

FILE

DATE: April 26, 1994
TO: All Departments
FROM: City Clerk
RE: PLEASE POST FOR THE INFORMATION OF EMPLOYEES

SUMMARY OF DECISIONS

FOR THE REGULAR MEETING OF RED DEER CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL,
MONDAY, APRIL 25, 1994,
COMMENCING AT 4:30 P.M.

- (1) Confirmation of the Minutes of the Regular Meeting of April 11, 1994.

DECISION - CONFIRMED MINUTES

PAGE

- (2) **UNFINISHED BUSINESS**

- (3) **PUBLIC HEARINGS**

- 1) City Clerk - Re: Land Use Bylaw Amendment 2672/G-94/Dangerous
Goods/Dangerous Goods Occupancy .. 1

- 2) City Clerk - Re: Road Closure Bylaws:
- A) 3107/94 - Closure of Roads along Ross Street to 43 Street
 - B) 3108/94 - Closure of Roads along 43 Street to 32 Street
 - C) 3109/94 - Road Closure on 32 Street to the South City Limits . . 2

(4) **REPORTS**

- 1) City Clerk - Re: Road Closure Bylaw 3088/B-94/Closure of 61 Street and all that portion of land within Block 7, Plan 6073X, lying between 62 Street and 61 Street/Senior's Complex (Siebel Construction Limited) . . 7

DECISION - BYLAW GIVEN 3 READINGS

- 2) City Clerk - Re: 1994 AUMA Convention Resolutions (Calgary, Alberta - September 28 to October 1, 1994) . . 8

DECISION - TABLED PENDING REVIEW BY POLICING COMMITTEE

- 3) City Clerk - Re: Disposal of Municipal Reserve - 43 Street to 32 Street/All from Ross Street to 43 Street/Railway Spur Line between 53 and 54 Avenues . . 11

DECISION - RECEIVED AS INFORMATION, THE CITY WILL NOW PROCEED WITH DISPOSAL OF MUNICIPAL RESERVE

- 4) Parks Manager - Re: Turf Naturalization . . 16

DECISION - RECEIVED AS INFORMATION

- 5) Parks Manager - Pitch-In Campaign 1994 - Proclamation . . 18

DECISION - PROCLAIMS MAY 2-8, 1994 AS PITCH-IN WEEK IN RED DEER

- 6) Land & Economic Development Manager - Re: Cambridge Leaseholds Limited Purchase of Part of Lot A, Plan 862-0189/Request to include additional names on Land Sale Agreement . . 21

DECISION - AGREED TO ADDITIONAL NAMES ON LAND SALE AGREEMENT

- 7) Engineering Department Manager - Re: 1993 Year End Progress Report

DECISION - RECEIVED AS INFORMATION

- 8) Land & Economic Development Manager - Re: Building #1 at Red Deer Industrial Airport/Offer to Purchase from Buffalo Airways Ltd. . . 23
.. 24

DECISION - AGREED TO SALE OF BUILDING #1 AT RED DEER INDUSTRIAL AIRPORT

- 9) Information Technology Resource Committee - Re: Information Strategy Plan . . 27

DECISION - APPROVED PROPOSAL FROM IBM CONSULTING GROUP

- 10) Land & Economic Development Manager - Re: Raw Land Sale Policy . 30

DECISION - AGREED TO POLICY

- 11) Red Deer Regional Planning Commission - Re: Proposed Land Use Bylaw Amendment 2672/N-94/Cornett Dr. & 30 Avenue/Siebel Construction . 39

DECISION - BYLAW GIVEN 1ST READING

(5) **CORRESPONDENCE**

- 1) Alberta Municipal Affairs - Re: Unconditional Municipal Grant Program/FCSS .. 59

DECISION - AGREED TO RECEIVE FUNDS AS A CONDITIONAL GRANT

- 2) Red Deer Advocate - Re: Meeting/Improving Lines of Communication .. 71

DECISION - AGREED TO ARRANGE MEETING

- 3) Duncan & Craig - Re: Handicapped Housing Society of Alberta/4825-27 - 55 Street/Request for License to Occupy .. 73

DECISION - APPROVED LICENSE TO OCCUPY

- 4) Lee Depauw, Dolphin Health and Fitness - Re: Health and Fitness Club/Formers Southill A.L.C.B. Store/Request for Approval of Use .. 79

DECISION - AGREED TO HEALTH AND FITNESS CLUB AT THIS LOCATION

- 5) The Family of Faith Church - Re: Purchase of Moose Hall/Request to Cancel all Taxes .. 84

DECISION - AGREED TO CANCEL ONLY THE MUNICIPAL PORTION OF PROPERTY TAXES

- 6) Kathryn Stock - Re: 5710 West Park Crescent/Rezoning Request/R1 to R2/Basement Suite .. 89

DECISION - AGREED TO EXCEPTION TO THE LAND USE BYLAW

(6) **PETITIONS & DELEGATIONS**

(7) **NOTICES OF MOTION**

(8) **WRITTEN ENQUIRIES**

(9) **BYLAWS**

- 1) 2672/G-94 - Re: Land Use Bylaw Amendment/Dangerous Goods/Dangerous Goods Occupancy - 2nd & 3rd readings . . 1

DECISION - BYLAW GIVEN 2ND & 3RD READINGS

- 2) 2672/N-94 - Re: Land Use Bylaw Amendment/Cornett Dr. & 30 Avenue/Siebel Construction - 1st reading . . 39
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DECISION - BYLAW GIVEN 1ST READING

- 3) 3088/B-94 - Re: Road Closure Bylaw/Closure of 61 Street and all that portion of land within Block 7, Plan 6073X, lying between 62 Street and 61 Street/Senior's Complex (Siebel Construction Limited) - 3 readings . . 7
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DECISION - BYLAW GIVEN 3 READINGS

- 4) 3107/94 - Re: Road Closure Bylaw/Closure of Roads along Ross Street to 43 Street - 2nd & 3rd readings . . 2

DECISION - BYLAW GIVEN 2ND & 3RD READINGS

- 5) 3108/94 - Re: Road Closure Bylaw/along 43 Street to 32 Street - 2nd & 3rd readings . . 2

DECISION - BYLAW GIVEN 2ND & 3RD READINGS

- 6) 3109/94 - Re: Road Closure Bylaw/on 32 Street to the South City Limits - 2nd & 3rd readings . . 2

DECISION - BYLAW GIVEN 2ND & 3RD READINGS

ADDITIONAL AGENDA

- 1) Acting Recreation & Culture Manager/Personnel Manager - Re: Work Release Project

DECISION - ITEM TABLED FOR TWO WEEKS PENDING ADDITIONAL INFORMATION

- 2) Red Deer Regional Planning Commission - Re: Industrial District Review/Land Use Bylaw Amendment 2672/M-94

DECISION - BYLAW GIVEN 1ST READING

- 3) Red Deer Regional Planning Commission - Re: Planning Act Review Discussion Paper

DECISION - ADOPTS THE RESPONSE REPORT ENTITLED "ALBERTA PLANNING ACT - REVIEW 94"

- 4) City Assessor - Re: Alberta Seniors Benefits

DECISION - REPORT RECEIVED AS INFORMATION

BYLAWS

- 1) 2672/M-94 - Land Use Bylaw Amendment/Industrial Districts Review - 1st reading

DECISION - BYLAW GIVEN 1ST READING

A G E N D A

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Committee of the Whole

- 1) Administrative Matter

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Committee of the Whole

- 1) Administrative Matter

PUBLIC HEARINGSNO. 1

DATE: April 19, 1994
TO: City Council
FROM: City Clerk
RE: LAND USE BYLAW AMENDMENT 2672/G-94

A Public Hearing has been advertised in regard to the above noted Land Use Bylaw Amendment. The Public Hearing is scheduled to be held in the Council Chambers on Monday, April 25, 1994, commencing at 7:00 p.m. or as soon thereafter as Council may determine.

Land Use Bylaw Amendment 2672/G-94 provides for amended definitions of "Dangerous Goods" and "Dangerous Goods Occupancy". In addition, it provides that "Dangerous Goods Occupancy" shall not be permitted at a location less than 50 metres from any place of public assembly, institutional use or residential occupancy, as defined in the Alberta Fire Code.

Following the Public Hearing, Council may choose to give the bylaw amendment second and third readings.



Kelly Kloss
City Clerk

KK/ds

DATE: APRIL 26, 1994

TO: RED DEER REGIONAL PLANNING COMMISSION

FROM: CITY CLERK

RE: LAND USE BYLAW AMENDMENT 2672/G-94 - DANGEROUS GOODS

At the Council Meeting of April 25, 1994, second and third readings were given to the above noted Land Use Bylaw Amendment, a copy of which is attached hereto.

Land Use Bylaw Amendment 2672/G-94 provides for amended definitions of "Dangerous Goods" and "Dangerous Goods Occupancy". In addition, it provides that "Dangerous Goods Occupancy" will not be permitted at a location less than 50 metres from any place of public assembly, institutional use or residential occupancy, as defined in the Alberta Fire Code.

I trust you will now be updating the Land Use Bylaw and forwarding the amended pages to this office for circulation.



KELLY KLOSS
City Clerk

KK/clr
Attch.

cc: Director of Engineering Services
Fire Chief
Fire Marshall
Bylaws and Inspections Manager
Council and Committee Secretary, S. Ladwig

NO. 2

DATE: MARCH 15, 1994
TO: CITY COUNCIL
FROM: CITY CLERK
RE: ROAD CLOSURE BYLAWS 3107/94, 3108/94 AND 3109/94

Public Hearings have been advertised in regard to the above noted Road Closure Bylaws. The Public Hearings are scheduled to be held in the Council Chambers on Monday, April 25, 1994, commencing at 7:30 p.m. or as soon thereafter as Council may determine.

Bylaw 3107/94 pertains to the closure of roads along Ross Street to 43 Street.

Bylaw 3108/94 pertains to the closure of roads along 43 Street to 32 Street.

Bylaw 3109/94 pertains to a road closure on 32 Street to the South City Limits.

A copy of the maps associated with the road closures are attached hereto. Following the Public Hearings, Council may chose to give the Bylaw Amendments second and third readings.



KELLY KLOSS
City Clerk

KK/clr
Attch.

MAP A- BYLAW 3107/94

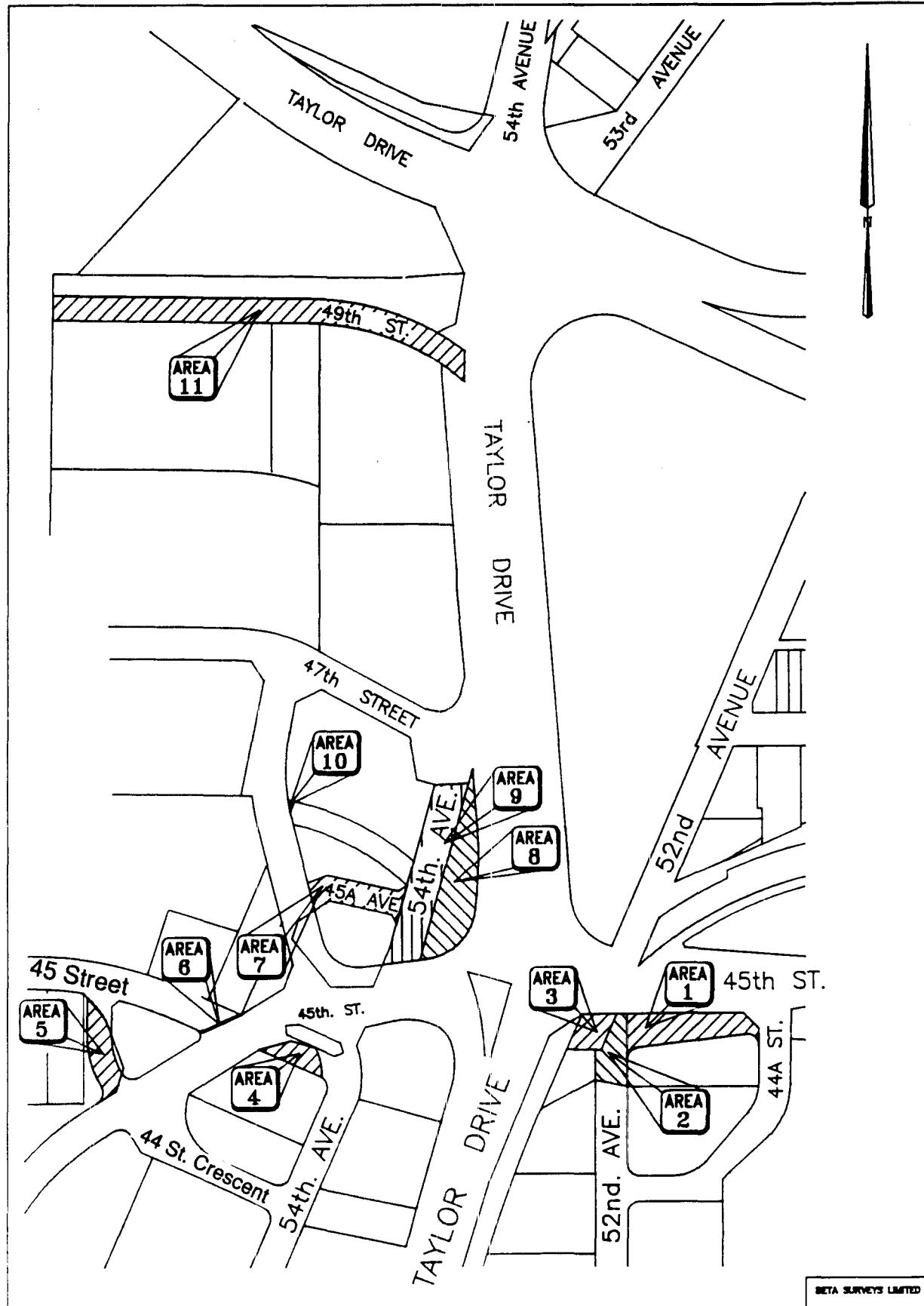
- 1) All that portion of 45 Street as shown on Plan 3143 NY lying within Plan _____ containing 0.150 ha. more or less.
- 2) All that portion of 52 Avenue as shown on Plan 4850 EO lying within Plan _____ containing 0.66 ha. more or less.
- 3) All that portion of 52 Avenue as shown on Plan 3732 P lying within Plan _____ containing 0.052 ha. more or less.
- 4) All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.043 ha. more or less.
- 5) All that portion of 44 Street Crescent as shown on Plan 5365 NY lying within Plan _____ containing 0.076 ha. more or less.
- 6) All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.003 ha. more or less.
- 7) All that portion of 45 A Avenue as shown on Plan 5365 NY lying within Plan _____ containing 0.093 ha. more or less.
- 8) All that portion of Road as shown on Plan 932-1030 lying within Plan _____ containing 0.198 ha. more or less.
- 9) All that portion of 54 Avenue as shown on Plan 4386 HW lying within Plan _____ containing 0.231 ha. more or less.
- 10) All that portion of 54 Avenue as shown on Plan 922-3734 lying within Plan _____ containing 0.002 ha. more or less.
- 11) All that portion of 49 Street as shown on Plan 1034 KS containing 0.406 ha. more or less.

MAP B- BYLAW 3108/94

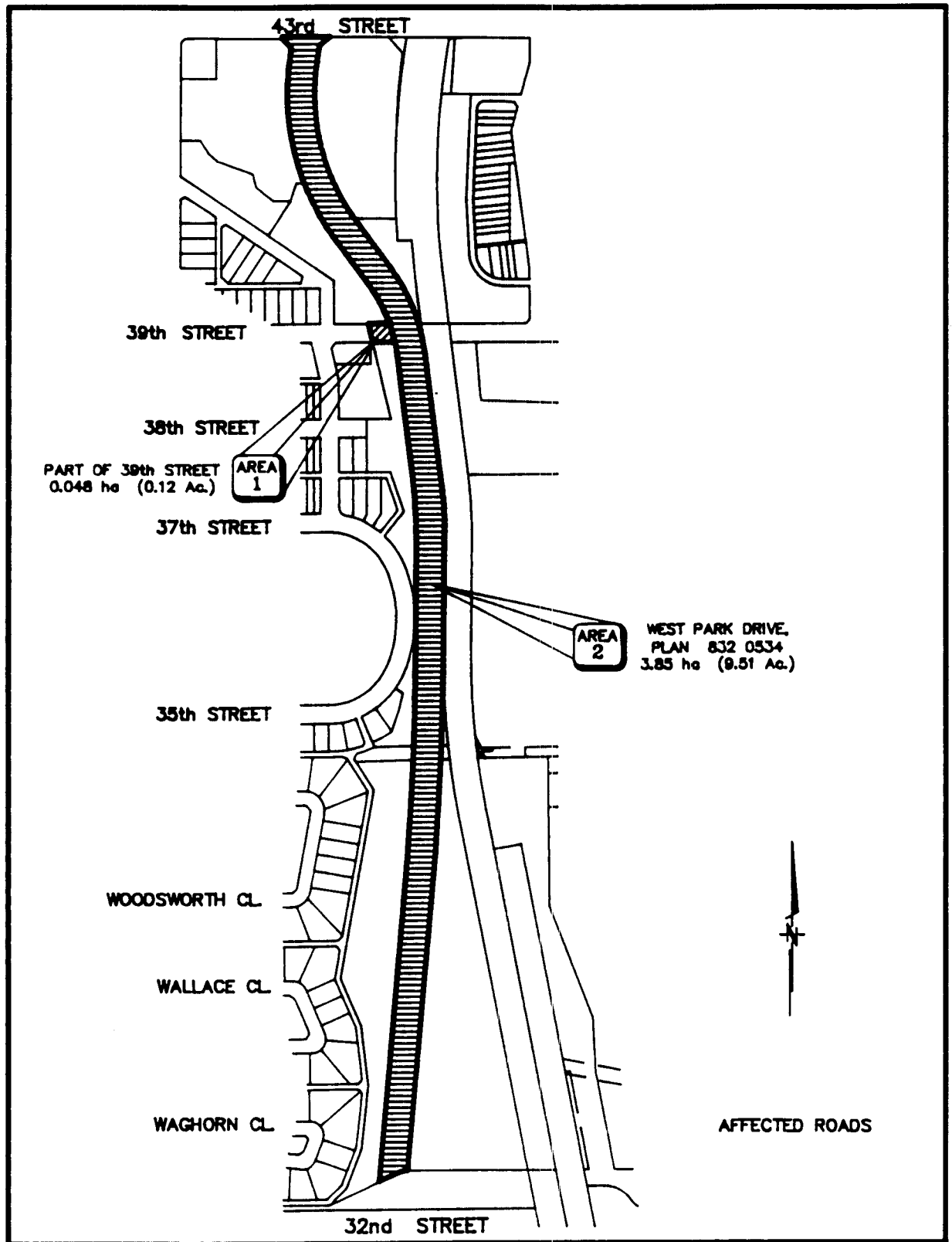
- 1) All that portion of 39 Street lying within the limits of Plan _____ containing 0.048 ha. more or less.
- 2) West Park Drive, Plan 852-0354 containing 3.85 ha. more or less.

MAP C- BYLAW 3109/94

"All that portion of Railway Street as shown on Plan 5326 H.W. contained within Lot 6 MR, Plan _____ and containing 0.247 ha. more or less."



"B"



"C"

LOT U2

A

LOT 9

PLAN 922 1625

RED DEER
PLAN SHOWING
PORTION OF
RAILWAY STREET
TO BE CLOSED

SCALE = 1:2000

5MR

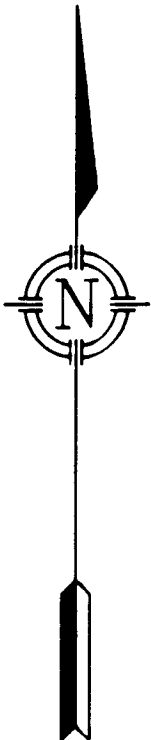
PLAN
902 0876

(CHRYSLER AVE.) 22 STREET

PLAN
902 1457

LOT A
5326 HW

PORTION OF RAILWAY STREET = 0.247 ha.
ROAD CLOSURE IS REQUIRED



RAILWAY STREET

LOT 6MR

CANADIAN PACIFIC RAILWAY

ROAD PLAN 922 2024

6

PLAN C & E No. 1

10°35'49"

40.85

118.18

10°33'49"

24.04

89°37'29"

24.04

13°30'48"

35.48

08°11'

33.21

50

13°30'48"

35.48

08°11'

33.21

50

13°30'48"

35.48

08°11'

33.21

50

13°30'48"

35.48

08°11'

33.21

50

13°30'48"

35.48

08°11'

33.21

50

POWER LINE R/W PLAN 5003 NY

LOT 1
BLOCK 1
912 3522



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

ROAD CLOSURE

"PLAN"

Pursuant to the provisions of Section 180 of the Municipal Government Act, the Council of The City of Red Deer intend to pass Bylaw No. 3107/94 which, if finally passed, will provide for the closure of road in the City of Red Deer as described below:

1. All that portion of 45 Street as shown on Plan 3143 NY lying within Plan _____ containing 0.150 ha. more or less.
2. All that portion of 52 Avenue as shown on Plan 4850 EO lying within Plan _____ containing 0.66 ha. more or less.
3. All that portion of 52 Avenue as shown on Plan 3732 P lying within Plan _____ containing 0.052 ha. more or less.
4. All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.043 ha. more or less.
5. All that portion of 44 Street Crescent as shown on Plan 5365 NY lying within Plan _____ containing 0.076 ha. more or less.
6. All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.003 ha. more or less.
7. All that portion of 45 A Avenue as shown on Plan 5365 NY lying within Plan _____ containing 0.093 ha. more or less.
8. All that portion of Road as shown on Plan 932-1030 lying within Plan _____ containing 0.198 ha. more or less.
9. All that portion of 54 Avenue as shown on Plan 4386 HW lying within Plan _____ containing 0.231 ha. more or less.

.....2



*a delight
to discover!*

10. All that portion of 54 Avenue as shown on Plan 922-3734 lying within Plan _____ containing 0.002 ha. more or less.
11. All that portion of 49 Street as shown on Plan 1034 KS containing 0.406 ha. more or less.

Any person who claims that he or she will be affected prejudicially by the passing of the above mentioned bylaw shall be afforded an opportunity to be heard by Council either by himself/herself or by his or her agent.

The Council proposes to pass the aforementioned bylaw at its regular meeting, Council Chambers, 2nd Floor of City Hall, Red Deer, Alberta, scheduled to commence at 7:00 p.m., or as soon thereafter as Council may determine, on **Monday, April 25, 1994**, at which time all persons claiming to be prejudiced shall be heard.

DATE OF THE FIRST PUBLICATION OF THIS NOTICE: March 31, 1994

DATE OF THE LAST PUBLICATION OF THIS NOTICE: April 8, 1994.

KELLY KLOSS
City Clerk

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

ROAD CLOSURE**"PLAN"**

Pursuant to the provisions of Section 180 of the Municipal Government Act, the Council of The City of Red Deer intend to pass Bylaw No. 3108/94 which, if finally passed, will provide for the closure of road in the City of Red Deer as described below:

"All that portion of 39 Street lying within the limits of Plan _____ containing 0.048 ha. more or less."

"West Park Drive Plan 852-0354 containing 3.85 ha. more or less."

Any person who claims that he or she will be affected prejudicially by the passing of the above mentioned bylaw shall be afforded an opportunity to be heard by Council either by himself/herself or by his or her agent.

The Council proposes to pass the aforementioned bylaw at its regular meeting, Council Chambers, 2nd Floor of City Hall, Red Deer, Alberta, scheduled to commence at 7:00 p.m., or as soon thereafter as Council may determine, on **Monday, April 25, 1994**, at which time all persons claiming to be prejudiced shall be heard.

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ROAD CLOSURE**"PLAN"**

Pursuant to the provisions of Section 180 of the Municipal Government Act, the Council of The City of Red Deer intend to pass Bylaw No. 3109/94 which, if finally passed, will provide for the closure of road in the City of Red Deer as described below:

"All that portion of Railway Street as shown on Plan 5326 H.W. contained within Lot 6 MR, Plan _____ and containing 0.247 ha. more or less." (South of Chrysler Ave. - 22 Street)

Any person who claims that he or she will be affected prejudicially by the passing of the above mentioned bylaw shall be afforded an opportunity to be heard by Council either by himself/herself or by his or her agent.

The Council proposes to pass the aforementioned bylaw at its regular meeting, Council Chambers, 2nd Floor of City Hall, Red Deer, Alberta, scheduled to commence at 7:00 p.m., or as soon thereafter as Council may determine, on **Monday, April 25, 1994**, at which time all persons claiming to be prejudiced shall be heard.

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KELLY KLOSS
City Clerk



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to discover!*

NO. 14

DATE: March 3, 1994

TO: K. Kloss, City Clerk

FROM: A. Scott, Land and Economic Development Manager

RE: **MAJOR CONTINUOUS CORRIDOR
TAYLOR DRIVE RIGHT-OF-WAY
ROSS STREET SOUTH TO SOUTH CITY LIMITS**
(Please see attached maps)

A legal survey has recently been completed to register the alignment of Taylor Drive and subdivision of various City owned lands affected by this alignment. To facilitate the registration of this legal survey plan, City Council's approval is required for the numerous road closures and disposition of reserves as indicated on the attached maps.

The following land descriptions are submitted for City Council's approval:

MAP "A" ROAD CLOSURES - ROSS STREET TO 43 STREET	
Map Index	Description
1	All that portion of 45 Street as shown on Plan 3143 NY lying within Plan _____ containing 0.150 ha. more or less.
2	All that portion of 52 Avenue as shown on Plan 4850 EO lying within Plan _____ containing 0.66 ha. more or less.
3	All that portion of 52 Avenue as shown on Plan 3732 P lying within Plan _____ containing 0.052 ha. more or less.
4	All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.043 ha. more or less.
5	All that portion of 44 Street Crescent as shown on Plan 5365 NY lying within Plan _____ containing 0.076 ha. more or less.
6	All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.003 ha. more or less.
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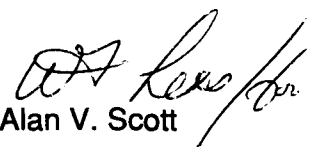
MAP "A" ROAD CLOSURES - ROSS STREET TO 43 STREET	
Map Index	Description
9	All that portion of 54 Avenue as shown on Plan 4386 HW lying within Plan _____ containing 0.231 ha. more or less.
10	All that portion of 54 Avenue as shown on Plan 922-3734 lying within Plan _____ containing 0.002 ha. more or less.
11	All that portion of 49 Street as shown on Plan 1034 KS containing 0.406 ha. more or less.

MAP "A" DISPOSITION OF RESERVES - ROSS STREET TO 43 STREET	
Map Index	Description
12	Lot R, Block 2, Plan 4173 MC containing 0.064 ha. more or less.
13	Lot R3, Plan 5365 NY containing 0.033 ha. more or less.
14	Lot R4, Plan 5365 NY containing 0.249 ha. more or less.
15	Lot R5, Plan 5365 NY containing 0.135 ha. more or less.
16	Lot R, Block 8, Plan 5551 KS containing 0.116 ha. more or less.
17	Block R, Plan 1034 KS containing 0.434 ha. more or less.
18	All that portion of Lot 14 MR, Block 6, Plan 832-2364 lying within Plan _____ containing 0.079 ha. more or less.

MAP "B" ROAD CLOSURES - 43 STREET TO 32 STREET	
Map Index	Description
1	All that portion of 39 Street lying within the limits of Plan _____ containing 0.048 ha. more or less.
2	West Park Drive, Plan 852-0354 containing 3.85 ha. more or less. *Note: West Park Drive being closed from 43 Street to 32 Street, that portion of West Park Drive existing on west and south side of Proform Tower (old brewery building) to be registered by new Taylor Drive Right-of-Way Plan as shown as Map B1.

MAP "C" DISPOSITION OF RESERVES - 43 STREET TO 32 STREET	
Map Index	Description
1	Lot 3 MR, Plan 852-0534 containing 0.026 ha. more or less.
2	Lot 4 MR, Plan 852-0534 containing 0.861 ha. more or less.
3	Lot 5 MR, Plan 852-0534 containing 3.00 ha. more or less.
4	Lot 6 MR, Plan 852-0534 containing 1.90 ha. more or less.
5	Lot 7 MR, Plan 852-0534 containing 0.275 ha. more or less.
6	Remainder of Lot 8 MR, Plan 852-0534 containing 0.683 ha. more or less.

MAP "D" ROAD CLOSURE - 32 STREET TO SOUTH CITY LIMITS	
Map Index	Description
1	<p>All that portion of Railway Street as shown on Plan 5326 HW contained within Lot 6 MR, Plan _____ and containing 0.247 ha. more or less.</p> <p>*Note: No disposition of Reserves on Map "D".</p>


Alan V. Scott

AVS/mm

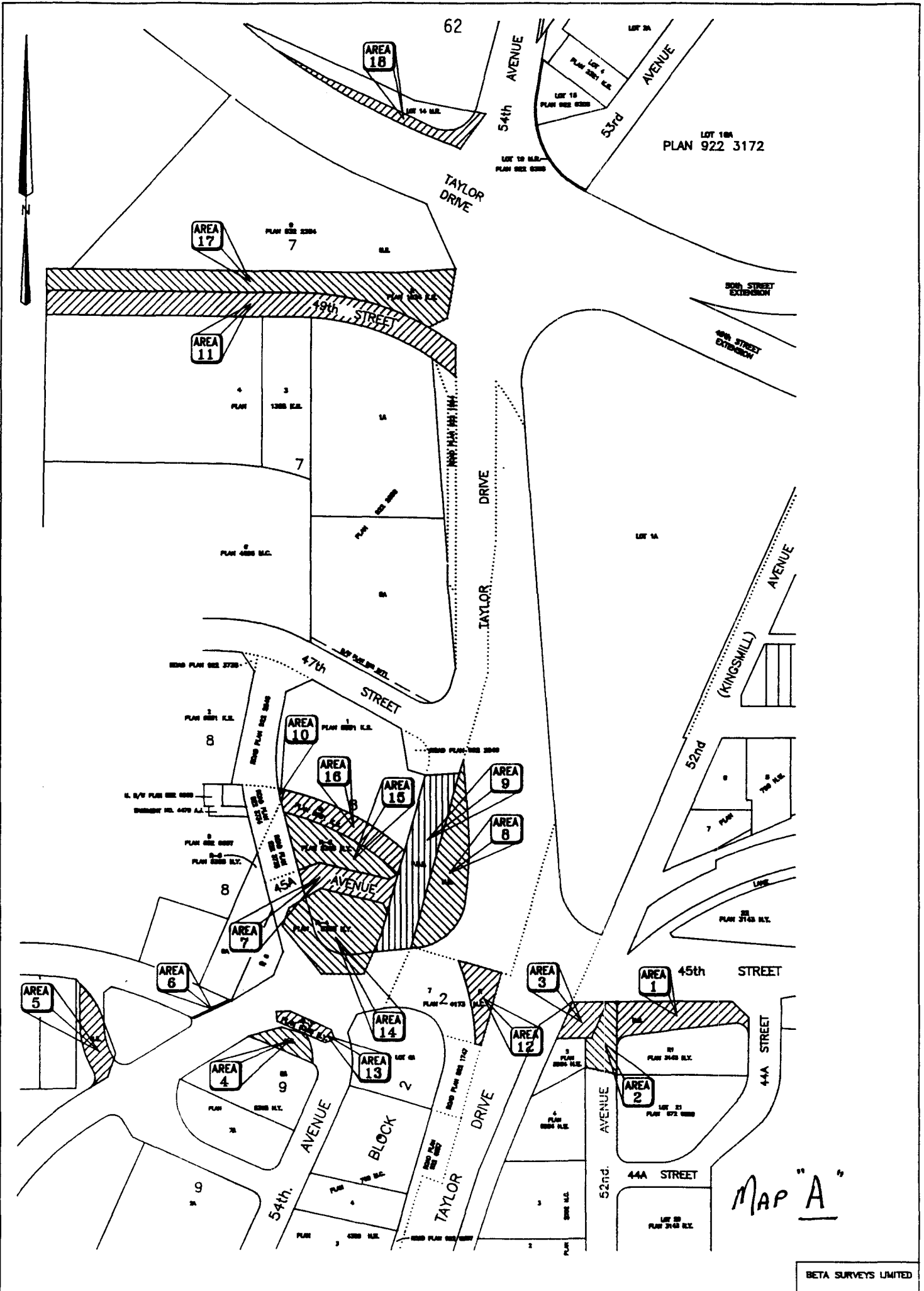
Att.

Commissioners' Comments

We concur with the aforementioned road closures and disposal of reserves.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner



Map "A"

43rd STREET

63

39th

STREET

PART OF 39th STREET
0.048 ha (0.12 Ac.)

AREA
1

AREA
2

WEST PARK DRIVE,
PLAN 852 0534
3.85 ha (9.51 Ac.)

32nd STREET



MAP "B"

ROADS AFFECTED
BY THIS SURVEY

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

File No: R-005-93

43rd STREET

64

39th

STREET

AREA
1

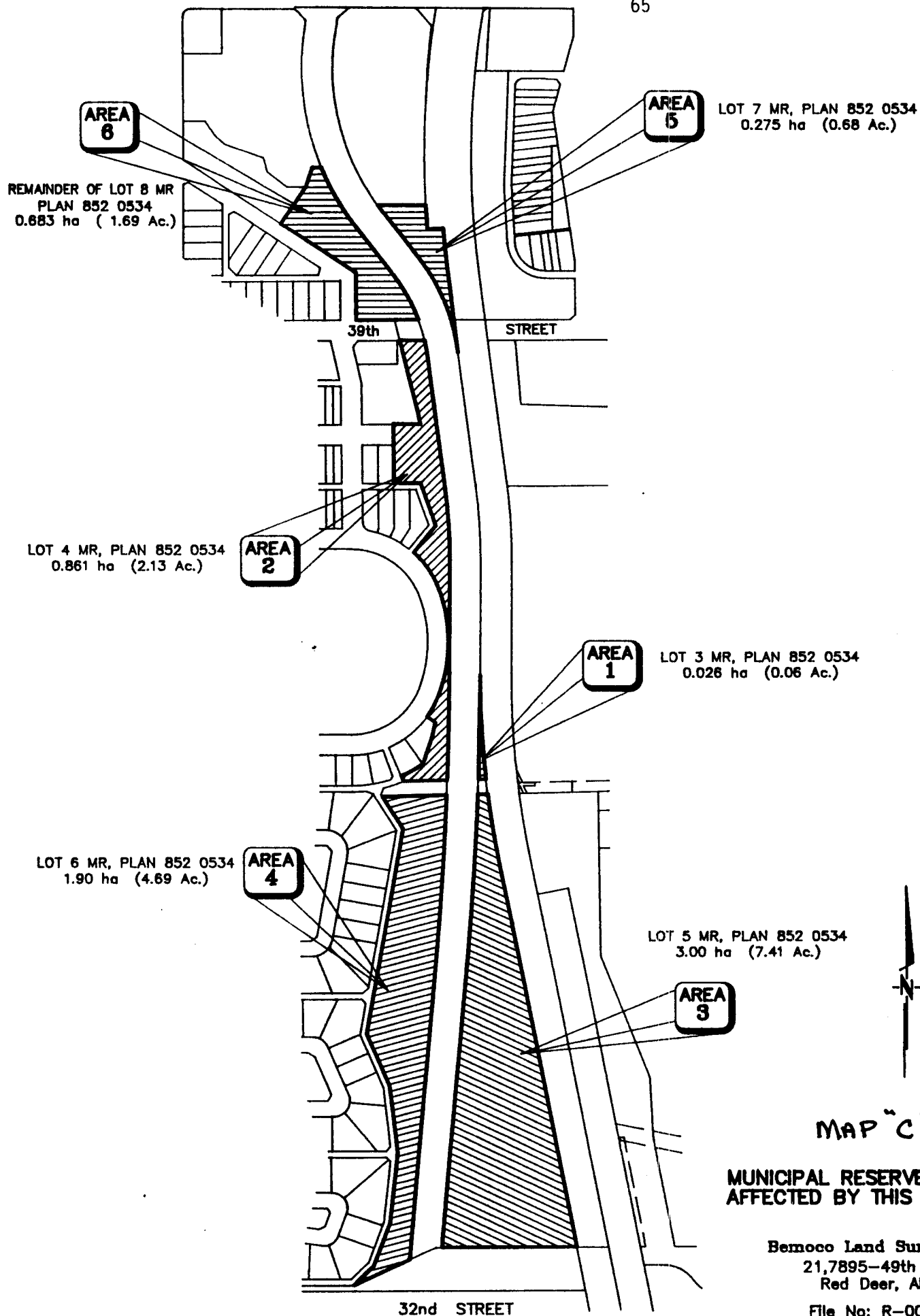
NEW ROAD DEDICATION
BY PLAN 942 _____
AND PLAN 942 _____

32nd STREET



Map B1
NEW ROADS

Bemoco Land Surveying Ltd.
21,7895-49th Avenue
Red Deer, Alberta
File No: R-005-93

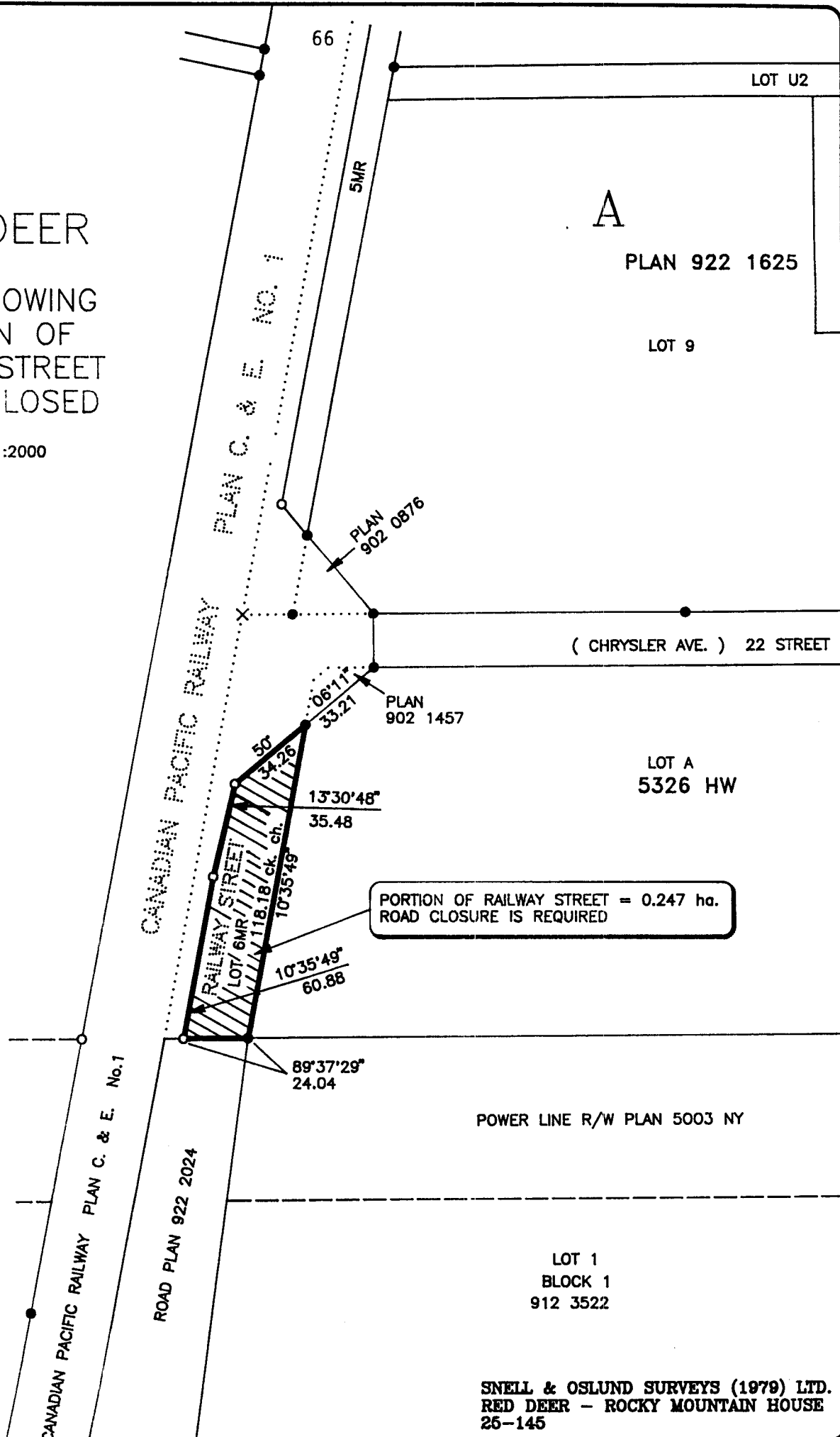


RED DEER

PLAN SHOWING
PORTION OF
RAILWAY STREET
TO BE CLOSED

SCALE = 1:2000

MAP "D"



BYLAW NO. 3107/94

Being a Bylaw to close portions of road in The City of Red Deer as described herein.

