50A St.	P. Anderson
E. Markentin	3815-50A St.	E. Markentin
D. Bohmke	3813-50A St.	D. Bohmke
M. Sabourin	3811-50A St.	M. Sabourin
R. McIVER	3807 50A St.	R. McIVER
A. Mitchell	3827-50A ST.	Anne Mitchell
Edens	3829-50A St.	Edens
B. Walden	3905-50A St.	B. Walden
L. Kohler	3917-50A St.	L. Kohler
L. Bradford	3921-50A St.	L. Bradford
Lillian Cole	3929-50A St.	Lillian Cole

We, the undersigned, being neighbours of Bill and Norma Farrant at 3812 - 50A Street, Red Deer, understand that they are in the process of applying for an exemption to the bylaw that prohibits the existence of a secondary suite in the basement of a residence in an R1 zoned neighbourhood.

We sign this petition feeling that the quality of life in our neighbourhood is not adversely affected by the existence of the basement suite at 3812 - 50A Street, and state that we have no objection to them receiving approval from the City to retain the suite.

Name	Address	Signature
Sinclair	3937-50A ST.	Mary Sinclair
Gometchuk.	3932-50A ST.	
BEADLE	3932 - 50TH A ST	
MATULKA	3916 - 50A ST	
T. Brock	3904 - 51ST CC	
Tom FERCH	4031 39AVE	
BOE COOPER	5027 - 39TH AVE	
M. J. Habbecke	5025 - 39 AVE	



Inspections & Licensing Department

January 11, 2001

Norma Jean Curtis,
3812-50A St.,
Red Deer, AB T4P 1G3

Dear Ms. Curtis,

RE: 3812-50A St, Red Deer, AB Lot 9 Block 4 Plan 5024TR

It has been brought to the City's attention that a possible secondary suite is in existence at the above referenced dwelling, zoned R1, which is contrary to the requirements of City bylaws. The Land Use Bylaw defines a secondary suite as "a second dwelling unit in a detached dwelling". The intent of the bylaw is that no **separate** dwelling unit be contained within a single family dwelling.

You are therefore notified that if such a suite exists, it shall be removed immediately, and the house converted back to its approved use as a single family dwelling unit.

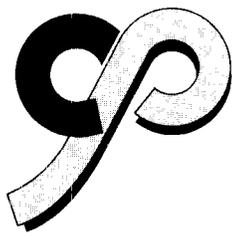
We request that you contact this department at 403-342-8190 in order that we can inspect the property to ensure the use is in compliance with the Land Use Bylaw.

Your co-operation in this matter is appreciated.

Yours truly,

Deborah C. Mann
Customer Service Representative

WICKY



DATE: March 5, 2001
TO: KELLY KLOSS, CITY CLERK
FROM: Tony Lindhout, Planner
RE: REZONING REQUEST - William & Norma Farrant
BASEMENT SUITE: 3812 - 50A STREET

William & Norma Farrant are requesting an amendment to the City's Land Use Bylaw to accommodate an existing basement suite within their single family detached dwelling at 3812-50A Street in the Michener Hill neighbourhood. The north side of the block including the subject site is currently zoned R1 Residential Low Density District and developed with single family detached residences. Basement suites are neither a permitted nor discretionary use in the R1 District. The south side of the street is zoned R2 Residential Medium Density District and developed with both detached and semi-detached housing.

Planning Comments

R1 Residential Districts are intended and designed to accommodate low density residential developments in the form of single family detached dwellings containing one living unit per dwelling. Bedrooms and other living areas in the basement of R1 dwellings are permitted for family members of any household. The Land Use Bylaw defines a household as family members related by blood and marriage who live together in a detached dwelling unit. The current family living arrangement at the subject property meets the intent of the Land Use Bylaw. It is the basement suite that does not meet the requirements of the Land Use Bylaw. Furthermore, it would appear that there is no need to create a legal basement suite in this circumstance.

The City has other land use districts (e.g. R2/R3 Districts) that specifically permit higher density developments including the provision of basement suites. R1 zoning in a developed neighbourhood assures residents of low density developments in the form of single family dwelling units/households, provides stability to the neighbourhood and does not place any additional traffic and parking burdens in the area beyond the demands of single family developments. Older developed neighbourhoods are often sensitive to any change in land use that could increase traffic and parking demands in the immediate area.

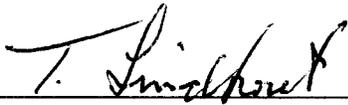
Planning staff would be concerned with the accommodation of an illegal suite in the absence of any argument that would distinguish this property from other R1 properties in the area. Spot zoning the site to R2 would set a precedent on this block which would then also permit the introduction of other R2 uses including higher density developments.

Furthermore, planning staff would not support a site specific amendment to the Land Use Bylaw as this method effectively sets the same precedent as would a single site spot zoning.

City Clerk
Rezoning Request - Basement Suite
Page 2

Recommendation

That City Council deny the request for a Land Use Bylaw amendment.



Tony J. Lindhout, ACP, MCIP
PLANNER

MEMO

DATE: February 23, 2001

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER, Manager
Inspections & Licensing Department

RE: 3812 – 50A STREET

In response to your memo regarding the above site, we have the following comments for Council's consideration:

Background:

The home was built on this site in 1975 at which time it was designated as R1 in the City Land Use Bylaw. R1 zoning does not permit basement suites or secondary dwelling units as permitted or discretionary uses. The site has the same designation at this time. The Building Permit issued for the house makes no mention of any development in the basement.

A secondary suite is determined by having any or all of the following

1. A lockable door that prevents access from one unit to the other
2. Cooking facilities
3. Separate heating controls
4. Windows in each room must have a area equal to 10% of the area of the room

Recommendation:

That Council deny this application. The area is intended for single family dwellings and the increase in density would impact on parking, road use, and utilities.

RYAN STRADER

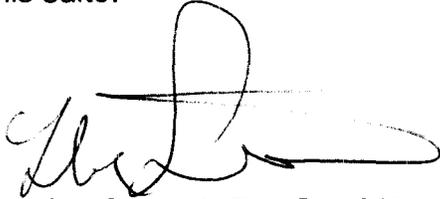
DATE: March 1, 2001
TO: City Clerk
C: Inspections and Licensing Manager
Principal Planner
FROM: Fire Chief / Manager Emergency Services
RE: **William & Norma Farrant – Rezoning Request**
Basement Suite: 3812 – 50 A Street

This department has reviewed the application and spoken with Mrs. Farrant and her sister. We do not believe that the living arrangements as outlined in their letter create any safety to life concerns.

The Alberta Building Code requires that each bedroom have at least one outside window which is operable from the inside without the use of tools or the need for special knowledge. The unobstructed opening cannot be less than 0.35 m² with either of the dimensions being less than 380 mm. In this case, the unobstructed opening is 0.44 m² with a minimum dimension of 432 mm. There is also a desk placed under the window to make the window easily accessible.

RECOMMENDATION:

The Emergency Services Department has no objection to the continued use of this suite.



Gordon Stewart, Fire Chief / Manager
Emergency Services Department

Comments:

We agree with the recommendations of Parkland Community Planning Services that a spot zoning of this property should be denied.

There is no particular reason for distinguishing this property from any other in the area. As pointed out in the Inspections and Licensing Manager's report, there are a number of specific characteristics that constitute a secondary suite. All of these characteristics exist in the property in question. Should the owners choose to delete those, the space would qualify as shared living space and the family arrangements described as those typical of a border rather than a secondary living unit. This gives a perfectly feasible path for the owners to resolve their issue.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

Council Decision – Monday, March 12, 2001

DATE: March 13, 2001
TO: Inspections & Licensing Manager
FROM: City Clerk
RE: *Request to Retain Basement Suite at 3812 – 50 A Street (Lot 9, Block 4, Plan 5024TR)*

FILE

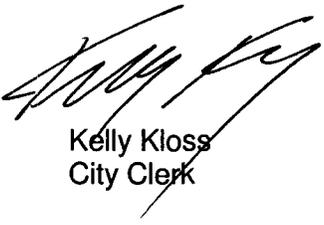
Reference: Correspondence from William & Norma Farrant dated February 16, 2001

Resolution:
Resolved that Council of The City of Red Deer, having considered correspondence from William and Norma Farrant dated February 16, 2001, re: Request to Retain Basement Suite at 3812 – 50A Street (Lot 9, Block 4, Plan 5024TR), hereby directs the Administration if required, to draft a Land Use Bylaw Amendment for Council's consideration that would allow a basement suite at 3812-50 A Street (Lot 9, Block 4, Plan 5024TR).

Report Back to Council: No

Comments:

1. Please review the suite to determine if it is in fact considered a basement suite. From the information given by Mr. Farrant at the Council meeting, there is some question as to whether or not it is. Mr. Farrant indicated that there is no lock on the door between the basement and the upstairs. Mr. Farrant also indicated that once his relative vacates the residence it would not be rented out again.
2. If it is determined that this is a basement suite (self-contained living unit), please prepare the appropriate Land Use Bylaw Amendment for consideration by Council.