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

- 1 The following portions of roadways in The City of Red Deer are hereby closed.
 - a) All that portion of 45 Street as shown on Plan 3143 NY lying within Plan _____ containing 0.150 ha. more or less.
 - b) All that portion of 52 Avenue as shown on Plan 4850 EO lying within Plan _____ containing 0.66 ha. more or less.
 - c) All that portion of 52 Avenue as shown on Plan 3732 P lying within Plan _____ containing 0.052 ha. more or less.
 - d) All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.043 ha. more or less.
 - e) All that portion of 44 Street Crescent as shown on Plan 5365 NY lying within Plan _____ containing 0.076 ha. more or less.
 - f) All that portion of 45 Street as shown on Plan 5365 NY lying within Plan _____ containing 0.003 ha. more or less.
 - g) All that portion of 45 A Avenue as shown on Plan 5365 NY lying within Plan _____ containing 0.093 ha. more or less.
 - h) All that portion of Road as shown on Plan 932-1030 lying within Plan _____ containing 0.198 ha. more or less.
 - i) All that portion of 54 Avenue as shown on Plan 4386 HW lying within Plan _____ containing 0.231 ha. more or less.
 - j) All that portion of 54 Avenue as shown on Plan 922-3734 lying within Plan _____ containing 0.002 ha. more or less.
 - k) All that portion of 49 Street as shown on Plan 1034 KS containing 0.406 ha. more or less.

- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1994.

MAYOR

CITY CLERK

BYLAW NO. 3108/94

Being a Bylaw to close portions of road in The City of Red Deer as described herein.

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

- 1 The following portions of roadways in The City of Red Deer are hereby closed.
 - a) All that portion of 39 Street lying within the limits of Plan _____ containing 0.048 ha. more or less.
 - b) West Park Drive, Plan 852-0354 containing 3.85 ha. more or less.

- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1994.

MAYOR

CITY CLERK

BYLAW NO. 3109/94

Being a Bylaw to close a portion of road in The City of Red Deer as described herein.

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

1 The following portion of roadway in The City of Red Deer is hereby closed.

"All that portion of Railway Street as shown on Plan
5326 HW contained within Lot 6 MR, Plan
_____ and containing 0.247 ha. more or
less."

2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1994.

MAYOR

CITY CLERK

DATE: APRIL 26, 1994
TO: LAND AND ECONOMIC DEVELOPMENT MANAGER
FROM: CITY CLERK
RE: ROAD CLOSURE BYLAWS 3107/94, 3108/94 AND 3109/94

At the Council Meeting of April 25, 1994, Road Closure Bylaws 3107/94, 3108/94 and 3109/94 were given second and third readings by Council following the Public Hearings. Attached hereto are certified copies of the above noted Road Closure Bylaws.

The decision of Council in this instance is submitted for your information.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr
attchs.

cc: Director of Engineering Services
Principal Planner
Council and Committee Secretary, S. Ladwig

R E P O R T SNO. 1

DATE: APRIL 11, 1994

TO: CITY COUNCIL

FROM: CITY CLERK

RE: ROAD CLOSURE BYLAW 3088/93

At the Council Meeting of March 28, 1994, Bylaw 3088/A-94, which amended Road Closure Bylaw 3088/93, was passed. The reason for the above amending bylaw was that Land Titles required the words "1st Street" within the description of the land to be closed. These words were included on the title and as such, had to be included in the description. Unfortunately, a further error was found in the description relative to the size of the property to be disposed of. This error was made by the surveyors who contacted us on April 11, 1994 to request the correct area to be included in the description.

The old description read:

"containing 0.097 hectares (0.24 acres) more or less and containing 0.019 hectares (0.05 acres) more or less".

The area should read:

"containing 0.135 hectares (0.33 acres) more or less and containing 0.08 hectares (0.20 acres) more or less".

RECOMMENDATION

That Bylaw 3088/B-94 be given three readings.



KELLY KLOSS
City Clerk

KK/clr

Commissioners' Comments

We concur with the recommendation of the City Clerk.

"G. SURKAN", Mayor

"H.M.C. DAY", City Commissioner

DATE: APRIL 26, 1994

TO: LAND SUPERVISOR

FROM: CITY CLERK

RE: PROPOSED 20 UNIT SENIOR'S COMPLEX - SEIBEL CONSTRUCTION
ROAD CLOSURE BYLAW AMENDMENT 3088/B-94

At the Council Meeting of April 25, 1994, Road Closure Bylaw Amendment 3088/B-94 was passed. A certified copy of said bylaw is attached hereto.

This is submitted for your information and appropriate action.

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

KELLY KLOSS
City Clerk

KK/clr
Attchs.

DATE: APRIL 19, 1994
TO: CITY COUNCIL
FROM: CITY CLERK
RE: 1994 AUMA CONVENTION RESOLUTIONS
(CALGARY, ALBERTA - SEPTEMBER 28 TO OCTOBER 1, 1994)

Each year the Alberta Urban Municipalities Association invites submission of resolutions on subjects of "Province Wide Interest", for consideration by member municipalities at the annual AUMA Convention.

This year the deadline set for receipt of resolutions is May 20, 1994. Accordingly, the Administration was requested to submit any suggested resolutions for consideration at the April 25, 1994 Council Meeting. Following hereafter are the resolutions which have been submitted to date, for consideration.



KELLY KLOSS
City Clerk

KK/clr
Attchs.



Royal Canadian Mounted Police
Gendarmerie royale du Canada

9

Security Classification / Designation
Classification / Désignation sécuritaire

March 10, 1994

Your file Votre référence

Kelly KLOSS, City Clerk
City of Red Deer
4914 - 48 Avenue
Red Deer, Alberta
T4N 3T4

Our file Notre référence

Dear Sir:

**RE: REQUEST FOR RESOLUTIONS - 1994 AUMA CONVENTION
(SEPTEMBER 28 TO OCTOBER 1, 1994, CALGARY, ALBERTA)**

Your request of 94 JAN 21 is acknowledged and the following submitted.

WHEREAS Section 31(1) of the Motor Vehicle administration Act sets out the offence for a driver not carrying an operator's licence and WHEREAS the minimal penalty of \$5.00 is no deterrent, and WHEREAS more and more frequently the police are checking drivers who choose not to carry their licence, and WHEREAS some drivers simply memorize their brother's or friend's date of birth, operator's licence number, etc., and this information is used on a ticket. The real owner of the licence has to go to considerable trouble to vindicate himself.

THEREFORE BE IT RESOLVED that the Provincial Offences Procedure Act be amended to a \$50.00 penalty.

WHEREAS Section 34(1) of the Motor Vehicle Administration Act makes it an offence for failing to re-register a motor vehicle, and WHEREAS the present penalty is only \$20.00 and not a deterrent, and WHEREAS many owners are failing to re-register their vehicle because they owe fine money on past tickets and can not get the services of Motor Vehicle Branch until they clear these past debts up by them paying the debt.

THEREFORE BE IT RESOLVED that the Provincial Offences Procedure Act should be amended to a \$50.00 minimum penalty.

.../2

Canada

Royal Canadian Mounted Police
Page 2
March 10, 1994

WHEREAS Section 70(1) of the Motor Vehicle Administration Act makes it an offence not to carry proof of insurance, and WHEREAS the penalty is only a \$5.00 fine and is not a deterrent, and WHEREAS many operators are not carrying proof of insurance, and the other person involved in an accident has to wait with his insurance claim until the name of the insurance company can be confirmed.

THEREFORE BE IT RESOLVED that the Provincial Offences Procedure Act be amended to specify a minimum \$50.00 for the violation.

Yours truly,



(R.L. BEATON) Insp.
O.i/c Red Deer City Detachment

MAW/lb

Commissioners' Comments

We recommend Council approve the proposed resolutions as outlined by Inspector Beaton.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner

DATE: APRIL 26, 1994
TO: POLICING COMMITTEE
FROM: CITY CLERK
RE: PROPOSED A.U.M.A. RESOLUTIONS

Attached is a report from Inspector Beaton recommending that Council propose various amendments to the Motor Vehicle Administration Act to the 1994 Annual Alberta Urban Municipalities Association convention. Prior to making a final decision on this matter, same was tabled to allow for comment from the Policing Committee.

One question which was raised was - "If a penalty is levied, based on one of the three proposed resolutions (whatever the size of the fine), at the time of paying the fine, would the Offender have to provide:

- evidence that he has re-registered the motor vehicle, or
- has an Operator's License, or
- has insurance.

This matter must be presented back to Council at its meeting of May 9, 1994, and as such, I would request your comments by Monday, May 2, 1994.

I apologize for the urgency of this request.



KELLY KLOSS
CITY CLERK
Encl.



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification / Designation
Classification / Désignation sécuritaire

March 10, 1994

Your file Votre référence

Kelly KLOSS, City Clerk
City of Red Deer
4914 - 48 Avenue
Red Deer, Alberta
T4N 3T4

Our file Notre référence

Dear Sir:

**RE: REQUEST FOR RESOLUTIONS - 1994 AUMA CONVENTION
(SEPTEMBER 28 TO OCTOBER 1, 1994, CALGARY, ALBERTA)**

Your request of 94 JAN 21 is acknowledged and the following submitted.

WHEREAS Section 31(1) of the Motor Vehicle administration Act sets out the offence for a driver not carrying an operator's licence and WHEREAS the minimal penalty of \$5.00 is no deterrent, and WHEREAS more and more frequently the police are checking drivers who choose not to carry their licence, and WHEREAS some drivers simply memorize their brother's or friend's date of birth, operator's licence number, etc., and this information is used on a ticket. The real owner of the licence has to go to considerable trouble to vindicate himself.

THEREFORE BE IT RESOLVED that the Provincial Offences Procedure Act be amended to a \$50.00 penalty.

WHEREAS Section 34(1) of the Motor Vehicle Administration Act makes it an offence for failing to re-register a motor vehicle, and WHEREAS the present penalty is only \$20.00 and not a deterrent, and WHEREAS many owners are failing to re-register their vehicle because they owe fine money on past tickets and can not get the services of Motor Vehicle Branch until they clear these past debts up by them paying the debt.

THEREFORE BE IT RESOLVED that the Provincial Offences Procedure Act should be amended to a \$50.00 minimum penalty.

.../2

Royal Canadian Mounted Police
Page 2
March 10, 1994

WHEREAS Section 70(1) of the Motor Vehicle Administration Act makes it an offence not to carry proof of insurance, and WHEREAS the penalty is only a \$5.00 fine and is not a deterrent, and WHEREAS many operators are not carrying proof of insurance, and the other person involved in an accident has to wait with his insurance claim until the name of the insurance company can be confirmed.

THEREFORE BE IT RESOLVED that the Provincial Offences Procedure Act be amended to specify a minimum \$50.00 for the violation.

Yours truly,



(R.L. BEATON) Insp.
O.i/c Red Deer City Detachment

MAW/lb

Commissioners' Comments

We recommend Council approve the proposed resolutions as outlined by Inspector Beaton.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner

NO. 3

DATE: APRIL 19, 1994

TO: CITY COUNCIL

FROM: CITY CLERK

RE: DISPOSAL OF MUNICIPAL RESERVE

At the Council Meeting of March 14, 1994, a resolution was passed by Council indicating its intention to dispose of the Municipal Reserve as outlined on the attached plans and as described as follows:

Map A - 43 STREET TO 32 STREET:

- 1 Lot 3 MR, Plan 852-0534 containing 0.026 ha. more or less.
- 2 Lot 4 MR, Plan 852-0534 containing 0.861 ha. more or less.
- 3 Lot 5 MR, Plan 852-0534 containing 3.00 ha. more or less.
- 4 Lot 6 MR, Plan 852-0534 containing 1.90 ha. more or less.
- 5 Lot 7 MR, Plan 852-0534 containing 0.275 ha. more or less.
- 6 Remainder of Lot 8 MR, Plan 852-0534 containing 0.683 ha. more or less.

Map B - ALL FROM ROSS STREET TO 43 STREET:

- 12 Lot R, Block 2, Plan 4173 M.C. containing 0.064 ha. more or less.
- 13 Lot R3, Plan 5365 N.Y. containing 0.033 ha. more or less.
- 14 Lot R4, Plan 5365 N.Y. containing 0.249 ha. more or less.
- 15 Lot R5, Plan 5365 N.Y. containing 0.135 ha. more or less.
- 16 Lot R, Block 8, Plan 5551 K.S. containing 0.116 ha. more or less.
- 17 Block R, Plan 1034 K.S. containing 0.434 ha. more or less.
- 18 All that portion of Lot 14 MR, Block 6, Plan 832-2364 lying within Plan _____ containing 0.079 ha. more or less.

Map C:

"Lot 8 (City Reserve), Block 4, Plan 5879 H.W., containing 0.246 ha. more or less. Excepting thereout all Mines and Minerals."
(Railway Spur Line between 53 & 54 Avenues)


In accordance with the requirements of the Planning Act, we advertised and posted a notice on the sites, indicating Council's intention to dispose of the above noted Municipal Reserves. No objections to the proposed disposals were received within the deadlines specified (Monday, April 18, 1994).

CITY COUNCIL
MUNICIPAL RESERVE
PAGE TWO

As no objection has been received, a Public Hearing is not necessary and the City will now proceed without further notice.

RECOMMENDATION

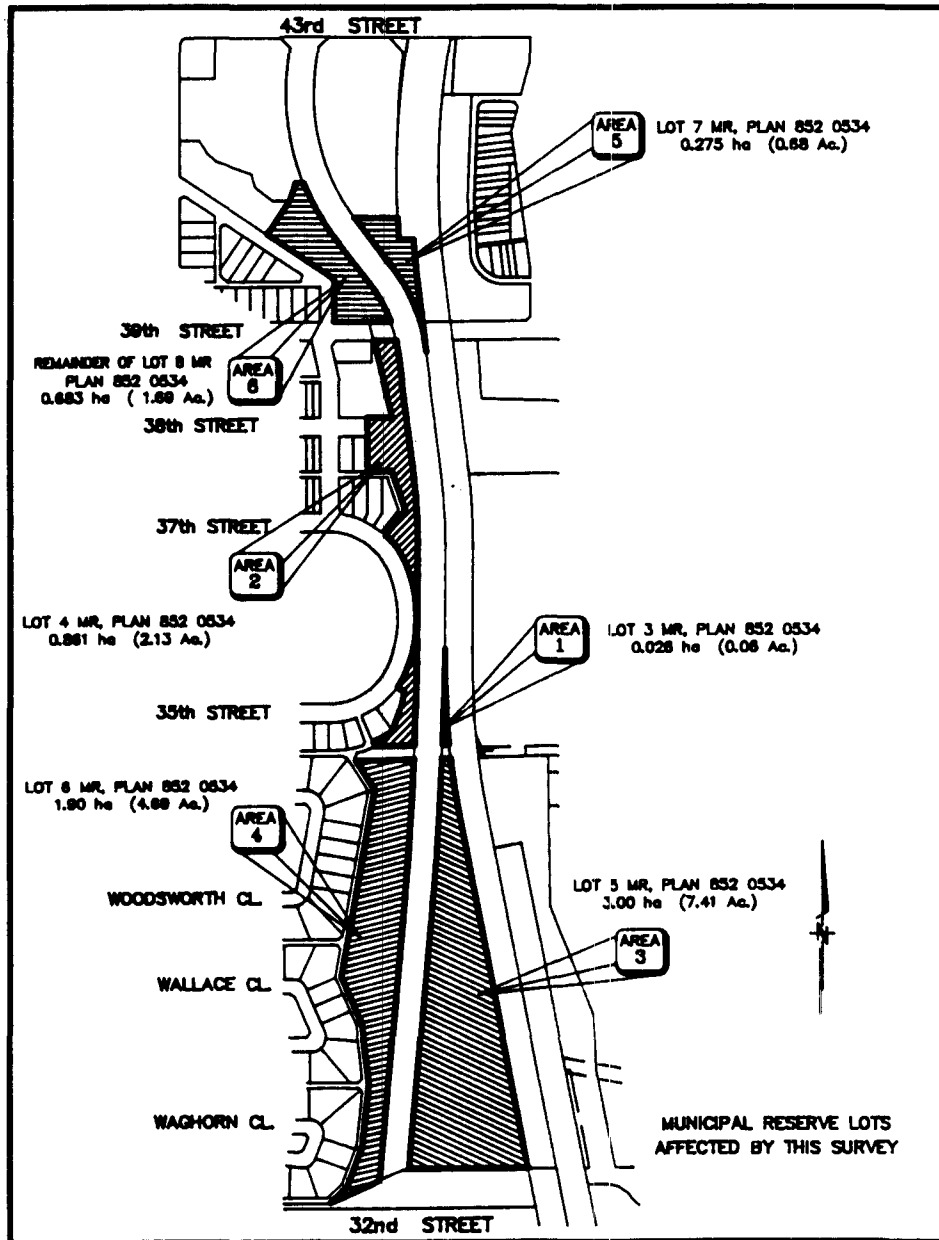
Submitted for Council's information only.

A handwritten signature in black ink, appearing to read 'KK', is written over the printed name and title.

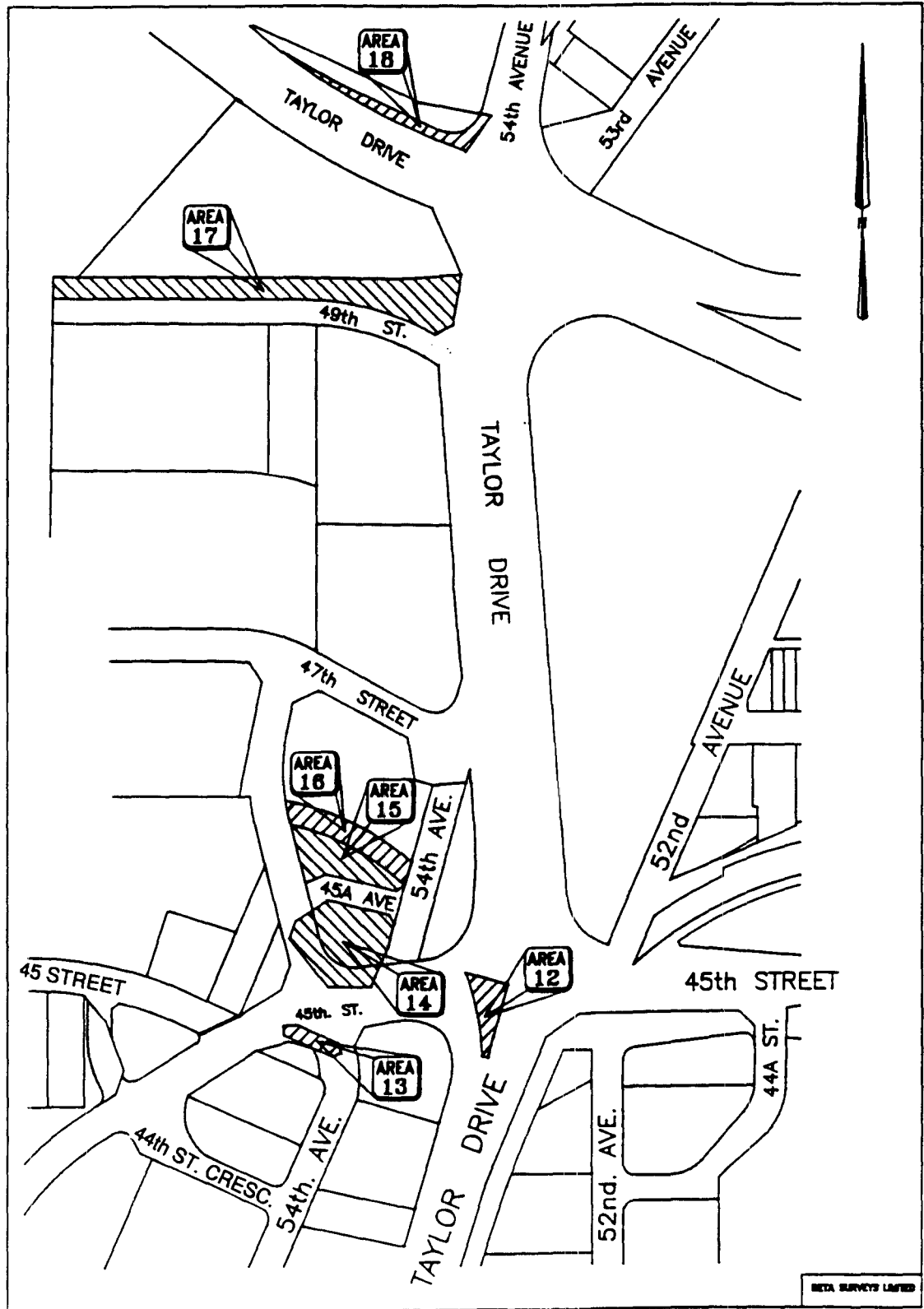
KELLY KLOSS
City Clerk

KK/clr
Encls.

"A"



"B"



15

53 STREET

"C"



54 AVENUE

9

2A

15

3

14

4

8

4

12B

LOT

53 AVENUE

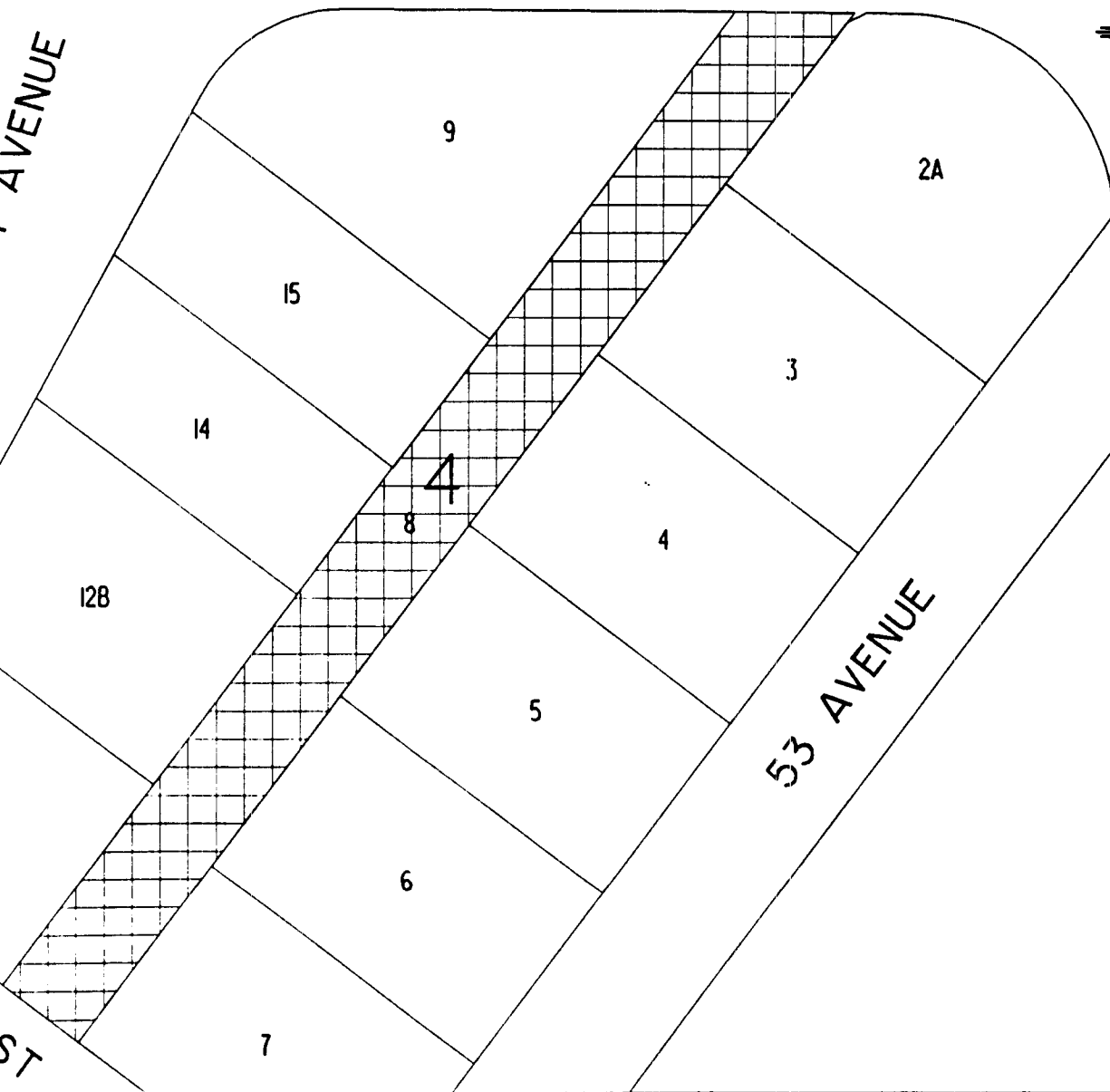
5

12A

6

7

52 ST



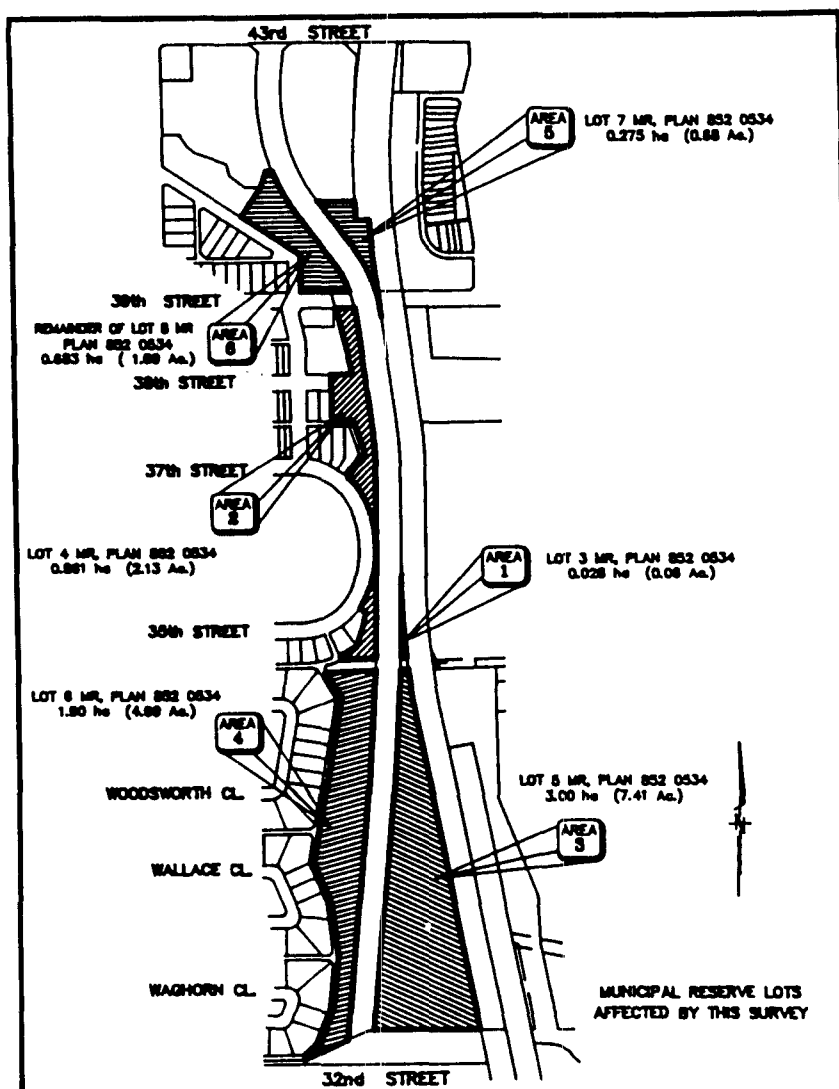


THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 348-6195

DISPOSAL OF MUNICIPAL RESERVE



Pursuant to the provisions of The Planning Act, Chapter P-9, R.S.A. 1980 of the Province of Alberta, the Council of The City of Red Deer, at its meeting of March 14, 1994, passed a resolution indicating its intention to dispose of the Municipal Reserve as outlined in the above-noted plan and described as follows:

- 1 Lot 3 MR, Plan 852-0534 containing 0.026 ha. more or less.
- 2 Lot 4 MR, Plan 852-0534 containing 0.861 ha. more or less.
- 3 Lot 5 MR, Plan 852-0534 containing 3.00 ha. more or less.
- 4 Lot 6 MR, Plan 852-0534 containing 1.90 ha. more or less.
- 5 Lot 7 MR, Plan 852-0534 containing 0.275 ha. more or less.
- 6 Remainder of Lot 8 MR, Plan 852-0534 containing 0.683 ha. more or less.

(43 STREET TO 32 STREET)

If no objection to the proposed disposal of Municipal Reserve, as noted above, is received by MONDAY, APRIL 18, 1994, the Council of The City of Red Deer will proceed without further notice.

However, if any objection to the proposed disposal of Municipal Reserve, as noted above, is received by the City Clerk no later than MONDAY, APRIL 18, 1994, a Public Hearing will be held in the Council Chambers, City Hall, on MONDAY, APRIL 25, 1994 commencing at 7:00 p.m. or as soon thereafter as Council may determine.

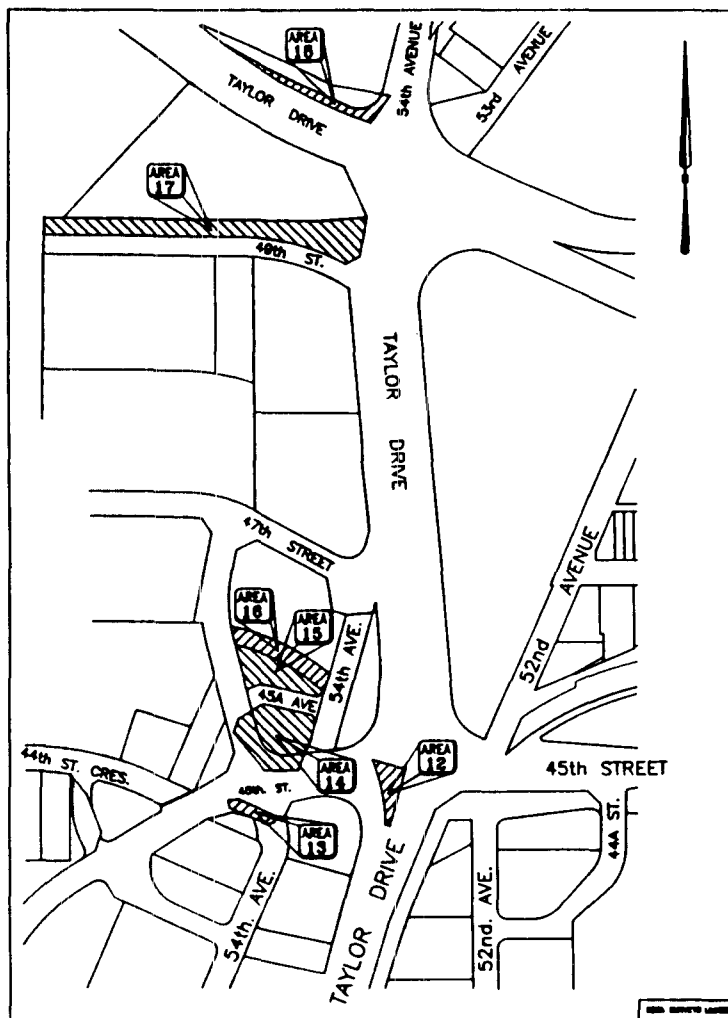
KELLY KLOSS
CITY CLERK

POSTED on site this day of March, 1994.

Signature



DISPOSAL OF MUNICIPAL RESERVE



Pursuant to the provisions of The Planning Act, Chapter P-9, R.S.A. 1980 of the Province of Alberta, the Council of The City of Red Deer, at its meeting of March 14, 1994, passed a resolution indicating its intention to dispose of the Municipal Reserve as outlined in the above-noted plan and described as follows:

- 12 Lot R, Block 2, Plan 4173 M.C. containing 0.064 ha. more or less.
- 13 Lot R3, Plan 5365 N.Y. containing 0.033 ha. more or less.
- 14 Lot R4, Plan 5365 N.Y. containing 0.249 ha. more or less.
- 15 Lot R5, Plan 5365 N.Y. containing 0.135 ha. more or less.
- 16 Lot R, Block 8, Plan 5551 K.S. containing 0.116 ha. more or less.
- 17 Block R, Plan 1034 K.S. containing 0.434 ha. more or less.
- 18 All that portion of Lot 14 MR, Block 6, Plan 832-2364 lying within Plan _____ containing 0.079 ha. more or less.

(ALL FROM ROSS STREET TO 43 AVENUE)

If no objection to the proposed disposal of Municipal Reserve, as noted above, is received by MONDAY, APRIL 18, 1994, the Council of The City of Red Deer will proceed without further notice.

However, if any objection to the proposed disposal of Municipal Reserve, as noted above, is received by the City Clerk no later than MONDAY, APRIL 18, 1994, a Public Hearing will be held in the Council Chambers, City Hall, on MONDAY, **APRIL 25, 1994** commencing at 7:00 p.m. or as soon thereafter as Council may determine.

KELLY KLOSS
CITY CLERK

POSTED on site this day of March, 1994.

Signature

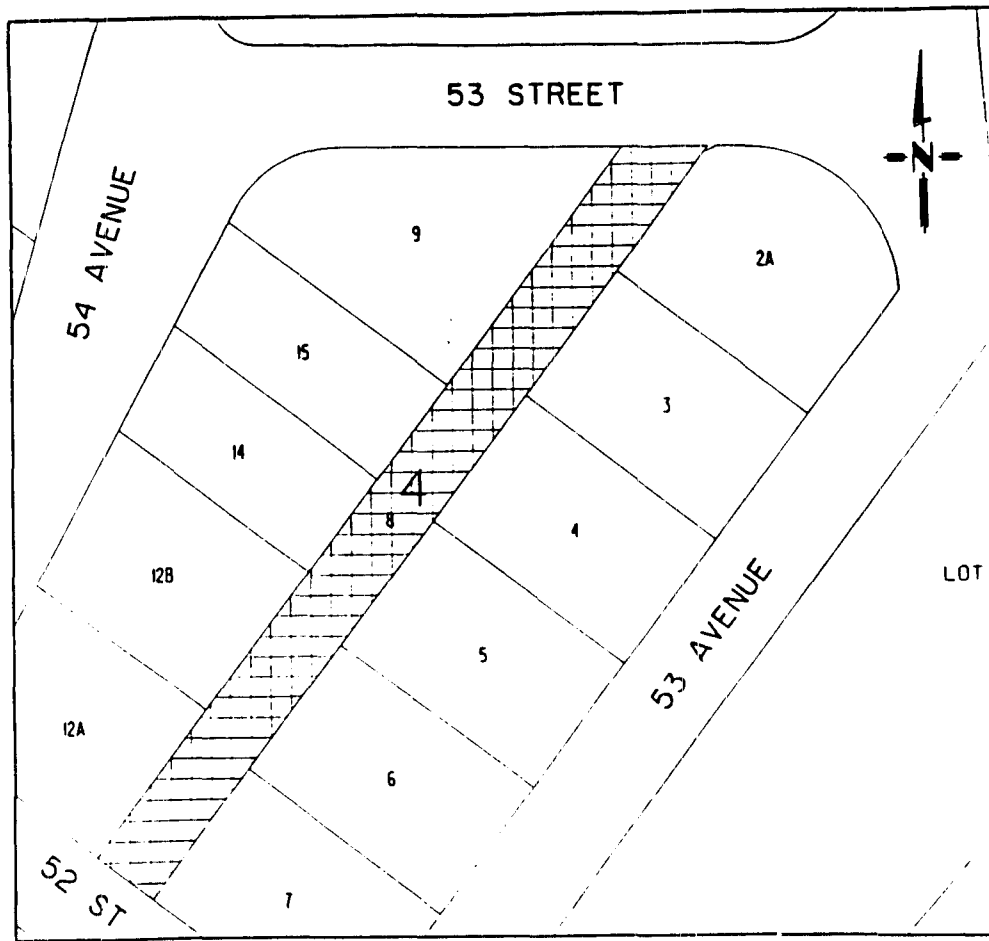


THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 348-6195

DISPOSAL OF MUNICIPAL RESERVE



Pursuant to the provisions of The Planning Act, Chapter P-9, R.S.A. 1980 of the Province of Alberta, the Council of The City of Red Deer, at its meeting of March 14, 1994, passed a resolution indicating its intention to dispose of the Municipal Reserve as outlined in the above-noted plan and described as follows:

"Lot 8 (City Reserve), Block 4, Plan 5879 H.W., containing 0.246 ha. more or less. Excepting thereout all Mines and Minerals."
(Railway Spur Line between 53 & 54 Avenues)

If no objection to the proposed disposal of Municipal Reserve, as noted above, is received by MONDAY, APRIL 18, 1994, the Council of The City of Red Deer will proceed without further notice.

However, if any objection to the proposed disposal of Municipal Reserve, as noted above, is received by the City Clerk no later than MONDAY, APRIL 18, 1994, a Public Hearing will be held in the Council Chambers, City Hall, on MONDAY, **APRIL 25, 1994** commencing at 7:00 p.m. or as soon thereafter as Council may determine.

KELLY KLOSS
CITY CLERK

POSTED on site this day of March, 1994.

Signature

DATE: MARCH 15, 1994

TO: LAND AND ECONOMIC DEVELOPMENT MANAGER

FROM: CITY CLERK

**RE: MAJOR CONTINUOUS CORRIDOR/TAYLOR DRIVE RIGHT-OF-WAY/
ROSS STREET SOUTH TO SOUTH CITY LIMITS**

Consideration was given to your report dated March 3, 1994 concerning the above topic. At this meeting the following resolution was passed with regard to the disposition of reserves:

"RESOLVED that Council of The City of Red Deer, having considered report from the Land and Economic Development Manager dated March 3, 1994, re: Major Continuous Corridor, Taylor Drive Right-of-Way, Ross Street South to South City Limits, Disposition of Reserves, hereby approves the disposal of the Municipal Reserve Lands described as follows:

a)	Lot R, Block 2, Plan 4173 MC containing 0.064 ha. more or less, excepting thereout all mines and minerals.
b)	Lot R3, Plan 5365 NY containing 0.033 ha. more or less, excepting thereout all mines and minerals.
c)	Lot R4, Plan 5365 NY containing 0.249 ha. more or less, excepting thereout all mines and minerals.
d)	Lot R5, Plan 5365 NY containing 0.135 ha. more or less, excepting thereout all mines and minerals.
e)	Lot R, Block 8, Plan 5551 KS containing 0.116 ha. more or less, excepting thereout all mines and minerals.
f)	Block R, Plan 1034 KS containing 0.434 ha. more or less, excepting thereout all mines and minerals.
g)	All that portion of Lot 14 MR, Block 6, Plan 832-2364 lying within Plan _____ containing 0.079 ha. more or less, excepting thereout all mines and minerals.
h)	Lot 3 MR, Plan 852-0534 containing 0.026 ha. more or less, excepting thereout all mines and minerals.
i)	Lot 4 MR, Plan 852-0534 containing 0.861 ha. more or less, excepting thereout all mines and minerals.
j)	Lot 5 MR, Plan 852-0534 containing 3.00 ha. more or less, excepting thereout all mines and minerals.
k)	Lot 6 MR, Plan 852-0534 containing 1.90 ha. more or less, excepting thereout all mines and minerals.
l)	Lot 7 MR, Plan 852-0534 containing 0.275 ha. more or less, excepting thereout all mines and minerals.
m)	Remainder of Lot 8 MR, Plan 852-0534 containing 0.683 ha. more or less, excepting thereout all mines and minerals.

Land and Economic Development Manager
March 14, 1994
Page 2

In addition to the above resolution being passed, first reading was given to the following Road Closure Bylaws:

Bylaw 3107/94 - Ross Street to 43 Street Road Closures
Bylaw 3108/94 - 43 Street to 32 Street Road Closures
Bylaw 3109/94 - 32 Street to South City Limits Road Closures

Copies of the above noted Bylaws are attached hereto. This office will now proceed with the necessary advertising for the Disposal of Municipal Reserve and for a Public Hearing with regard to the Road Closure Bylaws. The Public Hearing for the Road Closure Bylaws will be set for Monday, April 25, 1994 at 7:00 p.m. or as soon thereafter as Council may determine.

Trusting you will find this satisfactory.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over the printed name and title.