Kelly Kloss
City Clerk

/clr

c City Planning Manager



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

March 14, 2001

William & Norma Farrant
3812 – 50 A Street
Red Deer, AB T4P 1G3

Dear William & Norma:

Re: Request to Retain Basement Suite at 3812 – 50 A Street (Lot 9, Block 4, Plan 5024TR)

Thank you for attending the Council meeting of March 12th and for the information you presented to Council. As you are aware, at that meeting Council considered your presentation and correspondence dated February 16, 2001 regarding your basement suite at 3812-50A Street. At that meeting, Council passed the following resolution:

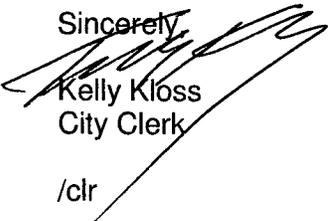
Resolved that Council of The City of Red Deer, having considered correspondence from William and Norma Farrant dated February 16, 2001, re: Request to Retain Basement Suite at 3812 – 50A Street (Lot 9, Block 4, Plan 5024TR), hereby directs the Administration if required, to draft a Land Use Bylaw Amendment for Council's consideration that would allow a basement suite at 3812-50 A Street (Lot 9, Block 4, Plan 5024TR).

As there appears to be some confusion as to whether or not your suite constitutes a self-contained living unit, the Inspections & Licensing department will do some further investigating. If it is determined that the suite is not considered a basement suite, then no further action will be necessary. If it is found that it does in fact constitute a basement suite, the City administration will draft a Land Use Bylaw amendment for the future consideration of Council.

The Inspections & Licensing Manager will be contacting you in the near future.

Please call me at 342-8132 should you require any further information or clarification regarding Council's decision.

Sincerely,



Kelly Kloss
City Clerk

/clr

c City Planning Manager, P. Meyette
Inspections & Licensing Manager

BYLAW NO. 3126/A-2001

Being a bylaw to amend Bylaw No. 3126/95, the Cemetery Bylaw of the City of Red Deer;

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

Bylaw No. 3126/95 is hereby amended as follows:

- 1 By deleting Schedule "D" in its entirety and replacing it with the attached new Schedule "D".
- 2 Section 21(1) is amended by deleting the words "of persons 6 years of age or older".
- 3 Section 25(1)(a) is amended by adding the following words:

"Infant monuments shall not exceed a height of 34" from the surface of the ground."
- 4 By deleting section 40 in its entirety and replacing it with the following new section 40:

"40 A burial deed application and permit shall be completed upon the purchaser paying or being invoiced the amount set forth in Schedule 'D'."
- 5 By deleting section 44 in its entirety.
- 6 Section 52 is deleted in its entirety and replaced with the following new Section 52:

"52 (1) The City shall set aside and maintain in a cemetery an area which shall be known as the 'Field of Honor' which shall be reserved for burial of members and ex-members of the Canadian and British Naval, Military and Air Forces upon request of a relative or the Department of Veterans Affairs or Department of National Defence.

(2) Veterans who served during war time will qualify for the reduced lot rate as set out in Schedule 'D'."
- 7 By deleting section 54(1) in its entirety and replacing it with the following new section 54(1):

“54 (1) No person shall sell or transfer any lot deed to any other person, with the exception of lots in the Gardens of Devotion and Christus which may be sold on the open market. Lot deeds may be transferred from one family member to another, but no transfer shall be valid unless such transfer is registered with the City Clerk's Department.”

8 Section 54(2) is amended by deleting the words “niche deed or” .

READ A FIRST TIME IN OPEN COUNCIL this	day of	2001.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2001.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2001.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2001.

MAYOR

CITY CLERK

SCHEDULE "D"Bylaw No. 3126/A-2001
Page 1 of 3

<u>PLOT</u>	<u>SIZE</u>	<u>RESIDENT</u>	<u>PERPETUAL CARE</u>	<u>NON-RESIDENT</u>
Single lot for persons 6 years of age or over	4' x 12' or 4' x 10' or 4' x 9'	\$485	\$345	\$630
Military (Wartime service) (Field of Honour)	4' x 12' or 4' x 10' or 4' x 9'	\$242.50	\$345	N/A
Double lot for persons 6 years of age or over	8' x 12' or 8' x 10' or 8' x 9'	\$970	\$690	\$1260
Youth lot for persons 1-5 years of age	4' x 6'	\$235	\$165	\$305
Infant lot for persons under the age of 1 year	3' x 5'	\$170	\$130	\$215
Lot for Columbarium/Upright Monument (cremation)	3' x 4'	\$225	\$155	\$305
Lot for cremated remains	2' x 2'	\$195	\$125	\$290
Lot for Military cremated remains	2' x 2'	\$97.50	\$125	N/A
Columbarium Niche		\$620	\$300	\$765
Purchase & installation of concrete liners		\$430	N/A	\$430
Installation of vaults above ground		\$235		
Installation of vaults below ground		\$170		
Supply & Install Youth/Infant Concrete Liner		\$180	N/A	\$180

SCHEDULE "D"Bylaw No. 3126/A-2001
Page 2 of 3**BURIALS**

	<u>CHARGES</u>
For the burial of the body of a deceased person 6 years or over	\$425
For the burial of the body of a deceased person between the ages of 1 year and 5 years	\$205
For the burial of the body of a deceased person under the age of 1 year	\$100
For the extra depth (8') to permit double burial of bodies of persons of any age (extra charge)	\$130
For the burial of cremated remains of any body	\$175
Additional charges in respect of any burials carried out on a Saturday, Sunday or a holiday	\$270
Surcharge - for all burials not using concrete liners or vaults (settlement repair)	\$365
Opening and closing of columbarium niche (per request)	\$ 65

DISINTERMENTS

	<u>CHARGES</u>
For the disinterment of the body of a deceased person 6 years of age or over	\$600
For the disinterment of the body of a deceased person 5 years of age or under	\$390
For the disinterment of the cremated remains of any body Re-interments shall be at burial rates	\$185

MISCELLANEOUS

Columbarium vase	\$50
------------------	------

SCHEDULE "D"Bylaw No. 3126/A-2001
Page 3 of 3**MONUMENTS**

Application Fee for the removal/replacement of monuments	\$20
Flower vase installation in a monument foundation	\$20

Placement of (flat) monuments contained
in a concrete foundation, or constructed with
frosted granite (application fee included):

<u>FOUNDATION SIZE (LENGTH)</u>	<u>CHARGES</u>
0" - 47"	\$70
48" - 95"	\$80

Supply and placement of concrete foundations required
for upright or flat monuments (application fee included):

<u>FOUNDATION SIZE (LENGTH)</u>	<u>CHARGES</u>
0" - 36"	\$105
37" - 47"	\$120
48" - 60"	\$155
60" - 95"	\$205

Item No. 2

BYLAW NO. 3153/A-2001

Being a bylaw to amend Bylaw No. 3153/95, the Noise Bylaw of The City of Red Deer.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1 Bylaw No. 3153/95 is hereby amended by adding the following new sections:

"SNOW REMOVAL FROM COMMERCIAL OR INDUSTRIAL SITES

11.1 This bylaw does not apply to contractors carrying out snow removal from commercial or industrial sites which are not adjacent to residential districts.

11.2 In the case of snow removal from commercial or industrial sites located adjacent to residential districts and where in the reasonable opinion of the Development Officer it is necessary to do so to ensure the peace and quiet of residents, the Development Officer may require noise abatement practices including one or both of the following conditions:

(a) a requirement that snow not be removed between 12:00 a.m. and 6:00 a.m.

(b) a requirement that snow be removed from a site in a sequence, which is least disruptive to the peace and quiet of residents.

11.3 The Development Officer may give notice of conditions verbally or in writing to the contractor or the contractors agent, or to the registered owner of the commercial or industrial lands by mail addressed to the address of the registered owner as shown on the Certificate of Title to the land.

11.4 The failure of any person to adhere to any noise abatement practice or condition required by the Development Officer constitutes an offence under this bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2001.

MAYOR

CITY CLERK

BYLAW NO. 3156/A-2001

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of The City of Red Deer.

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

That Bylaw 3156/96 be amended as follows:

1 Section 2 "Definitions", is amended by:

- (1) Deleting the existing definition of "Commercial Entertainment Facility" and replacing it with the following new definition:

" 'Commercial Entertainment Facility' means an enclosed facility in which:

- (a) a fee is charged to the public for the provision of a performance; or
- (b) a minimum fee is charged for admission to the facility or the sale of any item, food, or beverage therein, which includes the provision of a performance; and

without limiting the generality of the foregoing, may include facilities for movies, live theatres, and dancing, but does not include an adult mini theatre, a facility in which lap dancing is performed, or a late night club."

- (2) Adding the following new definition:

" 'Late night club' means a facility, the primary purpose of which is to host late night events where:

- (a) no alcohol or alcoholic beverages are available on the premises for consumption or for sale;
- (b) 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
- (c) the event is held for the purpose of gain or profit;
- (d) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
- (e) music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music sound or band music is performed or played."

- 2 The C1 Commercial (City Centre) District is amended by adding to Section 100 "Discretionary Uses":

"(13) Late night club."

- 3 The C1A Commercial (City Centre West) District is amended by adding to Section 107 Discretionary Uses”:

“(16) Late night club.”