KELLY KLOSS
City Clerk

KK/clr
Attchs.

cc: Director of Engineering Services
Principal Planner
Council and Committee Secretary - Sandra

DATE: MARCH 15, 1994

TO: LAND AND ECONOMIC DEVELOPMENT MANAGER

FROM: CITY CLERK

**RE: DISPOSAL OF CITY RESERVE:
LOT 8 (CITY RESERVE), BLOCK 4, PLAN 5879 HW**

At the Council Meeting of March 14, 1994 consideration was given to your report dated February 25, 1994, concerning the above. At this meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Land and Economic Development Manager dated February 25, 1994, re: Bylaw to Dispose of City Reserve, Lot 8 (City Reserve), Block 4, Plan 5879 HW, hereby approves the disposal of Municipal Reserve Lands described as follows:

'LOT 8 (CITY RESERVE), BLOCK 4, PLAN 5879 HW,
CONTAINING 0.246 HA. MORE OR LESS, EXCEPTING
THEREOUT ALL MINES AND MINERALS',

and as presented to Council March 14, 1994."

The decision of Council in this instance is submitted for your information. This office will now proceed with the necessary advertising for the disposal of said reserve. Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Council and Committee Secretary - Sandra

NO. 6

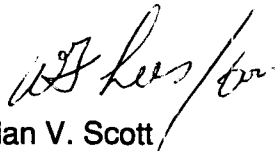
DATE: February 25, 1994
TO: K. Kloss, City Clerk
FROM: A. Scott, Land and Economic Development Manager
RE: **BYLAW TO DISPOSE OF CITY RESERVE
LOT 8 (CITY RESERVE), BLOCK 4, PLAN 5879 HW
SHADED YELLOW ON ATTACHED MAP**

This lot was originally utilized as a railway spur line, and was abandoned years ago. The sale of this lot to adjacent land owners was approved by Council on September 27, 1993. We have signed and sealed agreements for sales of land, and lease agreements identified and outlined in red.

In attempting to register the new plan at Land Titles Office in Edmonton, we were informed that regardless of previous uses (rail spur line), the Title reads Lot 8 "City Reserve", and as such is classified by Land Titles Office as a Municipal Reserve.

Therefore, we respectfully request that Council of The City of Red Deer pass a resolution authorizing the disposal of:

"LOT 8 (CITY RESERVE), BLOCK 4, PLAN 5879 HW CONTAINING 0.246 HA.
MORE OR LESS."



Alan V. Scott

PAR/mm

Att.

c: W. Lees, Land Supervisor

Commissioners' Comments

We concur with the recommendations of the Land & Economic Development Manager.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner

PLAN 2024 E.O.

19

CPI
7th Edition
2nd Edition

F

PLAN 5120 HW

54th ST.

PLAN 5879 HW

Power Lty
RIGHT-OF-WAY
40°09'E 353.9
357.1

54 AVENUE

N 28°11'E
336.6

CITY RESERVE
11 99 AC
303.1
ASSUMED

LEASE

533rd HW

53 AVENUE

PLAN 1061 E.O.

Red Plan

R

PLAN 3732 P

ST.

52nd ST.

N 53°24'W 154.5

PLAN

3rd ST.

DATE: APRIL 26, 1994

TO: LAND AND ECONOMIC DEVELOPMENT MANAGER

FROM: CITY CLERK

RE: DISPOSAL OF MUNICIPAL RESERVE:

- 1) 43 STREET TO 32 STREET**
- 2) ROSS STREET TO 43 STREET**
- 3) RAILWAY SPUR LINE BETWEEN 53 & 54 AVENUES**

At the Council Meeting of March 14, 1994, Council passed a resolution agreeing to the disposal of reserve lands as noted hereunder and as outlined on the map attached hereto.

Map A - 43 STREET TO 32 STREET:

- 1 Lot 3 MR, Plan 852-0534 containing 0.026 ha. more or less.
- 2 Lot 4 MR, Plan 852-0534 containing 0.861 ha. more or less.
- 3 Lot 5 MR, Plan 852-0534 containing 3.00 ha. more or less.
- 4 Lot 6 MR, Plan 852-0534 containing 1.90 ha. more or less.
- 5 Lot 7 MR, Plan 852-0534 containing 0.275 ha. more or less.
- 6 Remainder of Lot 8 MR, Plan 852-0534 containing 0.683 ha. more or less.

Map B - ALL FROM ROSS STREET TO 43 STREET:

- 12 Lot R, Block 2, Plan 4173 M.C. containing 0.064 ha. more or less.
- 13 Lot R3, Plan 5365 N.Y. containing 0.033 ha. more or less.
- 14 Lot R4, Plan 5365 N.Y. containing 0.249 ha. more or less.
- 15 Lot R5, Plan 5365 N.Y. containing 0.135 ha. more or less.
- 16 Lot R, Block 8, Plan 5551 K.S. containing 0.116 ha. more or less.
- 17 Block R, Plan 1034 K.S. containing 0.434 ha. more or less.
- 18 All that portion of Lot 14 MR, Block 6, Plan 832-2364 lying within Plan _____ containing 0.079 ha. more or less.

Map C:

"Lot 8 (City Reserve), Block 4, Plan 5879 H.W., containing 0.246 ha. more or less. Excepting thereout all Mines and Minerals."
(Railway Spur Line between 53 & 54 Avenues)

Land and Economic Development Manager
April 26, 1994
Page 2

In accordance with the requirements of the Planning Act, this office advertised and posted on site Council's intention to proceed with the proposed disposal of Public Reserve. Any objections to the proposed disposal were to be received by Monday, April 18, 1994.

As no objections to the proposed disposal were received by the date noted above, it is in order for us to proceed without further notice and in this regard I am enclosing herewith a Declaration as required by Land Titles, requesting the removal of the designations.

Trusting you will find this satisfactory.

A handwritten signature in black ink, appearing to read 'K. Kloss', written over a horizontal line.

KELLY KLOSS
City Clerk

KK/clr
attchs.

cc: Director of Community Services
Director of Engineering Services
Bylaws and Inspections Manager
City Assessor
E. L. & P. Manager
Parks Manager
Principal Planner

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

IN THE MATTER OF SECTION 117
OF THE PLANNING ACT 1980 R.S.

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 officer
in this behalf.
2. THAT the Council of The City of Red Deer wishes to dispose of municipal reserve.
3. THAT The City of Red Deer has complied with the provisions of Sections 115 and 116 of
The Planning Act, 1980.
4. THAT The City of Red Deer, in accordance with Section 117(1) of The Planning Act, 1980,
requests the removal of the designation of municipal reserve from the lands described as
follows:

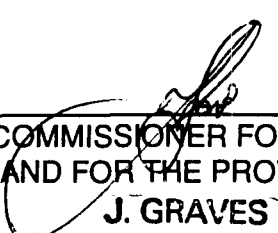
Lot 3 MR, Plan 852-0534 containing 0.026 ha. more or less.
Lot 4 MR, Plan 852-0534 containing 0.861 ha. more or less.
Lot 5 MR, Plan 852-0534 containing 3.00 ha. more or less.
Lot 6 MR, Plan 852-0534 containing 1.90 ha. more or less.
Lot 7 MR, Plan 852-0534 containing 0.275 ha. more or less.
Remainder of Lot 8 MR, Plan 852-0534 containing 0.683 ha. more or less.

Excepting thereout all Mines and Minerals.

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 26 day of Aug)
A.D., 1994.)


KELLY KLOSS
City Clerk


A COMMISSIONER FOR OATHS
IN AND FOR THE PROVINCE OF ALBERTA
J. GRAVES
A Commissioner for Oaths
in and for the Province of Alberta
EXPIRED Aug 13/95

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

IN THE MATTER OF SECTION 117
OF THE PLANNING ACT 1980 R.S.

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

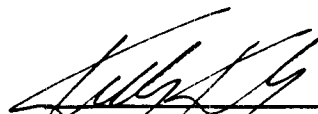
1. THAT I am the duly appointed City Clerk of The City of Red Deer and its proper officer in this behalf.
2. THAT the Council of The City of Red Deer wishes to dispose of municipal reserve.
3. THAT The City of Red Deer has complied with the provisions of Sections 115 and 116 of The Planning Act, 1980.
4. THAT The City of Red Deer, in accordance with Section 117(1) of The Planning Act, 1980, requests the removal of the designation of municipal reserve from the lands described as follows:

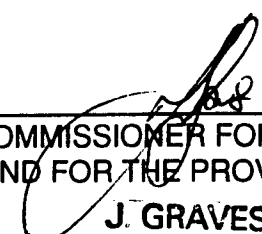
Lot R, Block 2, Plan 4173 M.C. containing 0.064 ha. more or less.
Lot R3, Plan 5365 N.Y. containing 0.033 ha. more or less.
Lot R4, Plan 5365 N.Y. containing 0.249 ha. more or less
Lot R5, Plan 5365 N.Y. containing 0.135 ha. more or less.
Lot R, Block 8, Plan 5551 K.S. containing 0.116 ha. more or less.
Block R, Plan 1034 K.S. containing 0.434 ha. more or less.
All that portion of Lot 14 MR, Block 6, Plan 832-2364 lying within
Plan _____ containing 0.079 ha. more or less.

Excepting thereout all Mines and Minerals.

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 26 day of Aug)
A.D., 1994.)
)
)
)
)
)
)


KELLY KLOSS
City Clerk


A COMMISSIONER FOR OATHS
IN AND FOR THE PROVINCE OF ALBERTA

J. GRAVES
A Commissioner for Oaths
in and for the Province of Alberta
JAN 13/95

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

IN THE MATTER OF SECTION 117
OF THE PLANNING ACT 1980 R.S.

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

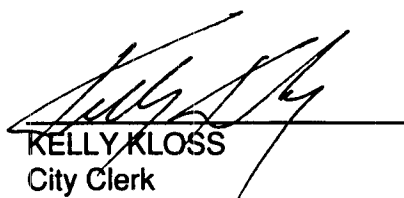
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2. THAT the Council of The City of Red Deer wishes to dispose of a municipal reserve.
3. THAT The City of Red Deer has complied with the provisions of Sections 115 and 116 of The Planning Act, 1980.
4. THAT The City of Red Deer, in accordance with Section 117(1) of The Planning Act, 1980, requests the removal of the designation of municipal reserve from the lands described as follows:

Lot 8 (City Reserve), Block 4, Plan 5879 H.W., containing 0.246 ha. more or less. Excepting thereout all Mines and Minerals."
(Railway Spur Line between 53 & 54 Avenues)

Excepting thereout all Mines and Minerals.

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 26 day of April)
A.D., 1994.)


KELLY KLOSS
City Clerk


A COMMISSIONER FOR OATHS
IN AND FOR THE PROVINCE OF ALBERTA

J. GRAVES
A Commissioner for Oaths
in and for the Province of Alberta

GRAVES 26 APR 1994

C A N A D A)
)
PROVINCE OF ALBERTA)
)
TO WIT:)

IN THE MATTER OF SECTION 117
OF THE PLANNING ACT 1980 R.S.

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 officer in this behalf.
2. THAT the Council of The City of Red Deer wishes to dispose of municipal reserve.
3. THAT The City of Red Deer has complied with the provisions of Sections 115 and 116 of The Planning Act, 1980.
4. THAT The City of Red Deer, in accordance with Section 117(1) of The Planning Act, 1980, requests the removal of the designation of municipal reserve from the lands described as follows:

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All that portion of Lot 14 MR, Block 6, Plan 832-2364 lying within
Plan _____ containing 0.079 ha. more or less.

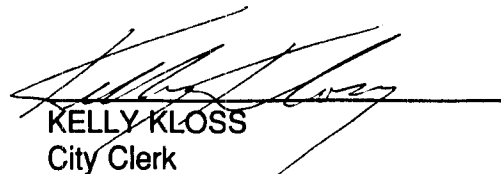
Excepting thereout all Mines and Minerals.

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 31 day of)
August A.D., 1994.)
)
)
)
)
)



A COMMISSIONER FOR OATHS
IN AND FOR THE PROVINCE OF ALBERTA


KELLY KLOSS
City Clerk

May Mitchell, Commissioner for Oaths in and for
the Province of Alberta. My Commission Expires

the 23 day of May, 1997

DATE: April 15, 1994
TO: KELLY KLOSS
City Clerk
FROM: DON BATCHELOR
Parks Manager
RE: TURF NATURALIZATION

As a result of the City Council approved 1994 Parks Department budget on March 14, 1994, the Parks Department has had to identify 52 areas of parkland and boulevard areas which will have all grass mowing operations deleted in favour of implementing the Turf Naturalization Program. This naturalization initiative will result in a \$10,000 cost saving to the City in 1994. Naturalization is a program that is being pursued by many municipalities across North America as an acceptable cost reduction measure. Naturalization is supported by environmental groups and is generally accepted by the public.

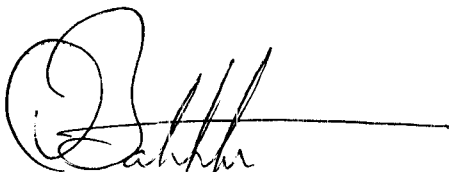
The Turf Naturalization Program includes allowing all grass on select park and boulevard areas to keep growing to a natural state with no grass maintenance performed by the City. Attachment 1 outlines the areas where turf naturalization will be implemented in 1994. The areas along arterial roads (i.e. 30th Avenue, 40th Avenue, Ross Street, 32nd Street, 55th Street, Taylor Drive) where turf naturalization will occur is the boulevard area between the residential lane and the top of the berm. The area from the top of the berm to the arterial road curb will continue to be mowed. The area along Overdown Drive which will be naturalized includes the entire berm area, 3 metres back of curb.

Notices are being delivered to residents fronting or backing onto these areas, so that they are made aware in advance of the Turf Naturalization Program in their area. I have brought this information to Council's attention because I do anticipate a significant number of initial inquiries and complaints on this program.

The Turf Naturalization Program had started in 1989 and, since that time, a total of approximately 45 acres has already been naturalized. At 52 acres, 1994 represents the largest and most visible area naturalized in any one year. Although I anticipate some further naturalization in 1995 as part of the retending of the turf contracts, I do not recommend a major reduction in grass mowing areas in 1995. Major adjustments in scheduling, equipment, and labour requirements by both the turf contractors and City forces have to be implemented and evaluated during 1994.

RECOMMENDATION:

That Council receive this report as information.



DON BATCHELOR
Parks Manager

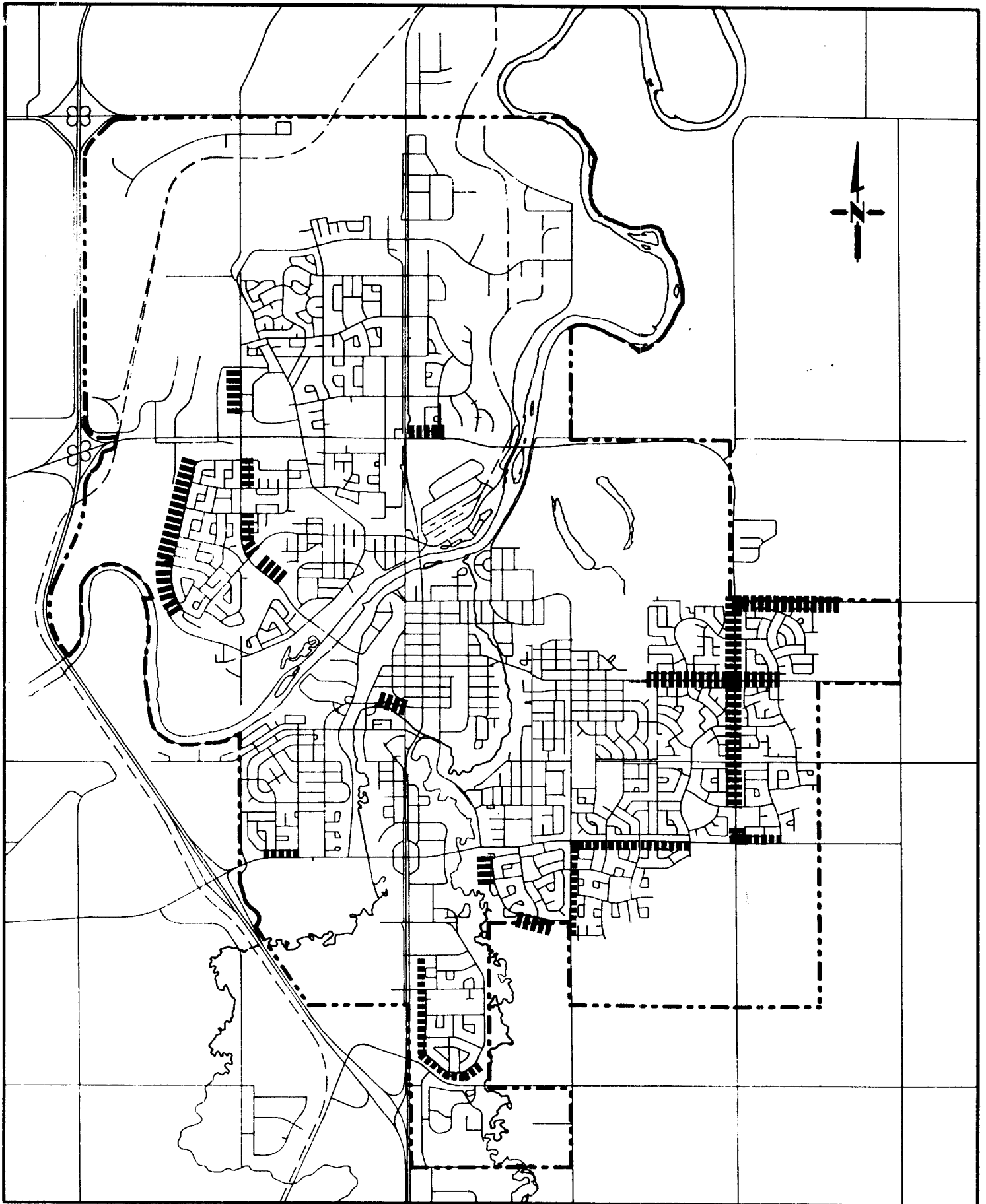
/lb
Attach.

Commissioners' Comments

Submitted for Council's
information.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner



1994 TURF NATURALIZATION
52 ACRES TOTAL

DATE: APRIL 26, 1994
TO: PARKS MANAGER
FROM: CITY CLERK
RE: TURF NATURALIZATION

At the Council Meeting of April 25, 1994, consideration was given to your report dated April 15, 1994 concerning the above and at which meeting it was agreed that said report be filed.

Thank you for providing this information to Council.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services

NO. 5

CS-P- 4.834

DATE: April 18, 1994

TO: KELLY KLOSS
City Clerk

FROM: DON BATCHELOR
Parks Manager

RE: PITCH-IN CAMPAIGN 1994 - PROCLAMATION

The City of Red Deer has been recognized by Pitch-In Canada and His Excellency the Right Honourable Ramon John Hnatyshyn, P.C., C.C., Governor General of Canada in receiving the Clean World Award for 1993. (See attached certificate) This award is a tribute to the ±8,000 volunteers that are involved annually in the program. The City of Red Deer is only one of thirty-one municipalities in all of Canada to receive such a prestigious award. This program involving the cleanup of public open space, has been successful for many years in Red Deer due to contributions from the following:

- | | |
|--|-----------------------------|
| ■ Red Deer Public School Board | ■ Parkland Treatment Centre |
| ■ Red Deer Catholic Board of Education | ■ S.P.C.A. |
| ■ Red Deer Fish & Game Association | ■ John Howard Society |
| ■ Red Deer Junior Forest Wardens | ■ Red Deer Christian School |
| ■ Red Deer Special Olympics | ■ Boy Scouts of Canada |
| ■ Hill Top Estates Residents | ■ Rotary Club |
| ■ Waskasoo Neighbourhood Residents | ■ Parkland Treatment Centre |
| ■ Kerry Wood Nature Centre | |
| ■ Red Deer Church of Jesus Christ of Latter-Day Saints | |

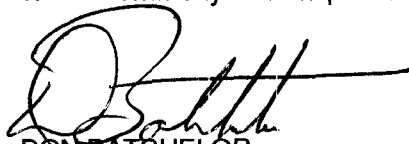
The support and cooperation of these organizations and individuals has helped to keep our parkland and boulevard areas in a clean and safe condition.

Pitch-In Week 1994 is designated for May 2 to 8, 1994. During this period, the landfill will operate from 7:00 a.m. - 7:30 p.m. Monday to Friday, and 7:00 a.m. - 5:30 p.m. on Saturday to encourage residents to clean their yards. The Rotary Club, a major participant in the Pitch-In Campaign, will have all dumping fees waived by the Public Works Department during this week.

The Fire Marshal has identified April 16 to May 8 as the spring backyard burning period.

RECOMMENDATION

1. That City Council proclaim May 2 to 8, 1994 as Pitch-In Week in Red Deer.



DON BATCHELOR

:ad
Atts.

- c. Gord Stewart, P.W. Mgr.
Cliff Robson, Fire Marshal

Commissioners' Comments

We concur with the recommendation of the Parks Manager.

"G. SURKAN"
Mayor
"H.M.C. DAY"
City Commissioner



CLEAN WORLD AWARD



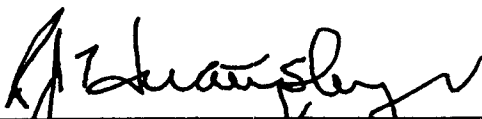
PITCH-IN CANADA

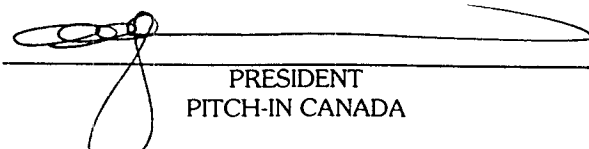
in cooperation with

CLEAN WORLD INTERNATIONAL

presents this international recognition for
the sustained action taken to improve
Canada's environment
by

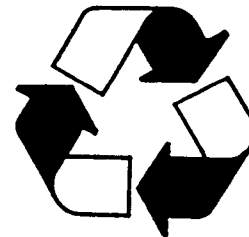
CITY OF RED DEER


THE GOVERNOR GENERAL OF CANADA
AND PATRON, PITCH-IN CANADA


PRESIDENT
PITCH-IN CANADA



PROCLAMATION²⁰ PITCH-IN WEEK



Whereas the generation and disposal of waste has become a major concern to Canadians; and

Whereas waste, when discarded as litter, spoils the beauty of the environment; and

Whereas waste, when improperly disposed of into the environment, pollutes parks, recreational areas, beaches, highways, schoolgrounds and other areas and can cause physical harm to man and animals; and

Whereas the amount of waste can be controlled by reduction, re-use, recycling and composting; and

Whereas littering can be reduced by technology, education, streamlined enforcement, legislation and community pride; and

Whereas local government is concerned with the amount of waste produced by residents and businesses and wishes to encourage the reduction, re-use, recycling and composting of wastes and to promote community pride; and

Whereas residents and businesses can reduce the amount of waste discarded as litter, it is deemed appropriate to appoint the week of **May 2 to 8, 1994** as **PITCH-IN WEEK** in this community and to urge all residents to participate in the **PITCH-IN CANADA** Campaign by reducing, re-using, recycling, composting and properly disposing of all waste and by developing a sense of Community Pride.

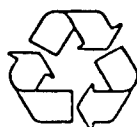
Now therefore I,

of do hereby declare the week

of May 2 - 8, 1994 as

PITCH-IN WEEK

in.....



THIS RECYCLED
PAPER CONTAINS
POST-CONSUMER
WASTE.
**PITCH-IN
CANADA!**

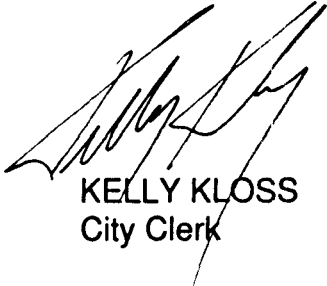
PITCH-IN is a registered trademark in Canada

DATE: APRIL 26, 1994
TO: PARKS MANAGER
FROM: CITY CLERK
RE: PITCH-IN CAMPAIGN 1994 - PROCLAMATION

At the Council Meeting of April 25, 1994, consideration was given to your report dated April 18, 1994 concerning the above topic and at which meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer hereby proclaims May 2-8, 1994, as Pitch-In Week in Red Deer."

The decision of Council in this instance is submitted for your information and appropriate action. Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services
Public Works Manager
Fire Marshall

NO. 6

DATE: April 18, 1994
TO: K. Kloss, City Clerk
FROM: A. Scott, Land and Economic Development Manager
RE: **CAMBRIDGE LEASEHOLDS LIMITED PURCHASE OF
PART OF LOT A, PLAN 862-0189**

On January 17, 1994, City Council approved the sale of approximately 4.1 acres of land, located immediately east of the Bower Place Shopping Centre, to Cambridge Leaseholds Limited, for the purpose of expanding the Bower Place Shopping Centre.

Cambridge Leaseholds Limited is now asking for the approval of Council to include three other companies, which will hold interest in the property, as joint purchasers. Cambridge Leaseholds Limited will retain a 50% interest, while the remaining interest in the property will be held by RT Seventh Pension Properties Limited, The Royal Trust Company, and Omers Realty Corporation.

A copy of the requested revision to the agreement has been attached for Council's consideration.

RECOMMENDATION

The Land and Economic Development Department would recommend that Council approve the requested change to include the other three companies as purchasers.



Alan V. Scott

AVS/mm

Att.

Commissioners' Comments

We concur with the recommendation of the Land & Economic Development Manager.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner

THIS AGREEMENT for sale of land made the _____ day of _____, A.D. 19__.
(No development required)

BETWEEN:

THE CITY OF RED DEER
(hereinafter called "the Vendor")

OF THE FIRST PART,

- and -

**CAMBRIDGE LEASEHOLDS LIMITED, as to an undivided
50% interest, RT SEVENTH PENSION PROPERTIES LIMITED,
as to an undivided 14.583 interest, THE ROYAL TRUST COMPANY,
as it an undivided 6.25% interest, and OMERS REALTY CORPORATION,
as to an undivided 29.167% interest
(hereinafter called "the Purchaser")**

OF THE SECOND PART

WHEREAS the Purchaser desires to purchase from the City the lands shaded in grey and identified as Lot X on Schedule "A" annexed hereto, comprising 4.0 acres, more or less, (herein called "the said lands");

AND WHEREAS Council of the City of Red Deer at its meeting of January 17, 1994, approved the sale of the said lands and passed the resolution annexed as Schedule "B" to this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the covenants, conditions and stipulations herein contained, and the payments to be made by the Purchaser as hereinafter specified, the strict performance of each and every of the said covenants, conditions and stipulations, as well as the making by the Purchaser of the said payments being hereby expressly declared conditions precedent and of the essence of this agreement:

AGREEMENT FOR SALE

- 1.(1) Subject to clause 1.(2), the Vendor agrees to sell to the Purchaser, and the Purchaser agrees to purchase from the Vendor the said lands at and for the price or sum of \$700,000.00 ("the purchase price") of lawful money of Canada, payable in the following manner:

DATE: APRIL 26, 1994

TO: LAND AND ECONOMIC DEVELOPMENT MANAGER


FROM: CITY CLERK

**RE: CAMBRIDGE LEASEHOLDS LIMITED -
PURCHASE OF PART OF LOT A, PLAN 862-0189**

At the Council Meeting of April 25, 1994, consideration was given to your report dated April 18, 1994 concerning the above topic and at which meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Land and Economic Development Manager dated April 18, 1994, re: Cambridge Leaseholds Limited - Purchase of Part of Lot A, Plan 862-0189 (East of the Bower Place Shopping Centre), hereby agrees that the agreement for the sale of land of the above noted parcel be amended to allow the following to be shown as joint purchasers: Cambridge Leaseholds Limited, RT Seventh Pension Properties Limited, The Royal Trust Company, and Omers Realty Corporation, and as presented to Council April 25, 1994."

The decision of Council in this instance is submitted for your information and appropriate action. Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

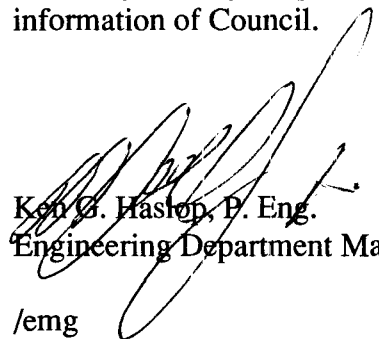
KK/clr

NO. 7

1373

DATE: April 15, 1994
TO: City Clerk
FROM: Engineering Department Manager
RE: 1993 YEAR END PROGRESS REPORT

The Engineering Department hereby submits its 1993 Year End Progress Report for the information of Council.



Ken G. Haslop, P. Eng.
Engineering Department Manager

/emg
Att.

Commissioners' Comments

Submitted for Council's information.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner

DATE: APRIL 26, 1994

TO: ENGINEERING DEPARTMENT MANAGER

FROM: CITY CLERK

RE: 1993 YEAR END PROGRESS REPORT

At the Council Meeting of April 25, 1994, your report dated April 15, 1994 concerning the above was presented to Council and at which meeting it was agreed that same be filed.

Thank you for providing this informative report to Council.



KELLY KLOSS
City Clerk

KK/clr

NO. 8

DATE: April 19, 1994
TO: K. Kloss, City Clerk
FROM: A. Scott, Land and Economic Development Manager
RE: **BUILDING #1 AT RED DEER INDUSTRIAL AIRPORT
OFFER TO PURCHASE FROM BUFFALO AIRWAYS LTD.**

At the Airport Committee meeting of April 19, 1994, chaired by Gordon Steward, it was unanimously agreed that The City of Red Deer accept the offer by Buffalo Airways Ltd. to purchase Building #1 for \$30,000.

This building was built during war time, and has seen a variety of uses over the years. It is a single storey building, being 4,440 sq. ft., divided into a number of small offices and a large lounge area. This building was turned over to the City in 1971, together with several others, for a total cost of \$50,000. Over the years, we have sold three hangars and one building for around \$300,000.

RECOMMENDATION

We would recommend City Council accept Buffalo Airways Ltd.'s offer of \$30,000 for Building #1, with a new lease agreement to be prepared for land under and adjacent to the building at 10¢ per sq. ft.



Alan V. Scott

PAR/mm

Att.

c: W. Lees, Land Supervisor
G. Stewart, Public Works Manager
L. Brown, Airport Manager

Commissioners' Comments

We concur with the recommendation of the Land & Economic Development Manager.

"G. SURKAN", Mayor

"H.M.C. DAY", City Commissioner



Buffalo

AIRWAYS LTD.

BOX 1479, HAY RIVER, N.W.T. X0E 0R0
 BOX 2015, YELLOWKNIFE, N.W.T. X1A 2R3
 TELEPHONES: AREA CODE (403)
 YELLOWKNIFE 873-6112, FAX 873-8393
 HAY RIVER 874-3333, FAX 874-3572

DC-3, DC-4 OPERATIONS

April 6, 1994

The City of Red Deer
 Land and Economic Development Department
 P.O. Box 5008,
 RED DEER, AB T4N 3T4

Attn: Peter A Robinson,
 Land Appraiser

RE: BUILDING NO. 1
 RED DEER INDUSTRIAL AIRPORT

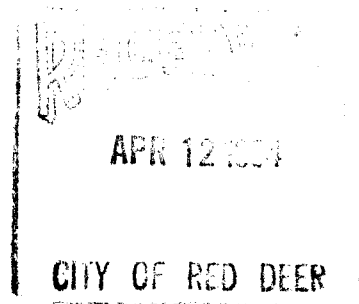
Buffalo Airways is submitting for consideration an offer of \$30,000.00 for the purchase of Building No. 1.

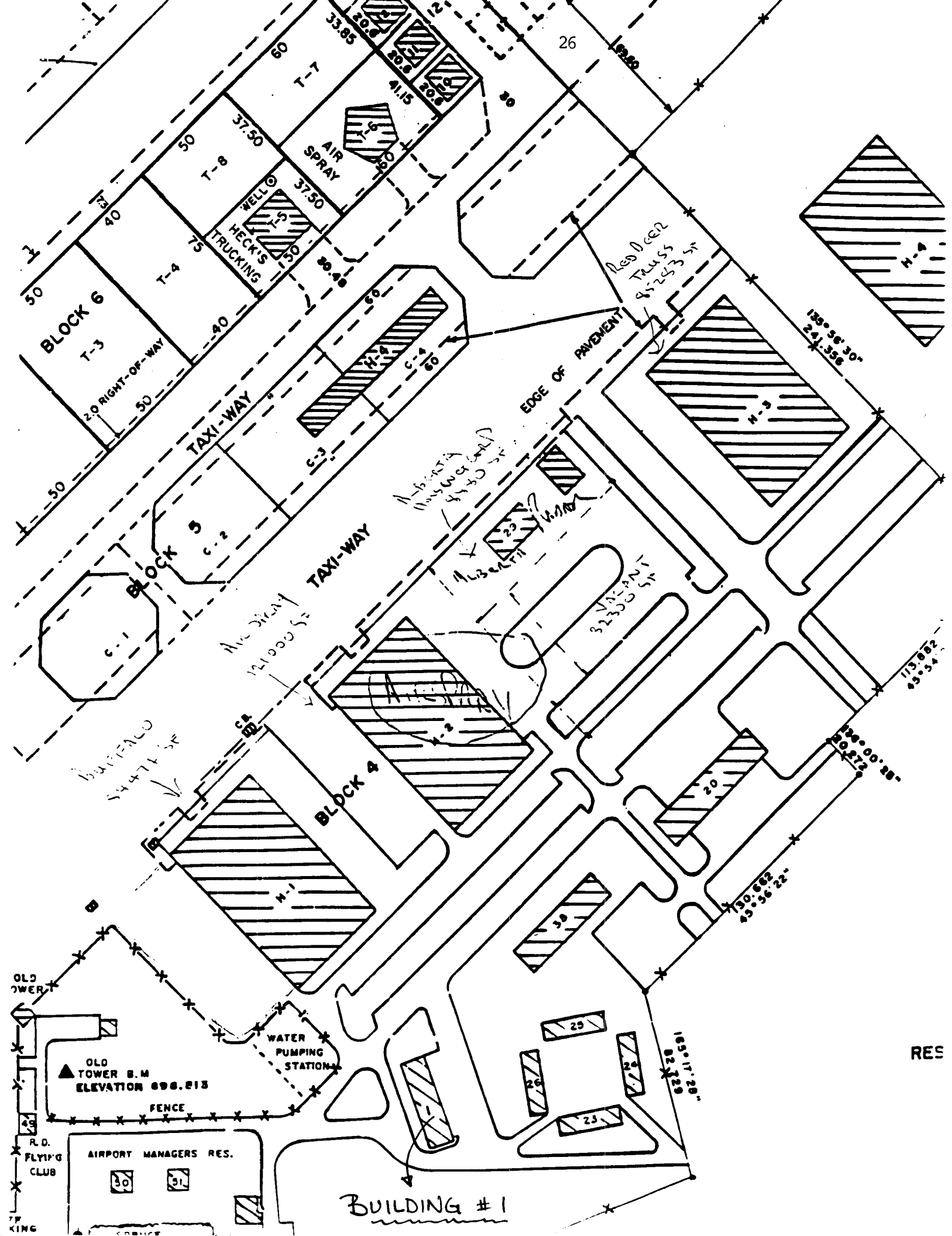
This building is currently being leased to John Jay Caldwell and insured by Buffalo Airways. Building No. 1 is conveniently located to Hangar No. 1 which is presently owned by Buffalo Airways.

Please advise.

Buffalo Airways

Sharon McBryan





DATE: APRIL 26, 1994

TO: LAND AND ECONOMIC DEVELOPMENT MANAGER


FROM: CITY CLERK

**RE: BUILDING #1 AT RED DEER INDUSTRIAL AIRPORT -
OFFER TO PURCHASE FROM BUFFALO AIRWAYS LTD.**

At the Council Meeting of April 25, 1994, consideration was given to your report dated April 19, 1994 concerning the above topic and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Land and Economic Development Manager dated April 19, 1994, re: Building #1 at Red Deer Industrial Airport, Offer to Purchase from Buffalo Airways Ltd., hereby approves the offer of Buffalo Airways Ltd. of \$30,000 for Building #1 at the Red Deer Industrial Airport, with a new lease agreement to be prepared for land under and adjacent to the building at 10¢ per sq. ft., and as recommended to Council April 25, 1994."

The decision of Council in this instance is submitted for your information and appropriate action. Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Land Supervisor
Public Works Manager
Airport Manager

NO. 9

DATE: April 15, 1994

TO: City Clerk

FROM: Chairman, Information Technology Resource Committee

RE: INFORMATION STRATEGY PLAN

Council will recall the IBM Consulting Group presented an "Information Strategy Plan" to Council in October 1993.

"RESOLVED that Council of The City of Red Deer, having considered report from the Finance and Audit Committee re: Information Strategy Plan, hereby agrees in principle, to the recommended funding of same, subject to review during the 1994 Budget deliberations, and as recommended to Council October 25, 1993."

Council subsequently reviewed and approved the 1994-1998 Major Capital budget that included funding for the implementation of the Information Strategy Plan.

Upon approval of the 1994 Budget, the Information Technology Resources Committee asked ten consultants if they were interested in submitting proposals to assist in implementing the first phase of the Information Strategy Plan.

There were six consultants that submitted expressions of interest in submitting proposals. Four of these consultants were selected to submit detailed proposals.

Of the four consultants selected to submit detailed proposals, only two proposals were received by the deadline.

Upon reviewing the two proposals it was clear that neither of the proposals submitted were in compliance with the proposal request. As a result, further discussions were held with the two consultants to obtain comparable acceptable proposals.

The two consultants were interviewed by the ITRC. The consultants and the costs of the proposals are:

<u>Consultant</u>	<u>Cost</u>
LGS Consulting	\$ 288,400
IBM Consulting Group	\$ 331,660

City Clerk
 April 15, 1994
 Page 2
 RE: Information Strategy Plan

The ITRC decided after interviewing the two consultants that the IBM Consulting Group offered the best proposal and justified the additional cost. The ITRC recommends to Council acceptance of the proposal by IBM Consulting Group. Funds are available in the 1994 budget approved by Council.

Council will recall the 1994-1998 Major Capital Budget approved by Council provided for an expenditure of \$3,686,000 spread over the five year period. The budget provided for a number of initiatives for:

- migrating existing systems from the mainframe computer to a client/server technology
- new systems.

The consultant being recommended will assist the City in some of the work required to migrate existing systems from the mainframe.

The work to be done by the consultant is to result in the following:

- recommendation on an Integrated Financial Package for the City that includes:
 - a general ledger system
 - an accounts receivable system
 - an accounts payable system
 - a purchasing system
 - an inventory system
- a detailed plan to ensure the security and accessibility of the City's data by users
- a recommended computer technology structure and components
- a corporate computer network design and function model to allow sharing and accessibility of information.

The consultant's cost does not include the cost of computer hardware and software that would be purchased as a result of the consultant's recommendations.

In addition to the work to be done by the Consultant, a very significant time demand will be placed on the City's Computer Services and Treasury Services staff. The Treasury Services staff has incurred staff position deletions because of budget reductions that will make the task challenging for them.

City Clerk
April 15, 1994
Page 3
RE: Information Strategy Plan

It is expected the report recommending an Integrated Financial package will be presented to Council late this year for completion by the fourth quarter of 1995.

Recommendation

The ITRC recommends to Council acceptance of the proposal by the IBM Consulting Group at a net cost to the City of \$331,660.

A handwritten signature in black ink, appearing to read 'A. Wilcock', is positioned above the typed name.

A. Wilcock, Chairman
Information Technology Resource Committee

Path: alan\memos\infstrat rec

DATE: APRIL 26, 1994

**TO: DIRECTOR OF FINANCIAL SERVICES
COMPUTER SERVICES MANAGER**

FROM: CITY CLERK

RE: NOTICE OF MOTION - ALDERMAN SCHNELL

At the Council Meeting of April 25, 1994, the following Notice of Motion was submitted by Alderman Schnell with regard to the Information Strategy Plan:

"WHEREAS Council of The City of Red Deer has approved a total budget for the planning and implementation of an Information Strategy Plan;

AND WHEREAS the Information Technology Resource Committee appointed by Council is responsible for such planning and implementation;

NOW BE IT RESOLVED:

1. that Council of the City of Red Deer reconfirm its decision to entrust the task of planning and implementing the Information Strategy Plan within the framework of the budget it has set for that purpose.
2. that progress reports for information purposes only be presented to Council by the Information Technology Resource Committee at appropriate times as the program proceeds."

This Notice of Motion will be presented to Council at its meeting of May 9, 1994. If you have any comments with regard to same, please provide them to this office by Tuesday, May 3, 1994 for inclusion on the agenda.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

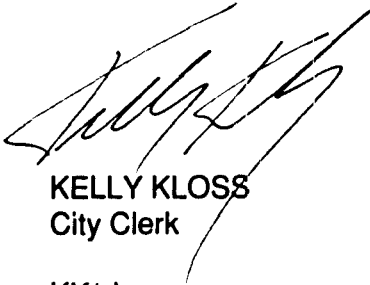
KK/clr

DATE: APRIL 26, 1994
TO: INFORMATION TECHNOLOGY RESOURCE COMMITTEE
FROM: CITY CLERK
RE: INFORMATION STRATEGY PLAN

At the Council Meeting of April 25, 1994, consideration was given to your memo dated April 15, 1994 concerning the above topic and at which meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Information Technology Resource Committee dated April 15, 1994, re: Information Strategy Plan, hereby approves the proposal of the IBM Consulting Group relative to the implementation of the first phase of the Information Strategy Plan, at a net cost to the City of \$331,660, and as presented to Council April 25, 1994."

The decision of Council in this instance is submitted for your information and appropriate action. Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Computer Services Manager

NO. 10

DATE: March 30, 1994
TO: K. Kloss, City Clerk
FROM: A. Scott, Land and Economic Development Manager
RE: **RAW LAND SALE POLICY**

The Planning Commission and ourselves were asked to develop some guidelines to formulate a policy for the sale of blocks of raw land. This request came forward from Alderman Campbell-Cardwell at the time a decision was made to call for proposals on the Deer Park Church site.

Attached is a suggestion for a policy on the sale of blocks of raw land. I would request that you circulate it for comments, prior to its inclusion on a Council agenda.



Alan V. Scott

AVS/mm

Att.

c: Alderman Linda Campbell-Cardwell
Paul Meyette, R.D.R.P.C.

CITY LAND SALES

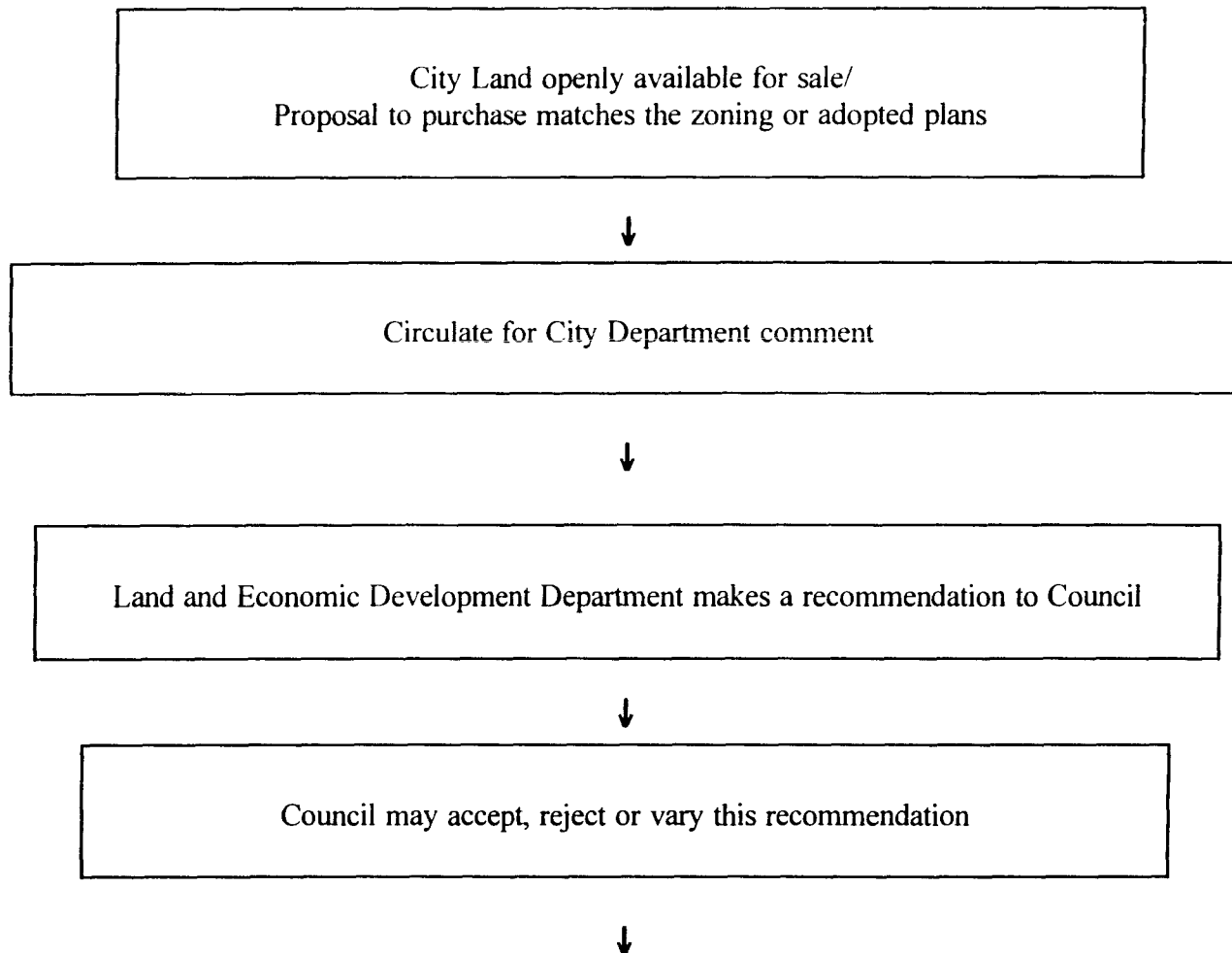
PROCESS FOR SALE OF BLOCKS OF RAWLAND

1. Where the property has been openly available for sale and where the proposal matches the land use bylaw designation or the City Council adopted plans for the site, the Land and Economic Development Department will circulate the proposal for City Department comments; following review of these comments the Land and Economic Development Department shall make a recommendation to Council regarding the sale. Council may accept, reject or vary this recommendation.
2. Where the property has not been available for sale and where the proposal does match the City Council adopted plans or land use bylaw designation for the area, the Land and Economic Development Department shall seek Council approval to sell the land; if Council agrees the Department shall advertise the site for sale to solicit any and all proposals. Upon receipt of any proposals, the City Subdivision Committee shall review the proposals and make recommendations to Council. Council may accept, reject or vary this recommendation.
3. Where the proposal does not match the City Council adopted plans or land use bylaw designation and whether the property has been openly available for sale or not, the Subdivision Committee shall consider the merit of changing the planned use of the site. Where it is deemed that a change in the planned use has merit, the Subdivision Committee shall advise Council of the proposal to change the planned use and request permission to have planning staff discuss the proposed land use change with the affected neighbourhood. Following consideration planning staff will present a report detailing neighbourhood input and present this to Council. Council will either reject the proposal or initiate a process to change the planned land use. Following the change in planned land use, the property shall be advertised for sale to solicit any and all proposals. Upon receipt of any proposals, the Subdivision Committee shall review the proposals and make recommendations to Council. Council may accept, reject or vary these recommendations.

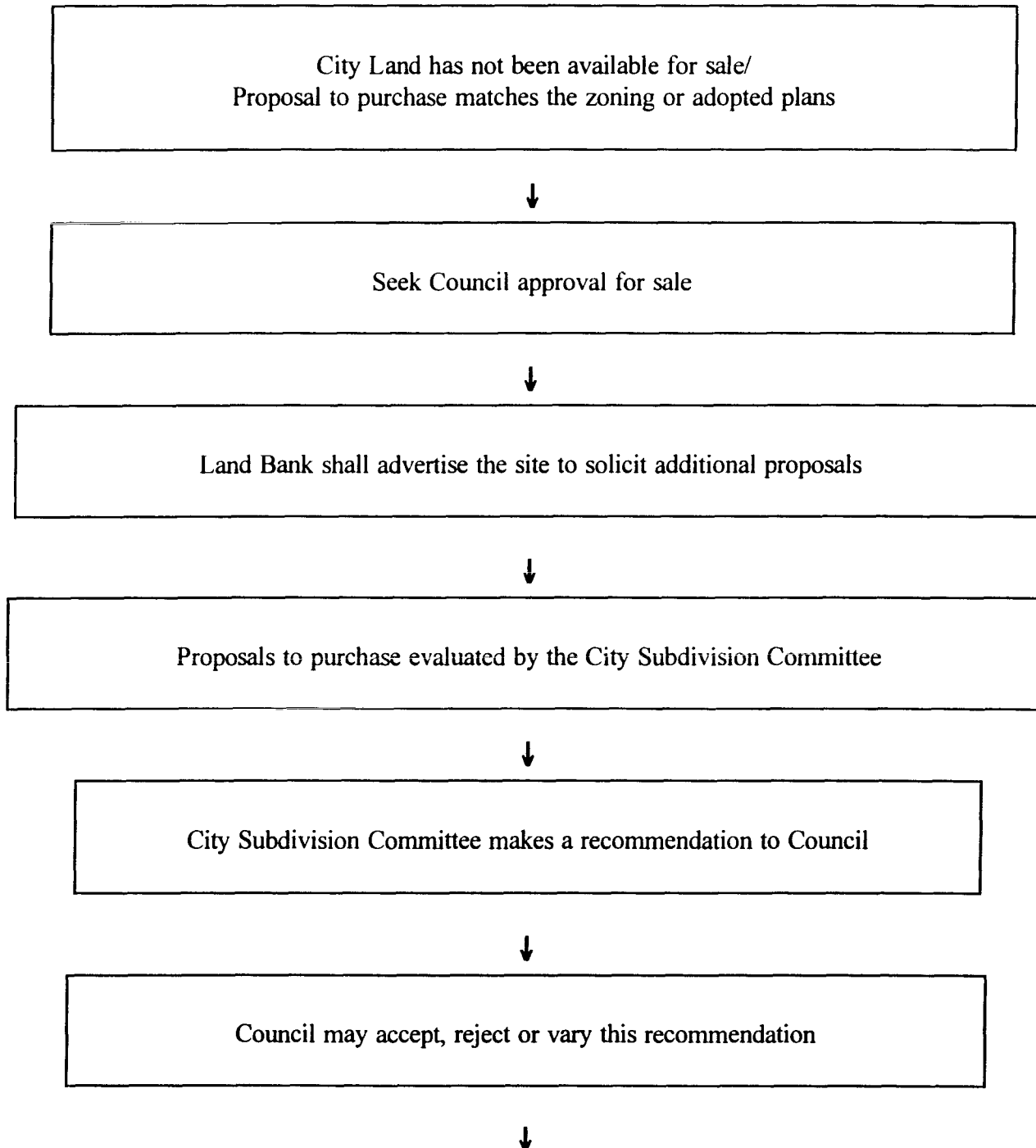
CITY LAND

PROCESS FOR SALE OF BLOCKS OF RAWLAND

Situation #1



Situation #2



Situation #3

City land may or may not have been available for sale/
Proposal to purchase conflicts with zoning or adopted plans



City Subdivision Committee considers the merit of changing the planned
use of the site



If the City Subdivision Committee agrees that a change in planned land use has merit,
Council permission would be sought to have planning staff discuss the proposal
with the affected neighbourhood



Planning staff would discuss the proposed change in land use with the affected
neighbourhood and present a report to council outlining the views of the affected neighbourhood



Situation #3 (cont'd)

Council will consider neighbourhood views and either reject the proposal to change the planned use or accept the proposal to change the planned use and initiate a process to change the planned use



Following the change in planned land use, the property shall be advertised for sale to solicit any and all proposals



Proposals to purchase evaluated by the City Subdivision Committee



City Subdivision Committee makes a recommendation to Council



Council may accept, reject or vary this recommendation

DATE: April 19, 1994
TO: K. Kloss, City Clerk
FROM: A. Scott, Land and Economic Development Manager
RE: **RAW LAND SALE POLICY**

The Land and Economic Development Department supports the implementation of a policy which would more clearly define the basis under which we would sell certain parcels contained within the Land Bank.

The Land Bank Business Plan, which has been adopted by City Council, states under Clause 3.2.4 that "the marketing of unserviced and partially serviced land should be on a first come basis." Any change in policy should be, therefore, reflected in the Land Bank Business Plan.

The difficulties we have encountered on some of our proposed land sales had been in instances where a change in use is required. The two recent examples would be the Windsor Parking Lot, which McDonald's had expressed an interest in purchasing, and the Deer Park Church Site, which, after an inquiry, we were instructed to advertise and call for proposals.

Raw or unserviced parcels, such as the one which was sold to Laebon Developments in 1993, and which did not require any change in anticipated use, were approved by Council without any concerns being expressed. The proposed policy seems to cover these two differing situations satisfactorily.

In the adoption of the Land Bank Business Plan, the Subdivision Committee was created as a technical committee, while the Land Bank Committee was established as one to deal with policy recommendations, staging of development, etc. We would therefore recommend that in points where the proposed policy refers to the Subdivision Committee, the wording be changed to refer proposals to the City Land Bank Committee.

RECOMMENDATION

I would recommend that Council adopt the proposed policy, with the following changes as noted:

1. The appropriate changes be made to the Land Bank Business Plan.
2. References made within the policy to the Subdivision Committee be changed to the Land Bank Committee.



Alan V. Scott

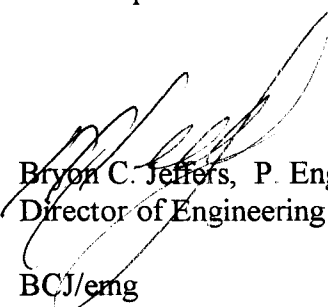
AVS/mm

DATE: April 19, 1994
TO: City Clerk
FROM: Director of Engineering Services
RE: **RAW LAND SALE POLICY**

The Engineering Services Division has reviewed the proposed Raw Land Sale Policy for the various situations. We support the policy outlined, but would offer a couple observations.

In Situation 2, after seeking Council approval for sale, there should be a box indicating Engineering/ E. L. & P./ Parks input into preparing information for advertising.

In several instances the report makes reference to the Subdivision Committee bringing reports or recommendations to Council. It is our opinion that reports to Council should be coordinated and authored by our Land and Economic Development Manager, and should include the comments from all other parties.



Bryon C. Jeffers, P. Eng.
Director of Engineering Services

BCJ/emg

- c.c. Director of Community Services
- c.c. Director of Financial Services
- c.c. By-laws and Inspections Manager
- c.c. City Assessor
- c.c. Land and Economic Development Manager
- c.c. E. L. & P. Manager
- c.c. Fire Chief
- c.c. Parks Manager
- c.c. Public Works Manager
- c.c. Principal Planner

Commissioners' Comments

We fully support the recommendation outlined by the Land & Economic Development Manager. The procedure outlined covers all the situations that in the past have led to some controversy respecting City owned land. Although it was intended, under situations 2 and 3, circulation to City Departments for comments should be included. We recommend Council approve this policy for inclusion in the Land Bank Business Plan.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner

DATE: 13 April 1994

FILE NO. 94-0135

TO: City Clerk

FROM: Bylaws and Inspections Manager

RE: **RAW LAND SALE POLICY**

In response to your memo of March 31, 1994, we wish to advise that we have no comments at this time.

Yours truly,

A handwritten signature in black ink, appearing to be 'R. Strader', with a long horizontal flourish extending to the right.

R. Strader
Bylaws and Inspections Manager
BUILDING INSPECTION DEPARTMENT

RS/cp

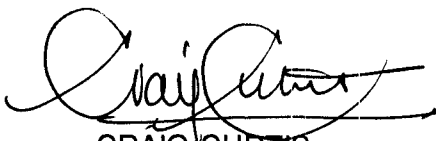
DATE: April 12, 1994

TO: KELLY KLOSS
City Clerk

FROM: CRAIG CURTIS, Director
Community Services Division

RE: RAW LAND SALE POLICY
Your request dated March 31, 1994 refers.

I have discussed this policy with the Parks and Recreation & Culture Managers, and we have no comments from a Community Services perspective.



CRAIG CURTIS

:dmg

- c Don Batchelor, Parks Manager
- Lowell Hodgson, Recreation & Culture Manager

DATE: April 5, 1994

TO: City Clerk

FROM: E. L. & P. Manager

RE: Raw Land Sale Policy

The E. L. & P. Department has no comments regarding the proposal.

A handwritten signature in cursive script, appearing to read "A. Roth".

A. Roth,
Manager

AR/jjd

DATE: MARCH 31, 1994

TO: ☒ X DIRECTOR OF COMMUNITY SERVICES
☒ X DIRECTOR OF ENGINEERING SERVICES
☐ X DIRECTOR OF FINANCIAL SERVICES
☒ X BYLAWS & INSPECTIONS MANAGER
☐ X CITY ASSESSOR
COMPUTER SERVICES MANAGER
☐ X LAND AND ECONOMIC DEVELOPMENT MANAGER
☒ X E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
☐ X FIRE CHIEF
☐ X PARKS MANAGER
PERSONNEL MANAGER
☐ X PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
☐ X PRINCIPAL PLANNER
CITY SOLICITOR

FROM: CITY CLERK

RE: RAW LAND SALE POLICY

Please submit comments on the attached to this office by April 18, 1994, for the Council Agenda of April 25, 1994.

Kelly Kloss
City Clerk

DATE

March 31/94

TO:

- ☒ DIRECTOR OF COMMUNITY SERVICES
- ☒ DIRECTOR OF ENGINEERING SERVICES
- ☒ DIRECTOR OF FINANCIAL SERVICES
- ☒ BYLAWS & INSPECTIONS MANAGER
- ☒ CITY ASSESSOR
- ☐ COMPUTER SERVICES MANAGER
- ☒ LAND AND ECONOMIC DEVELOPMENT MANAGER
- ☒ E.L. & P. MANAGER
- ☐ ENGINEERING DEPARTMENT MANAGER
- ☒ FIRE CHIEF
- ☒ PARKS MANAGER
- ☐ PERSONNEL MANAGER
- ☒ PUBLIC WORKS MANAGER
- ☐ R.C.M.P. INSPECTOR
- ☐ RECREATION & CULTURE MANAGER
- ☐ SOCIAL PLANNING MANAGER
- ☐ TRANSIT MANAGER
- ☐ TREASURY SERVICES MANAGER
- ☒ PRINCIPAL PLANNER
- ☐ CITY SOLICITOR
- ☐ _____

FROM:

CITY CLERK

RE:

Row Land Sale Policy

Please submit comments on the attached to this office by

for the Council Agenda of

April 18/94
April 25/94
KELLY KLOSS
City Clerk
ACKNOWLEDGE

DATE: FEBRUARY 16, 1994

TO: LAND AND ECONOMIC DEVELOPMENT MANAGER

FROM: CITY CLERK

RE: ALDERMAN CAMPBELL-CARDWELL: NOTICE OF MOTION

It is my understanding that Alderman Campbell-Cardwell requested that you draft a Notice of Motion for her which would begin the process in establishing the policy on the sale of City land.

Thank you for assisting Alderman Campbell-Cardwell in this regard.

A handwritten signature in black ink, appearing to read 'K. Kloss', with a stylized flourish at the end.

KELLY KLOSS
City Clerk

KK/clr

DATE: APRIL 26, 1994
TO: LAND AND ECONOMIC DEVELOPMENT MANAGER
FROM: CITY CLERK
RE: RAW LAND SALE POLICY

Council of the City of Red Deer, at its meeting of April 25, 1994, gave consideration to your report dated March 30, 1994 concerning the above topic and at which meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Land and Economic Development Manager dated March 30, 1994, re: Raw Land Sale Policy, hereby approves said policy with the following changes:

1. That the Land Bank Business Plan be updated to reflect this policy;
2. That references made within said policy to the Subdivision Committee be changed to the Land Bank Committee;
3. That under Situation #2 and Situation #3 a statement be added that any documentation be circulated for City Department comments;

and as presented to Council April 25, 1994."

The decision of Council in this instance is submitted for your information and appropriate action. Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Engineering Services
Director of Community Services
Director of Financial Services
Bylaws and Inspections Manager
City Assessor
E. L. & P. Manager
Fire Chief
Parks Manager
Public Works Manager
Principal Planner



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BRENNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

NO. 11

DIRECTOR: W. G. A. Shaw, ACP, MCIP

Telephone: (403) 343-3394
Fax: (403) 346-1570

MEMORANDUM

DATE	9:45
DATE	April 20/94
BY	ds

TO: Kelly Kloss, City Clerk **DATE:** 94 04 20

FROM: Phil Newman, Associate Planner **OUR FILE:** 17.30

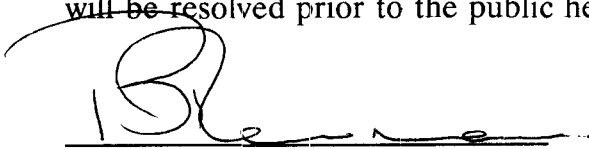
RE: **PROPOSED LAND USE BY-LAW AMENDMENT 2672/N-94**
LOT 5B, BLOCK K, PLAN 4580 N.Y. (CORNETT DRIVE & 30 AVENUE)
SEIBEL CONSTRUCTION

I attach a proposed amendment to the Land Use District Map. The amendment is necessitated by a proposed subdivision and development of this vacant lot by Seibel Construction Ltd.

In 1989, the lot was designated R1 (Low Density Residential), R2 (General Residential) and P1 (Parks) to provide for a townhouse and single family development which was approved but which has not been built. Seibel Construction is proposing to develop the lot for the same uses but according to a different plan of subdivision and development. The Land Use District Map therefore requires detailed amendment.

The lot is one of four unsubdivided parcels of land in the southeast corner of Clearview. The use of this area has attracted considerable interest from the community and the proposed development will therefore be the subject of a public meeting on April 21. The meeting will also review possible outline plans for the remaining three parcels of land.

The necessary by-law amendments are limited in scale and planning staff therefore recommend that the Council proceed with first reading of the amending by-law. It is anticipated that any issues which may arise regarding the development and the outline plan will be resolved prior to the public hearing.

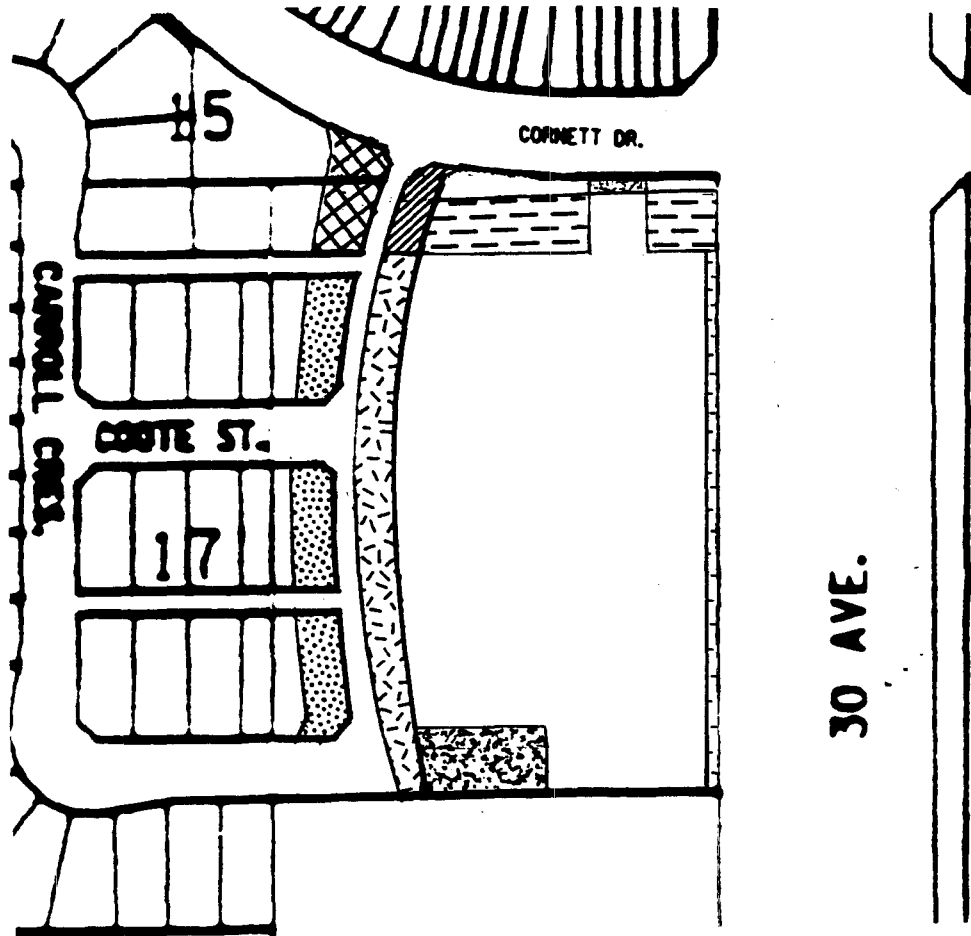

P.D. Newman, ACP
Associate Planner

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER • MUNICIPAL DISTRICT OF CLEARWATER No. 99 • COUNTY OF STETTLE No. 6 • COUNTY OF LACOMBE No. 14 • COUNTY OF MOUNTAIN VIEW No. 17 • COUNTY OF PAINTWATER No. 18 • COUNTY OF RED DEER No. 23 • TOWN OF BLACKFALDS • TOWN OF BOWDEN • TOWN OF CARSTAIRS • TOWN OF CASTOR • TOWN OF CORONATION • TOWN OF DIDSBURO • TOWN OF ECKVILLE • TOWN OF INNISFAIR • TOWN OF LACOMBE • TOWN OF OLDS • TOWN OF PENHOLD • TOWN OF ROCKY MOUNTAIN HOUSE • TOWN OF STETTLE • TOWN OF SUNDRE • TOWN OF SYLVAN LAKE • VILLAGE OF ALIX • VILLAGE OF BENTLEY • VILLAGE OF BIG VALLEY • VILLAGE OF BOTHA • VILLAGE OF CAROLINE • VILLAGE OF CLIVE • VILLAGE OF CREMONA • VILLAGE OF DELBURN • VILLAGE OF DONALD • VILLAGE OF ELMORA • VILLAGE OF GADSBY • VILLAGE OF HALKIRK • VILLAGE OF MIRROR • SUMMER VILLAGE OF BIRCHCLIFF • SUMMER VILLAGE OF GULL LAKE • SUMMER VILLAGE OF HALF MOON BAY • SUMMER VILLAGE OF JARVIS BAY • SUMMER VILLAGE OF NORGLANDWOLD • SUMMER VILLAGE OF ROCHON SANDS • SUMMER VILLAGE OF SUNBREAKER COVE • SUMMER VILLAGE OF WHITE SANDS • SUMMER VILLAGE OF BURNSTICK LAKE

City of Red Deer --- Land Use Bylaw

Land Use Districts



CHANGE FROM:

P1 TO ROAD	
P1 TO R2	
R2 TO P1	
R2 TO ROAD	
ROAD TO R1	
ROAD TO P1	

MAP 10/94

BYLAW NO. 2672/N-94

July 12/93.

To Whom it may concern:-
re property on the corner
of 30th Ave. & Ross St.

As joint owners of
our home at 5 Cunningham
Cres. we object to the possibil-
ity of this property being
developed as zone R3 or C1.

It will decrease our
property value plus increase
traffic flow on a street
which is not wide enough
for such density. Also we
are concerned for the safety
of the children.

Thank you for your kind
attention.

Sincerely

Ruth Langan
Norman Langan
5 Cunningham Cres

July 29/93

Attention: Mayor Surkan and City Council

Re: Property on the corner of 30th Avenue
and Ross Street.

(It has been brought to our attention that the above mentioned property is up for sale.

We have just recently purchased our first home on this street, and very much like this area. It would be a shame to knock down all of the bush to put some gas station or a big apartment complex in that area.

Putting an apartment complex in that area would be a grave mistake, as the crime rate would go up and our property value would go down. This street would also never handle the traffic flow if such a complex was to be built. We would also get the main flow of traffic from 30th Avenue which would cause more noise.

I feel very safe in this area of Clearview, and I don't want to see that

charge, because of some big apartment complex or commercial building (gas station, 7-Eleven etc).

Sincerely

Jay & Candy Reesor
#44 Carpenter Street

JULY 9, 1993

DEAR COUNCIL MEMBERS & MAYOR GAIL SURKAN:

RE:PROPERTY ON THE CORNER OF ROSS ST. & 30th AVE.
AND PROPOSALS TO REZONE.

IT HAS RECENTLY COME TO OUR ATTENTION, THAT THE PROPERTY NOTED ABOVE, HAS BEEN LISTED FOR SALE BY THE SUTTON GROUP REALTY OF RED DEER. SINCE THIS MATTER WILL HAVE A GREAT AFFECT ON OUR FAMILY AND THE FAMILYS OF ALL CLEARVIEW RESIDENTS, WE THOUGHT IT EXTREMELY IMPORTANT THAT OUR VIEWS BE STATED WHILE THERE IS STILL TIME TO DO SO.

WE URGENTLY REQUEST THAT ALL COUNCIL MEMBERS DEAL WITH THIS MATTER VERY SERIOUSLY, AND TAKE INTO CONSIDERATION ALL THE CONCERNS OF CLEARVIEW RESIDENTS IN REGARDS TO THE REZONING OF THIS PROPERTY.

AS COUNCIL IS AWARE; THE REZONING OF THIS PROPERTY TO A CLASS (R3 OR C1) COULD LEAD TO A WHOLE HOST OF PROBLEMS AND LEAVE THIS COMMUNITY WITH A VERY BITTER TASTE IN IT'S MOUTH.

IN OUR OWN PERSONAL SITUATION, MY FAMILY HAD VERY DEFINITE AND REASONABLE REASONS FOR MOVING TO THIS LOCATION, 2 1/2 YEARS AGO. WE HAVE RESIDED IN THE CITY OF RED DEER FOR THE PAST 15 YEARS, AND IN THAT TIME HAVE LIVED IN SUNNYBROOK, MOUNTVIEW, AND THE PINES, AND HAVE LIVED IN VERY CLOSE PROXIMITY TO LOW COST HOUSING AND APARTMENT COMPLEXES. WE HAVE SEEN FIRST HAND THE PROBLEMS ASSOCIATED WITH THIS TYPE OF ZONING. WHEN IT WAS TIME TO MOVE TO OUR PRESENT LOCATION WE WAITED A FULL YEAR TO DECIDE WHERE IT WAS WE WANTED TO RAISE OUR FAMILY. WE DREAMT OF A COMMUNITY WHERE ONE LIVED IN SAFETY, AND WAS ABLE TO LIVE IN A QUIET PEACEFULL ENVIROMENT, FREE FROM HEAVY TRAFFIC, CRIME, AND A TRANSIENT POPULATION. WE HAVE NEVER REGRETTEED OUR DECISION; BUT WITH THE MATTER WHICH IS NOW AT HAND WE ARE NOW FACED WITH THE DILEMA OF POSSIBLY SEEING OUR DREAM TURN INTO A NIGHTMARE.

AGAIN WE CANNOT OVER EMPHSIZE THE IMPORTANCE OF THIS MATTER TO US, AND AGAIN REQUEST THAT COUNCIL GIVE THIS MATTER THEIR UNDIVIDED ATTENTION.

IF FOR SOME REASON OR ANOTHER COUNCIL IS UNDECISIVE AS TO THEIR DECISION, I STRONGLY RECOMMEND A TRIP THROUGH OUR NEIGHBORHOOD AND TAKE A QUICK LOOK AT THE HOMES AND THE PEOPLE IN THIS COMMUNITY. I'M SURE YOU'LL SEE WHAT WE SEE. A COMMUNITY THAT CARES ABOUT THEIR SURROUNDINGS, THEIR NEIGHBORS AND ABOUT THE FUTURE GROWTH OF THIS AREA. BUT ABOVE ALL WHEN YOUR DRIVING DOWN OUR STREETS, TAKE A CLOSE LOOK AT THE FACES OF THE CHILDREN. YOU'LL SEE THE SMILING FACES OF CHILDREN THAT FEEL SAFE AND SECURE IN THEIR OWN NEIGHBORHOOD.

WHEN YOU MAKE YOUR DECISION. THINK OF THEIR FUTURE.

I HAVE BEEN WATCHING THE DECISIONS OF COUNCIL REGARDING OTHER MATTERS AND HAVE COME TO THE CONCLUSION THAT THE PRESENT MAYOR AND COUNCIL MEMBERS, RECENTLY ELECTED, TRULY SHOW A GENUINE CONCERN FOR THE CITY OF RED DEER AND ITS COMMUNITIES. I SINCERLY HOPE THAT THIS MATTER WILL NOT BE THE EXCEPTION TO THE RULE.

SINCERLY,
DAVID & WENDY GAMELIN
68 CARPENTER ST.

93-07-24

Mayor Surkan and City Council of Red Deer

Re: Property on the North-West corner of 30th Ave and Ross St.

Please be advised that it has come to our attention that property located behind my residence has been put up for sale by their respective owners. This property, presently zoned A-1 has been in its present state since the purchase of my residence approx 4 years ago. One of the reasons we purchased our home was because of its present zoning.

We realize that sooner or later the property would be put up for sale and the possibility of a zoning change may occur. As a present owner of a residence adjacent to the respect we property I hereby voice my concern of a zoning change which would cause a depreciation of the value of our residence and an increased traffic flow by for instance allowing multi-family dwellings. We are requesting that if an application is made for a zoning change by possible developers that these concerns be kept in mind and zoning changes be made allowing Urban Development / Medium Density Housing with the emphasis on high end multi-family which would be R-2.

Please allow my concerns be put on file in respect to the indicated property.

D. Hingeland

Bill & Denise Hingeland
9 Cunningham Cres. Red Deer, Alta.

75 Carpenter Street
Red Deer, Alberta
T4P 2R9
July 27, 1993

Mayor Gail Surkan
City Council
Red Deer, Alberta

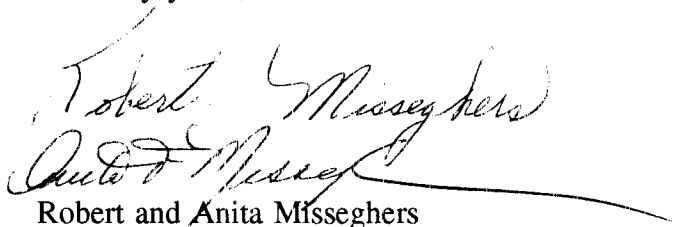
Re: Property at the Corner of 30th Avenue and Ross Street

We have lived at 75 Carpenter Street continuously since December 1982. We purchased in this area because of the single family zoning and low crime rate in comparison to areas on the north side of Red Deer. It is a quiet neighbourhood with stable families and lots of young children. Carpenter Street is quite narrow with parking of vehicles on both sides of the street. Numerous children are playing on the sidewalks and dart about between parked vehicles. Any increase in through traffic will pose a threat to the safety of these young children.

The north east end of Clearview has a large high density housing development which brings the population density of Clearview at or above the average in Red Deer.

We don't mind development of the property at 30th Avenue & Ross Street, but it should be consistent with the present zoning regulations which were in effect when we decided to purchase in the Clearview area. We decided to live in this area for the amenities present at the time and it is unfair to change any zoning regulations now for the sole financial gain of a couple of people.

Sincerely, yours,


Robert and Anita Misseggers

JULY 25, 1993

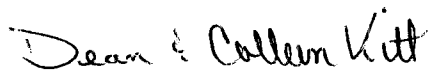
CITY COUNCIL - MAYOR SURKAN

In reference to the property on the corner of 30th Avenue and Ross Street.

We are concerned, as home owners, that should this property be purchased with the intent of developing high density housing, it will have adverse affects on our neighbourhood. Clearview already has it's share of duplex, four-plex, and apartment complexes, the city does not need and we do not want to see another Oriole Park or Glendale. With the addition of such housing we are convinced it will lead to development of gas stations, strip malls, and convience stores and there will be a marked increase in traffic, crime, and real estate turnovers and a decrease in property values, a "community feeling" we now have and families making Clearview their home for years to come.

We are asking City Council to put yourself in our shoes as we are certain you also would not want an apartment complex in your backyard.

Respectfully submitted for your consideration.



DEAN AND COLLEEN KITT
72 Carpenter Street

July 1993

Attention: Mayor Surkan &
Red Deer City Council

Re: Property on the Corner of 30th Avenue & Ross Street

It was brought to our attention that the above captioned property is presently listed with Greg Cripps of the Sutton Group. Considerable fear and concern by all neighbors was expressed over a possible rezoning of this property to R3 or C1. We share our neighbors views and turn to you our elected city council to hear our concerns and turn down a request for zoning change of this parcel of land to R3 or C1.

We fear the safety of our children and our homes will be at risk with the development of apartments and low rentals, as well as an increased crime rate and traffic flow.

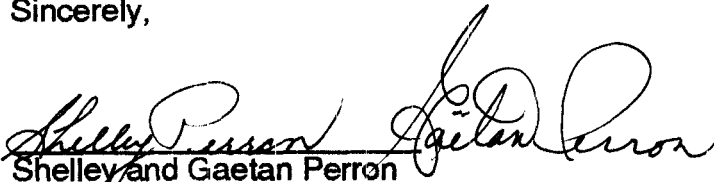
We are concerned about the 'eyesore' such development will cause in a neighborhood where homeowners take great pride in the appearance of their property. Will a transient population be so caring?

We fear, after spending much time searching for this safe, quiet, friendly community, we will be forced to pick up the search again due to the problems apartments and low rentals attract. R3 or C1 development will unquestionably decrease our property value.

We invite you to walk through our beautiful neighborhood displaying the pride of ownership and see first hand how R3 and C1 development is so inappropriate.

Thanking you in advance for your consideration.

Sincerely,

Handwritten signatures of Shelley Perron and Gaetan Perron in cursive script.

Shelley and Gaetan Perron
71 Carpenter Street
Red Deer, Alberta
T4P 2R9

July 23/93

Red Hill City Council & Mayor Duncan.

Re: Property on the corner of 30th Ave. & Ross St.

We are homeowners in Clearview on Carpenter St. We are very concerned about the above property being rezoned to R3 or C1. Presently we have a quiet street where our children are free to play and we have little concern about their safety. However, if this area is changed to R3 or C1, our property will go down in value not to mention increased traffic and transients.

We enjoy our quiet street and it is very nice to not have to worry about feeding traffic and we have a low crime area presently. Please don't let these important concerns be at stake so that a developer can make money. Thanks for your support in this area.

Ann. Alexander
79 Carpenter St.
Red Hill, AB.

To City Council

I am writing on behalf of my wife and myself in regards to the possible sale and rezoning of the property on the corner of Ross St and 30th Ave.

It has come to my attention that high density housing or apartments are being planned for that area. There is no way Carpenter St can handle the increase in traffic a project like these would produce.

Clearview has enough high density housing and apartments. A project like this would almost certainly decrease the property value of the houses on Carpenter St. My wife and I are against any plans to build high density housing on that piece of land. I hope Council will take our concerns into consideration when looking at such a project.

Thank you.

R.L. WESTOVER

R.L. Westover

91 Carpenter St.
 Red Deer, Alberta.
 July 10, 1993.

Mayor Surkan
 City of Red Deer Council

Re: Property at corner of Lass St. & 30th Ave.

It has been brought to our attention that the above property is listed for sale with Greg Gripps of the Sutton Group.

It has been further brought to our attention that zoning may be changed to allow the development of multi-family dwellings. We strongly urge Council to consider such an application from whatever source very carefully!

Any change which would increase traffic flow and endanger the many children in the area is strongly opposed by many, if not all the residents of Bearview Meadows, as well as our Community Association.

We do not need apartment complexes or numerous multi-family dwellings on this site. We also wonder where access to and from that site would be.

We are very strongly opposed to any re-zoning change which would endanger lives or increase the possibility of a high crime rate.

Heck & Norma West.

July 27, 1993

G. & M. Williamson
99 Carpenter Street,
Red Deer, Alberta.
T4P 2R9

Attention: **City Council and Mayor Surkan**

Dear Sir or Madam;

RE: Property on the Corner of 30th Avenue and Ross Street

We are residents at 99 Carpenter Street and would like to express our concerns with respect to the development of the property on the corner of 30th Avenue and Ross Street. The neighborhood in this area consists entirely of single family dwellings and we feel this contributes to a low crime rate, stable property values and reduced traffic flow. In short it is pleasant neighborhood to raise a family.

We are concerned that the sale of this property could result in rezoning the area for multifamily dwellings and fear this could lead to higher traffic, a reduction in property values and possibly to higher crime levels due to an increase in the number of transient people. If the development of this property does require the area to be rezoned, our strong preference would be to have it changed to R2 (Medium Density Housing).

Your attention to this matter would be appreciated.

Yours truly



Gloria Williamson



Mark Williamson

July 24, 1993

Dear Mayor and Alderman of the City of Red Deer:

Being residents of 95 Carpenter Street for the last 8 years we have come to the realization that the parcel of land at the east end of Carpenter Street would eventually come up for sale. We would like to see the development of the R1 nature, but due to the cost of the land this will probably not be feasible. At worst we could accept R2 zoning.

As of now we have a quiet street with little traffic, and for the most part the people we know in this part of Clearview have been here as long as we have. Thus with little turnover of residents there is a lower amount of transients in the area. By having a higher transient population in this area we feel that the crime rate would rise and this situation would be unacceptable to us. Therefore we urge council to turn down a request for a zoning change of this parcel of land to R3 or C1.