- 4 The following new Special Regulation is added as Section 65.3:

“65.3 Late Night Club

- (1) In considering an application for a new late night club or for renovations to an existing late night club (whether as a principal use or ancillary use), the Development Authority shall obtain and consider a report from the RCMP and where an application is granted, the Development Authority shall require the developer to:
- (a) demonstrate provision of adequate parking within 150 m of the site;
 - (b) provide adequate outside lighting in the area; and
 - (c) if the proposed development abuts a residential area, provide an impact statement as part of the application indicating the measures to be taken to ensure that noise and visual impacts from the late night club will not negatively affect the adjoining neighbourhood.
- (2) A late night club shall meet the following regulations:
- (a) limit gross floor area to a maximum of 557 m² ;
 - (b) limit building occupancy to a maximum of 300 persons; and
 - (c) shall be located on a lot the boundary of which is not less than 150 m from the boundary of a lot containing an existing drinking establishment or late night club if either of which has a gross floor area greater than 186 m².

READ A FIRST TIME IN OPEN COUNCIL this 12 day of February 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2001.

MAYOR

CITY CLERK

BYLAW NO. 3156/H-2001

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Land Use District Map 15" contained in "Schedule "B" of the Land Use Bylaw is hereby amended in accordance with the Land Use Bylaw Amendment Map No. 6/2001 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 12 day of February 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of 2001.

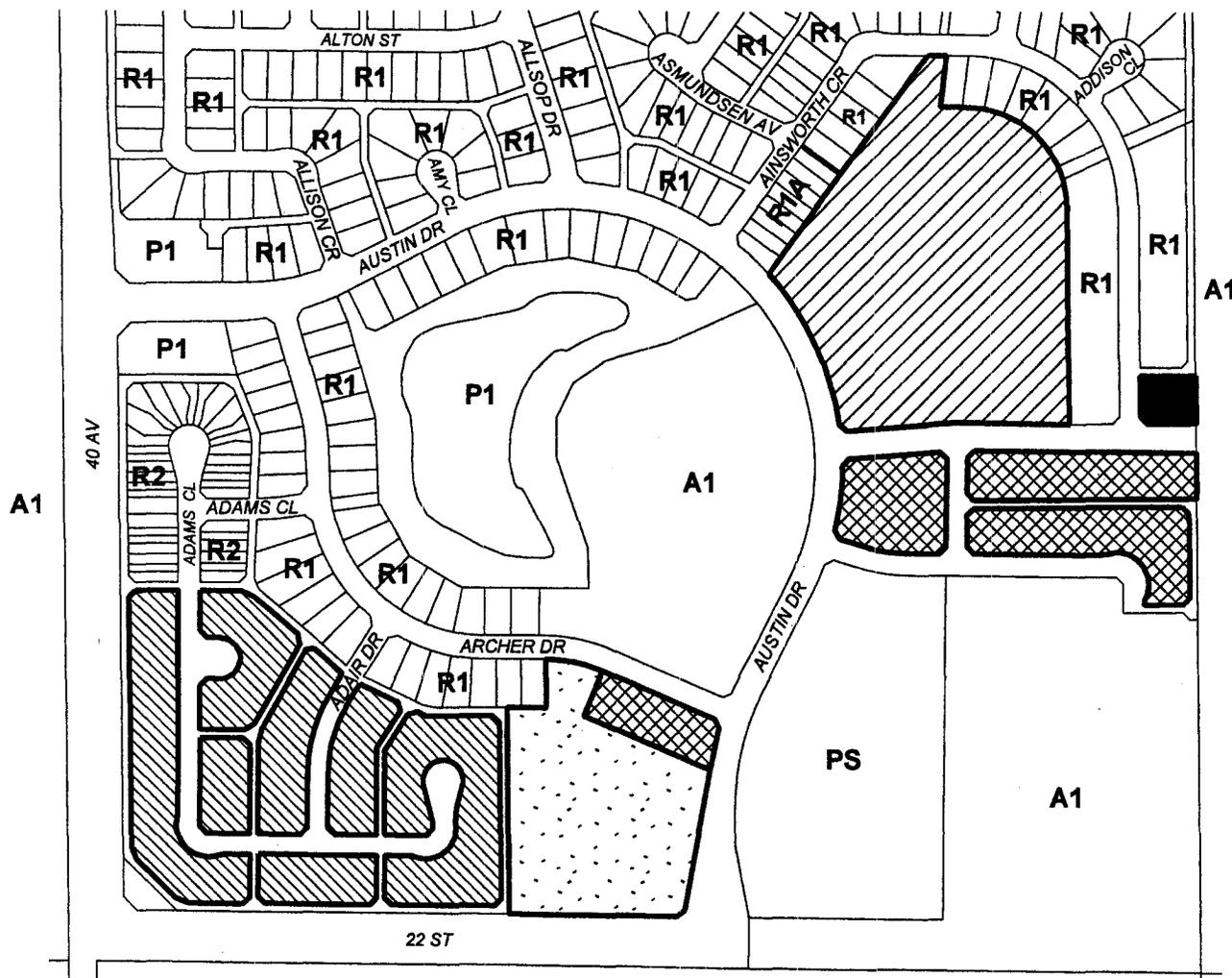
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2001.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi-Detached Dwelling)
- R2 - Residential (Medium Density)
- PS - Public Service (Institutional or Government)
- P1 - Parks & Recreation

Change from:

- A1 to R1
- A1 to R1A
- A1 to R2
- A1 to P1
- PS to R2

MAP No. 6/2001

BYLAW No. 3156 /H - 2001

Item No. 5

BYLAW NO. 3156/M-2001

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The following definition is added to Section 2 following the definition of "loading space":

"Low impact commercial use" means the conducting of "merchandise sales", the operation of an "office" and/or the provision of "personal services" and/or "commercial services" from a detached dwelling in a residential district in a manner which in the opinion of the Development Authority does not adversely affect adjacent residential uses."

2. New sub-section 55 (9) is added as follows:

(9) Notwithstanding any other provision of this bylaw, a low impact commercial use may be allowed as a discretionary use on any lot along the north side of 49 Street between 46 Avenue and 47 Avenue, along both sides of Ross/50 Street between 46 Avenue and 47 Avenue and the lots adjacent to the east side of 47 Avenue between Ross/50 Street and 55 Street, subject to the provisions of Section 60.1.

3. New Section 60.1 is added as follows:

"60.1 Low Impact Commercial Uses

- (1) No person shall operate a low impact commercial use without first obtaining approval from the Development Authority in terms of this Land Use Bylaw and/or the Business License Bylaw.
- (2) Low impact commercial uses are intended to provide a transition between the downtown low density residential and commercial land use districts, and as such are intended to allow certain types of commercial uses in specified areas of these transitional low density residential districts, provided that the overall low density residential character of the area and the detached dwelling appearance of the particular lot are maintained, and provided that the low impact commercial uses do not adversely affect the amenities of the residential neighbourhood.
- (3) The Development Authority shall exercise its discretion with regard to the type of use that qualifies as a low impact commercial use, which may include, but are not limited to, professional offices, antique stores, boutiques, art studios/galleries, photography studios, beauty and hair salons and/or florist shops.
- (4) The following uses shall not be allowed as low impact commercial uses:
 - (a) Businesses whose normal operating hours are earlier than 8:00 a.m. or later than 6:00 p.m.
 - (b) Businesses which cause nuisances including noxious emissions, odours or excessive noise;
 - (c) Businesses which generate delivery vehicle traffic earlier than 8:00 a.m. or later than 6:00 p.m.;
 - (d) Any other use which, in the opinion of the Development Authority, would adversely affect the amenities of the residential neighbourhood, including, but not limited to: parking lots, drinking establishments, service stations, drug stores, convenience stores, adult entertainment uses, restaurants, fast food outlets, amusement arcades, animal services, commercial entertainment facilities, late night clubs, commercial recreational facilities, gaming establishments, any industrial or warehousing uses and motor vehicle sales or service or repair.

BYLAW NO. 3156/N-2001

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map D13" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 9/2001 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 2001.