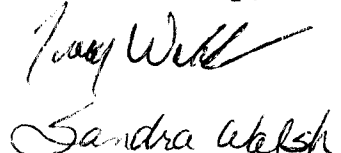
Our feeling is that we do not want to see any type of apartment complex being built here, the traffic would increase dramatically and we feel that our present feeling of security would also be diminished to a point where we would be feeling uncomfortable to live in this area. If we wanted to live in an area with lots of apartments and multiple family dwellings we would have chose to live in Glendale, Normandeau or Oriole Park. We already have 3 apartment complexes and several townhouse and multiple family dwellings in Clearview we don't think that another apartment complex is required.

If this goes ahead it will have the effect of driving down our property price, as what family will want to live in an area that sees large amounts of traffic and transients?

We would hope that your decision leans towards the community minded people who live in this area and not with the developer who is out to make a sizable profit for himself and his company.

We thank you for your time in this matter.

Yours truly,

Handwritten signatures of Tracy and Sandra Walsh. The first signature is 'Tracy Walsh' and the second is 'Sandra Walsh'.

Tracy and Sandra Walsh
95 Carpenter Street

July 9, 1993

Doug & Debbie Graham
100 Carpenter Street
Red Deer AB T4P 2S1

Dear Mayor Surkan:

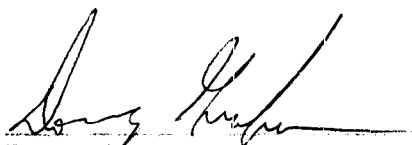
Re: Property on the corner of 30th Avenue and Ross Street

Apparently this property has just been listed for sale by the Sutton Group with considerable interest as all three owners are agreeing to sell.

One of the main reasons that my wife and I bought our current residence in Clearview is that it is a low crime area with a minimum of multi-family dwellings resulting in less transients. We appreciate that this results in our property values being up as compared to the North side where there is an abundance of multi-family dwellings. The safety of our child and all those children in the neighbourhood could be lessened with the increase in traffic flow or the development of apartments or low rental housing.

It is with these factors in mind that we would ask you to be cautious when considering any changes in zoning to the aforementioned property.

Thank you for your consideration in this matter


Doug Graham


Debbie Graham

cc: City Council

July 28, 1993

THE CITY OF RED DEER
Box 5008
RED DEER, Alberta
T4N 3T4

ATTENTION: MAYOR GAIL SURKAN AND CITY COUNCIL

Dear Sirs:

RE: Property on the Corner of 30th Avenue and Ross Street

As Homeowners in Clearview, we wish to express our concerns with respect to the above noted matter:

1. Clearview is an area where there is almost no crime, with a minimum of multi-family dwellings. We believe that should such dwellings be zoned, the safety of ourselves, our children and our homes may be in jeopardy;
2. There are fewer multi-family dwellings in Clearview and therefore, the property values in our area are higher than other areas in Red Deer which have an abundance of multi-family dwellings. We wish to keep our property value constant and do not wish to have the fluctuation which other areas of Red Deer have;
3. Should the development of multi-family dwellings such as apartments or low rentals be allowed, there will be an increase in traffic, which again will put the safety of our children and our homes in jeopardy.


Thank you for considering our concerns and we hope this rezoning of the property located on the corner of 30th Avenue and Ross Street will be rejected.

Yours truly,

 130 Argent St.

MARTY AND CARLEEN JONES

RON AND FRED A LENTZ

  103 CARPENTER STREET

July 30, 1993

City Hall
4914 - 48 Avenue
Box 5008
Red Deer, Alberta
T4N 3T4

Attention: Mayor Surkan and
City Council Members

Dear Madam:

Re: Property on the Corner of 30th Avenue and Ross Street
Clearview Subdivision

Please be advised that the above captioned property is presently listed with Greg Cripps of the Sutton Group. This property borders Carpenter Street and Cunningham Crescent and has, for the most part, been undeveloped for approximately the past twelve years. There has been considerable interest in this property recently as all of the owners have agreed to sell.

A proposal is presently in the works for this property which is presently zoned A1. Ideally we would love to see a cul-de-sac/crescent with single family dwellings but unfortunately because of the cost of the land, developers will approach you to rezone and attempt to construct multi-family dwellings or apartments. Therefore we would hope to have it changed to R2 which we understand is Urban Development/ Medium Density Housing but we would emphasize high end multi-family. Under no circumstances does this community want R3 or C1.

Enclosed are letters of concern from families living on Carpenter Street and Cunningham Crescent. We all admit that we knew someday the land would be developed but we would hope that our best interests be recognized before approval is passed. We cannot stress enough that this Southeast corner is a beautiful, well cared for area with a low crime rate and no apartments or multi-family dwellings and to see it destroyed for the sake of making a "big sale" would be at the homeowner's expense. We all fear the same things; increased traffic flow, the safety of our children and our homes with apartments or low end multi-family construction.

We trust you will find everything to be in order.

Yours truly,



Brenda Anderson
Daryl Anderson
60 Carpenter Street

July 1993

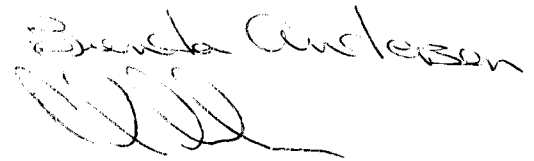
Attention: Mayor Surkan &
Red Deer City Council

Re: Property on the Corner of 30th Avenue & Ross Street

We are writing in regards to the above captioned. Our own property at 60 Carpenter Street borders this property therefore we are greatly concerned about its sale and development. We bought our home here 5 years ago because it was in a single family neighborhood that was quiet and very well kept. Driving down our street one can't help but notice the pride of ownership everyone takes in their property. We have found that Clearview has a minimum of multi-family dwellings with a very low crime rate. Our realtor even discouraged us from considering anything on the North side due to property values, crime, and abundance of low rentals and apartments resulting in more transients.

We are very happy here. We have a lovely home surrounded by wonderful neighbors. Our children play in a threat free environment when even an unthinking dash out onto the street has never resulted in injury. We treat our community like one big playground zone. Everyone that lives on Carpenter Street knows the road is narrow, therefore speeds are reduced. By allowing high density housing at the end of this street, the increase in traffic would greatly overburden it. There is not enough room to pass oncoming vehicles without pulling over. This road was plainly not designed for heavy traffic. To rezone the property to R3 or C1 would, without a doubt, cause many problems. None of them fatal, is all we could ask for.

Red Deer has been known for its beauty from great distances. On the frequent drives throughout our city, we see a great many trees. Some are old and some are new. Since this is a deeply forested area we would also hope you may have an interest in preserving as many of the trees as possible. To clear this piece of land just to pave a parking lot does not seem justifiable or environment conscience in this day and age.

A handwritten signature in cursive script, appearing to read "Brenda Anderson".

Brenda & Daryl Anderson
60 Carpenter Street

Commissioner's Comments

Attached is an application to rezone the subject lands to R1, R2 & P1. As Council is aware, this property has been the subject of some concern by the adjacent residents and attached are a number of letters in this regard which the City received in mid 1993 when it appeared that a development was pending. The residents were advised at that time that these letters would be retained on file and presented to Council when an application came forward.

As the proposed development is similar in nature to the development which was acceptable to the residents but which did not proceed, we support proceeding with 1st reading of the bylaw amendment. As can be seen from the report there will be a Public Meeting to discuss this development on April 21 after the preparation of this agenda. We are assuming that the residents will find the development acceptable because of its similarity in nature to the previous development, but Council should review our recommendations in light of the outcome of the Public Meeting.

"H.M.C. DAY"
City Commissioner

DATE: APRIL 26, 1994
TO: RED DEER REGIONAL PLANNING COMMISSION
FROM: CITY CLERK
RE: LAND USE BYLAW AMENDMENT 2672/N-94

At its meeting of April 25, 1994, Council of the City of Red Deer gave first reading to the above noted bylaw.

Land Use Bylaw Amendment 2672/N-94 provides for the redesignation of the property located at the corner of Cornett Drive and 30th Avenue, Lot 5B, Block A, Plan 4580 NY, from P1 to Road, P1 to R2, R2 to P1, R2 to Road, Road to R1 and Road to P1.

Attached hereto is a copy of said bylaw. This office will now proceed with advertising for a Public Hearing to be held on Tuesday, May 24, 1994, commencing at 7:00 p.m. or as soon thereafter as Council may determine. Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr
Attch.

cc: Council and Committee Secretary, S. Ladwig

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 26, 1994

Seibel Construction
R.R. #2
Red Deer, Alberta
T4N 5E2

Att: Gerry Seibel

Dear Sir:

RE: LAND USE BYLAW AMENDMENT 2672/N-94
(CORNETT DRIVE AND 30TH AVENUE)

Council, at its meeting held Monday, April 25, 1994, gave first reading to Land Use Bylaw Amendment 2672/N-94, a copy of which is attached hereto.

This office will now proceed with preparation of advertising for a Public Hearing to be held in the Council Chambers of City Hall on Tuesday, May 24, 1994, commencing at 7:00 p.m. or as soon thereafter as Council may determine. The advertising is scheduled to appear in the Red Deer Advocate on Friday, May 6 and 13, 1994.

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 said advertising which in this instance is \$600.00. We will require this deposit by no later than Monday, May 2, 1994 in order to proceed with the advertising scheduled above. Once the actual costs are known you will be either invoiced for or refunded the balance.

... / 2

Seibel Construction
April 26, 1994
Page 2

I trust you will find this satisfactory. If you have any questions please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over a horizontal line.

KELLY KLOSS
City Clerk

KK/clr
Attchs.

cc: Director of Community Services
Director of Engineering Services
Bylaws and Inspections Manager
City Assessor
Land and Economic Development Manager
E. L. & P. Manager
Fire Chief
Principal Planner
Council and Committee Secretary, S. Ladwig

NO. 1CityCentre, 10155 - 102 Street
Edmonton, Alberta
Canada T5J 4L4

In Replying Please Quote:

March 24, 1994

Mr. Kelly Kloss
City Clerk
City of Red Deer
Box 5008
Red Deer AB T4N 3T4



Dear Mr. Kloss:

The Unconditional Municipal Grant Program was introduced in the 1994/95 budget. This program will be administered by Alberta Municipal Affairs and incorporates five previously separate programs from different departments:

- Municipal Assistance Grant (Alberta Municipal Affairs)
- Public Transit Operating Assistance Grant (Alberta Transportation and Utilities)
- Municipal Police Assistance Grant (Alberta Justice)
- Urban Parks Operating Grant (Alberta Community Development)
- Family and Community Support Services (Alberta Family and Social Services)

Information on the Unconditional Municipal Grant Program was sent out to each municipality on March 9, 1994 as part of the Minister's budget information package. However, both Alberta Family and Social Services and Alberta Municipal Affairs have received numerous calls about the Family and Community Support Services (FCSS) component. There is still some confusion about what the changes mean to municipalities and to FCSS programs and projects. Although some information has already been provided to municipalities, we have put together the following information to help clarify the situation for municipalities that are now participating in the Family and Community Support Services program.

Effective April 1, 1994, formal responsibility for FCSS legislation, funding, and program administration will be transferred to Municipal Affairs. Various aspects of this change are discussed below.

Legislation

The FCSS Act and Regulations will be transferred to Municipal Affairs and will be reviewed in the future. However, the new arrangements will still allow local communities to carry on with FCSS-supported initiatives as approved by their municipal councils.

Funding

As of April 1, 1994, the FCSS funding will be identified as a component of the Unconditional Municipal Grant Program. Municipalities will have **two choices** regarding their FCSS money:

Option 1. Municipalities can collect their FCSS funds **unconditionally** and use the money to support current FCSS projects (or other priorities). Municipalities doing this must provide Municipal Affairs general information on how they spend their Unconditional Municipal Grant funds in their annual information return. Municipalities choosing Option 1 do **not** have to meet the current FCSS program requirements with respect to cost-sharing, financial reporting, etc.

Option 2. Alternatively, municipalities can sign formal FCSS agreements with Municipal Affairs for 1994/95. Those doing so will not receive any more money from the Province than otherwise, and the funding will in fact become **conditional**. All existing FCSS conditions will then have to be met, including submitting audited financial statements and contributing \$0.25 for every provincial dollar provided. **Municipalities choosing Option 2 will be required to repay any provincial funds not covered by the required municipal contributions or spent on ineligible items.**

Some larger municipalities may want to sign FCSS agreements because they are still planning to spend more on FCSS activities than their full provincial funding allocation (plus their required 20 percent FCSS share) covers. We have been advised that most of the 10-12 municipalities that have been spending this much money want to continue recovering cost-shared federal dollars for their excess funding of FCSS activities. Option 2 agreements will be required for municipalities seeking such federal cost-shared dollars. Family and Social Services will handle all these federal claims under the Canada Assistance Plan.

Municipalities choosing the second option must sign a formal agreement with Municipal Affairs by July 15, 1994. This agreement must cover all of their FCSS funding. Municipalities must choose between Option 1 or Option 2, not some of both. FCSS funding will be unconditional, as in the first option, for any municipality that has not signed an agreement by July 15.

Joint Projects

Municipalities participating in joint FCSS projects with other municipalities can continue these under Option 1 and make appropriate arrangements among themselves to transfer funds as required.

If municipalities do want their FCSS funding component paid to another municipality on their behalf, they must sign an inter-municipal agreement to that effect. As well, the lead municipality coordinating the joint FCSS program must sign a formal agreement with Municipal Affairs by July 15, 1994. Doing this means that all the Option 2 conditions (cost sharing, audited financial statements, etc.) will apply.

Payments

Each year, the unconditional grants will be paid in April, August, and December. The first payment, one-third of the total grant, will go out in early April, so FCSS advances will not be required.

Subsequent payments will be adjusted for all municipalities that sign FCSS agreements so that they get all of their FCSS funding conditionally. The FCSS payments made to municipalities with formal FCSS agreements will be in accordance with those agreements.

1994 Allocations

The Unconditional Municipal Grant has been allocated to municipalities in accordance with the decisions made regarding the contributing programs before the decision was made to pool their budgets. With regard to FCSS, an overall annual reduction of five percent was announced on January 18, 1994. However, the specific reduction for many municipalities participating in FCSS exceeded 5% because of the change to unconditional funding, previous funding arrangements, population growth and other factors.

Because of this, Family and Social Services is providing **one-time transitional grants** to municipalities whose 1994-95 FCSS allocations are less than 95% of their 1993-94 FCSS funding. For joint programs FSS is paying this transitional grant to the **lead municipalities**. Other participating municipalities may have to contact the lead municipalities running their joint FCSS program about funding adjustments.

Reporting

Although Option 1 funding is unconditional, municipalities are to advise Municipal Affairs on how the funds are spent. This information is to be provided on a general functional basis only - the amount of Unconditional Municipal Grant Program money spent on protective services, transportation, and other municipal functions without any further breakdown required. This will be in the statistical part of the municipality's annual information return (a draft of the relevant page is attached). A special audited report will **not** be required.

Municipalities that sign formal FCSS agreements (Option 2) will be subject to the same financial reporting requirements as FCSS now imposes.

Administration and Consultation

Family and Social Services (FSS) will continue to deal with all matters regarding the 1993/94 FCSS agreements, including the financial reporting requirements.

FSS will act on behalf of Municipal Affairs in administering the formal FCSS agreements with participating municipalities. Except for the changes outlined here (and such other modifications as Municipal Affairs and FSS mutually agree to), these FCSS agreements will be administered in the same fashion as in 1993/94.

Family and Social Services will keep some regional consultants to continue to provide a link between the department and the community, to assist municipalities with preventive services, and to support community initiatives.

Municipal Affairs staff will be administering the FCSS funds if they are taken unconditionally as part of the Unconditional Municipal Grant Program.

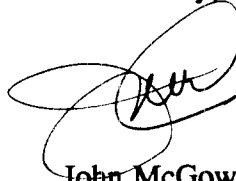
Contacts

For further information about the FCSS component of the Unconditional Municipal Grant Program, please call Brian Peddigrew at 427-2995 or Lynda Downey at 427-2523.

Family and Social Services will contact you regarding financial reporting requirements for 1993/94 (and regarding 1994/95 requirements if you sign a formal FCSS agreement by July 15). If you have any questions concerning financial reporting or your transitional grant, please call Paula Dorval of Family and Social Services at 427-2803.

I hope this information helps you to better understand the FCSS component of the Unconditional Municipal Grant Program.

Yours truly,

A handwritten signature in black ink, appearing to be 'J. McGowan', is written over a large, loopy circular flourish.

John McGowan
Assistant Deputy Minister
Local Government Services Division

**APPLICATION OF FUNDS RECEIVED FROM
UNCONDITIONAL MUNICIPAL GRANT PROGRAM**

	Total
General Government	
Protective Services	
Transportation	
Environmental Use and Protection	
Public Health and Welfare	
Planning and Development	
Recreation and Culture	
Utilities (Gas, Power, Telephone)	
Other	
Total	

DATE: April 8, 1994

TO: KELLY KLOSS
City Clerk

FROM: ROGER CLARKE, Chairman
Family & Community Support Services Board

RE: FAMILY & COMMUNITY SUPPORT SERVICES FUNDING

As you are aware, there have been many changes to the provincial funding for FCSS, creating a great deal of concern, province wide. Red Deer City Council considered the issue at their February 14, 1994 meeting and passed the following resolution:

"RESOLVED that Council of The City of Red Deer, through the Office of the Mayor, contact the Minister of Municipal Affairs and the Minister of Social Services to clarify the status of the F.C.S.S. Programs and to urge the Province to maintain its partnership with municipalities in the F.C.S.S. Programs."

Subsequently a letter was sent to Dr. Stephen West, Municipal Affairs, and Mike Cardinal, Family & Social Services (see attached).

In the most recent correspondence from Municipal Affairs (March 24, 1994) specific guidelines are given to municipalities regarding funding options and the process of remaining in a regional arrangement.

At the April 5, 1994 meeting of the Red Deer & District Family & Community Support Services (FCSS) Board, the attached report from Colleen Jensen and Craig Curtis regarding FCSS funding, was considered.

The key recommendations were reviewed and the following resolution approved:

"THAT the Red Deer & District Family & Community Support Services Board recommend:

- 1. that the City of Red Deer reaffirm their intent to receive the FCSS allocated funds as 'conditional' as per Option 2 in the March 24 Municipal Affairs letter;***
- 2. that the County of Red Deer, and municipalities of Bowden, Delburne, Elnora and Penhold also apply to receive FCSS funding as conditional (as per Option 2 in the March 24 Municipal Affairs letter);***
- 3. that the City and County of Red Deer, and Bowden, Delburne, Elnora and Penhold continue in partnership, whereby FCSS funds be paid to The City of Red Deer as 'lead' municipality on behalf of the partners and that an inter-municipal agreement be established to that end;***
- 4. that The City of Red Deer, as lead municipality responsible for administration and coordination of the FCSS program, sign a formal Agreement with Municipal Affairs before July 15, 1994;***
- 5. that Municipal Affairs be requested to forward to municipalities the actual dollar amounts that will be allocated to their municipality for FCSS programs in 1995/96 and 1996/97;***

KELLY KLOSS
 April 8, 1994
 Page Two

6. *that the Council for The City of Red Deer, as well as Councils for the County of Red Deer, Bowden, Delburne, Elnora and Penhold, request the Province of Alberta, through the Premier and Provincial Treasurer, to grant additional cost sharing under the Canada Assistance Plan in regard to the 20% municipal matching funds and the 80% allocated Provincial FCSS funds."*

Each of the other partner municipalities in the current Red Deer & District FCSS Program has discussed FCSS funding. At the FCSS Board meeting representatives indicated that their Councils are all committed (informally, if not by resolution) to receiving the grant as conditional funding and that they wish to remain part of the partnership.

RECOMMENDATION:

That Council for The City of Red Deer:

- reaffirm their intent, as per the February 18, 1994 letter, to receive the FCSS allocated funds as a **conditional** grant.
- that the City and County of Red Deer and Bowden, Delburne, Elnora and Penhold continue in partnership, whereby FCSS funds be paid to the City of Red Deer as "lead" municipality on behalf of the partners and that an inter-municipal agreement be established to that end.
- that The City of Red Deer, as lead municipality responsible for administration and coordination of the FCSS program, sign a formal agreement with Municipal Affairs before July 15, 1994.
- that Municipal Affairs be requested to forward to municipalities the actual dollar amounts that will be allocated to their municipality for FCSS programs in 1995/96 and 1996/97.
- that the Council for The City of Red Deer, as well as Councils for the County of Red Deer, Bowden, Delburne, Elnora and Penhold, request the province of Alberta, through the Premier and Provincial Treasurer, to grant additional cost sharing under the Canada Assistance Plan in regard to the 20% municipal matching funds and the 80% allocated provincial FCSS funds.

I have forwarded a similar recommendation to each of the partner municipalities for their approval.

Colleen Jensen, Social Planning Manager, will be available at the April 25 Council meeting to answer questions.



ROGER D. CLARKE, Chairman
 Family & Community Support Services Board

CJ/kb
 Encl.

DATE: April 5, 1994

TO: F.C.S.S. BOARD

FROM: COLLEEN JENSEN, Social Planning Manager
CRAIG CURTIS, Director of Community Services

RE: F.C.S.S. FUNDING

1. On January 13, 1994 Mike Cardinal, Minister of Family & Social Services, announced a strong commitment to Family & Community Support Services (FCSS) and said reductions to this program would only be 5%.
2. On February 24, 1994 the provincial budget confirmed that funding previously received from Alberta Family & Social Services for Family & Community Support Services (FCSS) would now be distributed through the Department of Municipal Affairs. This funding was to become part of a large unconditional grant pool.
3. A tremendous number of calls and letters were received by Municipal Affairs expressing numerous concerns about FCSS money being distributed unconditionally (see City of Red Deer resolution, as per letter attached). As a result, correspondence was sent from Municipal Affairs on March 9. This letter outlined the exact municipal dollar allocation for FCSS as well as two options available to municipalities in receiving the funds. It was indicated that each municipality could receive the FCSS dollar allocation as:

OPTION 1: an unconditional grant which means funding could be spent on FCSS or any other municipal need;

OPTION 2: a conditional grant which requires municipalities to sign a formal FCSS agreement with Municipal Affairs, which would mean all existing FCSS conditions (including mandate, accountability and matching) would still apply.

The intent in the City resolution as forwarded to Dr. West, is that the City of Red Deer will wish to receive the money conditionally.

4. The dollar allocations for the Red Deer & District FCSS program, which includes the municipalities of the City & County of Red Deer and Bowden, Delburne, Elnora and Penhold, are as follows for 1994/95:

F.C.S.S. BOARD**April 5, 1994****Page Two**

City of Red Deer	\$ 736,161
County of Red Deer	185,178
Bowden	11,518
Delburne	6,940
Elnora	3,199
Penhold	<u>19,565</u>
	\$ 962,561

This funding represents approximately a 13.5% reduction over what was received in 1993/94. There has been no clarification on **actual** funding allocations specific to each municipality for 1995/96 and 1996/97.

5. Again, numerous complaints were forwarded to the provincial government from municipalities across the province about the substantial difference between the previously announced 5% reduction and the actual reduction (in Red Deer & District's case - 13.5%). As a response to this concern, Alberta Family & Social Services announced on March 17 that they would honor their previous announcement of -5% in 1994/95. Therefore, they are giving municipalities a one time transition grant toward FCSS programs experiencing larger reductions. For Red Deer & District FCSS this will be \$93,581. It will be forwarded to the City of Red Deer, as they are the current unit authority of the Red Deer & District FCSS program.
6. On March 24, 1994 a detailed letter of clarification was forwarded to all municipalities which indicated:
 - a) that FCSS legislation will be transferred to Municipal Affairs.
 - b) that the options of receiving FCSS funding as unconditional **or** conditional are still being offered. Further, that if municipalities wish to choose the conditional option, then a formal agreement must be signed with Municipal Affairs by **July 15, 1994**. Receiving the money as conditional will mean all of the FCSS allotment will be conditional. Municipalities cannot receive part of the money unconditional and part of it conditional. It is also understood that the choice of conditional option **will only** be offered until July 15, 1994.

F.C.S.S. BOARD
April 5, 1994
Page Three

- c) that municipalities will still be able to enter into inter-municipal agreements, where municipalities can have their FCSS funding component paid to another municipality on their behalf (as currently happens in the Red Deer & District FCSS program). A "lead" municipality, who may coordinate the FCSS program, will then enter into a formal agreement with Municipal Affairs (again, Red Deer currently plays this role). This, too, will have to be done by July 15, 1994.

In analyzing the above information, it is important to note:

- * that when municipalities receive the FCSS money as conditional funding, then cost sharing under the federal Canada Assistance Plan (CAP) is available. This currently only includes cost sharing "excess" municipal dollars contributed beyond the 20% matching. For 1994 in the Red Deer & District program this amounts to \$17,027 in CAP recovery.

Further, we would suggest that the possibility of cost sharing the 20% matching, with this revenue reverting to the municipality rather than the province, be explored. Previously the 20% municipal matching share has been cost shared by the province with revenue reverting to the province.

It is also understood that the province is prepared to forego their CAP cost sharing on the 80% funds contributed by the province if money were distributed as unconditional. Therefore, if some municipalities receive their funds as conditional perhaps the province could also consider allowing revenue from this potential cost sharing to revert to the municipalities.

- * in receiving the funds conditionally the province will still have to acknowledge some responsibility in preventive social programming as funds are still related to the FCSS Act. This is a very important philosophical statement.
- * with funding distributed as conditional, there may be some degree of protection against the same kind of substantial grant reductions that is being experienced by other unconditional municipal assistance grants as part of a very large pool. Further, municipalities would be in a much better position to budget accurately if actual dollar allocations for 1995/96 and 1996/97 were known.

F.C.S.S. BOARD**April 5, 1994****Page Four**

- * the Red Deer & District regional FCSS program has a long standing successful history. The involvement of all the partners has kept programs in Red Deer and in the smaller communities viable and has therefore allowed good, inexpensive access to all the citizens of communities participating.

RECOMMENDATIONS:

That the Red Deer & District FCSS Board recommend:

- that the City of Red Deer reaffirm their intent, as per the February 18, 1994 letter, to receive the FCSS allocated funds as conditional, and further that the County of Red Deer, Bowden, Delburne, Elnora and Penhold also apply to receive FCSS funding as conditional (as per option 2 in the March 24 Municipal Affairs letter).
- the City and County of Red Deer and Bowden, Delburne, Elnora and Penhold continue in partnership, whereby FCSS funds be paid to the City of Red Deer as "lead" municipality on behalf of the partners and that an inter-municipal agreement be established to that end.
- that the City of Red Deer, as lead municipality responsible for administration and coordination of the FCSS program, sign a formal agreement with Municipal Affairs before July 15, 1994.
- that Municipal Affairs be requested to forward to municipalities the actual dollar amounts that will be allocated to their municipality for FCSS programs in 1995/96 and 1996/97.
- that the Council for the City of Red Deer, as well as Councils for the County of Red Deer, Bowden, Delburne, Elnora and Penhold, request the province of Alberta, through the Premier and Provincial Treasurer, to grant additional cost sharing under the Canada Assistance Plan in regard to the 20% municipal matching funds and the 80% allocated provincial FCSS funds.



COLLEEN JENSEN
Social Planning Manager



CRAIG CURTIS
Director of Community Services

/kb

Encl.

Commissioners' Comments

We concur with the recommendation of the F.C.S.S. Board and Administration.

"G. SURKAN", Mayor

"H.M.C. DAY", City Commissioner



February 18, 1994

The Honourable Dr. Stephen West
Minister of Municipal Affairs
425 Legislature Building
10800 - 97 Avenue
Edmonton, Alberta
T5K 2B6

Dear Dr. West: *Steve*

City Council and the Red Deer and District Family and Community Support Services (F.C.S.S.) Board understand that the Province of Alberta is giving consideration to changing the funding to F.C.S.S. Based on the concern that the rumours have raised, City Council, at their meeting February 14, 1994, passed the following motion:

"RESOLVED that Council of The City of Red Deer, through the Office of the Mayor, contact the Minister of Municipal Affairs and the Minister of Social Services to clarify the status of the F.C.S.S. Programs and to urge the Province to maintain its partnership with municipalities in the F.C.S.S. Programs."

Our Council understands the thrust that the provincial government is taking in moving toward unconditional grants. We also understand and support the thrust towards disentangling the responsibilities of the three levels of government to avoid duplication and ensure accountability. Clearly, preventative social services is a part of the broader provincial responsibility for social services and should not, under any circumstances, be passed to the municipalities through the unconditional granting process. I note with interest, Dr. West, your recent comments regarding the need for municipalities to return to their traditional areas of responsibility.

In the case of F.C.S.S., we believe the current process of distributing provincial funds is a good one. The F.C.S.S. Act and Regulations clearly define the roles of both the municipal and provincial governments. It is truly an initiative where the Province maintains its responsibility for social programs, by both the legislation and channelling of dollars through Family & Social Services, yet effectively meets local needs by granting the community authority to determine priorities.

THE CITY OF RED DEER

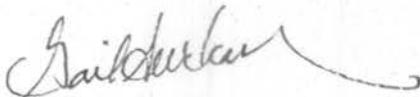
Box 5008, Red Deer, Alberta, Canada T4N 3T4 Telephone: (403) 342-8155 Fax: (403) 346-6195

The Honourable Dr. Stephen West
February 18, 1994
Page 2

Family & Community Support Services, formerly Preventive Social Services, has been an effective collaborative partnership for over 25 years. The F.C.S.S. funded programs generate tremendous volunteerism in the community with over 100,000 hours in 1993 alone for the Red Deer & District F.C.S.S. Program.

We understand that decisions will be made through the development and presentation of budgets and business plans on February 24. As our resolution states, I am asking for your direct intervention to maintain the current partnership with municipalities in the F.C.S.S. Program.

Sincerely,



GAIL SURKAN
Mayor

/kb

- c. The Honourable Ralph Klein, Premier of Alberta
The Honourable Stockwell Day, M.L.A. Red Deer North
Victor Doerksen, M.L.A. Red Deer South
Craig Curtis, Director of Community Services
Colleen Jensen, Social Planning Manager
Roger Clarke, Chairman, F.C.S.S. Board
Kelly Kloss, City Clerk
Paula Dorval, F.C.S.S., Provincial Director

The Unconditional Municipal Grant Program Family and Community Support Services Component

Alberta Municipal Affairs is assuming responsibility for the Family and Community Support Services (FCSS) program as part of the new Unconditional Municipal Grant program. The transfer will be effective April 1, 1994.

The Family and Community Support Services program provides resources for the delivery of community-based programs that prevent social breakdown, promote well-being, and strengthen volunteerism within the community.

Funding

In the past, FCSS payments to participating municipalities were made on the basis of annual cost-sharing agreements between the province and municipality. The municipality was also required to submit an annual financial statement to demonstrate its compliance with the agreement.

As of April 1, 1994, the funding for FCSS will be identified as a component of the Unconditional Municipal Grant. Municipalities will have two options with this component:

Option 1

The municipality can collect the grant component *unconditionally* and use the money to support FCSS projects (or other priorities of the municipality). The municipality must advise Alberta Municipal Affairs how the funds are spent, but it will not be necessary to meet the current FCSS program requirements for cost-sharing, financial reporting, etc.

Option 2

The municipality can sign a Family and Community Support Services agreement with Alberta Municipal Affairs for the 1994/95 budget year. In this case, the FCSS component becomes *conditional* and all existing FCSS requirements must be met. However, the municipality will not receive additional provincial dollars for FCSS programs.

This option will be of particular interest to municipalities contributing more than the required 20 percent FCSS share and who want to recover federal dollars for the additional contribution under the Canada Assistance Plan.

Alberta Family and Social Services will be assisting the Department of Municipal Affairs with the administration of option 2.

Municipalities choosing option 2 must sign a formal agreement with Municipal Affairs by **July 15, 1994**. For any municipality that has not signed an agreement by that date, its FCSS funding will be unconditional, as in option 1.

(over)

Consultation

The Department of Family and Social Services will keep some regional consultants to continue to provide a link between the department and the community, to assist municipalities with preventive services, and to support community initiatives.

Payments

The first Unconditional Municipal Grant payment for the 1994/95 budget year will be sent to municipalities in early April. Municipalities under option 1 will receive further payments in August and December. Municipalities under option 2 will receive further payments in accordance with current FCSS requirements.

On January 18, 1994, an overall reduction to FCSS of five percent was announced. However, various factors, including the addition of 28 municipalities to FCSS in 1993, will also affect municipal funding allocations. The reallocation of any FCSS budget surplus among municipalities will also not continue.

**Unconditional Municipal Grant
for the City of Red Deer**

Following is a breakdown of your 1994/95 funding allocation under the new Unconditional Municipal Grant program. Allocations were developed in accordance with the funding decisions made for each of the former programs before they were pooled in the new unconditional program.

	<u>1994/95</u>	
Family and Community Support Services	\$736,161	
Municipal Assistance Grant	\$1,633,579	
Municipal Police Assistance Grant	\$597,626	
Public Transit Operating Assistance Grant	\$596,465	
Urban Parks Operating Grant	\$795,400	
 Total Unconditional Municipal Grant	 \$4,359,231	
	<u>1995/96</u>	<u>1996/97</u>
Preliminary figures for the Unconditional Municipal Grant	\$3,320,582	\$2,167,454

We will advise you when we have finalized the 1995/96 and 1996/97 figures.

Each year, the unconditional grants will be paid in three installments: April, August and December.

Although the program is unconditional, municipalities are requested to advise Alberta Municipal Affairs in the annual municipal information return how the funds are spent. This information is to be in general terms, not in detail; a special audited report is not required. We hope you will find the flexibility of the new Unconditional Municipal Grant helpful in establishing your local spending priorities.

ALBERTA

NEWS RELEASE

GOVERNMENT OF ALBERTA

Post-It Fax Note	7671	Date	Mar 17	# of pages	1
To	Dr. Barbara Olsner	From	Paula Doreal		
Co./Dept.		Co.			
Phone #		Phone	427-2803		
Fax #	469-1727	Fax #			

For Release: THURSDAY, MARCH 17, 1994

MUNICIPAL FUNDING FOR PREVENTIVE SOCIAL SERVICES ADJUSTED

(EDMONTON): In recognition of the transition issues facing municipalities and because prevention is an area of high need, Alberta Family and Social Services will provide a one time only grant for preventive services to each municipality.

Funding for preventive social services programs under the Family and Community Support Services (FCSS) program had been previously announced to receive a reduction of 5 percent per year for the next three years.

Although the overall budget reduction will be 5 percent across the board, because of the change to unconditional funding, previous funding arrangements, population growth and other factors, some municipalities were facing a reduction that could amount to up to 14 percent in 1994/95 alone.

The one time grant will ensure that the reduction in FCSS funding will only be about 5 percent less in 1994/95. The intent of this grant is to assist the municipality and its many funded community agencies in making required adjustments to priorities and programs in anticipation of a reduced FCSS portion of the Unconditional Municipal Grant program.

"Many small agencies and organizations would have been dramatically impacted by a greater than 5 percent reduction in funding next year," said Mike Cardinal, Minister of Family and Social Services. "This one time grant will ease the transition to the new funding mechanism," he continued.

The new funding mechanism will allow municipalities to participate in either an unconditional grant or continue to operate under the FCSS program contract. These one time grants will amount to approximately \$2.8 million.

FOR FURTHER INFORMATION, CONTACT:

Mike Cardinal
Minister

DATE: MARCH 28, 1994

TO: X DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF ENGINEERING SERVICES
DIRECTOR OF FINANCIAL SERVICES
BYLAWS & INSPECTIONS MANAGER
CITY ASSESSOR
COMPUTER SERVICES MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF
PARKS MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION & CULTURE MANAGER
X SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR
X FCSS BOARD

FROM: CITY CLERK

RE: FCSS FUNDING

Please submit comments on the attached to this office by April 18, 1994, for the Council Agenda of April 25, 1994.

Kelly Kloss
City Clerk

TO:

- ☒ DIRECTOR OF COMMUNITY SERVICES
☐ DIRECTOR OF ENGINEERING SERVICES
☐ DIRECTOR OF FINANCIAL SERVICES
☐ BYLAWS & INSPECTIONS MANAGER
☐ CITY ASSESSOR
☐ COMPUTER SERVICES MANAGER
☐ LAND AND ECONOMIC DEVELOPMENT MANAGER
☐ E.L. & P. MANAGER
☐ ENGINEERING DEPARTMENT MANAGER
☐ FIRE CHIEF
☐ PARKS MANAGER
☐ PERSONNEL MANAGER
☐ PUBLIC WORKS MANAGER
☐ R.C.M.P. INSPECTOR
☐ RECREATION & CULTURE MANAGER
☒ SOCIAL PLANNING MANAGER
☐ TRANSIT MANAGER
☐ TREASURY SERVICES MANAGER
☐ PRINCIPAL PLANNER
☐ CITY SOLICITOR
☒ FCSS Board

FROM:

CITY CLERK

RE:

FCSS & Funding

Please submit comments on the attached to this office by April 18
for the Council Agenda of April 25.


KELLY KLOSS
City Clerk


ACKNOWLEDGE

DATE: APRIL 26, 1994

TO: SOCIAL PLANNING MANAGER

FROM: CITY CLERK

RE: F.C.S.S. FUNDING

At the Council Meeting of April 25, 1994, consideration was given to correspondence from Alberta Municipal Affairs dated March 24, 1994, re: Unconditional Municipal Grants Program. At this meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Alberta Municipal Affairs dated March 24, 1994, re: Family and Community Support Services funding, hereby agrees as follows:

1. that the FCSS allocated funds be received as a **conditional** grant;
2. that the City and County of Red Deer and Bowden, Delburne, Elnora and Penhold continue in partnership, whereby FCSS funds be paid to The City of Red Deer as "lead" municipality on behalf of the partners and that an inter-municipal agreement be established to that end;
3. that The City of Red Deer, as lead municipality responsible for administration and coordination of the FCSS program, sign a formal agreement with Municipal Affairs before July 15, 1994 in a form acceptable to the City Solicitor;
4. that Municipal Affairs be requested to forward to municipalities the actual dollar amounts that will be allocated to their municipality for FCSS programs in 1995/96 and 1996/97;
5. that the Council for The City of Red Deer, as well as Councils for the County of Red Deer, Bowden, Delburne, Elnora and Penhold, request the Province of Alberta, through the Premier and Provincial Treasurer, to grant additional cost sharing under the Canada Assistance Plan in regard to the 20% municipal matching funds and the 80% allocated Provincial FCSS funds;

and as presented to Council April 25, 1994."

Social Planning Manager
April 26, 1994
Page 2

As you are aware, I have written a letter to Municipal Affairs regarding Council's decision, however, ask that you draft a letter for the Mayor's signature to the Premier and Provincial Treasurer relative to the Canada Assistance Plan. Please forward a copy of this letter to our office for our file, once it has been signed.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 26, 1994

Alberta Municipal Affairs
City Centre
10155 - 102 Street
Edmonton, Alberta
T5J 4L4

Att: John McGowan
Assistant Deputy Minister
Local Government Services Division

Dear Mr. McGowan:

At the City of Red Deer Council Meeting held on Monday, April 25, 1994, consideration was given to your letter dated March 24, 1994 concerning the Unconditional Municipal Grant Program. At this meeting the following motion was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Alberta Municipal Affairs dated March 24, 1994, re: Family and Community Support Services funding, hereby agrees as follows:

1. that the FCSS allocated funds be received as a **conditional** grant;
2. that the City and County of Red Deer and Bowden, Delburne, Elnora and Penhold continue in partnership, whereby FCSS funds be paid to The City of Red Deer as "lead" municipality on behalf of the partners and that an inter-municipal agreement be established to that end;
3. that The City of Red Deer, as lead municipality responsible for administration and coordination of the FCSS program, sign a formal agreement with Municipal Affairs before July 15, 1994 in a form acceptable to the City Solicitor;

... / 2

*a delight
to discover!*

4. that Municipal Affairs be requested to forward to municipalities the actual dollar amounts that will be allocated to their municipality for FCSS programs in 1995/96 and 1996/97;
5. that the Council for The City of Red Deer, as well as Councils for the County of Red Deer, Bowden, Delburne, Elnora and Penhold, request the Province of Alberta, through the Premier and Provincial Treasurer, to grant additional cost sharing under the Canada Assistance Plan in regard to the 20% municipal matching funds and the 80% allocated Provincial FCSS funds;

and as presented to Council April 25, 1994."

It is the City of Red Deer's intention to continue with the F.C.S.S. Regional Partnership and in this regard a formal agreement on behalf of the partnership will be forwarded by the City of Red Deer's Social Planning Department to Municipal Affairs, in due course.