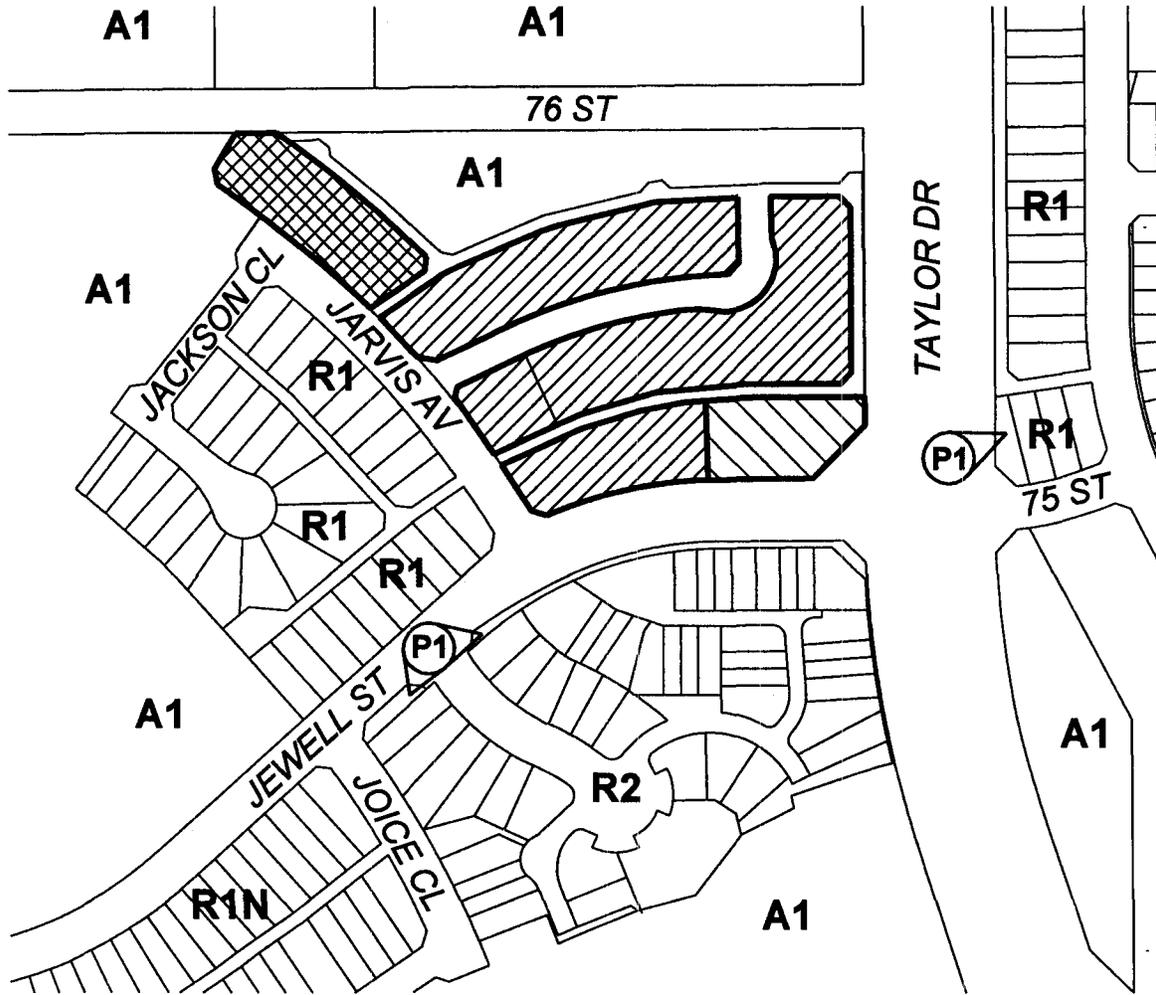
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 2001.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- C3 - Commercial Neighbourhood Convenience
- P1 - Parks and Recreation

Change from:

- A1 to R1 
- A1 to C3 
- A1 to P1 

MAP No. 9 / 2001
 BYLAW No. 3156 / N - 2001

Item No. 7

BYLAW NO. 3217/A-2001

Being a bylaw to amend Bylaw No. 3217/98, the bylaw adopting the Anders on the Lake Neighbourhood Area Structure Plan as a bylaw of the City of Red Deer.

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

That Bylaw No. 3217/98 is hereby amended:

1. By substituting the complete Anders on the Lake Neighbourhood Area Structure Plan text (excluding the Appendix) and Figures 2, 5, 6 and 7 for the attached amended and updated text and Figures 2, 5, 6 and 7, revisions dated January 2001.

READ A FIRST TIME IN OPEN COUNCIL this	day of	AD 2000.
READ A SECOND TIME IN OPEN COUNCIL this	day of	AD 2000.
READ A THIRD TIME IN OPEN COUNCIL this	day of	AD 2000.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	AD 2000.

 MAYOR

 CITY CLERK



NEIGHBOURHOOD AREA STRUCTURE PLAN

Prepared for:

Redbrook Group 2

Prepared by:



January 1998

Amended and Adopted October 12, 1999
Amended January and Adopted __, 2001

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Anders on the Lake Neighbourhood Area Structure Plan

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Appendix

Anders on the Lake Neighbourhood Area Structure Plan

1. THE SITE

The study area consists of the quarter section NW ¼ Sec. 3-38-27-W4 located within the City of Red Deer. The site is bordered on the west by 40 Avenue; to the south by the TransAlta right-of-way (north portion of quarter section SW ¼ Sec. 3-38-27-W4); to the east by the quarter section NE ¼ Sec. 3-38-27-W4, owned but as yet undeveloped, by Melcor Properties Ltd.; and to the north by the existing subdivision referred to as Anders Park. The study area's location relative to the City of Red Deer can be found on the attached Location Plan, Figure 1.

At present, the site can be considered under six ownerships. The developed portion in the northwest corner of the quarter section falls under individual homeowners. The Red Deer Christian School owns 3.41 ha; the New Hope Evangelical Missionary Church owns 2.02 ha; Meadowglen Developments Ltd. owns 6.85 ha; The City of Red Deer owns 0.64 ha of previously designated MR land; and the remainder of the section (43.7 ha) is under a conditional agreement to develop between Redbrook Group 2 and Thorvald Nielsen/594544 Alberta Ltd.

The entire parcel consists of 57.93 ha (143.14 ac). The northwest corner (Anders South) was developed in 1987, with 52 single-family lots constructed, sold and, for the most part, has reached build-out. It is important to note that we are considering the development of the remaining undeveloped quarter section. Preliminary analysis has determined that the configuration of the south arterial road, as depicted in the Area Structure Plan and on earlier Outline Plans, and the current layout of the school and church sites do not allow for the utilization of the existing slough for storm water collection, nor does it allow for technically sound planning. We also feel constraints imposed by the location of existing collector road patterns severely limits the developability of the original 43.7 ha (108 ac) being considered by the developers (Redbrook Group 2).

2. LAND USE

The Land Use Concept Plan, as presented in Figure 2, is the result of a series of conceptual designs evaluated for conformity to municipal standards, serviceability, and marketability. The significant feature of this plan is the incorporation of a storm water pond within the community. Currently, the site is designated as follows:

- the existing residential development is R1 - Residential Low Density District;
- the southwest parcel entailing the school and church sites is designated A1 - Future Urban Development District; 3MR - Municipal Reserve; and PS - Public Service District; and
- the remainder is designated A1 - Future Urban Development District.

The study area falls within the East Hill Major Area Structure Plan study area. Statistics for the concept plan are as follows:

- the study area consists of 58.20 ha (143.81 ac)
- 27.51 ha (67.98 ac) are planned for R1 - Residential (Low Density) District
- 0.60 ha (1.49 ac) are planned as R1A - Residential (Semi-Detached Dwelling) District
- 5.12 ha (12.65 ac) for R2 - Residential (Medium Density) District
- 12.29 ha (30.37 ac) are planned as roads/lanes
- 7.26 ha (17.93 ac) are planned as P1 - Parks and Recreation District
- 2.01 ha (4.97 ac) are planned for Public Utility Lots
- 3.41 ha (8.43 ac) set aside for the private school

3. RESIDENTIAL

3.1 Sizing

The majority of the site is intended to be R1, single-family residential, with lots ranging in size from 13.7 - 19.8 m (45' - 65') and with a relatively standard depth of 32 - 35 m (105' - 115'). This will maintain the integrity of the existing Anders South and Anders Park subdivision developments north of the quarter. These lots are sized and will be sold with the intention of constructing homes of similar size, style and quality as those existing in the Anders South subdivision. Areas have been designated as R1A and R2 for the inclusion of high-end duplex and townhouse development. Market conditions may dictate that these areas are ultimately designed for single-family residential units.

3.2 Layout

The subdivision has been planned so that the lots along the periphery of the quarter section back onto 40 Avenue, the major collector and the adjacent sections. This eliminates residential access to these major thoroughfares, provides a buffer from the traffic noise generated, and defines the subdivision as an autonomous community. The use of cul-de-sacs and other cluster groupings are incorporated to improve the aesthetic value of the subdivision. The access points off of 40 Avenue and the major collector will entail a full entrance treatment with signage, landscaping, fencing and divided median. It is the developer's intention to plant one full-sized tree per lot in cooperation with the landowner. This will be done with the intention of bringing the subdivision to aesthetic maturity sooner than the normal growth period for freshly planted saplings.

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3.3 Walkouts

The lots backing onto the storm water pond are planned to accommodate two storey houses with walkout style basements. This was considered when the elevations for the normal and high water levels were being evaluated for the pond. Potential walkouts have also been identified in the southeast corner of the quarter. The existing topography is conducive to this type of development. Housing for the rest of the subdivision is deemed to be of a normal design with full basements.

3.4 Density

As depicted on the Land Use Plan, we are proposing three land use types for the study area. Using assumed averages of 3.4 persons/unit of R1, 3.3 persons/unit of R1A, and 3.0 persons/unit of R2, estimated density is 30 persons/gross ha of development for a total of approximately 1,850 persons.

3.5 Architectural Controls

In keeping with the vision of a high-end marquis development, the developer will impose a strict set of architectural controls. Understanding that Anders South is currently regulated architecturally, consideration will be given to establishing a transition zone between developments, maintaining the integrity and theme of both areas.

4. NATURAL AND CULTURAL HERITAGE

The ecological profile prepared for this particular quarter section identified three significant features. One is the existing stand of trees located along 40 Avenue about the mid-point of the quarter section. The original south arterial alignment falls directly within the stand, and inevitably would result in the loss of at least one bank of trees. This influenced the decision to realign the major collector along the south boundary of the site, thus preserving the trees.

The second feature entails the existing low area that serves as a natural storm water retention pond for most of the quarter. Again, the originally proposed alignment of the south arterial runs through the low area and raises a variety of concerns. One involves the vertical alignment of the road and remedial measures that may be required, as well as the desire to utilize the existing low area as the location of the storm water management facility, whether it be a wet or dry pond. The third feature is the tree line falling along the east quarter line. We worked in co-operation with the adjacent landowner (Melcor) and reviewed a number of alternatives to retain the trees. Our final conclusion determined retention of the trees to be unfeasible based on the following facts:

- (1) Utilization of a lane, regardless of positioning, will result in substantial tree loss due to deep and shallow servicing cuts, property pins, fencing, and access points.
- (2) The tree quality and nature of the growth would most likely result in the eventual removal by individual property owners.
- (3) Experience dictates that property owners usually remove trees regardless of efforts to retain them by the developer. As a result, the developer intends on removing and transplanting the salvageable trees with the use of a tree spade.
- (4) Required grading for servicing and drainage may result in cutting or filling near the trees causing them to die.

Existing topography and natural ponding areas, as well as the tree stand, are depicted on Figure 3.

5. ENVIRONMENTAL HAZARDS

As required with all new developments, a Level I Environmental Site Assessment was undertaken for the full quarter section. Results of that study did not identify any issues that would warrant further studies as the site appears to have historically held only one residence within the development boundaries and operated as an agricultural entity. A copy of the study results were submitted with the original draft copy of the Neighbourhood Area Structure Plan.

6. TRANSPORTATION

6.1 Arterials and Collectors

At the onset of plan preparation for the Anders on the Lake development, the major road system was defined by existing development, as well as the East Hill Area Structure Plan. The Anders Park subdivision to the north was developed on the premise that two collector roads (Allsop and Asmundsen) would continue south into the study quarter directing traffic flow onto the arterials. The Area Structure Plan also identifies a collector that will connect this site with quarter sections to the east. It also identified an arterial that would cross the quarter from the southeast corner and angle up to meet the west limit at the midpoint of the quarter line and continue west through the Bower property and ultimately connect up to Molly Bannister Drive. The only existing arterial currently servicing the site is 40 Avenue bordering the west limit. Designated as a divided arterial requiring a 60 m right-of-way, it will allow for four travel lanes, walkways and sound attenuation berms on both sides. Land to accommodate a road widening has been purchased along the west limit of the site. Land for the widening of the west side of 40 Avenue has not been purchased at this stage.

Some liberties were taken in realigning the proposed arterial from a position bisecting the section in an angular direction, to a new position running parallel to, and north of, the TransAlta Utilities right-of-way. This was done for a number of reasons as noted below:

- The original alignment runs directly across the current low area (slough) which hinders efforts to utilize the existing topography for storm water management facilities.
- It would result in construction difficulties in terms of the fill and earth movement required to build up the road and to develop a dry pond north of the right-of-way.

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- The aesthetic benefit of lots backing onto a storm water pond is lost because the required area for the storm water pond limits the size of the developable envelope around the pond.
- The proposed alignment runs through the cluster of trees on the west side of the section and will ultimately result in at least one bank of the stand being destroyed.
- Discussions with the City acknowledged that the true nature of the road was consistent with a major collector, and thus would be classified and constructed as such, as it was recently determined that it would only extend the length between 30 and 40 Avenues. By requiring a noise attenuation berm on the north side of the arterial only, the width has been reduced from the original 60 m.
- It is also felt that the new alignment parallel to the utility right-of-way provides a buffer from the power lines and improves the aesthetics of the subdivision. We are acknowledging health concerns related to residential development in the immediate vicinity of high voltage power lines.
- Location along the south boundary of the quarter section conforms to the City's standard of major roadways on section lines.
- The proposed alignment is not conducive to proper planning as it segregates an odd shaped parcel of land in the southwest corner between the two arterials and the power lines. It also leaves the north parcel restricted due to collector road alignments, storm water management facilities and topography.
- The recent decision by City Council has resulted in elimination of the south arterial crossing Piper Creek connecting to Molly Bannister.

6.2 Collectors

The continuation of the collector road, Allsop, the collector running from the major collector and curving to the west and out to 40 Avenue, as well as the yet unnamed collector running east into the adjacent quarter, will be 20 m rights-of-way directing traffic to the arterial. The two collectors directing traffic to the undeveloped quarters will do so, at approximately the midpoint allowing for flow into the

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adjacent quarters. All of these roads are planned according to the City of Red Deer Roadway Design Standards regarding minimum radii, intersection offsets, and corner cuts. Most of the planned development has easy access to these collectors and out to the arterial. Allsop will feed onto the circularis collector that will route traffic west to 40 Avenue or to the major collector, and away from routes through Anders Park. Asmundsen Avenue will not connect directly into the 'Anders on the Lake' community and thus has been downgraded to a local road status.

Understanding that the development of the 'Anders on the Lake' community will add additional traffic flow north into the Anders Park area, particularly towards the school and playing fields, our initial traffic analysis forecasts that some of the existing volume will be re-routed south reducing the demand on the existing network. As is expected with new development, traffic flows are concentrated on a limited number of roads until full development is reached. For this area, the completion of Victoria Park, Anders on the Lake and the Melcor quarter will create a road network that will take the emphasis off the existing collectors in Anders Park. Under the alignment laid out by the current East Hill Area Structure Plan, the traffic flow originating out of the Melcor quarter would be directed in a northwesterly direction, up Asmundsen and through Anders Park. Our proposed realignment takes that flow and directs it west out to 40 Avenue within Anders on the Lake.

We have made a conscious effort to align the west access point within the existing stand of trees in order to be able to preserve them within two MR parcels. This will accent the developer's intention to create a defined community entrance with centre medians, extensive landscaping, signage and perimeter fencing. The collector configuration will also allow for accessible transit servicing to all portions of the quarter. It is understood that the proposed changes to the road network will require an amendment to the East Hill Area Structure Plan. We hope to be pursuing this concurrently with the Neighbourhood Area Structure Plan approval process.

6.3 Local Roads

The local roads are planned with 15 m rights-of-way, routing traffic onto the collectors. The loop road west and south of the pond and the roads closer to the higher density development may be designed with a 17 m ROW allowing for a larger 12 m carriageway to handle possible shortcutting and increased traffic flow. This will be decided during the tentative plan stage through discussions with the City's Engineering staff. A typical cross section is included as Figure 4. None of the cul-de-sacs exceed the 230 m maximum length, and have lane access within 90 m of the bulb. Cul-de-sacs have been utilized because of their aesthetic value, as well as conduciveness to pedestrian and child safety.

6.4 Lanes

The majority of the subdivision is designed with access to rear laneways that are 6 m wide. The only variation is behind those lots backing onto the storm water pond, as well as the lots backing onto the neighbourhood park.

6.5 Trail System

The last transportation consideration is the inclusion of the pedestrian/cycle trail as outlined within the Area Structure Plan. The trail, as diagrammed within the Area Structure Plan, allowed for an east-west alignment within the utility ROW, as well as a branch veering to the northwest within the arterial ROW. With the modification to the road network, the trail system was altered slightly. The east-west connection will be maintained on the south side of the major collector within the ROW. From the major collector, the trail will cross at the intersection point with the collector road, travel north and west into the MR adjacent to the storm water pond. The trail will circle the pond with an arm running west along the south side of the circularis collector, access 40 Avenue at the intersection, and join up to the trail on the east side of 40 Avenue. A second arm will lead east across the circularis collector into the neighbourhood park, eventually meandering in a northeast direction moving

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into the adjacent quarter within the easement established for the sanitary force main. The proposed trail alignment is depicted on Figure 2. Trails planned along collectors or the major collector will be constructed of asphalt or incorporated into the sidewalk construction at a width of 2.5 m. Trails planned around the pond and within the neighbourhood park area will be constructed of crushed shale to a width of 1.5 m.

7. PUBLIC FACILITIES

We have identified the relocation of the private school of equivalent area within this Neighbourhood Area Structure Plan from the previously approved Outline Plan. It is located on a collector road and next to the arterial, as well as being within a short walking distance of the neighbourhood park and the facilities located there. Included within the park is a dry pond that will be utilized as a playing field and park space, reducing maintenance costs, and maximizing the efficiency of the open space.

The Neighbourhood Park, as depicted in Figure 2, has been laid-out with the cooperation of the City of Red Deer, Community Services Department. Full consideration was given to the Community Services Master Plan guidelines for facilities, setbacks and positioning. We have included a full 100 m x 60 m soccer pitch, a ball diamond with a 92 m outfield, a community shelter, multi-purpose asphalt pad for both summer activities and a winter hockey rink, a basketball court, playgrounds of both pre-school and elementary level, a sliding hill that capitalizes on the dry pond side slopes, space for a winter snow-bank rink, and adequate parking. In addition, the park will be traversed by the trail system and benches will be added for aesthetic as well as user enjoyment.

This plan is precedent setting for the City of Red Deer in that it incorporates a storm water pond central to the subdivision that serves aesthetic and storm water management purposes. The pond is approximately 2.01 ha (4.97 ac) in area. As a storm water management facility, usability is restricted to non-body contact. A setback from the rear property lines will allow for appropriate side slopes, as well as a 1.5 m wide trail encompassing the pond.

A second dry pond is planned within the TransAlta Utilities right-of-way. This utilizes normally unusable land and maximizes the yield that can be expected from the development, as well as reduces the land costs when developing the pond.