If you have any questions or require additional information, please do not hesitate to contact me. Trusting you will find this satisfactory.

Sincerely,



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services
F.C.S.S. Board
Social Planning Manager

Paula Dorval
Family and Social Services
11th Floor, 7th Street Plaza
10030 - 107 Street
Edmonton, Alberta
T5J 3E1

Local Government Services
Division
Office of Assistant Deputy
Minister

Room 1566, CityCentre
10155 - 102 Street
Edmonton, Alberta
Canada T5J 4L4

Telephone 403/427-9660
Fax 403/427-0453

May 4, 1994

Mr. Kelly Kloss
City Clerk
City of Red Deer
P. O. Box 5008
RED DEER AB T4N 3T4

Dear Mr. Kloss:

Thank you for your letter of April 26, 1994, regarding City Council's intention to renew its formal participation in the Family and Community Support Services (FCSS) program for 1994-95.

Choosing Option 2 means that your 1994-95 FCSS funding of \$736,161 becomes conditional on the City of Red Deer contributing \$184,040.25. None of the required \$184,040.25 will be eligible for federal cost sharing. However, any municipal dollars your City contributes beyond the \$184,040.25 may be eligible for 50 percent recovery from the federal government if these expenditures are eligible under the Canada Assistance Plan.

Your August and December 1994 Unconditional Municipal Grant Program payments will be reduced to reflect your decision to receive FCSS funding conditionally.

You have indicated the City is interested in a joint FCSS program in 1994-95 and that the City will be the unit authority. Upon signing the formal agreement with Municipal Affairs, the unit authority will be required to provide a copy of council resolutions or a multi-municipal agreement authorizing the City to act on behalf of the other municipalities participating in this joint program. FCSS funding will then be forwarded to the unit authority. The unit authority will continue to meet the reporting requirements. The other municipalities involved must also contribute their 20 percent share of their full FCSS allocations before any federal cost sharing of excess funding contributions is possible.

(over)

Subsequent allocations for future years are not finalized at this time.

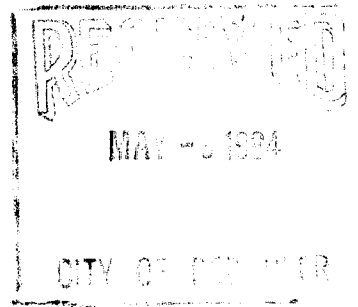
Please contact Paula Dorval (427-2803) if you require information regarding administrative matters or have questions regarding federal cost sharing.

Yours truly,



John McGowan
Assistant Deputy Minister
Local Government Services Division

cc: Ms. Paula Dorval
Mr. Brian Peddigrew



**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

May 11, 1994

Alberta Municipal Affairs
City Centre
10155 - 102 Street
Edmonton, Alberta
T5J 4L4

Att: John McGowan, Assistant Deputy Minister
Local Government Services Division

Dear Sir:

Thank you for your letter of May 4, 1994 regarding my letter of April 26, 1994 concerning participation in the Family and Community Support Services Program.

In your letter you indicated subsequent allocations for future years are not yet finalized. Having this information would be of great assistance to us in the planning of F.C.S.S. programs in 1995/1996 and 1996/1997. If changes to programs are to be made they must be done in a timely manner and with enough lead time to reduce the impact. In this regard I am requesting that said allocations be made available to us by the end of June 1994 so as we may include same in our 1995/1996 budget documents.

Thank you for your assistance in providing us with the required information. If you have any questions, please do not hesitate to contact me.

Sincerely,



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services
Social Planning Manager

Paula Dorval
Family and Social Services
11th Floor, 7th Street Plaza
10030 - 107 Street
Edmonton, Alberta
T5J 3E1

**RED DEER***a delight
to discover!*



MUNICIPAL AFFAIRS
~~Improvement Districts~~
~~Administration Division~~

CC: Mayor
City Commissioner
Dir. of Financial Services
Dir. of Community Services
Social Planning Manager
Office of Assistant Deputy Minister
94/06/01
FK

Room 1566, CityCentre, 10155 102 Street, Edmonton, Alberta, Canada T5J 4L4 403/427-9660 Fax 403/427-0453

May 25, 1994

Mr. Kelly Kloss
City Clerk
City of Red Deer
Box 5008
RED DEER AB T4N 3T4

Dear Mr. Kloss:

Thank you for your letter of May 11, 1994, regarding Family and Community Support Service (FCSS) funding levels for 1995/95 and 1996/97.

As I indicated in my previous letter, future FCSS allocations are not finalized at this time. This is because the Department's three-year business plan is a planning document, and because the preliminary 1995/96 and 1996/97 figures are subject to modification in the annual budget process. However, to comply with your request so that the City can better prepare its 1995/96 budget, the preliminary FCSS figures for the City of Red Deer are about \$700,000 for 1995/96 and \$665,000 for 1996/97. I want to emphasize that these figures are still tentative and subject to change.

I trust this is satisfactory for your purposes.

Yours truly,

John McGowan
Assistant Deputy Minister
Local Government Services Division



May 10, 1994

Hon. Jim Dinning
Provincial Treasurer
#224 Legislative Building
10800 97 Avenue
Edmonton, AB T5K 2B6

Dear Mr. Dinning:

On April 25, 1994, the Red Deer City Council reviewed a detailed report from the Red Deer & District Family & Community Support Services (FCSS) Board, which dealt with recent funding changes specific to FCSS and also municipal cost sharing under the Canada Assistance Plan.

Subsequent to discussion the following resolution was passed unanimously:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Alberta Municipal Affairs dated March 24, 1994, re: Family and Community Support Services funding, hereby agrees as follows:

1. that the FCSS allocated funds be received as a **conditional** grant;
2. that the City and County of Red Deer and Bowden, Delburne, Elnora and Penhold continue in partnership, whereby FCSS funds be paid to The City of Red Deer as "lead" municipality on behalf of the partners and that an inter-municipal agreement be established to that end;
3. that The City of Red Deer, as lead municipality responsible for administration and coordination of the FCSS program, sign a formal agreement with Municipal Affairs before July 15, 1994, in a form acceptable to the City Solicitor;
4. that Municipal Affairs be requested to forward to municipalities the actual dollar amounts that will be allocated to their municipality for FCSS programs in 1995/96 and 1996/97;
5. that the Council for The City of Red Deer, as well as Councils for the County of Red Deer, Bowden, Delburne, Elnora and Penhold, request the Province of Alberta, through the Premier and Provincial Treasurer, to grant additional cost sharing under the Canada Assistance Plan in regard to the 20% municipal matching funds and the 80% allocated Provincial FCSS funds;

and as presented to Council April 25, 1994."

.... /2

THE CITY OF RED DEER

Box 5008, Red Deer, Alberta, Canada T4N 3T4 Telephone: (403) 342-8155 Fax: (403) 346-6195

HON. JIM DINNING
May 10, 1994
Page Two

Our Council was very pleased to be offered the option of receiving FCSS funds conditionally and, as you will note, chose that option, as have all of our partner municipalities in the Red Deer and District FCSS program. Notification regarding this choice has been forwarded to Municipal Affairs.

We were also pleased with the action of your government and in particular Mr. Cardinal, Family & Social Services, regarding the one-time transitional grant. In the short term this eased the impact of the 13.5% reduction in FCSS funding which will be experienced in the Red Deer and District FCSS program.

In reviewing our future funding options we will require continued provincial cooperation in order to maintain effective preventive social programs which meet community need. To that end we believe you can be of assistance, not only with specific FCSS funding but also with municipal cost sharing under the Canada Assistance Plan.

As per our resolution we are formally requesting that municipalities be granted the ability to access all eligible Canada Assistance Plan cost sharing for preventive social services delivered through FCSS. This would, hopefully, include not only the "excess" claims but also the 80% and 20% provincial/municipal share. At the municipal level we believe this to be reasonable as the Province would have lost this revenue under the provincially proposed "unconditional" FCSS funding option.

Accessing such funds would further assist us during the next year or two while both municipal and provincial priorities are more clearly determined. As you are aware, preventive programming is extremely important and our community believes that wise investment at the early stages of social issues brings about positive problem solving and ownership at the local level.

I would appreciate your support in recommending the above possibilities. Your colleagues, such as Mr. Cardinal, may also be quite willing to provide some leadership respecting the details of CAP, as his department manages the CAP cost sharing unit.


Thank you for your responsiveness to cooperation between the provincial and municipal levels of government. Here is another potential collaborative effort on which we can act. We need your support to continue in further effective partnerships.

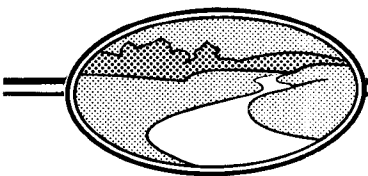
Sincerely,



GAIL SURKAN, Mayor

CJ/kb/

- cc
- Premier Ralph Klein
 - Hon. Mike Cardinal, Minister, Alberta Family & Social Services
 - Hon. Stockwell Day, MLA, Red Deer North
 - Victor Doerksen, MLA, Red Deer South
 - Paula Dorval, Provincial FCSS Director
 - Colleen Jensen, Social Planning Manager, City of Red Deer
 - Craig Curtis, Director of Community Services, City of Red Deer
 - Roger Clarke, Chairman, Red Deer & District FCSS
- 



71
Red Deer Advocate

CENTRAL ALBERTA'S DAILY NEWSPAPER

NO. 2

April 8, 1994

Mayor Gail Surkan
City of Red Deer
Box 5008
Red Deer, AB
T4N 3T4

Dear Gail:

Two years ago, the Advocate invited city council and senior City Hall administrators to meet with a view to improving the line of communication. Following the meetings, the consensus was that it was a productive exercise. At that time, we agreed that it would be worthwhile to hold a second meeting in a year's time. Twenty-six months have now elapsed, and a lot has happened involving City Hall and the Advocate over that period. With the Brier and budget now off the table, I'm writing today, to see if you and your colleagues think the idea of meeting with the Advocate is a good one, and if so, to suggest possible issues for an agenda.

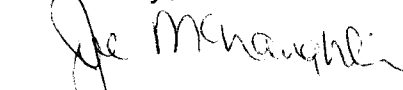
Some topics, like recent coverage of the city's power cut-off policy come to mind. I'm sure you have other issues in mind that could be discussed. Any input in advance of a meeting would help us in our preparations.

From my perspective, the best time for meetings would be mid-May. The weeks of May 9, 16 and 23 are pretty well open at this stage, but I am open to your suggestions.

- 1 -

I am also open to your ideas on format, if you think any departure from our initial meetings — one with council and one with senior administrators — would prove more functional.

Sincerely,



Joe McLaughlin
Managing editor

JMCL:ik

CC: Mike Day

Commissioners' Comments

Council's direction is requested.

"G. SURKAN"

Mayor

"H.M.C. DAY"


City Commissioner

DATE: APRIL 27, 1994
TO: MAYOR SURKAN
FROM: CITY CLERK
RE: RED DEER ADVOCATE - REQUEST FOR MEETING WITH COUNCIL

Council, at its meeting of April 25, 1994, gave consideration to correspondence from the Red Deer Advocate dated April 8, 1994 extending an invitation for City Council to meet with representatives of the Advocate.

At the above noted meeting a majority of Council Members agreed that you should pursue this invitation and advise Council Members of the selected date.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Pat Shaw

NO. 3

SCOTIA PLACE
2800 - 10060 - Jasper Avenue
Edmonton, Alberta, Canada
T5J 3V9
Fax (403) 428-9683
TELEPHONE (403) 428-6036

OFFICES AT:
Vegreville
Edmonton West

73
Duncan & Craig

Barristers - Solicitors - Avocats
- Trademark Agents -

Founded 1895

COUNSEL

JOSEPH H. SHOCTOR, O.C., Q.C., LL.D.

PLEASE REPLY TO:
Marshall Shoctor

DIRECT TELEPHONE:
(403) 441-4379

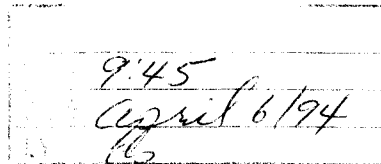
Our file: 108-84545 pmc

Your file:

April 5, 1994

VIA FAX/COURIER 346-6195

CITY OF RED DEER
Office of the City Clerk
Box 5008
Red Deer, AB T4N 3T4



Dear Sir/Madam:

**RE: HANDICAPPED HOUSING SOCIETY OF ALBERTA
4825-27 - 55 STREET, RED DEER ALBERTA
PLAN K, BLOCK 32, LOTS 33-35 INCLUSIVE AND THE MOST WESTERLY SIX
FEET THROUGHOUT OF LOT 32**

We are the solicitors for the Handicapped Housing Society of Alberta and enclose copies of the following:

- (a) Real Property Report dated the 5th day of April, 1994; and
- (b) City of Red Deer Development Permit No. 8605.

You will note from the Real Property Report that a wheel chair ramp, constructed of concrete, encroaches upon the City of Red Deer Road Plan 9420562. The Road Plan was registered in accordance with condition number 5 of the enclosed Development Permit. The area shown on the Real Property Report as Road Plan is presently grass except for a concrete pad at the West end of the ramp, and the City sidewalk is North of the North boundary of the Road Plan. In as much as the housing development was constructed in accordance with the provisions of the Development Permit and of an issued Building Permit, we hereby apply on behalf of our client for a permanent license to occupy the portion of the Road Plan upon which the wheel chair ramp has been built and we would appreciate if this application could be dealt with at your next meeting on April 25, 1994.

Page 2
April 5, 1994

Please let us know if you require any further information or documentation in order to deal with this application.

Yours truly,

Duncan & Craig
Marshall Shocter

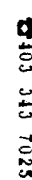
Marshall Shocter
MS/pmc

Enclosures

c Bob Kuzyk
Handicapped Housing Society of Alberta

04:05:40

13:28



SNELL & GILSON

13

1194

BUILDING INSPECTOR FOR
THE CITY OF RED DEER

RED BEER &
ROCKY MOUNTAIN HOUSE - ALBERTA
1999 ©

76

**CITY OF RED DEER
DEVELOPMENT PERMIT
BY-LAW NO. 2672/80**

646
#HHA

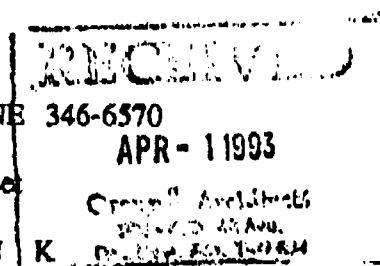
NO. 8605

OWNER/AGENT Group 2 Architects

ADDRESS 200, 4706-48 Avenue, Red Deer, AB T4N 6J4 PHONE 346-6570

ADDRESS OF PROPOSED DEVELOPMENT 4825-4827-55 Street

LEGAL DESCRIPTION: LOT Pt. 32, 33-35 BLOCK 32 PLAN K



PROPOSED DEVELOPMENT 9 Suite Handicapped Housing Development

NOTICE OF DECISION

The above proposed development has been approved subject to the following condition:

"That the Municipal Planning Commission approve the following items in connection with a proposed 9 suite handicapped housing development at 4825-4827-55 Street (Lots Pt. 32, 33-35, Block 32, Plan K) zoned R3.

(Development moved back 1.3 metres):

1. Relaxation of the minimum frontyard
 Bylaw Requirement - 9.5 metres (includes 2 m road widening setback)
 Proposed - 3.5 metres
 Relaxation - 6 metres
2. Relaxation of the minimum sideyard
 Bylaw Requirement - 3 metres left and right
 Proposed - 2.13 metres left
 Relaxation - 0.87 metres
3. Relaxation of the parking requirement
 Bylaw Requirement - 13 stalls
 Proposed - 8 stalls
 (4 Handicapped Stalls and 4 Regular Stalls)
 Relaxation - 5 stalls
4. Site Development - Section 6.6.3.5. of the Land Use Bylaw, including architectural treatment of the building, landscaping and parking layout.

Said approval is subject to:

1. The site being fenced to the satisfaction of the Development Officer. Details to be submitted to and approved by the Development Officer.
2. Garbage area to be screened to the satisfaction of the Development Officer.

Page 1

END

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**CITY OF RED DEER
DEVELOPMENT PERMIT
BY-LAW NO. 2672/80**


NO. 8605

3. Parking area to be paved.
4. Sewer levy to be paid in full - \$660.00.
- ⑤ 5. Dedication of the road widening setback.
6. Engineering Department memo of February 26, 1993.
7. Landscaping details being submitted to and approved by the Development Officer.
8. Confirmation to be provided for garbage pick-up within the site.
9. Consolidation of lots.
10. The decision of the Commission being advertised in a local newspaper and no appeal against said decision being successful."

DATE OF DECISION: March 8, 1993

DATE OF ISSUANCE OF THIS NOTICE
AND PERMIT

March 29, 1993



R. STRADER
DEVELOPMENT OFFICER
CITY OF RED DEER

IMPORTANT - See Notes Over

Page 2

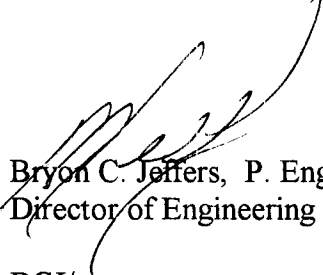
END

DATE: April 19, 1994
TO: City Clerk
From: Director of Engineering Services
RE: **HANDICAPPED HOUSING SOCIETY
LICENSE TO OCCUPY
4825, 27-55 STREET - LOTS 33-35, BLOCK 32, PLAN K**

The Engineering Services Division has reviewed the request from the Handicapped Housing Society.

RECOMMENDATION

We would respectfully recommend that the request from the Society be granted, subject to their executing a License to Occupy, satisfactory to the City Solicitor. Such an agreement would involve an Indemnity Agreement saving the City harmless from any incidents arising as a result of the structure.



Bryon C. Jeffers, P. Eng.
Director of Engineering Services

BCJ/emg

Commissioners' Comments

We concur with the recommendation of the Director of Engineering Services.

"G. SURKAN", Mayor

"H.M.C. DAY", City Commissioner

COPY 137

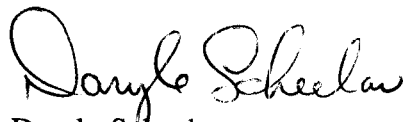
DATE: April 19, 1994

TO: K. Kloss
City Clerk

FROM: Daryle Scheelar
E. L. & P. Dept.

RE: **Handicapped Housing Society**
License to Occupy
Council Agenda - April 25, 1994

E. L. & P. have no objections to this proposed request.



Daryle Scheelar,
Distribution Engineer

/jjd

DATE: 11 April 1994

FILE NO. 94-1610

TO: City Clerk

FROM: Bylaws and Inspections Manager

RE: **LICENSE TO OCCUPY - HANDICAPPED HOUSING SOCIETY OF
ALBERTA**

In response to your memo of April 6, 1994, we wish to advise that we have no objection to the above.

Yours truly,

A handwritten signature in black ink, appearing to read 'R. Strader', with a large, sweeping flourish at the end.

R. Strader
Bylaws and Inspections Manager
BUILDING INSPECTION DEPARTMENT

RS/vs

DATE: APRIL 18, 1994

TO: DIRECTOR OF ENGINEERING SERVICES
E.L. & P. MANAGER

FROM: CITY CLERK

RE: HANDICAPPED HOUSING SOCIETY
LICENSE TO OCCUPY
COUNCIL AGENDA - APRIL 25, 1994

Attached is a letter relative to the above. Unfortunately you were missed in the circulation for comments and as such would ask if you have any comments relative to same.

Please provide by Tuesday April 19, 1994 4:00 pm.

Sorry for this oversight.



Kelly Kloss
City Clerk

DATE: APRIL 6, 1994

TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF ENGINEERING SERVICES
DIRECTOR OF FINANCIAL SERVICES
X BYLAWS & INSPECTIONS MANAGER
CITY ASSESSOR
COMPUTER SERVICES MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF
PARKS MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

FROM: CITY CLERK

RE: LICENCE TO OCCUPY - HANDICAPPED HOUSING SOCIETY OF
ALBERTA

Please submit comments on the attached to this office by April 13th for the Council
Agenda of April 25, 1994.

for

Kelly Kloss
City Clerk

DATE APRIL 6, 1994

TO:

- ☐ DIRECTOR OF COMMUNITY SERVICES
☐ DIRECTOR OF ENGINEERING SERVICES
☐ DIRECTOR OF FINANCIAL SERVICES
☒ BYLAWS & INSPECTIONS MANAGER
☐ CITY ASSESSOR
☐ COMPUTER SERVICES MANAGER
☐ LAND AND ECONOMIC DEVELOPMENT MANAGER
☐ E.L. & P. MANAGER
☐ ENGINEERING DEPARTMENT MANAGER
☐ FIRE CHIEF
☐ PARKS MANAGER
☐ PERSONNEL MANAGER
☐ PUBLIC WORKS MANAGER
☐ R.C.M.P. INSPECTOR
☐ RECREATION & CULTURE MANAGER
☐ SOCIAL PLANNING MANAGER
☐ TRANSIT MANAGER
☐ TREASURY SERVICES MANAGER
☐ PRINCIPAL PLANNER
☐ CITY SOLICITOR
☐ _____

FROM:

CITY CLERK

RE: LICENSE TO OCCUPY
HANDICAPPED HOUSING SOCIETY OF ALBANYPlease submit comments on the attached to this office by APRIL 15/94
for the Council Agenda of APRIL 25/94. **ACKNOWLEDGE**
KELLY KLOSS
City Clerk


**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 6, 1994

Duncan & Craig
Scotia Place
2800, 10060 Jasper Avenue
Edmonton, Alberta
T5J 3V9

Att: Marshall Shoctor

Dear Sir:

RE: HANDICAPPED HOUSING SOCIETY OF ALBERTA
4825 - 55 STREET, RED DEER, ALBERTA

Receipt of your letter dated April 5, 1994 is acknowledged.

This item will be discussed and possibly a decision made at the meeting of Red Deer City Council on Monday, April 25, 1994. Council Meetings begin at 4:30 p.m. and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m.

In the event a representative for the Handicapped Housing Society wishes to be present at this Council Meeting, please call our office on Friday, April 22, 1994 and we will advise you of the approximate time that Council will be discussing this item.

Please have your representative enter City Hall on the park side entrance when arriving, and proceed up to the second floor Council Chambers.

This request has been circulated to City Administration for comments. Should you wish to receive a copy of the administrative comments prior to the Council Meeting, they may be picked up at our office on the second floor of City Hall on Friday, April 22, 1994, or if it would be more convenient for you, please let us know and we will fax same to you.

If you have any questions please do not hesitate to contact the writer.

Sincerely,



JEFF GRAVES
Assistant City Clerk

JG/clr

*a delight
to discover!*

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department 342-8132

April 26, 1994

Duncan and Craig
Barristers and Solicitors
Scotia Place
2800, 10060 Jasper Avenue
Edmonton, Alberta
T5J 3V9

Att: Marshall Shoctor

Dear Sir:

RE: HANDICAPPED HOUSING SOCIETY OF ALBERTA
4825, 4527 - 55 STREET, RED DEER, ALBERTA

Council of the City of Red Deer, at its meeting held Monday, April 25, 1994, considered your correspondence dated April 5, 1994 concerning the above. At this meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Duncan & Craig, Barristers & Solicitors, dated April 5, 1994, re: Handicapped Housing Society of Alberta, 4825-27 - 55 Street, Red Deer, Alberta/License to Occupy Portion of Road Plan for Wheel Chair Ramp, hereby approves said License to Occupy subject to an agreement satisfactory to the City Solicitor, and as recommended to Council April 25, 1994."

It would now be appropriate for you to contact the City's Engineering Department at 342-8339, to begin the process for obtaining the necessary Licence to Occupy.

... / 2

*a delight
to discover!*

Duncan and Craig
Barristers and Solicitors
April 26, 1994
Page 2

If you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over the printed name.

KELLY KLOSS
City Clerk

KK/clr

cc: Director of Engineering Services
Public Works Manager
Bylaws and Inspections Manager
E. L. & P. Manager
Principal Planner

Graeme Leadbeater
Group 2 Architects
200, 4706 - 48 Avenue
Red Deer, Alberta
T4N 6J4

NO. 4

Formal Proposal for
Dolphin Health and Fitness

Submitted by

Lee Depauw
3605 42 Avenue
Red Deer, AB
T4N 2Z3
Phone Business 341-1288
Home 347-4299

TWO COPY OF THIS FORM	
RECEIVED	
TIME	3:00
DATE	April 8/94
BY	ds

April 8, 1994

Dear Counsel Members;

Please accept my letter to be submitted for approval to be heard in counsel for zoning of my proposed business venture. The building and land to be purchased is the former A.L.C.B. Bremner Avenue Store. Address 2823 Bremner Avenue Bower Place Road, legal description LT12C BLK14 PL8021596 Lot 40 presently zoned D.C.1. . The building size is 17 000 sq feet on .94 of an acre. The proposed business venture is a Health and Fitness Club.

Name: Dolphin Health and Fitness

The reason for chosing this building and location are;

1) **Size/** The building had to be big enough to accomidate a full service Fitness Club which includes squash courts, aerobics studio, weight training, cardio training, day care and a full service locker room facility.


2) **Location/** There is no facility like this in all of south Red Deer and when chosing this location it was very important to be near the Retail district with high visability from drive by traffic. This creates awareness for the facility. It was also very important to have this location for members to have easy access from all areas of the city.

3) **Parking/** The lot had to be big enough to accomidate parking of members at all times of the day and have easy access into the building. This lot fits the cryteria perfectly with ampel parking infront and in the rear.

4) **Access to trails/** When deciding on a location it is desirable that the members have easy access to the trail system for walking and running. This location gives them that option only a few short minutes away.

In closing, this location can very well contribute in revenue for surrounding businesses. This would come from members traveling to the club from all parts of the city. Thank you for this opportunity to state my points.

With Appreciation


Lee DePauw



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BREMNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

DIRECTOR: W. G. A. Shaw, ACP, MCIP

Telephone: (403) 343-3394
Fax: (403) 346-1570

MEMORANDUM

TO: Kelly Kloss, City Clerk

FROM: Frank Wong, Planning Assistant

RE: **LEE DEPAUW**
DOLPHIN HEALTH AND FITNESS
LOT 12C, BLOCK 14, PLAN 802 1596

DATE: April 18, 1994

Lee Depauw is requesting approval for the use of a health and fitness club at the former Southill A.L.C.B. store which is presently designated DC(1) Direct Control District.

This area was created in the summer of 1979. Under the Land Use Bylaw at the time, that being Bylaw 2588, the district was designated SU or Special Uses District. The area was to provide for innovative developments which in the opinion of Council require specific regulations unavailable in other land use districts. The permitted uses were any uses approved in a City of Red Deer land use agreement for this area; the City was the sole developer of the land in this District. Then in 1980, after a major review of the City's Land Use Bylaw, it was renamed Direct Control (1) under the present Bylaw; all uses require the approval of Council.

The whole area is still owned by the original purchasers of land in the District. The original uses approved still exist except for the vacated A.L.C.B. property. Over the years Council has expanded the list of permitted uses in regards to the Sim's building and have approved carpet sales, music lessons and instrument sales, sporting good sales and a health club called Therapeutic Health - Exercise Centre Ltd. The proposed use by Lee Depauw is in our opinion similar in nature to the health club located in the Sim's building.

RECOMMENDATION

Planning staff supports the request for a health and fitness club in the former A.L.C.B. building. A similar use has already been approved in the DC(1) District.

Sincerely,

Frank Wong

Frank Wong
Planning Assistant

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER • MUNICIPAL DISTRICT OF CLEARWATER No. 99 • COUNTY OF STETTLE No. 6 • COUNTY OF LACOMBE No. 14 • COUNTY OF MOUNTAIN VIEW No. 17 • COUNTY OF PAINTERTON No. 18 • COUNTY OF RED DEER No. 23 • TOWN OF BLACKFALDS • TOWN OF BOWDEN • TOWN OF CARSTAIRS • TOWN OF CASTOR • TOWN OF CORONATION • TOWN OF DIDSBURY • TOWN OF ECKVILLE • TOWN OF INNISFAIR • TOWN OF LACOMBE • TOWN OF OLDS • TOWN OF PENHOLD • TOWN OF ROCKY MOUNTAIN HOUSE • TOWN OF STETTLE • TOWN OF SUNDRE • TOWN OF SYLVAN LAKE • VILLAGE OF ALIX • VILLAGE OF BENTLEY • VILLAGE OF BIG VALLEY • VILLAGE OF BOTHA • VILLAGE OF CAROLINE • VILLAGE OF CLIVE • VILLAGE OF CREMONA • VILLAGE OF DELBURNE • VILLAGE OF DONALD • VILLAGE OF ELMORA • VILLAGE OF GADSBY • VILLAGE OF HALKIRK • VILLAGE OF MIRROR • SUMMER VILLAGE OF BIRCHCLIFF • SUMMER VILLAGE OF GULL LAKE • SUMMER VILLAGE OF HALF MOON BAY • SUMMER VILLAGE OF JARVIS BAY • SUMMER VILLAGE OF NORGLAND • SUMMER VILLAGE OF ROCHON SANDS • SUMMER VILLAGE OF SUNBREAKER COVE • SUMMER VILLAGE OF WHITE SANDS • SUMMER VILLAGE OF BURNSTICK LAKE

DATE: 18 April 1994

FILE NO. 93-1610

TO: City Clerk

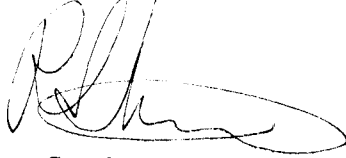
FROM: Bylaws and Inspections Manager

RE: **2823 BREMNER AVENUE
DOLPHIN HEALTH & FITNESS**

The above site is zoned DC1 which requires Council approval for all uses. As this is presently a number of office type uses in the area, the proposed use would appear to offer a service to the office personnel.

Recommendation: That the application be approved.

Yours truly,

A handwritten signature in dark ink, appearing to be 'R. Strader', written over a horizontal line.

R. Strader
Bylaws and Inspections Manager
BUILDING INSPECTION DEPARTMENT

RS/cp

DATE: April 15, 1994
TO: City Clerk
FROM: Fire Marshal
RE: 2823 Bremner Ave. (former A.L.C.B. store)

This department has no objection to a health and fitness centre moving into this location provided all building code requirements are complied with prior to occupancy.



Cliff Robson
Fire Marshal

CR/ks

Commissioners' Comments

We concur with the comments of the Administration and recommend Council approve same.

"G. SURKAN"

Mayor

"H.M.C. DAY"

City Commissioner

Copy


DATE: April 14, 1994

TO: K. Kloss
City Clerk

FROM: Daryle Scheelar
E. L. & P. Dept.

RE: **Dolphin Health & Fitness**

E. L. & P. have no objections to the proposed request.



Daryle Scheelar,
Distribution Engineer

/jjd

DATE: 14 April 1994
TO: City Clerk
FROM: City Assessor
RE: LEE DEPAUW - DOLPHIN HEALTH & FITNESS

The Assessment and Tax Department has no comment regarding the above proposal.

A handwritten signature in dark ink, appearing to be 'Al Knight', written in a cursive style.

Al Knight, A.M.A.A.
City Assessor

AK/ngl

DATE: April 18, 1994

TO: KELLY KLOSS
City Clerk


FROM: DIANE GEORGE, Senior Secretary
Community Services Division

RE: Lee Depauw: Dolphin Health & Fitness
Request for Zoning

I am a member of the Therapeutic Health Exercise Centre which is located at the north end of the Sims Building, directly across the street from the former A.L.C.B. store now under consideration for the Dolphin Health & Fitness Club.

Therapeutic Health Exercise Centre has a membership of 400-500 persons (male & female), is very large and well appointed, and includes all the activities proposed by Lee Depauw, with the exception of squash courts. T.H.E. Centre accommodates a varied clientele, including a focus on cardiac/diabetic rehabilitation, seniors programs, and classes for handicapped persons, as well as the average person in pursuit of health and fitness. They provide personal fitness assessments and personal training programs.

This is provided for information only.



DIANE GEORGE

DATE: April 18, 1994

TO: KELLY KLOSS
City Clerk

FROM: CRAIG CURTIS, Director
Community Services Division

RE: LEE DEPAUW - DOLPHIN HEALTH & FITNESS
Your memo dated April 13, 1994 refers.

I have discussed this request with the Parks and Recreation & Culture Managers and we have no objections from a Community Services perspective.



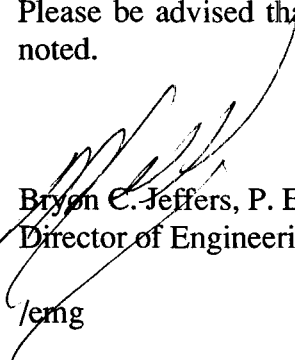
CRAIG CURTIS

:dmg

c Don Batchelor, Parks Manager
Lowell Hodgson, Recreation & Culture Manager

DATE: April 19, 1994
TO: City Clerk
FROM: Director of Engineering Services
RE: **DOLPHIN HEALTH AND FITNESS**
2823 BREMNER AVENUE
LOT 12C, BLOCK 14, PLAN 802-1596

Please be advised that the Engineering Department has no comment with respect to the above noted.



Bryon C. Jeffers, P. Eng.
Director of Engineering Services

/cmg


DATE: APRIL 13, 1994

TO: X DIRECTOR OF COMMUNITY SERVICES
X DIRECTOR OF ENGINEERING SERVICES
DIRECTOR OF FINANCIAL SERVICES
X BYLAWS & INSPECTIONS MANAGER
X CITY ASSESSOR
COMPUTER SERVICES MANAGER
X LAND AND ECONOMIC DEVELOPMENT MANAGER
X E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
X FIRE CHIEF
PARKS MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
X RECREATION & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
CITY SOLICITOR

FROM: CITY CLERK
RE: LEE DEPAUW
DOLPHIN HEALTH & FITNESS

2437.50
2407.50
30.00

Please submit comments on the attached to this office by April 18 for the Council Agenda of April 25, 1994.

no objection to use.


"Kelly Kloss"
City Clerk

Formal Proposal for
Dolphin Health and Fitness

Submitted by

Lee Depauw
3605 42 Avenue
Red Deer, AB
T4N 2Z3
Phone Business 341-1288
Home 347-4299

3:00
April 8/94
ds

April 8, 1994

Dear Counsel Members;

Please accept my letter to be submitted for approval to be heard in counsel for zoning of my proposed business venture. The building and land to be purchased is the former A.L.C.B. Bremner Avenue Store. Address 2823 Bremner Avenue Bower Place Road, legal description LT12C BLK14 PL8021596 Lot 40 presently zoned D.C.1. . The building size is 17 000 sq feet on .94 of an acre. The proposed business venture is a Health and Fitness Club.

Name: Dolphin Health and Fitness

The reason for chosing this building and location are;

1) **Size/** The building had to be big enough to accomidate a full service Fitness Club which includes squash courts, aerobics studio, weight training, cardio training, day care and a full service locker room facility.

2) **Location/** There is no facility like this in all of south Red Deer and when chosing this location it was very important to be near the Retail district with high visability from drive by traffic. This creates awareness for the facility. It was also very important to have this location for members to have easy access from all areas of the city.

3) **Parking/** The lot had to be big enough to accomidate parking of members at all times of the day and have easy access into the building. This lot fits the cryteria perfectly with ampel parking infront and in the rear.

4) **Access to trails/** When deciding on a location it is desirable that the members have easy access to the trail system for walking and running. This location gives them that option only a few short minutes away.

In closing, this location can very well contribute in revenue for surrounding businesses. This would come from members traveling to the club from all parts of the city. Thank you for this opportunity to state my points.

With Appreciation


Lee DePauw

DATE: APRIL 13, 1994

TO: ☒ DIRECTOR OF COMMUNITY SERVICES
☒ DIRECTOR OF ENGINEERING SERVICES
DIRECTOR OF FINANCIAL SERVICES
☒ BYLAWS & INSPECTIONS MANAGER
☒ CITY ASSESSOR
COMPUTER SERVICES MANAGER
☒ LAND AND ECONOMIC DEVELOPMENT MANAGER
☒ E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
☒ FIRE CHIEF
PARKS MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
☐ RECREATION & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
☒ PRINCIPAL PLANNER
CITY SOLICITOR

FROM: CITY CLERK

RE: LEE DEPAUW
DOLPHIN HEALTH & FITNESS

Please submit comments on the attached to this office by April 18 for the Council
Agenda of April 25, 1994.

"Kelly Kloss"
City Clerk

DATE

April 13/94

TO:

- ☒ DIRECTOR OF COMMUNITY SERVICES
☒ DIRECTOR OF ENGINEERING SERVICES
☐ DIRECTOR OF FINANCIAL SERVICES
☒ BYLAWS & INSPECTIONS MANAGER
☒ CITY ASSESSOR
☐ COMPUTER SERVICES MANAGER
☒ LAND AND ECONOMIC DEVELOPMENT MANAGER
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☐ SOCIAL PLANNING MANAGER
☐ TRANSIT MANAGER
☐ TREASURY SERVICES MANAGER
☒ PRINCIPAL PLANNER
☐ CITY SOLICITOR
☐ _____

FROM:

CITY CLERK

RE:

Lee DePouw
Dolphin Hwy (Rt + Fitness)

Please submit comments on the attached to this office by April 18
for the Council Agenda of April 25.


KELLY KLOSS
City Clerk

✓

ACKNOWLEDGE

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 13, 1994

Mr. Lee DePauw
3605 - 42 Avenue
Red Deer, Alberta
T4N 2Z3

Dear Sir:

I acknowledge receipt of your letter dated April 8, 1994, re: Request for Use/Health & Fitness Club.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on Monday, April 25, 1994. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m.

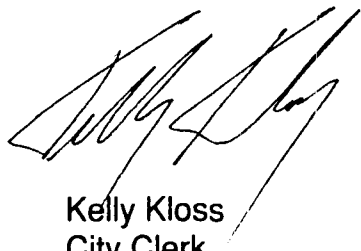
In the event you wish to be present at the Council meeting, would you please telephone our office on Friday, April 22, and we will advise you of the approximate time that Council will be discussing this item.

Would you please enter City Hall on the park side entrance when arriving, and proceed up to the second floor Council Chambers.

This request has been circulated to City administration for comments, and should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Friday, April 22.

If you have any questions in the meantime, please do not hesitate to contact the writer.

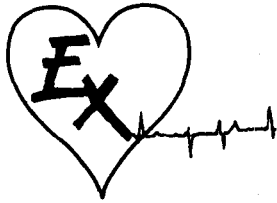
Yours sincerely,



Kelly Kloss
City Clerk

KK/ds

**RED DEER***a delight
to discover!*



Therapeutic Health Exercise Centre

2811D Bremner Avenue

Red Deer, Alberta

T4R 1P7

April 25th, 1994

Dear City Councillor,

For the last two years the Therapeutic Health Exercise Centre @ 2811d Bremner Ave., has endeavoured to establish our location as a professional, successful Health Exercise facility. Needless to say, it takes alot of sacrifice and hard work to start any new business and this business is no exception.

I realize that no business in this city has exclusive rights to their type of business, however, at this time, I do not see the value of allowing a Fitness facility to set up right next door to us.

Although we have a very different focus than the proposed facility, or any other fitness facility in town for that matter, it does inhibit some of our own plans for future development at this location.

Thank you for considering my concerns.

Sincerely,

Victoria Lines-Schulz
Owner, Director
Therapeutic Health Exercise Centre ltd.

Submitted to City Council

Date:

Apr. 125/94

2:50 P.m.
94.04.25.
CR

347-8555

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 26, 1994

Mr. Lee Depauw
3605 - 42 Avenue
Red Deer, Alberta
T4N 2Z3

Dear Sir:

Council of the City of Red Deer, at its meeting of April 25, 1994, gave consideration to your letter dated April 8, 1994 concerning a Health and Fitness Club at 2823 Bremner Avenue (former A.L.C.B. store). At this meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Lee Depauw (Dolphin Health and Fitness) dated April 8, 1994, re: Health and Fitness Club, former A.L.C.B. Bremner Avenue store, 2823 Bremner Avenue, Lot 12C, Block 14, Plan 802-1596, hereby approves the use of a Health and Fitness Club at the above noted location, and as presented to Council April 25, 1994."

The decision of Council in this instance is submitted for your information. It would now be appropriate to apply to the City's Bylaws and Inspections Department for the necessary development and occupancy permits.

If you have any questions or require any additional information, please do not hesitate to contact the undersigned.

Sincerely,

KELLY KLOSS
City Clerk

KK/clr

cc: Director of Engineering Services
Bylaws and Inspections Manager
Fire Chief
E. L. & P. Manager
Principal Planner

**RED DEER***a delight
to discover!*

A Place to Call Home

THE FAMILY OF FAITH CHURCH

P.O. Box 4, Red Deer, Alberta, Canada T4N 5E7 Phone: (403) 340-3880

NO. 5

April 5, 1994

Dear Mr. Kloss,

Since having talked to Alderman Volk, who advised me to contact you concerning the following situation, I am now writing to ask you to give this matter sincere consideration.