8. SOCIAL FACILITIES

One 0.5 ha (1.3 ac) site has been identified for a future social care facility. This site, located at the southeast quadrant of the intersection of Austin Drive and the collector extending east into Aspen Ridge, is planned as the future home of the Red Deer Hospice Society. Siting adjacent to the neighbourhood park, opposite the passive park area and near the lake is viewed as being the optimal location for this facility.

The provision of this site meets the requirements of the City Planning and Subdivision Guidelines. The location on Austin Drive and the collector meets the City requirements for location on a collector road, on a corner site.

In the event that this site is not developed for these purposes and intended use, the alternative land use would be for residential as shown on Figure 2.

9. STAGING

As depicted in Figure 5, the proposed staging for Anders on the Lake is as follows:

- Stage One, as identified on the staging plan, consists of the lands in the northwest corner of the study area. This includes approximately 13 lots fronting the east side of the already constructed portion of Allsop Avenue. Other areas to be developed include the lots south of the existing Anders South subdivision; the collector accessing 40 Avenue, extending east to approximately the neighbourhood park; the north portion of the northeast loop road; and the storm water pond. Access will be provided north via Allsop Avenue and west along the collector to 40 Avenue. This will allow for the closure of the temporary access currently in use in Anders South in turn keeping construction traffic away from the existing subdivisions. Besides the pond, other features to be developed within the first stage include the entrance treatment at 40 Avenue, construction of show homes, and the development of approximately 76 single-family lots including 23 pond side lots. The total area for Stage One is approximately 11.91 ha (29.43 ac).
- Stage Two progresses in a easterly direction to include the northeast corner of the quarter section. The west-to-south collector would be extended to the intersection of the collector heading east into the Melcor quarter. Asmundsen Avenue will be terminated just south of the quarter line. Stage Two will entail the construction of the dry pond and the dedication of the reserve area to the City for the neighbourhood park. Overall, Stage Two encompasses approximately 16.25 ha (40.15 ac), including R-1, R-1A, and R-2 residential land use.
- Stage Three will see development move towards the southwest corner of the quarter including the servicing of the proposed church and school sites. The entrance at the major collector will provide another main access point to the subdivision. Besides portions of the major collector, major development will include approximately ten more pondside lots, an R-2 cluster grouping on the west boundary of the quarter, and a fully landscaped entrance.

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- Stage Four concludes development with two specific areas on either side of the main collector (to be completed during this stage). One area is the R-1 residential block adjacent to the pond which includes the final pondside lots and other higher end lots. The second area is the block between the school site and the east quarter line. This will include R-1, R-1A, and R-2 residential development. The completion of this area will create the parcels allocated for the day care and social care sites. The major collector will be completed as part of Stage Four.

It is assumed that within each of the stages outlined, there will be phases that are determined by market forces, financing, servicing availability, and time of year. Recognizing that under existing plans, the school and church sites can be serviced with a temporary access to 40 Avenue, wells, and septic tanks. We have reviewed alternative methods to offer full servicing under the new configuration by extending the services to be developed with Phase 1.

10. SITE SERVICES

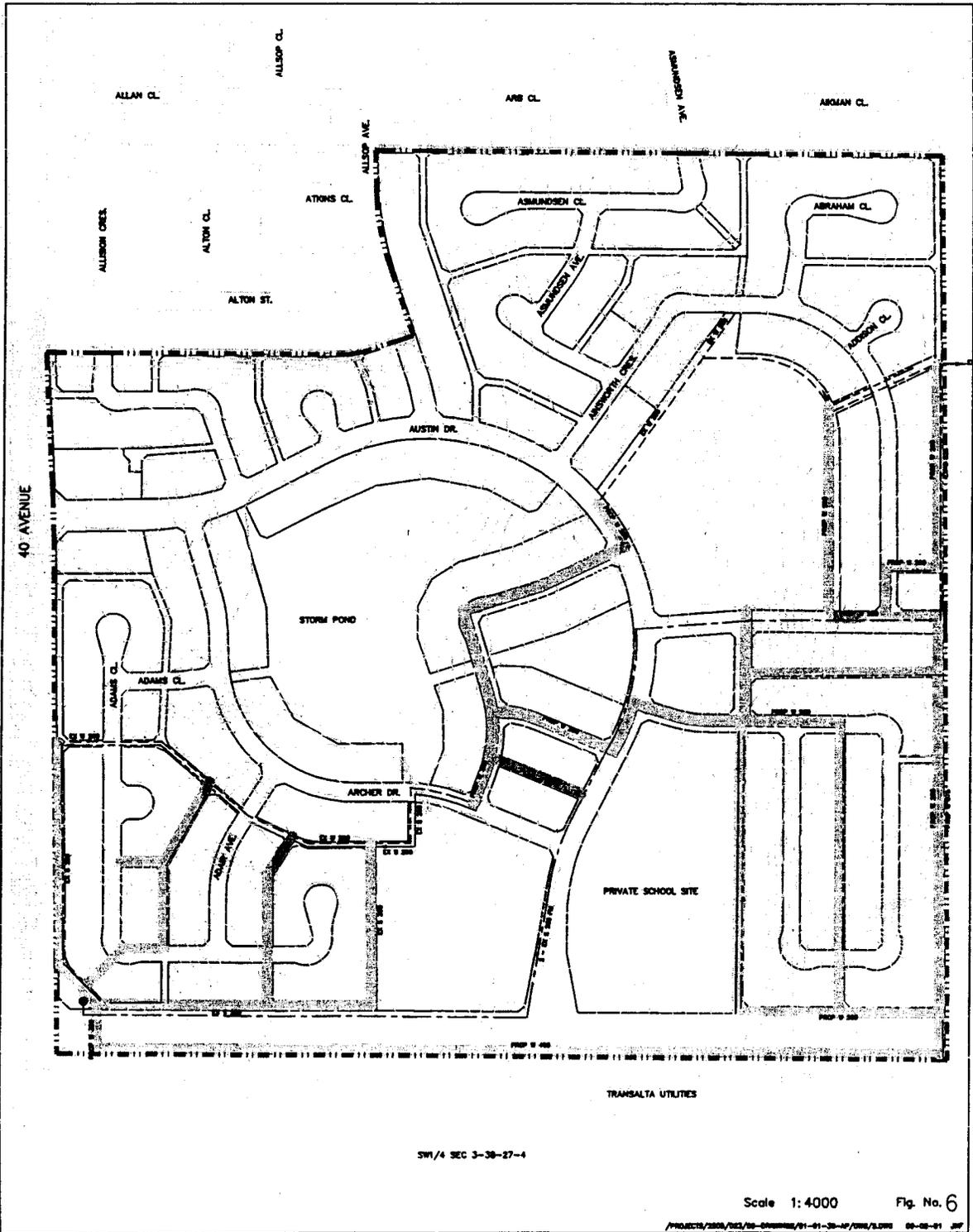
10.1 Sanitary Sewer

10.1.1 Off-Site Sewer

Sanitary service to the area closely follows a servicing scheme developed for the City of Red Deer entitled "The City of Red Deer, Red Deer South Areas Servicing Study", dated June 1990, prepared by Al-Terra Engineering Ltd. in association with J.N. Mackenzie Engineering Ltd. The report examined several alternatives for servicing the south portion of the City, extending to Delburne Road between Piper Creek and 20 Avenue. The report recommended sewage from the study area, plus Section 3 and the east half of Section 4-38-27-W4, be collected in a central location and pumped into the East Red Deer trunk system. The servicing scheme presented here follows this recommendation. As noted on Figure 6, a centrally located lift station in the southwest corner of the study area will collect sewage from the four quarters of land and pump the effluent via a force main to the northeast corner and across a portion of the NE ¼, Section 3 into the East Red Deer trunk system presently located at the south edge of the Anders East Subdivision.

10.1.2 On Site Sewer

The land generally slopes from a high point along the east boundary of the study area to a central low, and then rises slightly to the west to two higher land forms near the west boundary; one at the centre point and the other at the southwest corner. A trunk sewer extending from the proposed lift station in the southwest corner, east along the south arterial and then northeast through the study area, will service the easterly portion. A second trunk sewer, heading north from the lift station, will service the remainder of the area. Based on the overall servicing scheme for the study area, the trunk sewers will be sized to service the study area only except a portion of trunk main on the south arterial, which will service a portion of



LEGEND

- STUDY BOUNDARY
- EXISTING SANITARY TRUNK MAINS
- EXISTING SANITARY FORCE MAINS
- EXISTING WATER MAINS
- EXISTING LIFT STATIONS
- PROPOSED SANITARY TRUNK MAINS
- PROPOSED WATER MAINS

LAND USES

- [Pattern] EXISTING DEVELOPMENT
- [Pattern] EXISTING PARKS & RECREATION DISTRICT
- [Pattern] EXISTING STORM POND
- [Pattern] PROPOSED DEVELOPMENT
- [Pattern] PROPOSED PARKS & RECREATION DISTRICT

- NOTE:**
- SERVICE WITHIN EXISTING DEVELOPED AREAS NOT SHOWN
 - SANITARY SEWER MAINS ARE 200mm UNLESS OTHERWISE NOTED
 - WATER MAINS ARE 150mm UNLESS OTHERWISE NOTED
 - EXISTING CONTOURS ARE 0.25M INTERVALS

NE 1/4 SEC 3-38-27-4

SW 1/4 SEC 3-38-27-4

SE 1/4 SEC 3-38-27-4

Scale 1:4000 Fig. No. 6

UMA Engineering Ltd.
 Engineers, Planners, Surveyors
 25-40 Kensington Road N.W.
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Project

ANDERS ON THE LAKE
 PORTION OF NW 1/4 SECTION 3-38-27-W4M

PREPARED FOR: RED BROOK GROUP 2

Title

SITE SERVICING
SANITARY & WATER

Date	File	Scale	Fig. No.
14NOV00	2505 023 00 01	1:4000	6

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the SW ¼, Section 3. Internal mains will service the development, as shown on Figure 6. Servicing will be in accordance with City of Red Deer standards.