My name is Rev. John Huizing, pastor of the Family of Faith Church, which is a growing community church in the process of purchasing the Moose Hall at 5833-53 Ave., an extremely suitable building for our purposes.

Our situation is that we as a non-profit organization have stretched ourselves to the limit and beyond in the purchase of this building, and were not aware of the fact, that we as a charitable society had to pay property taxes on this building from June 1-December 31, 1994. (Our Property Tax-exempt status begins January 1, 1995.)

To my understanding this would be a sum of over \$7,000.00.

If we have to pay the Property Taxes on this building it will sorely jeopardize the purchase of this building, and it is for this cause that I seek the favor of the Red Deer City Council to cancel all the taxes against this property from our possession date until December 31, 1994.

I would like this issue to go before Council on Monday, April 25, 1994, and, if necessary, I would like to give a presentation in regard to this matter.

Thank You for your Favor and Understanding!

Sincerely Yours,



Rev. John F. Huizing

THE CITY OF RED DEER	
CLERK'S OFFICE	
RECEIVED	
TIME	2:55 PM
DATE	98/04/12
BY	JK

Doing good unto all men, especially unto those who are of the family of faith - Gal 6:10

DATE: 18 April 1994

TO: City Clerk

FROM: City Assessor

**RE: FAMILY OF FAITH CHURCH
CANCELLATION OF PROPERTY**

Further to correspondence received by the City Clerk, Mr. Kelly Kloss, with regard to the proposed purchase by the Family of Faith Church of property known as the Moose Hall and located at 5833 - 53 Avenue, legally described as Lots 4 - 9, Blk. 24, Pl 7604S, and carried on our Assessment and Tax Roll as Roll No. 20-1-0490, we outline the following legislation, etc.

Section 27(1) is quoted as follows:

"In every municipality, the assessor shall, not later December 31 in each year, assess for taxation purposes in the next following year all assessable property in the municipality."

The subject property was assessed as at December 31, 1993, for 1994 taxation purposes according to its ownership, the Moose Hall, as taxable. Therefore, this property will be carried on the 1994 Assessment and Tax Roll as taxable. The status of the property ownership as at December 31, 1994, will dictate the taxable/exemption status for 1995 assessment and taxation.

Legislation within the Municipal Taxation Act, Section 24, outlines exemptions granted by this Act. To quote Section 24(1):

"The following property is exempt from assessment by a municipality:

(c) One or more parcels of land to the extent in each case of:

(i) 1 acre in the aggregate when situated in a city, town, new town, village or summer village.

if the parcels are held by or for the use of any religious body and are:

(iv) the site of a building chiefly used for divine service, public worship or religious education, or

(v) used exclusively as a parking area and solely in connection with the specified uses of the building described in subclause (iv);

City Clerk
Page 2
18 April 1994

- (c.1) a building or any part of it
 - (i) situated on land held by or for the use of any religious body, and
 - (ii) which is chiefly used for divine service, public worship or religious education, but exclusive of any part of the building which is chiefly used for other purposes;"

Therefore as noted, if the subject property complies with and falls to this legislation, for 1995 the assessment and taxes will be carried on the roll as exempt.

Section 24(3) is quoted as follows:

"Notwithstanding the exemptions enumerated in subsection (1), all land, including land otherwise exempt in a municipality, is liable to assessment and taxation for local improvements and for frontage tax."

The 1994 property taxes and mill rate have not been established at this point. 1993 taxes on this property were as outlined on attached file inquiry information. As outlined in the legislation, 24(3), frontage is payable by the property owners on all property, exempt and taxable. Therefore, based on the 1993 taxes, a maximum total exemption could only be \$12,554.38 (\$13,974.04 - \$1,419.66). Assuming that the possession date by the church is July 1, the maximum tax forgiveness would be \$6,277.19, assuming Council chose to refund any or all.

Section 106(1) of the Municipal Taxation Act is quoted:

"A Council may with respect to a specific property or business pass a resolution in any case where the Council considers it equitable to do so

- (a) To cancel or refund all or any part of a tax levy, or
- (b) To suspend and defer for the period of time and on the terms and conditions that to the Council seem proper, a special frontage or a special local benefit assessment."

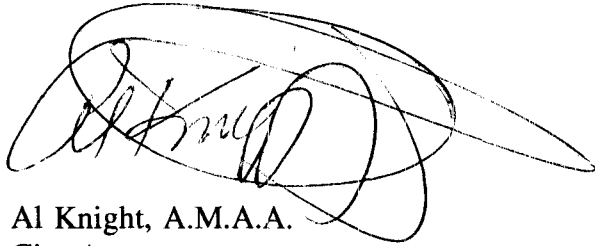
As noted, Council has the authority to cancel any portion of the property taxes they consider equitable to do so, not including the frontages.

City Clerk
Page 3
18 April 1994

RECOMMENDATION

The City Assessor/Tax Collector cannot recommend that Council refund property taxes in this situation. However, should Council entertain a cancellation of taxes, it should be noted that the requisitions that are included on the Property Tax Notice, Education Foundation, Public School, Separate School, Library, Planning Fund, Piper Creek, and Hospital are due and payable by the City to the requisitioning authorities and may be recovered in the following year's funding, depending on circumstances. The Director of Finance will comment on this.

We cannot recommend any reduction in these areas. If Council chooses to give some assistance to the purchasers of this property, we could not support anything other than the portion of the municipal property taxes that would be payable by the church for the 1994 taxation year.

A handwritten signature in black ink, appearing to read 'Al Knight', is written over a large, loopy, circular scribble.

Al Knight, A.M.A.A.
City Assessor

AK/ngl

Enc.

c.c. Director of Finance

DATE: April 18, 1994
TO: City Clerk
FROM: Director of Financial Services
RE: FAMILY OF FAITH CHURCH
 CANCELLATION OF PROPERTY

The City Assessor has indicated in his report that the 1993 taxes consisted of two parts:

<u>Description</u>	<u>Amount</u>
· Property taxes	\$ 12,554.38
· Frontage taxes	<u>1,419.66</u>
Total Taxes	<u>\$ 13,974.04</u>

The only portion considered by legislation for exemption is the property tax portion. The frontage taxes are not subject to exemption.

As indicated by the City Assessor, Council can if it considers it equitable cancel the portion of the property taxes for the 1994 period after the July 1 possession date. The property would be exempt in future years if it continues to be used for purposes subject to tax exemption.

The approximate amount of property taxes subject to cancellation for 1994 would be \$6,280.

Recommendation

If Council considers it equitable to refund taxes for the portion of the year the building is used as a church, that it only be for the property tax portion for the period of possession.



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

c. City Assessor

Commissioners' Comments

PATH: alan\memos\faith.clk

We recommend that Council refund the property tax portion for the period of possession.

"G. SURKAN", Mayor

"H.M.C. DAY", City Commissioner

```
APRIL 18, 1994          PROPERTY TAX MASTER FILE INQUIRY          08:55:32
ROLL NUMBER: 2C10490
RED DEER LODGE NO.1639 LOYAL          5833 53 AV
ORDER OF MOOSE          LT 4 TO 9 BK 24 PL 7604S
5833 53 AVE
RED DEER ALTA
```

T4N 4L4			MORTGAGE CODE: 000 NO:		
			MORTGAGE COMP:		
	TAXABLE	EXEMPT	TAX CAVEAT DATE	CHANGE DATES	
OWNER TYPE	1	0	00/00/00	L.T.	CITY S.O.
SEP. SCHL.	.0	.0		90/05/23	89/06/20 00/00/00
---ASSESSMENT INFORMATION---			-----TAX LEVIED-----		
	TAXABLE	EXEMPT	MUNICIPAL	5046.71	CURRENT .00
LAND TYPE	1213		ED.FOUND	2001.64	ARREARS 0.00
OWNER TYP	1	0	PUB.SCHL	4006.41	TOTAL 0.00
SEP.SCHL.	.0	.0	SEP.SCHL.	1029.41	
LAND	77150	0	LIBRARY	245.22	
IMP.	535910	0	PLAN FUND	82.15	
EQ.	0	0	PIPER CREEK	116.48	
			HOSPITAL	26.36	
			FRONTAGES	1419.66	
TOT	613060	0	TOTAL TAX	13974.04	

DATE: APRIL 13, 1994

TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF ENGINEERING SERVICES
X DIRECTOR OF FINANCIAL SERVICES
BYLAWS & INSPECTIONS MANAGER
✓X CITY ASSESSOR
COMPUTER SERVICES MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF
PARKS MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

FROM: CITY CLERK

RE: FAMILY OF FAITH CHURCH
CANCELLATION OF PROPERTY TAXES

Please submit comments on the attached to this office by April 18 for the Council
Agenda of April 25, 1994.

Kelly Kloss
City Clerk

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 13, 1994

Rev. John F. Huizing
The Family of Faith Church
P.O. Box 4
Red Deer, Alberta
T4N 5E7

Dear Rev. Huizing:

I acknowledge receipt of your letter dated April 5, 1994, re: Moose Hall/Property Taxes.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on Monday, April 25, 1994. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m.

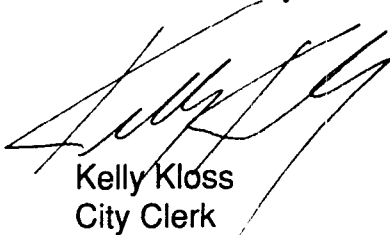
In the event you wish to be present at the Council meeting, would you please telephone our office on Friday, April 22, and we will advise you of the approximate time that Council will be discussing this item.

Would you please enter City Hall on the park side entrance when arriving, and proceed up to the second floor Council Chambers.

This request has been circulated to City administration for comments, and should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Friday, April 22, 1994.

If you have any questions in the meantime, please do not hesitate to contact the writer.

Yours sincerely,



Kelly Kloss
City Clerk

KK/ds

*a delight
to discover!*

TO:

- ☐ DIRECTOR OF COMMUNITY SERVICES
☐ DIRECTOR OF ENGINEERING SERVICES
☒ DIRECTOR OF FINANCIAL SERVICES
☐ BYLAWS & INSPECTIONS MANAGER
☒ CITY ASSESSOR
☐ COMPUTER SERVICES MANAGER
☐ LAND AND ECONOMIC DEVELOPMENT MANAGER
☐ E.L. & P. MANAGER
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☐ SOCIAL PLANNING MANAGER
☐ TRANSIT MANAGER
☐ TREASURY SERVICES MANAGER
☐ PRINCIPAL PLANNER
☐ CITY SOLICITOR
☐ _____

FROM:

CITY CLERK

RE:

Family of Faith Church
Cancellation of Property Taxes

Please submit comments on the attached to this office by April 18
for the Council Agenda of April 25.


KELLY KLOSS
City Clerk

 **ACKNOWLEDGE**

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 348-6195

City Clerk's Department (403) 342-8132

April 26, 1994

The Family of Faith Church
P.O. Box 4
Red Deer, Alberta
T4N 5E7

Att: Rev. John F. Huizing

Dear Sir:

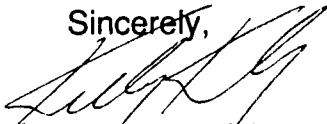
Council of The City of Red Deer, at its meeting held Monday, April 25, 1994, gave consideration to your letter dated April 5, 1994 concerning the cancellation of taxes for the property located at 5833 - 53 Avenue, Red Deer, Alberta. At the noted meeting, Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from The Family of Faith Church dated April 5, 1994, re: cancellation of property taxes, 5833 - 53 Avenue, Lots 4-9, Block 24, Plan 7604S, hereby agrees to cancel taxes for the portion of the year said site is used as a church and that said cancellation be for the municipal portion only, for the period of possession, and as presented to Council April 25, 1994."

The decision of Council in this instance is submitted for your information. As indicated in the above resolution, only the municipal portion of the taxes was cancelled. As a result you will be responsible for payment of the remaining property taxes and frontage taxes. Your request that payment of said taxes be deferred to 1995 did not receive approval and as such, all taxes are due and owing on June 30, 1994.

Thank you for taking the time to attend the Council Meeting. If you have any questions or require additional information, please do not hesitate to contact the City Assessor, Al Knight, at 342-8120 or myself at 342-8134.

Sincerely,



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Financial Services
City Assessor

*a delight
to discover!*

NO. 6

n2♥

April 11, 1994

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

Attention: Red Deer City Council

Dear City Council:

RE: 5710 Westpark Cres
Lot 11, Block 36, Plan 5187 K.S.

THE CITY OF RED DEER	
CLERK OF THE CITY	
RECEIVED	
TIME	10:00
DATE	April 13/94
BY	ds

This communication serves as an application to City Council to consider re-zoning of the above property, from R1 to R2A, in order to allow for a basement suite.

I am aware of several basement suites in the Westpark area, in order to accommodate students attending the Red Deer College. After speaking with personnel at the building inspection department on April 11th, it is my understanding that only the basement suites in existence before 1980 are eligible to be rented out, as zoning was changed at that time.

Attached to this application is a neighborhood petition of endorsement supporting this request.

Should you require further information, please do not hesitate to contact the undersigned at 347-7588.

Yours truly

Kathryn Stock

Kathryn Stock
Homeowner

Regarding Residential Property (5710 Westpark Cres.):

The undersigned give their approval for rezoning the above stated property to allow for basement suite premises to be approved. There are no barriers (ie. parking) that would present any concerns.

Name

Address

Comments

S. Graham

5714 West Park Cres.

Close next door & there wasn't any problems from renting the suite.

S. Graham

5730 Westpark Cres.

I have no problem with basement suites in this area.

Jaye Miller

5741 WEST PARK CRES.

I see no problem. No better to us.

L. Johnson

5738 Westpark Cres.

- We have no problem w/ this

A. Stale

5725 WEST PARK CRES.

No problems with this at all.

S. Johnson

5717 WEST PARK CRES.

No problems what so ever with suites!

W. Van

5717 WEST PARK CRES.

Can't believe accommodation of this nature would be a concern to the City.

A. Ray

5713 WEST PARK CRES. No problem -

Regarding Residential Property (5710 Westpark Cres.):

The undersigned give their approval for rezoning the above stated property to allow for basement suite premises to be approved. There are no barriers (ie. parking) that would present any concerns.

Name

Address

Comments

Andrew & Ed. Geller	5702- W.P. Cres.	
Jack - & Mary Comer	5705- W.P. Cres.	
Bill & Shadys. VALL	5701- W.P. Cres.	
John & Laura Wittchen	- 5709 W. P. Cres.	
Pat & Michael Chapman	5718 W.P. Cres.	
Diane & Harry Drury	5722 West Park Cres.	
Berina Foster	5726 West Park Cres.	
Del & Ruth Hammond	5734 West Park Cres.	
James & Diane Rus	5742 West Park Cres.	
Muriel & Carl Manser	5746 WEST PARK CRES.	
Bob & Gay	5729 "	
Stewart	5721 West Park Cres.	
Corrine Schwartz	5706 Westpark Cres.	



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BREMNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

DIRECTOR: W. G. A. Shaw, ACP, MCIP

Telephone: (403) 343-3394
Fax: (403) 346-1570

MEMORANDUM

TO: Kelly Kloss, City Clerk

DATE: April 18, 1994

FROM: Frank Wong, Planning Assistant

**RE: KATHRYN STOCK/BASEMENT SUITE
LOT 11, BLOCK 36, PLAN 5187 KS
5710 WESTPARK CRESCENT
REQUEST TO REZONE FROM R1 TO R2**

Planning staff are not in favour of any spot zoning of the subject property to R2 to accommodate a basement suite. The R2 Residential District is a medium density residential area which is generally used in redevelopment areas. Some discretionary uses for the district are duplexes, fourplexes and apartments if the proposal meets the requirements of the Land Use Bylaw. These discretionary uses are inappropriate in the Westpark Crescent neighbourhood.

Planning staff are also not in favour of basement suites in the R1 District because of the potential of increased traffic and parking congestion in an area of low density housing.

Planning staff recommends that a basement suite not be allowed at the above site as it will be setting a precedent for all requests in the R1 (Single Family) District and recommend that the request for rezoning be denied.

Frank Wong
Planning Assistant

FW/eam

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER • MUNICIPAL DISTRICT OF CLEARWATER No. 99 • COUNTY OF STETTLE No. 6 • COUNTY OF LACOMBE No. 14 • COUNTY OF MOUNTAIN VIEW No. 17 • COUNTY OF PAINTWATER No. 18 • COUNTY OF RED DEER No. 23 • TOWN OF BLACKFALDS • TOWN OF BOWDEN • TOWN OF CARSTAIRS • TOWN OF CASTOR • TOWN OF CORONATION • TOWN OF DIDSBURY • TOWN OF ECKVILLE • TOWN OF INNISFAIR • TOWN OF LACOMBE • TOWN OF OLDS • TOWN OF PENHOLD • TOWN OF ROCKY MOUNTAIN HOUSE • TOWN OF STETTLE • TOWN OF SUNDRE • TOWN OF SYLVAN LAKE • VILLAGE OF ALIX • VILLAGE OF BENTLEY • VILLAGE OF BIG VALLEY • VILLAGE OF BOTHA • VILLAGE OF CAROLINE • VILLAGE OF CLIVE • VILLAGE OF CREMONA • VILLAGE OF DELBURNE • VILLAGE OF DONALD • VILLAGE OF ELMORA • VILLAGE OF GADSBY • VILLAGE OF HALKIRK • VILLAGE OF MIRROR • SUMMER VILLAGE OF BIRCHCLIFF • SUMMER VILLAGE OF GULL LAKE • SUMMER VILLAGE OF HALF MOON BAY • SUMMER VILLAGE OF JARVIS BAY • SUMMER VILLAGE OF NORGLAND • SUMMER VILLAGE OF ROCHON SANDS • SUMMER VILLAGE OF SUNBREAKER COVE • SUMMER VILLAGE OF WHITE SANDS • SUMMER VILLAGE OF BURNSTICK LAKE

DATE: 18 April 1994

FILE NO. 93-1610

TO: City Clerk

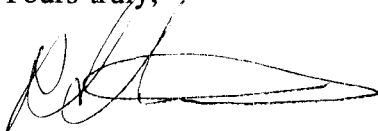
FROM: Bylaws and Inspections Manager

RE: **5710 WESTPARK CRESCENT
LOT 11, BLOCK 36, PLAN 5187 K.S.**

The above area is presently zoned R1 in which a basement suite is neither permitted nor discretionary. Prior to 1980 the area was zoned R2 in which suites were permitted. If this suite has been in existence and rented continuously since then it could be considered as a "non-conforming but not illegal use" which means that it can be rented in future. If it does not meet the mentioned conditions then the zoning would have to be changed to permit the suites use.

Recommendation: That if Council wishes to accommodate the applicant that the use basement suite be permitted on this site only rather than zoning the site R2.

Yours truly,



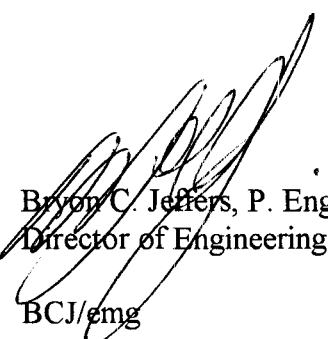
R. Strader
Bylaws and Inspections Manager
BUILDING INSPECTION DEPARTMENT

RS/cp

290-099

DATE: April 19, 1994
TO: City Clerk
From: Director of Engineering Services
RE: **KATHERINE STOCK/ BASEMENT SUITE
5710 WEST PARK CRESCENT
LOT 11, BLOCK 36, PLAN 5187 K.S.**

Engineering Services would have no concern to the request to allow a basement suite, provided that there would be no parking problems resulting from the situation. It is presumed that the application is for one suite only.



Bryon C. Jeffers, P. Eng.
Director of Engineering Services

BCJ/emg

DATE: April 14, 1994
TO: City Clerk
FROM: Fire Chief
RE: KATHRYN STARK/BASEMENT SUITE

This department has no concerns regarding the requested rezoning.

If the rezoning request is approved, the basement suite must meet the requirements of the Alberta Building Code and Alberta Fire Code.



R. Oscroft
Fire Chief

RO/dd

Commissioners' Comments

We concur with the recommendation of the Planning Commission that said application be denied.

"G. SURKAN"
Mayor

"H.M.C. DAY"
City Commissioner

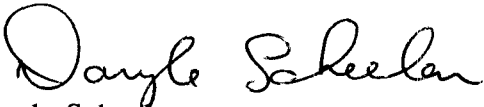
DATE: April 14, 1994

TO: K. Kloss
City Clerk

FROM: Daryle Scheelar
E. L. & P. Dept.

RE: **Kathryn Stock / Basement Suite**

E. L. & P. have no objections to the proposed request.

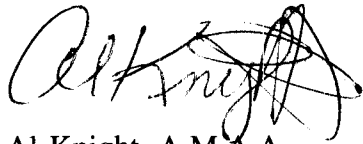

Daryle Scheelar,
Distribution Engineer

/jjd

DATE: 18 April 1994
TO: City Clerk
FROM: City Assessor
RE: KATHRYN STOCK/BASEMENT SUITE

Our records indicate that this house was built in 1962 and that the basement was developed during the 1980's.

We have no comment on the rezoning.

A handwritten signature in black ink, appearing to read 'Al Knight', with a large, stylized flourish at the end.

Al Knight, A.M.A.A.
City Assessor

AK/ngl

DATE: APRIL 13, 1994

TO:

✓	X	DIRECTOR OF COMMUNITY SERVICES
		DIRECTOR OF ENGINEERING SERVICES
		DIRECTOR OF FINANCIAL SERVICES
	X	BYLAWS & INSPECTIONS MANAGER
✓	X	CITY ASSESSOR
		COMPUTER SERVICES MANAGER
		LAND AND ECONOMIC DEVELOPMENT MANAGER
✓	X	E.L. & P. MANAGER
		ENGINEERING DEPARTMENT MANAGER
✓	X	FIRE CHIEF
		PARKS MANAGER
		PERSONNEL MANAGER
		PUBLIC WORKS MANAGER
		R.C.M.P. INSPECTOR
		RECREATION & CULTURE MANAGER
		SOCIAL PLANNING MANAGER
		TRANSIT MANAGER
		TREASURY SERVICES MANAGER
✓	X	PRINCIPAL PLANNER
		CITY SOLICITOR

FROM: CITY CLERK

RE: KATHRYN STOCK/BASEMENT SUITE

Please submit comments on the attached to this office by April 18, for the Council Agenda of April 25, 1994.

Kelly Kloss
City Clerk

**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 13, 1994

Ms. Kathryn Stock
5710 West Park Crescent
Red Deer, Alberta
T4N 1E5

347-7588

Dear Ms. Stock:

I acknowledge receipt of your letter dated April 11, 1994, re: Basement Suite.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on Monday, April 25, 1994. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m.

In the event you wish to be present at the Council meeting, would you please telephone our office on Friday, April 22, and we will advise you of the approximate time that Council will be discussing this item.

Would you please enter City Hall on the park side entrance when arriving, and proceed up to the second floor Council Chambers.

This request has been circulated to City administration for comments, and should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Friday, April 22.

If you have any questions in the meantime, please do not hesitate to contact the writer.

Yours sincerely,

Kelly Kloss
City Clerk

KK/ds

**RED DEER***a delight
to discover!*

April 13/94

TO:

- ☐ DIRECTOR OF COMMUNITY SERVICES
☒ DIRECTOR OF ENGINEERING SERVICES
☐ DIRECTOR OF FINANCIAL SERVICES
☒ BYLAWS & INSPECTIONS MANAGER
☒ CITY ASSESSOR
☐ COMPUTER SERVICES MANAGER
☐ LAND AND ECONOMIC DEVELOPMENT MANAGER
☒ E.L. & P. MANAGER
☐ ENGINEERING DEPARTMENT MANAGER
☒ FIRE CHIEF
☐ PARKS MANAGER
☐ PERSONNEL MANAGER
☐ PUBLIC WORKS MANAGER
☐ R.C.M.P. INSPECTOR
☐ RECREATION & CULTURE MANAGER
☐ SOCIAL PLANNING MANAGER
☐ TRANSIT MANAGER
☐ TREASURY SERVICES MANAGER
☒ PRINCIPAL PLANNER
☐ CITY SOLICITOR
☐ P

FROM:

CITY CLERK

RE:

Kathryn Stock
basement suite

Please submit comments on the attached to this office by April 18
for the Council Agenda of April 25.


KELLY KLOSS
City Clerk

 **ACKNOWLEDGE**



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 26, 1994

Mrs. Kathryn Stock
5710 West Park Crescent
Red Deer, Alberta
T4N 1E5

Dear Mrs. Stock:

Thank you for attending the Council Meeting of April 25, 1994. At this meeting Council considered your correspondence dated April 11, 1994 concerning approval of a basement suite and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Kathryn Stock dated April 11, 1994, re: Request for Basement Suite, 5710 - West Park Crescent, Lot 11, Block 36, Plan 5187 K.S., hereby agrees that said request be approved as an exception subject to passage of the necessary Land use Bylaw Amendment, and subject to the provision of 2 off-street parking stalls being provided, and as presented to Council April 25, 1994."

This office will now proceed with preparation of the necessary Land Use Bylaw Amendment for consideration of first reading at the Council Meeting of May 9, 1994. If you wish to attend this Council Meeting, please contact the undersigned on Friday, May 6, 1994 at 342-8134, so as a time can be set for this item to be heard.

Once first reading of the bylaw has been received, this office will then proceed with preparation of advertising for a Public Hearing to be held in the Council Chambers of City Hall on Monday, June 6, 1994, commencing at 7:00 p.m. or as soon thereafter as Council may determine. The advertising would be scheduled to appear in the Red Deer Advocate on Friday, May 20 and 27, 1994.

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 \$400.00. We will require this deposit by no later than Monday, May 16, 1994 in order to proceed with the advertising scheduled above. Once the actual costs are known, you will be either invoiced for or refunded the balance.

For your information, I have enclosed herewith a pamphlet produced by the City Clerk's Department concerning redesignation of property.

... / 2



RED DEER

*a delight
to discover!*

Mrs. Kathryn Stock
April 26, 1994
Page 2

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

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Kloss', written over the printed name.

KELLY KLOSS
City Clerk

KK/clr
attch.

cc: Director of Community Services
Director of Engineering Services
Bylaws and Inspections Manager
City Assessor
Land and Economic Development Manager
E. L. & P. Manager
Fire Chief
Principal Planner

DATE: APRIL 26, 1994

TO: RED DEER REGIONAL PLANNING COMMISSION

FROM: CITY CLERK

**RE: BASEMENT SUITE AT 5710 WEST PARK CRESCENT
LOT 11, BLOCK 36, PLAN 5187 K.S.**

At the Council Meeting of April 25, 1994, consideration was given to a request for a basement suite at the above noted location, by Kathryn Stock. At this meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Kathryn Stock dated April 11, 1994, re: Request for Basement Suite, 5710 - West Park Crescent, Lot 11, Block 36, Plan 5187 K.S., hereby agrees that said request be approved as an exception subject to passage of the necessary Land use Bylaw Amendment and subject to the provision of 2 off-street parking stalls being provided, and as presented to Council April 25, 1994."

Please draft the appropriate Land Use Bylaw Amendment concerning the above redesignation for consideration of first reading at the Council Meeting of Monday, May 9, 1994. I ask that we receive this report from your office by Tuesday, May 3, 1994.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

BYLAW NO.2672/N-94

Being a Bylaw to amend Bylaw No.2672/80, 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:

That By-law No. 2672/80 be amended as follows:

1. The "Use District Map" as referred to in Section 1.4 is hereby amended in accordance with the Use District Map No. 10/94, attached hereto and forming part of the By-law.
2. This By-law shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1994.

MAYOR

CITY CLERK

BYLAW NO. 3088/B-94

Being a Bylaw to amend Bylaw No. 3088/93, Road Closure 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 Bylaw No. 3088/93 is hereby amended by deleting Section 1 in its entirety and substituting therefor the following:

"The following portions of roadway in The City of Red Deer are hereby closed:

First:

Plan 6073X

All that portion of lane in Block 7 and of First Street (61 Street) lying within the limits of a Plan of Survey by Garfield B.R. Ross, A.L.S. surveyed between the dates of May 18 and May 21, 1993

Containing 0.135 hectares (0.33 acres) more or less.

Second:

Plan 7604S

All that portion of First Street (61 Street) lying within the limits of a Plan of Survey by Garfield B.R. Ross, A.L.S. surveyed between the dates of May 18 and May 21, 1993

Containing 0.08 hectares (0.20 acres) more or less.

EXCEPTING THEREOUT ALL MINES AND MINERALS."

- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1994.

MAYOR

CITY CLERK

ADDITIONAL AGENDA



FOR THE REGULAR MEETING OF RED DEER
CITY COUNCIL TO BE HELD ON **MONDAY, APRIL 25, 1994,**
IN THE COUNCIL CHAMBERS OF CITY HALL,
RED DEER, COMMENCING AT 4:30 P.M.

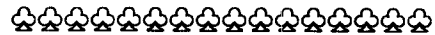
REPORTS

- | | | |
|----|--|-------|
| 1) | Acting Recreation & Culture Manager/Personnel Manager - Re: Work Release Project | .. 2 |
| 2) | Red Deer Regional Planning Commission - Re: Industrial Districts Review/Land Use Bylaw Amendment 2672/M-94 | .. 6 |
| 3) | Red Deer Regional Planning Commission - Re: Planning Act Review Discussion Paper | .. 39 |

BYLAWS

- | | | |
|----|--|-------|
| 1) | 2672/M-94 - Land Use Bylaw Amendment/Industrial Districts Review - 1st reading | .. 6 |
| | | .. 98 |

ADDITIONAL AGENDA



FOR THE REGULAR MEETING OF RED DEER
CITY COUNCIL TO BE HELD ON **MONDAY, APRIL 25, 1994,**
IN THE COUNCIL CHAMBERS OF CITY HALL,
RED DEER, COMMENCING AT 4:30 P.M.

REPORTS

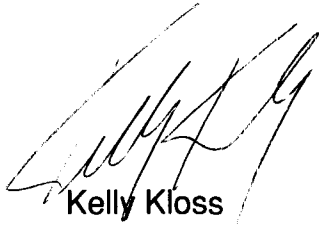
- | | | |
|----|--|-------|
| 1) | Acting Recreation & Culture Manager/Personnel Manager - Re: Work Release Project | .. 2 |
| 2) | Red Deer Regional Planning Commission - Re: Industrial Districts Review/Land Use Bylaw Amendment 2672/M-94 | .. 6 |
| 3) | Red Deer Regional Planning Commission - Re: Planning Act Review Discussion Paper | .. 39 |

BYLAWS

- | | | |
|----|--|-------|
| 1) | 2672/M-94 - Land Use Bylaw Amendment/Industrial Districts Review - 1st reading | .. 6 |
| | | .. 98 |

DATE: April 22, 1994
TO: City Council
FROM: City Clerk
RE: ADDITIONAL AGENDA

As these items were not available until late Friday, the Commissioners' Comments will be made verbally at the Council meeting.



Kelly Kloss
City Clerk

KK/ds

NO. 1

File No. R-41792

DATE: April 20, 1994

TO: Mayor and Council

FROM: Ed Morris, Acting Recreation & Culture Manager
Grant Howell, Personnel Manager

RE: WORK RELEASE PROJECT - BOWDEN CORRECTIONAL INSTITUTION

In response to an inquiry and an offer for community service assistance by Bowden Correctional Institution, the Recreation and Culture Department has entered into an ongoing series of meetings with Correctional Services Canada and CUPE Local 417 to develop "a work release project."

The possibility of developing a pilot project within the community utilizing inmates of Bowden Institution has a good deal of merit; it will allow for special work projects not normally available to the community to be addressed, provides an opportunity for "community socialization" of minimum security inmates and at no cost to the municipality. The work release program will be aimed at resident inmates at Bowden Institution who are, at the present time, low security inmates residing at Bowden Institution Farm Annex. The Farm Annex is outside of the perimeter of the main institution and allows inmates who are close to release or parole to work in an agricultural setting with a minimum of supervision. The program may provide services to the community in a number of ways:

- Community work projects - projects identified within the community where inmates would visit Red Deer in supervised work parties and undertake assigned tasks.
- Off-site projects - projects which by their nature are able to be transported to the Institution and worked on. These projects would likely be repair or fabrication of items which are readily transferrable. These scenarios would allow for the inclusion of higher risk inmates in the program as the work would be performed within the confines of Bowden Institution.
- Combination of work party and off-site projects to complement one another and perform repair and/or maintenance tasks.

At the present time possible pilot work projects are:

- Litter pick up at Bower Ponds/Great Chief Park, Lions Campground, Waskasoo and Piper Creek creek beds.
- Underbrush deadfall pick up at Bower Ponds/Great Chief Park, Lions Campground.
- Hedge maintenance at Great Chief Park, Lions Campground.

Mayor/Council
 Page 2
 File No. R-41792
 April 20, 1994

=====

In discussions with representatives from CUPE Local 417, the program concept and nature of work were both found to be acceptable. The Union President, Mr. Rick Malcolm, has endorsed the program as being an asset to the community as well as a benefit to Bowden Institution inmates who are in the initial stages of re-entering the community.

Program management will be handled in components which will consist of:

- **Identification of Work**
 The City will provide the Institution with a prioritized list of jobs which may be addressed.
- **Application and Screening of Workers**
 Bowden authorities will identify and screen inmates who are qualified for specific tasks both in and out of the Institution. Outside work party applications will be low security members who are at present living in the Bowden Farm Annex, outside of the main institution security system. Recommended work party candidate synopsis will be submitted to the City and to City Detachment RCMP for review and comment.
- **Work Party Formulation**
 Due to the nature of the prospective workers, a pool of inmates will be developed from those screened. Because the inmates who are eligible for this program are close to release or parole, there may be a high mobility rate associated with the initial work party pool. Ultimately six to eight-man work parties will be developed from those who are screened,
- **Responsibilities:**
 - Bowden Institution**
 - Screen and recommend prospective work party members.
 - Supervise all work party activity.
 - Transport all work parties to the work site.
 - Provide any meals and comforts that the work party may require.
 - Reimburse inmates for work completed.
 - The City of Red Deer**
 - Will assign work to the work party supervisor with standards and instructions.
 - Will provide specialized equipment as required, eg. litter pickers, chain saws, litter picking equipment.
 - Will provide any specialized safety equipment required, eg. safety helmets, leather aprons, etc.
 - Will provide any onsite safety training which may be required, eg. tool operation.

Mayor/Council
Page 2
File No. R-41792
April 20, 1994

=====

This program will allow for community service work to be undertaken which normally could not be accomplished due to budget and work force restraint. The nature of the work is not seen as being infringement on the scope of assigned work of the municipal work force, and the municipality is seen as participating in the rehabilitation process for inmates due for release or parole.

Recommendation: That, subject to satisfactory arrangements being completed with Bowden Institution, The City agrees to implement a pilot "work release project".

A handwritten signature in black ink, appearing to read "Ed Morris". The signature is fluid and cursive, with a long horizontal stroke at the end.

ED MORRIS
GRANT HOWELL

EM/njh

DATE: April 21, 1994

TO: CITY COUNCIL

FROM: H. MICHAEL C. DAY
City Commissioner

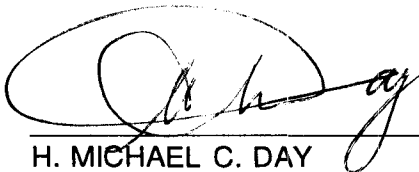
CRAIG CURTIS, Director
Community Services Division

RE: WORK RELEASE PROJECT: BOWDEN CORRECTIONAL INSTITUTION
A memo from Ed Morris, dated April 20, 1994, refers.

The report on the proposed work release project was received too late for a detailed response.

We support the intent of the program. However, we believe that inmates who have a past history of violent crime or sexual assault should be excluded from participation in the program.

It should be recognized that this program may attract significant media attention. Consequently, clear direction from Council is required.


H. MICHAEL C. DAY
CRAIG CURTIS

:dmg

c Don Batchelor, Parks Manager
Colleen Jensen, Social Planning Manager
Ed Morris, A/Recreation & Culture Manager

DATE: APRIL 27, 1994

**TO: ACTING RECREATION & CULTURE MANAGER
PERSONNEL MANAGER**

FROM: CITY CLERK

RE: WORK RELEASE PROJECT - BOWDEN CORRECTIONAL INSTITUTION

At the Council Meeting of April 25, 1994, consideration was given to your report dated April 20, 1994 concerning the above. At this meeting the following resolution was introduced:

"RESOLVED that Council of The City of Red Deer, having considered report from the Acting Recreation and Culture Manager dated April 20, 1994, re: Work Release Project at Bowden Correctional Institution, hereby approves a pilot "Work Release Project" between the City of Red Deer and the Bowden Correctional Institution, subject to a satisfactory agreement;

Council further agrees that those inmates who have a past history of violent crime or sexual assault, be excluded from participation in said program."

Prior to voting on the above resolution, Council tabled same to allow the Administration an opportunity to provide additional information.

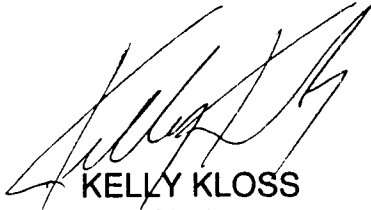
Following is a summary of the information required by Council:

1. Are there similar types of projects already in operation and how are they working?
2. Clarification of what responsibilities the City Administration would undertake relative to the selection of participating inmates.
3. What assurances would the City have as to the safety of the community?
4. More specific definitions concerning what range of violent crimes this project covers and to what extent does past history cover?
5. Any other information which the Administration deems pertinent.

Acting Recreation and Culture Manager
Personnel Manager
April 27, 1994
Page 2

It was the intention of Council to bring this matter back to the May 9, 1994 Council Meeting and as such I would request your comments be returned to this office by Tuesday, May 3, 1994 so as same may be included on the Agenda. If you are unable to meet this deadline, this item could be scheduled for the Tuesday, May 24, 1994 Council Meeting with the administrative comments being required by Tuesday, May 17, 1994.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services

DATE: APRIL 28, 1994

**TO: ACTING RECREATION & CULTURE MANAGER
PERSONNEL MANAGER**

FROM: CITY CLERK

**RE: WORK RELEASE PROJECT - BOWDEN CORRECTIONAL INSTITUTION
AMENDMENT TO MEMO DATED APRIL 27, 1994**

At the Council Meeting of April 25, 1994, consideration was given to your report dated April 20, 1994 concerning the above. At this meeting the following resolution was introduced and passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Acting Recreation and Culture Manager dated April 20, 1994, re: Work Release Project at Bowden Correctional Institution, hereby approves a pilot "Work Release Project" between the City of Red Deer and the Bowden Correctional Institution, subject to a satisfactory agreement;

Council further agrees that those inmates who have a past history of violent crime or sexual assault, be excluded from participation in said program."

Following the vote, an additional tabling resolution was passed to allow the Administration an opportunity to provide additional information.

Following is a summary of the information required by Council:

1. Are there similar types of projects already in operation and how are they working?
2. Clarification of what responsibilities the City Administration would undertake relative to the selection of participating inmates.
3. What assurances would the City have as to the safety of the community?
4. More specific definitions concerning what range of violent crimes this project covers and to what extent does past history cover?
5. Any other information which the Administration deems pertinent.

Acting Recreation and Culture Manager
Personnel Manager
April 27, 1994
Page 2

It was the intention of Council to bring this matter back to the May 9, 1994 Council Meeting and as such I would request your comments be returned to this office by Tuesday, May 3, 1994 so as same may be included on the Agenda. If you are unable to meet this deadline, this item could be scheduled for the Tuesday, May 24, 1994 Council Meeting with the administrative comments being required by Tuesday, May 17, 1994.

Trusting you will find this satisfactory.

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

KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BREMNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

NO. 2

DIRECTOR: W. G. A. Shaw, ACP, MCIP

Telephone: (403) 343-3394
Fax: (403) 346-1570

MEMORANDUM

TO: City Council

DATE: April 21, 1994

FROM: Paul Meyette/Orlando Toews

RE: INDUSTRIAL DISTRICTS REVIEW

At the Committee of the Whole of Council Meeting held on January 31, 1994, Council directed as follows:

1. That the Industrial District Study be completed by May 1, 1994.
2. That Paul Meyette be the facilitator of this study.
3. That the Joint General Municipal Plan be delayed to accommodate the Industrial Districts' Study.
4. That the Residential Standards Land Use Bylaw Review be scheduled for completion by February 28, 1994.

Pursuant to Council direction, the Residential Standards Land Use Bylaw Review was completed by February 28, 1994 and subsequently adopted by City Council. On March 1, Planning staff commenced the Industrial Districts review and have now completed the report within the time frame specified by City Council.