For the lots backing onto existing lanes in the Anders Park Subdivision, and Anders South, servicing to individual lots will come from the existing sewer mains in the lanes. Because the downstream trunk sewer servicing the Anders Park subdivision is at capacity, we are proposing the diversion of flows from these mains into the sewage collection system in the study area, thus eliminating the potentially negative impact the study area could have on downstream mains for existing trunk sewers.

10.2 Water Services

10.2.1 Off-Site Services

The recent upgrading of the water distribution system servicing the east portion of the City, (expanding pressure zone #2), places the study area within this higher pressure zone. Pressures are adequate to provide both domestic and fire flows to the study area. No off-site service extensions are required to the area other than the continuation of the major trunk main grid.

10.2.2 On Site Services

The existing 300 mm water trunk main will continue along 40 Avenue, as will a 250 mm main along the east boundary of the study area. There will be one 250 mm link between these mains and all other mains (150 or 200 mm), as required to meet domestic and fire flows. Internal layout is shown on Figure 6.

10.3 Storm Drainage

10.3.1 Off-Site Services

The study area is not serviced with a storm sewer and will, therefore, require a new storm trunk system. The Red Deer South Area Servicing Study examined the south portion of the City and in Scenario D1 recommended the study area plus most of the NE ¼, Section 3, a small portion of the NW ¼, Section 2, a small portion of the SW ¼, Section 3, and all of the NE ¼, Section 4 east of Piper Creek be included in one service basin. The report further recommends a storm water storage facility be included in the study area which services approximately ½ of the NE ¼, Section 3 and the small portion of the SW ¼, Section 3, plus the study area. The storm water storage facility is intended to store storm water from the site and release the water at a controlled rate of 0.00164 m³/s/ ha, via an outfall line to Piper Creek.

The proposed storm sewer system for the study area generally follows this concept. Three storm water storage facilities are proposed for the site for the minor and major storm events, with one off-site trunk line to Piper Creek controlling the rate of release. The alignment of the off-site trunk main will either cross the NE ¼ or SE ¼, Section 4, requiring an easement with the final alignment based on the ability to negotiate with other landowners. Alternately, an alignment within the TransAlta Utilities right-of-way to the south is possible, although an alignment will be difficult due to location of electrical towers.

10.3.2 Storm Water Storage Facilities

Three storm water storage facilities consisting of one wet pond and two dry ponds are proposed for this site, as noted on Figure 7. Storm water from the minor storm will be collected and piped into the wet pond, designed with a capacity to store the minor storm volume. The dry ponds will collect overland flows from the major storm.

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The wet pond is centrally located on the site in a natural low area that ponds water for most of the year. Previous studies identified this location for storm water storage facilities. Present City policy is for dry ponds only and, therefore, a wet pond facility will require the City to make an exception to their policy. In our opinion, the wet pond in this location has the following benefits:

- The existing slough where the pond is to be located is believed to be at or near the groundwater elevation and, therefore, a dry pond at this location will require an expensive subsurface drainage system to maintain a dry surface for recreational use.
- The quality of storm water entering Piper Creek will be enhanced after flowing through a wet pond.
- This area was designated previously as the location for a central park and storm water management facility. With the low rate of release permitted to Piper Creek, a dry pond would be flooded with water from only a short duration rain, thus reducing the usable time for recreational use.
- It provides a visual amenity and increases property values in the area.
- More recreation time will be available in the two connected dry ponds as all minor flows will bypass the dry ponds and discharge directly into the wet pond.

The facility will be designed to store the minor storm event from the entire site and adjacent areas, plus the major storm for a small area immediately adjacent to the pond. A small diameter line to Piper Creek, with a controlled outlet, will release the storm water at a controlled rate of $0.00164 \text{ m}^3/\text{s}/\text{ha}$ as determined by Alberta Environmental Protection. The facility will be designed to maintain a constant water level during normal operation and will rise a maximum of 1.8 m during a major storm event. Water quality will be considered during the design, including adequate depth to minimize weed growth, aeration, makeup water from domestic supplies, turnover of water in the facility, and other factors. The pond will be constructed such that the high water level will be below the footing of surrounding houses. Adequate setbacks will be provided with a minimum of 5 m to the property lines from the high water elevation. Safety will also be incorporated in the design,

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including maintaining minimal side slopes of 7:1, delineating the normal water level, signage warning of fluctuating water levels, locating park benches, etc., above the high water marks and not utilizing the lake as a recreation facility.

The dry ponds will only function as a storage facility for storm events beyond the minor storm event. The storm collection and overland drainage system will be designed so that when a storm event in excess of the minor storm occurs, storm water will back up onto the streets or other areas. The storm water will then flow overland and enter the dry ponds. There will be no direct connection to the dry ponds to the minor pipe system, thus permitting the dry ponds to be constructed at a higher elevation, eliminating surcharging of storm sewers and weeping tiles for building foundations. Outlet pipes will control outflow and direct the flow from the dry pond to the wet pond for release into Piper Creek.

One dry pond is located in a natural low area in the NE corner of the study area and will collect the major overland flow from the NE part of the study area and part of the NE $\frac{1}{4}$ of Section 3. The facility will also accommodate a ball diamond as part of the Neighbourhood Park.

A second dry pond is proposed in a natural low area located in TransAlta's right-of-way immediately adjacent to the south boundary of the study area. The area within the right-of-way is frozen for any type of development and, therefore, could accommodate a dry pond. We have obtained written agreement from TransAlta to construct this facility within their right-of-way. Similar facilities have been permitted by TransAlta in other communities with the provision that clearance from overhead wires is provided and access to and stability of poles or towers is maintained. This pond would service the south portion of the study area, plus the small portion of the SW $\frac{1}{4}$, Section 3.

10.3.3 Minor Storm System

The five year minor storm will be collected in an underground pipe storm collection system and directed to the wet pond. Two outlets are proposed into the wet pond with corresponding trunk mains. One trunk main will service the north part of the study area, another the south half. The collection system will be designed according to City of Red Deer standards. Location of the storm sewer mains, including 200 mm lines for weeping tile drainage collection, are shown on Figure 7.

10.3.4 Major Overland Flow

During a storm event in excess of the minor storm, control outlets on catch basins will cause water to pond on the streets in trapped lows or flow overland. The major drainage route will be designed to direct water from trapped lows and overland along streets, lanes or drainage routes to the dry ponds. Design of the streets and drainage routes will permit trapped lows for the storage of surface water, to maximum depths permitted for safety, plus allowable maximum velocity for surface water flowing on the streets. Design will consider protection of buildings from flooding during a major event. The major overland drainage routes are shown on Figure 7.

10.4 Shallow Utilities Servicing

Preliminary discussions with the appropriate agencies revealed no major servicing concerns when it came to shallow utilities. It is understood that servicing extensions will be brought south from either the existing Anders Park, or Anders South subdivisions in an orderly manner based on the staging plan presented earlier. The only exception possibly being a hook up to the Telus lines running within the TransAlta right-of-way.

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10.5 Solid Waste Disposal

Solid waste disposal and collection will be an extension of the existing City servicing. Collection locations will be in the rear lanes and curb-side where necessary. The study site is located within a quarter section of the landfill site allowing for an easy addition to the collection system.

10.6 Police/Fire Protection

The location within the City of Red Deer boundaries dictates that Police and Fire protection will be derived from the normal City of Red Deer servicing. The water system will include fire hydrants supplying adequate water flows for fire protection. The proposed firehall within the Melcor quarter will place this development within the immediate vicinity of fire protection.

11. THE STORM WATER POND

Due to the precedent setting nature of this proposed development, we are including a description and brief explanation as to the various issues involved with the construction and operation of this pond. It is imperative to note that the pond's primary function is to serve as a storm water management facility.

In order to obtain final approval of the system, the developer is requesting an exception to City policy #4310 - Storm Water Management. Specifically, we are seeking relief from clause (B) Storage Facilities, whereby it states that "where storage facilities are to be maintained by the City, they should be of the dry detention pond type...". By granting the developer an exception to the policy, the City will be better able to monitor and evaluate the effectiveness of this facility before allowing the development of additional storm water ponds.

The reasoning behind the proposed pond is found in the following points. The size of the catchment area, combined with the minimal release rate permitted into Piper Creek, would result in standing water within a dry pond for a lengthy period after most rain events. Discussions with other municipalities have indicated that dry ponds that are frequently saturated are expensive and difficult to maintain because access is limited and repairs frequent. It was felt that aesthetically, the creation of a wet pond would be far more pleasant than a frequently saturated dry pond. Being a storm water facility, the pond is not conducive to body-contact activities. Lakes used for swimming and related activities are recreational only and are not fed by the collection of storm water. At normal operating levels, the maximum depth of water is approximately 3.0 m with a fluctuation range of an additional 1.8 m. Fluctuation changes of this magnitude would pose somewhat of a risk to swimmers if swimming was permitted.

Environmentally, the use of a wet pond over a dry pond will improve the quality of water discharged to Piper Creek. Access to the pond will be permitted to all community members via the open space links and path system. It is our belief, based on discussions with other entities involved with wet and dry ponds, that a wet pond is actually a safer facility. Water

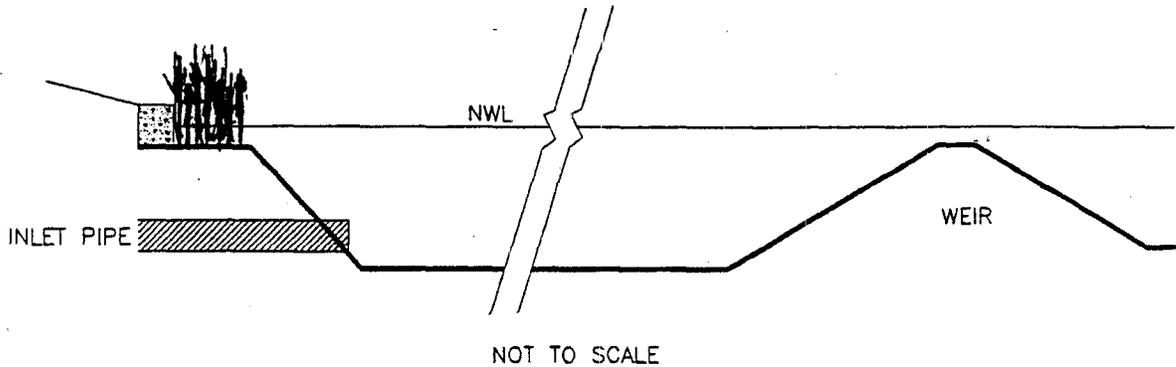
bodies are recognized as safety concerns and people are more cautious around them, especially with regard to children. With dry ponds, people assume they are a dry park space and fail to realize that during and after a storm, they do retain a fair amount of water.

Safety is also a prominent factor affecting the design of storm water ponds. Figure 9 includes a typical storm water pond cross section. For this particular facility, the developer intends on incorporating a 0.76 m high retaining wall that will define the pond's edge at the normal water level. Normal water level will only be 0.3 m deep along the wall. The exact design and materials have yet to be determined, and will be decided in cooperation with the City Engineering Department at the point of detailed design. The hard edge of the retaining wall reduces weed growth around the perimeter and allows for a manicured edge treatment that fits with the vision of the developer. In and around the sedimentation forebays, the developer will create a more natural edge with the inclusion of native vegetation such as cattails and sedge grasses.

Figure 8 also entails a cross sectional view of the proposed pond and adjacent development including normal and high water levels, and building envelopes. This depicts the spatial relationship between the pond, dedicated park space and the residential development.

11.1 Operation and Maintenance

A conscious effort is being made to design the pond to minimize the amount of operation and maintenance required. Specifically, the urban runoff collected via the storm system will be piped by gravity through two submerged inlets into the pond. The inlets are located at the narrower ends of the pond, respectively. Each end will serve as a sedimentation forebay. The sedimentation forebay, as diagrammed below, is a collection area approximately 4 m deep where the runoff is directed allowing sediment and silts to settle. As this settlement occurs, the cleaner water rises and flows over the weir, constructed approximately 30 m from the mouth of the inlet pipe.



Due to the concentration of nutrients in this area, we are designing the side slopes to accommodate the growth of mature wetland vegetation. We are incorporating the hard edged retaining wall in this area for slope stability and erosion control, particularly with regards to ice force and wave action. Over time, the built up sediment will need to be excavated and the original depth restored. With a proper sediment control program during construction, sediment removal will only be required approximately every 10 years and can be accomplished with a backhoe.

Once the water has made the open body, it will be circulated and aerated by the use of aeration fountains before release through the outlet structure. Aeration and circulation improves water quality, eliminates odours, and retards weed and algae growth. Except for a gradual slope near the retaining wall, the pond will reach maximum depth as quickly as possible which also reduces weed growth and improves water quality. The outlet structure will be a submerged pipe that will direct the outflow towards Piper Creek.

Along with sedimentation removal, other operation and maintenance items include the regular collection of debris that will inevitably flow into the pond, and the

deployment and collection of the fountains in the spring and fall, respectively. This can be done by hand with a small row boat.

The costs associated with these items include annual maintenance costs of \$3,000 to \$8,000 for mainly weed and algae control. The operation costs are limited to electricity for the fountain and is projected to be \$2,000 annually. Building a slush fund to cover miscellaneous items such as landscaping and vandalism repair brings the yearly total to approximately \$12,000. It is important to note that these numbers do not reflect a reduction representative of the annual operation and maintenance costs associated with a dry pond.

11.2 Financing

The precedent setting nature of this pond requires some innovative solutions to both the design and financing questions being raised. We have met many of the design concerns and will continue to throughout the detailed design stage. The capital costs associated with the construction of a wet pond over a dry pond in this location will be covered by the developer. The developer is also proposing a financing plan to cover the operation and maintenance costs that will take the onus off the City and guarantee the longevity of this facility.

Based on the structure utilized in various communities to finance the operation and maintenance costs of amenity items, funding is collected through an encumbrance on the residential lots in the area. For the Anders on the Lake community, each lot developed within the 143.14 acre study area will have an encumbrance on the title pursuant to the provisions of the Land Titles Act (Alberta). The proposed church site and private school will not be encumbered unless they are further subdivided for residential purposes. There is also no vehicle in place to encumber the lots currently developed as Anders South, or as part of any adjacent quarter.

The increased property value for pond side lots is the justification for collecting 50% of the projected \$12,000 annual operating budget. This works out to approximately

Anders on the Lake Neighbourhood Area Structure Plan

\$115 per year per lot. The balance would be divided equally among the remaining lots equating to a yearly charge of approximately \$25 per year. In the case of a condominium complex, the encumbrance would be calculated per unit. A copy of a typical encumbrance agreement is included in the Appendix. This encumbrance will be based on the Consumer Price Index to calculate increases to meet inflation.

For the first five years, the developer will assume responsibility for the collection of encumbrances and will cover the balance while the community develops. After five years, there are a couple of options. Firstly, the operation and maintenance of the pond, including the collection of encumbrances, can be turned over to the City. Secondly, a community association can be created and the responsibilities turned over to their directors. These details can be worked out with the City during the first few years of operation.

Besides the increased property value associated with the pond, the amenity value will be evident to all community members including those residing nearby in adjoining quarters. The pond is also serving its primary function as a storm water management facility for the entire quarter along with portions of the adjacent quarters. Because of this, it will be imperative that the City include the lot encumbrances as part of the development agreement for any other landowner that may look to develop as part of the Anders on the Lake community as depicted on the Neighbourhood Area Structure Plan.

BYLAW NO. 3276-2001

WHEREAS the amount of the taxes levied or estimated to be levied for the year 2001 by The City of Red Deer (hereinafter referred to as "the Corporation") for all purposes is the sum of Fifty Four Million Dollars (\$54,000,000.00);

AND WHEREAS the Council of the Corporation deems it necessary to borrow the sum of Twenty-Seven Million Dollars (\$27,000,000.00) to meet its current expenditures and obligations for the current year until the taxes levied or to be levied therefor can be collected;

AND WHEREAS the amount of temporary loans hereby authorized to be borrowed and outstanding will not exceed the amount of taxes levied or estimated to be levied for the year 2001 by the Corporation;

NOW THEREFORE BE IT ENACTED by the Council of the Corporation as a bylaw thereof as follows:

- 1 That the Council of the Corporation do borrow from the Bank of Montreal (herein called "the Bank") the sum of Twenty-Seven Million Dollars (\$27,000,000.00) which the Council deems necessary to meet the current expenditures and obligations of the Corporation for the year 2001 until such time as the taxes levied therefor can be collected and agree to pay interest thereon, either in advance of or at maturity and in either case after maturity, at the rate of Prime per centum per annum not to exceed 20%. In the event the rate of Prime did exceed 20% the loan would become payable immediately.

- 2 That for and in respect of the sum or sums so borrowed the promissory note or notes of the Corporation under its corporate seal, duly attested by the signatures of either its Mayor and its Treasurer, and payable within the year 2001, be delivered to and in favour of the Bank.

Item No. 9

BYLAW NO. 3265/B-2001

Being a bylaw to amend Bylaw No. 3265/2000, the Committees Bylaw of the City of Red Deer.

COUNCIL ENACTS AS FOLLOWS:

That Bylaw No. 3265/2000 be amended as follows:

1 By adding the following new Section 26(2)(d):

“26 (2) (d) Act in an advisory role to Council and City Administration on issues that may impact the implementation or administration of policy relative to the safety and security of the downtown area.”

READ A FIRST TIME IN OPEN COUNCIL this day of 2001.

READ A SECOND TIME IN OPEN COUNCIL this day of 2001.

READ A THIRD TIME IN OPEN COUNCIL this day of 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2001.

Mayor

City Clerk