PROCESS OF REVIEWING THE INDUSTRIAL DISTRICTS

In order to review the industrial districts, planning staff undertook the following:

- a review of industrial land uses and standards, in other Alberta communities (see Appendix 1).
- a review of the location of construction, engineering and oilfield offices operating within the City of Red Deer (see Appendix 2).

.../2

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER • MUNICIPAL DISTRICT OF CLEARWATER No. 99 • COUNTY OF STETTLE No. 6 • COUNTY OF LACOMBE No. 14 • COUNTY OF MOUNTAIN VIEW No. 17 • COUNTY OF PAINTERS No. 18 • COUNTY OF RED DEER No. 23 • TOWN OF BLACKFALDS • TOWN OF BOWDEN • TOWN OF CARSTAIRS • TOWN OF CASTOR • TOWN OF CORONATION • TOWN OF DIDSBURY • TOWN OF ECKVILLE • TOWN OF INNISFAIL • TOWN OF LACOMBE • TOWN OF OLDS • TOWN OF PENHOLD • TOWN OF ROCKY MOUNTAIN HOUSE • TOWN OF STETTLE • TOWN OF SUNDRE • TOWN OF SYLVAN LAKE • VILLAGE OF ALIX • VILLAGE OF BENTLEY • VILLAGE OF BIG VALLEY • VILLAGE OF BOTHA • VILLAGE OF CAROLINE • VILLAGE OF CLIVE • VILLAGE OF CREMONA • VILLAGE OF DELBURN • VILLAGE OF DONALD • VILLAGE OF ELNORA • VILLAGE OF GADSBY • VILLAGE OF HALKIRK • VILLAGE OF MIRROR • SUMMER VILLAGE OF BIRCHCLIFF • SUMMER VILLAGE OF GULL LAKE • SUMMER VILLAGE OF HALF MOON BAY • SUMMER VILLAGE OF JARVIS BAY • SUMMER VILLAGE OF NORGLAND • SUMMER VILLAGE OF ROCHON SANDS • SUMMER VILLAGE OF SUNBREAKER COVE • SUMMER VILLAGE OF WHITE SANDS • SUMMER VILLAGE OF BURNSTICK LAKE

-
- convened a committee comprised of industrial tenants, industrial builders, industrial building managers, real estate representatives, the Towne Centre Association, the Chamber of Commerce and City Staff to review issues related to the industrial districts. The committee met three times - March 23, April 14, and April 21. The membership of the committee is shown in Appendix 3.

PROPOSED CHANGES

The proposed changes are underlined in Appendix 4. In general the major changes are as follows:

- the uses are generalized to provide more flexibility in the industrial areas; these uses are, however, subject to industrial performance standards. Previously the bylaw listed specific uses such as machine and blacksmith shops, manufacture of figurines etc.
- introduction of accessory buildings and uses to replace ancillary uses. The significance of this change is that the percentage of space devoted to industrial offices will no longer be relevant on a development application.
- introduction of Industrial Support Services as a use in the I1 District. This land use will allow such things as blueprinting, building security, construction offices, oilfield services and laboratories in an industrial area.
- the side yard in the I1 District has been increased to six metres on one side and none on the other; it used to be three metres on each side.
- parking standards have been adjusted to more accurately reflect parking demand.
- several new definitions have been added.

GENERAL COMMENTS

The committee which was set up to review the Industrial Districts fully supports the changes proposed for the existing industrial districts as reflected in Land Use Bylaw 2672/M-94. In addition to these changes, however, the committee has discussed the need for a business park. In the time frame allotted for this study, there was inadequate time to assess the need for a business park, determine the nature of the business park or identify potential locations (if any). This subject will be discussed further to determine the merit of this use.

It is fair to say that the industrial committee had some concerns with the haste in which this review was completed.

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City Council
April 21, 1994

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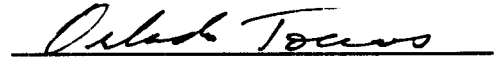
RECOMMENDATION

Planning staff recommend that Council give first reading to Bylaw 2672/M-94. The committee has agreed to host a public open house on May 12 to gather public input. This public input will be provided to Council prior to consideration of second and third reading of Bylaw 2672/M-94.

Sincerely,



Paul Meyette
PRINCIPAL PLANNER, SECTION A



Orlando Toews
PLANNER, SECTION A

cc. Industrial Review Committee Members

APPENDIX 1

INDUSTRIAL LAND USES AND STANDARDS IN OTHER ALBERTA CITIES

INDUSTRIAL DISTRICTS

Municipality	Land Use Districts	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Landscaping	Site & Coverage	
Calgary	I1	6 m	1.2 m unless used for access (6 m)	1.2 m	All front yards, boulevard, and min. side yard All front yards and boulevards detailed specs on plants and trees	- - - min lot area 4 ac. GFA = 10% of site	
	I2	6 m		1.2 m			
	I3	6 m		1.2 m			
	I4	6 m		1.2 m			
Edmonton	IB	min 6 m for lot lines that abut a road			all required yards and open spaces shall be landscaped with trees, shrubs, sod or suitable landscaping	warehouse GFA = 100 m ² unless ½ the area is for sales of said items	GFA ratio = 1.2
	IM	min 3 m for lot lines that abut a road 6 m on sides that abut roads				warehouse GFA = 100 m ² unless ½ the area is for sales of said items	GFA ratio = 2.0
	IH	min 3 m for lot lines that abut roads				min site 2.47 ac, floor ratio 2.0	
Grande Prairie	M1	-	6 m	-	15% landscaping req. of total site 5% + areas not covered by bldgs, letter of credit req. on landscaping 5% + areas not covered by bldgs, letter of credit req. on landscaping	max lot coverage 45%	
	M-2	6 m	6 m	6 m		site (0.6 ac - 2.0 ac)	
	M-3	6 m	6 m (one side)	6 m		safety standards dictate	
Leduc	M1	6 m	6 m (1 side) 1.5 other	at the discretion of the Dev. Officer at the discretion of the Dev. Officer	Letter of credit req. on landscaping all yards landscaped	site> 0.5 ac, max. site coverage = 60%	GFA ratio = 2-1
	M2	6 m	6 m (1 side) 1.5 the other			site> 1 ac, 60% site coverage	GFA ratio = 2-1

Municipality	Land Use Districts	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Landscaping	Site & Coverage	
Lethbridge	IB	7.6	4.6	at the discretion of the Dev. Officer	a strip at least 3.7 m wide shall be landscaped in front yard	80% site coverage, min site area = 870 m ²	GFA ratio 1.5
	IG	7.6	4.6	at the discretion of the Dev. Officer	all min front yards to be landscaped	max site coverage as req. by Dev. Officer (min site area = 1600 m ²)	GFA ratio 0.5
	IH	7.6	4.6	at the discretion of the Dev. Officer	all min front yards to be landscaped	site coverage as req. by Dev. Officer (min site area = 1600 m ²)	GFA ratio 0.5
Medicine Hat	MI	all set backs determined by the Development Officer			landscape front & side yards abutting road	min site area 450 m ²	GFA ratio 1.0
	M2				by Commission or Dev. Officer	min site area 1 ha	
	M3				by Commission or Dev. Officer	site coverage & other restrictions to be determined by Dev. Officer	
	M4				by Commission	Commission shall determine standards and restrictions	
Sherwood Park (County of Strathcona)	IB	6 m	6 m - 15 m abutting road	6 m - 15 m when abutting res.	landscaping plan must be submitted to the Dev. Officer, a 125% letter of credit for landscaping may be req. All undeveloped areas are to be landscaped	Max floor area for general retail < 400 m ²	GFA ratio 1.0
	IM	6 m	6 m - 0 abutting rail line	6 m - 0 abutting rail line			GFA ratio 2.0
	IH	15 m	15 m	15 m			GFA ratio 0.25
	IR	7.5 m	-	6 m			GFA ratio 0.25
St. Albert	I1	6 m	0 if laned or 1 unobstructed for access if no lanes	3 m	a site must be landscaped in 3 yrs. of issuance of the permit	site area 1000 m ²	
	I2	6 m	1 m laned	3 m		site area 1850 m ² unlaned or 775 m ² laned	
	I3	6 m	7.5 unlaned	6 m		-	
Red Deer	I1	6 m	3 m	3 m	40% landscaping req.	site area 929 m ²	
	I2	18 m	3.8 m	3 m	40% landscaping req.	site area 1.2 ha	

INDUSTRIAL DISTRICTS

Municipality	Land Use Districts	Purpose of District	Are Offices Allowed	Parking	Special
Calgary	I1 - Business Park District I2 - Light Industrial I3 - Heavy Industrial I4 - Limited - serviced	No nuisance/conducted within structure Limited nuisance potential High nuisance potential Public services, utilities, signs	yes yes discretionary use for business offices accessory to any use	5 spaces per individual establishment or 1 space/3 employees or 1 space/93 m ² up to 1850 m ² and 1 space for each 465 m ² in addition all vehicle parking shall be accommodated on site to the satisfaction of the Appr. Authority	Building height restriction Lighting Screening of garbage req.
Edmonton	1B - Business District 1M - Medium Industrial District 1H - Heavy Industrial District	no nuisance factor outside of building (long list of Discretionary uses) nuisance factor limited to property allows for outdoor storage High nuisance factor	yes (professional, financial and office support services) no no	no parking permitted in a req. yard no parking permitted in a req. yard no parking permitted in req. yard	Lighting Building height restrictions
Grande Prairie	M-1 Light Industrial M-2 Medium Industrial M-3 Heavy Industrial	an attractive Ind. business park where the use conducted entirely within buildings low nuisance but with storage and work done out side (detailed list of users) high nuisance long list of discretionary uses	yes (professional, financial and office support services; gov't offices) no no	1 space per 2 employees (min 5) 1 space per 2 employees (min 5) 1 space per 2 employees (min 5)	Screening req. Building height restrictions

Municipality	Land Use Districts	Purpose of District	Are Offices Allowed	Parking	Special
Leduc	M-1 Light Industrial	req a high standard of site designs and landscaping, will accommodate uses that nuisance conditions don't go beyond any building on the site	yes (minor professional, financial, and office services as a discretionary use)	1 per 1000 m ² but not less than 3 per tenant, unless on a max. shift the workers are employed in an out of doors area	screening of storage and garbage Building height restrictions
	M2 General Industrial	a nuisance factor that may go beyond the lot but not the District.	no		
Lethbridge	1-B Industrial Business	light industrial limited commercial & warehousing	yes (discretionary)	1 space/65 m ²	screening from Residential and Commercial Districts
	1-G General Industrial	manuf. processing, distribution, and storage list of uses	no	1 space/55 m ²	
	1-H Heavy Industrial	intensive manufacturing	no	1 space/55 m ²	
Medicine Hat	M1 General Light Industrial	light industrial operations (list of uses)	no	1 space/50 m ² GFA	screening of site for lots that abut residential, commercial or roadways
	M2 Agro Industrial	agricultural related industries	no	1 space/40 m ²	
	M3 General Heavy	high nuisance factor	no	1 space/65 m ²	
	M4 Special Heavy	major petrochemical industrial	no		
Sherwood Park (County of Strathcona)	1B Industrial Business	no nuisance factor outside building	yes	hard surfacing req. in front	screening may be req. Building height rest. Dev. Office may req. an Env. Impact Assess
	1M Medium Industrial	nuisance factor limited to site	no	hard surfacing req. in front	
	1H Heavy Industrial	major industrial use	no	hard surfacing req. in front	
	IR Rural Industrial	agr/rural industrial district	no	hard surfacing req. in front	
St. Albert	I1 Light Industrial	light industrial no nuisance factor (list of uses)	yes (professional and financial offices and support services)	1 stall per 3 full time employees on max shift. min of 5 and 1 stall/45 m ² GFA for additional uses	Screening of roadways Building height restrictions Lighting
	I2 Medium Industrial	nuisance factor limited to site	no		
	I3 Industrial Storage	storage and heavy industrial	no		
Red Deer	I1 Light	Light industry, manufacturing and storage with no fumes, noise or nuisance	no	1/employee and 1 for each 929 m ² of floor area	
	I2 Heavy	Manufacturing and processing with a high nuisance factor	no	1/employee plus one for each 929 m ² min of 5	

APPENDIX 2

LOCATION OF CONSTRUCTION, ENGINEERING AND OILFIELD SERVICES

PROFESSIONAL CONSTRUCTION, ENGINEERING & OILFIELD OFFICES LOCATIONS

CONSTRUCTION:	ADDRESS	PHONE	C1A OR C1 ZONE
A - Stumm	Box 405 (15 Nordegg Crescent)	343-2421	no
A-Tech	Box 88 (5, 4940 - 54 Ave.)	347-6654	yes
AF Stolz	47 Dunning Close	347-9005	no
Abbey Homes	8, 4608 - 62 Street	343-6480	no
Advantage Homes	out of house	343-6332	no
Arber Crest Homes	?	346-7761 (fax)	
Avalon Homes	4920 - 54 Street	347-3349	yes
Bowood Inc.	7, 4608 - 62 Street	346-1908	no
Camdon Construction	3, 7965 - 49 Avenue	343-1233	no
Classic Homes	—	342-4106	no
Concorde Homes	6, 5571 - 45 Street	347-5079	yes
D.A. Campbell	—	342-4445	no
Dan Waters	Box 1058 (Cronquist)	341-4747	yes
Dania Renovations	5709 - 57th Street	347-6294	no
Davell Construction	37 Clark Crescent	346-8599	no
Dea's Renovations	55 Heathe Close	343-7866	no
Deer Development	4, 4936 - 53 Avenue	347-5653	yes
Der Doug E. Contracting	71 Anquetel Street	346-7944	no
Dream Builders	36 Payne Close	346-3553	no
Elante Developments	1A, 7889 - 49 Ave	342-2224	no
Fanta Construction	13, 7875 - 48 Avenue	343-1083	no
Felco Construction	2B, 5571 - 45 Street	346-0950	yes
Future Homes	Sylvan Lake	346-5573	no
Gil Bauer Construction	11 Stanhope Avenue	346-5290	no
Griffin Construction	5, 4705 - 60 Street	346-5865	no
Hafso Homes	R.R. #4	340-0555	no

CONSTRUCTION:	ADDRESS	PHONE	C1A OR C1 ZONE
Heartwood Construction	4527 - 46 Street	346-3489	no
Husted Construction	R.R. #2	346-4744	no
Hy-Jan Holdings	Box 8, Site 2, R.R. #4	346-7459	no
JRT Construction	98 Richards Crescent	342-2029	no
Jacobs Homes	R.R. #1	343-8413	no
Kallis Developments	Box 225	341-3642	no
Laebon Developments	11, 7711 - 50 Avenue	346-7273	no
Leo Construction	3528 - 43 Avenue	346-6228	no
Loewen Building	?	?	
Lone Wolf	Box 723	346-0646	no
MP Construction	Riverside Industrial	347-1499	no
Mason Martin Homes	7, 7880 - 48 Avenue	342-4544	no
Milanco	96 Dennison Crescent	346-5828	no
Norgewood Construction	5331 - 44 Avenue	347-4941	no
PN Construction	66 Douglas Avenue	346-4795	no
Phil's Home Construction	3804 - 50 A Street	342-1086	no
Phoenix Construction	88 Howarth Street	342-2225	no
Reaman Builders	8 Munro Crescent	346-9936	no
Red-Cal Industries	603, 4911 - 51 Street	343-6363	yes
Red Deer Home Builders Association	201, 7819 - 50 Avenue	346-5321	no
Robern Development	10 Norquay Street	347-1358	no
Scott Builders	7883 Gaetz Avenue	343-7270	no
Sepia Custom Homes	?	341-5342	
Serge's Framing	4720 - 57 Street	343-6360	no
Shamrock Roofing	—	343-1292	no
Shanna Developments	1A, 7889 - 49 Avenue	340-2440	no
Shunda Consulting	4628 - 62 Street	347-6931	no
Skill Builders	4734 - 53 Street	343-2424	no
Stanco Construction	5741 - 35 Street	347-6377	no
Stang W. Enterprises	13 Spencer Street	347-8136	no
Stuckey Construction	3, 4608 - 62 Street	346-6077	no
Tetcon Contractors	out of Town	342-7525	no
Timcon Construction	204, 7803 Gaetz Avenue	347-1953	no
True-line Construction	—	341-5933	no
VanVeen Construction	14, 7460 - 49 Avenue	342-5411	no
Water Brook Contracting	5, 7667 - 49th Avenue	341-3366	no

ARCHITECTS AND DRAFTSMEN

	ADDRESS	PHONE	C1A OR C1 ZONE
Group 2 Architects	200, 4706 - 48th Avenue	340-2200	yes
Holman	4013 - 41 Avenue	347-7757	no
Murray, John	4915 - 54 Street	346-4542	yes
Corner Stone Drafting	3601 - 41 Avenue	341-6090	no
Blue Diamond Design (draftsmen)	1, 4324 - 54 Avenue	343-2602	yes
Gaetz Avenue Design	7711 Gaetz Avenue	342-7710	no
D & R Design	3715 - 44A Avenue	347-8133	no
First Choice Design	36 Payne Close	347-3844	no
Factural Designs	5614 - 56 Street	342-4501	no

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ENGINEERS:

	ADDRESS	PHONE	C1A OR C1 ZONE
Al-Terra Engineering	502 - 5000 Gaetz Avenue	340-3022	yes
Bearden Engineering	285, 4919 - 59t Street	343-6858	yes
Bunch Projects	2, 4324 - 54 Avenue	346-4430	yes
EXH Engineering	7975 - 49 Avenue	342-7650	no
GCG Dillon	304, 4406 - 50th Avenue	343-7533	yes
HBT Agra Ltd.	4, 5551 - 45 Street	343-8566	yes
Infrastructure Systems	203, 5409 - 50 Avenue	342-1476	yes
Lee Maher Engineering	21, 7895 - 49 Avenue	343-1900	no
Reid Crowther	133, 4919 - 59 Street	373-2346	yes
Smith Dow & Associates	4632 - 62 Street	343-6888	no
Stanley Associates	605, 4808 Ross Street	341-3320	yes
Tagish Engineering	5205A - 54 Avenue	346-7710	yes
Torchinsky Engineering	2, 7883 - 50 Avenue	346-4580	no
UMA Engineering	4920 - 54 Street	342-1141	yes
WNM Engineering	4805 - 48 Avenue	346-6900	yes

SURVEYORS:

	ADDRESS	PHONE	C1A OR C1 ZONE
Bemoco	21, 7895 - 49 Avenue	342-2611	no
Beta	5205 - 54 Avenue	342-6203	yes
Snell & Oslund	4826 - 47 Street	342-1255	yes

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OIL COMPANIES:

	ADDRESS	PHONE	C1A OR C1 ZONE
Amoco	4972 - 78A Street	342-6461	no
Cabre Exp.	1, 7895 - 49 Avenue	346-1911	no
Canadian 88 Energy	212 Riverside Plaza	346-0436	yes
Caroline Petroleums	4722 - 47A Avenue	346-3155	yes
Chevron Canada	6770 - 65 Avenue	341-2400	no
GNE Exploration	212 Riverside Plaza	346-0436	yes
Imperial Oil	201, 4922 - 53 Street	341-2500	yes
Kyjo	—	340-2546	no
Talisman Engineering	102, 7477 - 49 Avenue	341-6880	no

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OILFIELD SERVICING:

	ADDRESS	PHONE	C1A OR C1 ZONE
A.R.T. Reclamation	202, 7819 - 50 Avenue	340-2050	no
Aero Drilling		340-1155	
Alberta Gold Well Service	Box 580	346-0441	
Alberta Sub Surface Tools	4812 - 78 Street	340-1860	no
Analog Tracer	5912 - 54 Avenue	340-8850	yes
Anchor Master	6774 - 52 Avenue	342-2616	no
BPB Wireline	8164 Edgar Industrial Close	340-1919	no
Bachand Light Oilfield	95 Nordegg Crescent	347-0773	no
Baker Performance Chemicals	7860 - 49 Avenue	346-3420	no
Bar W Petroleum	4656 - 61 Street	343-1414	no
Bernie's Heavy Duty Service		343-6624	
Big Country Electric	R.R. #2	347-2453	no
Big Horn Crane Service		346-9552	
Black's Oilfield		340-2600	
Blue Star Electric	R.R. #4	342-0721	no
Bomega Metals	6740 - 65 Avenue	343-8454	no
Bouchard Electric	Box 980	342-4115	
Brandette Well Service	7895 - 49 Avenue	342-7772	no
Brian's Oilfield Engine Repair	7459 - 49 Avenue	347-4180	no
Brodie Technical Services		347-0600	no
Can-Am Fishing Tools	71 Nordegg Crescent	341-7820	no
Centalta		343-3174	no
Challenger Wireline	6899 - 52 Avenue	342-2112	no
Canwest Casing	7883 Gaetz Avenue	347-1303	no
Firemaster	4728 - 78A Street Close	342-7500	no
Canadian Fracmaster	Riverside Industrial Park	343-7511	no
Canadian Perforators	Blindman Industrial Park	347-8368	no
Toolmaster	Riverside Industrial Park	340-8844	no
Tracerco	Box 1009	346-8680	
Cardium Tool	4830 - 78 Street	346-5822	no
Central Bit Service		346-9800	
Chemical Geological Labs		347-3090	
Co-flex Well Services		341-6955	
Collicutts Mechanical Services	8415 Pomerleau Avenue	342-1607	no
Computalog Ltd.	6733 - 65 Avenue	342-5451	no
Cummings Oil Tool		340-3555	

OILFIELD SERVICING:

	ADDRESS	PHONE	C1A OR C1 ZONE
D & R Pipeline	6822 - 52 Avenue	346-6937	no
Dan's Oilfield		350-5933	
Devonian Safety	7875 - 48 Avenue	340-2030	no
Dove Oilfield	6762 - 52 Avenue	347-9100	no
Dowell Schlumberger	6794 - 65 Avenue	347-3381	no
Drive Well Service	7774 - 47 Avenue Close	346-8921	no
Duke Well Service	7809 - 48 Avenue	342-6055	no
Edson Power Tong's	R.R. #3	343-2225	no
Energy Rentals	6767 Golden West Avenue	340-2505	no
Enviro Fluids	4119 - 47 Street	347-7371	no
Excel Pressure	6841 - 52 Avenue	347-7600	no
Facts Oil Tool		346-6222	
Fireforce Control		341-3000	
Fisher Oilfield	14 Martin Close	347-5191	no
Fisher's Water	119 Piper Drive	342-7087	no
Flint	6766 Golden West Avenue	346-3366	no
Flo - Safe Systems	R.R. #4	346-6565	no
Foothills Crane		346-4329	no
Foremost Energy Systems	Blindman Industrial Park	347-5470	no
Frac-mate	R.R. #1	343-2380	no
Frontier Well Service	6730 Golden West Avenue	347-1600	no
Garry Hagg's Pipe Handlers	7628 - 49 Avenue	346-1414	
Genco Pressure		343-1244	
General Hot Oil	Box 613	347-4301	no
Georay Oilfield	Blindman Industrial Park	343-8100	no
Goldec International	6760 - 65 Avenue	343-6607	no
Goldeye Sales & Service	4040 - 78 Street Close	346-5040	no
HB Company	7957 - 49 Avenue	347-7244	no
H & C Oilfield Services		350-7143	
Halliburton	8145 Edgar Industrial Close	347-2261	no
Hart-tech Oilwell	7961 - 49 Avenue	341-5445	no
Harvie Instruments	6884 - 52 Avenue	347-6001	no
Heartland Perforating	Blindman Industrial Park	342-6662	no
Hi-Tech Well Control	5005 - 50 Avenue	347-9700	yes
High Country Oilfield	6721 - 67 Avenue	346-2141	no
Hohn Oilfield Services	5433 - 38 Street	347-4966	no
Hole Digger Alta.	R.R. #4	340-1898	no
Hydrotesters Canada	6721 - 67 Avenue	343-6779	no
Infratech Analysis Consulting		341-3812	
International Oilfield Sales	24 Allsop Close	341-6350	no
Iroc H ₂ S Consulting		346-9710	

OILFIELD SERVICING:

	ADDRESS	PHONE	C1A OR C1 ZONE
J & L Supply		343-0261	
Jet Perforators	7957 - 49 Avenue	340-0160	no
KJS Pilot & Hot Shot	20 McKenzie Crescent	347-7445	no
Kidd Construction	7482 - 49 Avenue	346-4856	no
Kingfisher Inc.	Blindman Industrial Park	346-3999	no
King's Meter Service	6785 - 52 Avenue	343-2822	no
LEM Industries		343-1993	
Lariat Hot Shot	Box 606	347-2122	
Lay-Rite Laydown Services		347-2130	
Lee Tool Company	7449 - 49 Avenue	347-2524	no
Lee's Tank Trucking	R.R. #1	347-5600	no
Lonkar Services	7850 - 48 Avenue	347-9727	no
Lucan Oilfield Hydraulics	Blindman Industrial Park	342-7877	no
Lykal Oilfield Rentals	Blindman Industrial Park	346-8265	no
M-1 Drilling Fluids	warehouse Blackfalds	346-4454	no
MJB Wireline Services		341-3307	
Mactonics	Box 621	342-1822	no
Magnatest Products	6721 - 67 Avenue	346-7050	no
Majestic Oil Tool	7969 - 49 Avenue	347-1800	no
Maple Leaf Tech.	7476 - 49 Avenue	346-9600	no
Maverick Power Tongs	7628 - 49 Avenue	342-5655	no
McGrandle Construction	3923 - 35A Avenue	341-3672	no
McLevins Welding	6772 - 50 Avenue	347-5011	no
Midfield Supply	6439 - 67 Street	343-1110	no
Milen's Well Servicing	Box 99 Alix	343-6585	no
Mountain Well Servicing	Blindman Industrial Park	347-8106	no
Multexx Service	3920 - 38 Avenue	342-4248	no
N2 Services	Blindman Industrial Park	343-0169	no
Nelcan Supervision		341-6407	
Norring Crane		347-9911	
Northland	Blindman Industrial Park	346-8840	no
Norwest Shooters	7480 - 49 Avenue Crescent	347-67898	no
NowSCO	6725 Goldenwest Avenue	346-8888	no
O-Tech Services		340-2545	
OK Rathole Drilling	6450 Goldenwest Avenue	343-8860	no
Opsco	7439 - 49 Avenue Crescent	340-3230	no
PSI Pressure	4812 - 78 Street	340-1830	no
Pact Production Services	4040 - 78 Street Crescent	347-1865	no
Pahl's Maintenance	R.R. #1	347-2476	no
Pamoco	R.R. #1	346-1012	no
Parkland Steamers	4648 - 61 Street	343-1494	no
Patch H ₂ S	7819 - 50 Avenue	346-8200	no

OILFIELD SERVICING:

	ADDRESS	PHONE	C1A OR C1 ZONE
Penetrators	7450 - 50 Avenue	346-7474	no
Performance Filter	R.R. #1	340-3120	no
Peters Welding	6820 - 52 Avenue	342-6861	no
Petro Well		347-9945	
Petromech	7429 - 50 Avenue	343-0033	
Pipe Wranglers	6717 - 67 Avenue	342-6936	no
Precision Piling	5021 - 68 Street	340-1400	no
Premium Oilfield	7774 - 47 Avenue Close	342-1880	no
Priority One Services	7429 Gaetz Avenue	347-5052	no
Priority Safety	180 Pameley Avenue	342-6026	no
Pro Oil Tools		341-6666	no
Proflo Production	116 Grant Street	341-4337	no
Prowest Safety	7644 - 49 Avenue	340-3000	no
Quinn Oilfield	6788 - 65 Avenue	342-2802	no
RD Inspection		340-1073	
R & R Pipehandlers	R.R. #1	347-9300	no
Ram Cementers	Blindman Industrial Park	340-8400	no
Red Alta Utility Location	Box 460	346-1212	
Red Deer Piling	4723 - 60 Street	347-3220	no
Red Flame Blowout	Box 755	343-2012	
Reed Tool		346-4500	
Rite-way Oilfield		347-0871	
Robco Pressure	223 Piper Drive	340-3400	no
Rock Data	7895 - 49 Avenue	340-3311	no
Rockwell Servicing		346-6175	
Rollin Oilfield Industries	5208 - 53 Avenue	343-1710	yes
S & S Industrial	3732 - 47 Street	346-3606	no
Safety Boss	4657 - 62 Street	342-1310	no
Schlumberger	Edgar Industrial Park	343-2221	no
Security Rock Bits	7875 - 48 Avenue	347-8212	no
Servo-dynamics	5912 - 54 Avenue	347-8255	yes
Sheda Oilfield	6761 - 67 Avenue	347-8434	no
Shorty's Oil Tool		346-1933	
Silver Oilfield	5208 - 53 Avenue	347-6474	yes
Sir Lancelot Sandblasting		340-2275	
Site Oil Tools	7803 - 50 Avenue	346-6681	no
Smith International	Box 604	347-6166	
Smith Cat Services	48 Oyen Crescent	347-2736	no
Smoky Oilfield		342-4250	
Soldan Oil & Gas	34 Otterbury Avenue	346-5353	no
Solid Rock Systems	R.R. #4	346-4566	no
Solid Wireline	7896 - 49 Avenue	347-1416	no
Standard Safety	7880 - 48 Avenue	347-2722	no
Steady Eddie's Oilfield	7667 - 49 Avenue	342-1191	no
Stimco Services		341-4005	

OILFIELD SERVICING:

	ADDRESS	PHONE	C1A OR C1 ZONE
Stream-flo Industries	3 Chiles Drive	346-2550	no
Sun Oilfield	4845 - 79 Street	340-3820	no
Swab-tech	7644 - 49 Avenue	347-2707	no
Tankmaster	R.R. #4	342-2909	no
Terroco	R.R. #1	346-1171	no
Testmaster	Blindman Industrial Park	346-4720	no
Think Safety		343-2088	
Thomas Well Servicing	R.R. #1	342-1181	no
Tiger Consultants	Box 444	342-2555	
Titan Electric	4747 - 78A Street Close	343-6280	no
Tree Savers		346-6393	
Tri-ener-tech		343-6455	
Trimat		347-3737	
Trophy Well	7483 - 49 Avenue	342-1300	no
Tube Test	6774 - 52 Avenue	346-6161	no
Tundra Valve	4830 - 78 Street	342-2700	no
United Resources		346-5661	
Vallet Wireline	(Lacombe)	342-4033	no
Vanoil Equipment	7644 - 49 Avenue	347-8280	no
Ventura Well	8 Allan Street	342-5515	no
Waldner Oilfield	53 Rovers Avenue	343-3510	no
Walker Oilfield	7870 - 48 Avenue	347-7826	no
Waschuk Equipment	5 Chiles	342-2447	no
Wel-can Welding	R.R. #1	343-7355	no
Wes-can Vacuum	R.R. #1	340-3804	no
Western Vacuum	Box 191	347-6710	
Westman Oilfield	6439 - 67 Street	342-4290	no
Wrench Pump	58 Rupert Crescent	342-2613	no
Wright Line Locating	5018 - 47 Avenue	341-6323	no
Yeoman Pump Jack	Box 10	343-6491	
Zentech Services	Box 1143	340-1755	

APPENDIX 3

LIST OF INDUSTRIAL DISTRICT REVIEW COMMITTEE MEMBERS

INDUSTRIAL DISTRICT REVIEW COMMITTEE

- Mark McCarron	U.F.A.
- Gary Gant	Westridge Cabinets
- Howard Thompson	City of Red Deer
- Don Lang	Camdon Builders
- John Baehr	Peavey Industries
- Graeme Leadbeater	Towne Centre Association
- Ralph Salomons	R.D. & District Real Estate Board
- Ron Coleman	Northlands Construction
- Bryon Jeffers	City of Red Deer
- Bill Statnyk	City of Red Deer
- Ryan Strader	City of Red Deer
- Debra Bonnett	City of Red Deer
- John Ferguson	Towne Centre Association
- Jack Engel	Cabin Fever Properties
- Wayne Pander	Speer Painting & Decorating
- Kirk Sisson	Towne Centre Association
- Harry Ropchan	R.D. & District Real Estate Board
- Randy Harper	Harper Metals
- Paul Meyeette	Red Deer Regional Planning Commission
- Orlando Toews	Red Deer Regional Planning Commission
- Andy Buruma	Andy Buruma Enterprises
- Cliff Robson	City of Red Deer Fire Department
- Tim Snell	Towne Centre Association (Rob Rae Clothiers)
- Bob Emms	Scott Builders
- Ron Chikmoroff	Chamber of Commerce (Group 2 Architects)
- Harv Schimke	Key AgVentures
- Murray Mehling	Weddell Mehling Pander & Associates Realty Ltd.

APPENDIX 4

PROPOSED CHANGES TO THE LAND USE BYLAW

**** proposed changes are underlined ****

6.3.1 11 INDUSTRIAL (BUSINESS SERVICE) DISTRICT

6.3.1.1 General Purpose of District

To provide for a limited range of light industrial, warehousing, storage, and industrial support services, the operation of which do not create or emit noises, odours, dust, fumes or other factors which are regarded as nuisances; in addition, this district will provide for certain other businesses which are incompatible in commercial districts.

6.3.1.2 Permitted Uses

The following uses are permitted subject to Section 5.3.2 and 5.3.3:

- (1) Manufacture, processing, distribution, repair, servicing, and/or rental of any articles
- (2) Warehouse and storage, subject to Section 5.2.2
- (3) Service stations
- (4) Accessory buildings or uses excluding sales
- (5) Accessory sales related to manufacturing, processing, and/or distribution of any article
- (6) Industrial Support Services
- (7) Identification, local advertising and general advertising on the following types of signs (see Section 4.12): (2672/T-89)
 - Awning, canopy signs
 - Under canopy signs
 - Fascia signs
 - Free standing signs
 - Painted wall signs
 - Projecting signs
 - Wall signs
- (8) A-Board Signs located within the boundaries of the lot, provided that:
 - (i) such signs may advertise only the businesses situated on such lot; and
 - (ii) such signs may not be placed on any portion of a lot which abuts an arterial road (2672/H-93)

6.3.1.3 Discretionary Uses

The following uses are discretionary subject to Section 5.3.2 and 5.3.3:

- (1) Transportation, communication or utility facility

- (2) Trade/Commercial Schools (maximum capacity of 60 persons)
- (3) Food and/or beverage service facility (maximum capacity of 60 persons)
- (4) Sale of large trucks over 10,000 Kg, heavy construction equipment and machinery (2672/U-81)
- (5) Dangerous goods occupancy (2672/U-90)
- (6) Auction Marts (excluding livestock)
- (7) Billboard signs except on sites fronting on Gaetz Avenue between 28th Street and the southern boundary of the City, on Gaetz Avenue between 77th Street and the northern boundary of the City, on 67th Street between 59th Avenue and the western boundary of the City and on sites adjacent to Highway 2 within the City boundary (2672/G-91)
- (8) Animal Services

6.3.1.4 Regulations

- (1) Floor Area: N/A
- (2) Building Height: N/A
- (3) Front Yard: Minimum 6 metres
- (4) Side Yard: Minimum 6 metres on one side
- (5) Rear Yard: Minimum 3 metres
- (6) Landscape Area: Minimum 40% of minimum front yard
- (7) Parking Space: Subject to Section 4.10
- (8) Loading Space: Subject to Section 4.11
- (9) Site Area: Minimum 929 m²
- (10) Frontage: Minimum 22 metres

6.3.1.5 Site Development

- (1) The site plan; the relationship between buildings, structures and open space; the architectural treatment of buildings; the provision and architecture of landscaped spaces; and the parking layout shall be subject to approval by the Development Officer or the Municipal Planning Commission.

6.3.1.6 Special Regulation

- (1) Notwithstanding Section 6.3.1.4 buildings on properties abutting a major arterial or abutting a service road adjacent to a major arterial shall be constructed at least 18 meters from the said arterial or service road. (2672/C-82) The building on Lot 10A, Block A, Plan 782 0258 (2404 - 50 Avenue) shall be exempted from this regulation, but shall have a minimum front yard setback of 15.0 metres (2672/AA-93)

6.3.2 12 INDUSTRIAL(HEAVY INDUSTRIAL) DISTRICT

6.3.2.1 General Purpose of District

To provide for a wide range of manufacturing, assembling, fabrication and processing of goods in which nuisance factors have a high probability of occurring.

6.3.2.2 Permitted Uses

- (1) All uses listed as permitted in the I1 Industrial (Business Service) District, Section 6.3.1.2 subject to Section 5.3.2 and 5.3.3

6.3.2.3 Discretionary Uses

- (1) All uses listed as discretionary in the I1 Industrial (Business Service) District, Section 6.3.1.3, with the exception of industrial support services, subject to Section 5.3.2 and 5.3.3
- (2) Manufacturing, processing, distribution, repair, servicing, and/or rental facilities that exceed the standards of Section 5.3.2
- (3) Livestock/Animal Auction Mart

6.3.2.4 Regulations

- (1) Floor Area: N/A
- (2) Building Height: N/A
- (3) Front Yard: Minimum 15 metres
- (4) Side Yard: Minimum 3.8 metres
- (5) Rear Yard: Minimum 3 metres
- (6) Landscape Area: Minimum 20% of the minimum front yard
- (7) Parking Space Required: Subject to Section 4.10
- (8) Loading Space Required: Subject to Section 4.11
- (9) Site Area: 1.2 hectares unless otherwise approved by the Municipal Planning

Commission

- (10) Frontage: N/A

6.3.2.5 Site Development

- (1) The site plan; the relationship between buildings, structures and open space; the architectural treatment of buildings; the provision and architecture of landscaped spaces; and the parking layout shall be subject to approval of the Development Officer or the Municipal Planning Commission.

6.3.2.6 Site Location

- (1) For those developments that exceed or are expected to exceed performance standards of Section 5.3.2 the location of the site within the land use district and the relationship of the site to the rest of the City and surrounding environs shall be subject to approval by the Municipal Planning Commission.

5.3 PERFORMANCE STANDARDS

5.3.1 Industrial Standard I

- (1) Industrial Standard I includes any industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material which shall emit no noxious substances or materials or create a nuisance discernable beyond the property line of the lot concerned.
- (2) no waste which does not conform to the standard established by the Water Bylaw and Sewer Bylaw of the City of Red Deer shall be discharged into any sewer,
- (3) The onus of proving to Municipal Planning Commission's or the Development Officer's satisfaction that a proposed development does and will comply with these requirements rests with the applicant.

5.3.2 Industrial Standard II

- (1) Industrial Standard II includes any industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material which shall not create a nuisance discernable beyond the property line of the lot concerned, but might produce noxious emissions.
- (2) Sections 5.3.1(2) and 5.3.1(3) apply to Industrial Standard II.

5.3.3 General Industrial Performance Standard

- (1) In addition to meeting all the other requirements of Section 5.3, development of an industrial site shall comply with the following:
 - (a) the minimum front yard of a site in any industrial district may be used only for:
 - (i) landscaped areas and pedestrian walkways which, together, unless otherwise provided in the Regulations shall comprise not less than 40 per cent of the area of the minimum front yard,
 - (ii) driveways having access to a street or streets at locations to be approved by the Municipal Planning Commission,
 - (iii) subject to the approval of the Municipal Planning Commission loading and parking areas having a combined area not exceeding 60 per cent of the area of the said minimum front yard, provided that vehicles can enter and leave the site without reversing or manoeuvring on the right-of-way of a registered street,
 - (iv) display purposes provided that no display is located within the minimum required landscaped area of the front yard and subject to the approval of the Development Officer.
 - (b) in the event that the front yard of a site in any industrial district exceeds the minimum front yard, Section 5.3.3(2) shall apply to such excess.
- (2) General Maintenance and Appearance of Industrial Sites

- (a) Those portions of an industrial site not covered by buildings and not used for open storage shall be either:
 - (i) paved or gravelled and maintained in a neat dust free condition to the satisfaction of the Municipal Planning Commission, or
 - (ii) landscaped suitably and maintained free of weeds to the satisfaction of the Municipal Planning Commission, or
 - (iii) a combination of (i) and (ii) hereof.
- (b) In the event that the street or boulevard abutting a site in an I1 or I2 district is not paved or not landscaped, the Municipal Planning Commission may permit an extension of not more than 12 months following notification by the City of completing of such paving or landscaping for compliance with this Bylaw upon the registered owner of the site entering into an agreement in writing with, and satisfactory to, the City in respect thereof, which agreement the City shall register against the site by way of Caveat.

4.10 PARKING SPACES AND AREAS

4.10.1 Parking Requirements

- (1) (a) Notwithstanding the parking regulations stated for each land use district in Section 6, a person using a parcel or building for the following uses in any district except the C-1 (City Centre) district shall for each use provide and maintain no less than the number of on-site parking spaces as specified below. In the C-1 (City Centre) District all residential development shall provide the number of on-site parking spaces as specified below.
- (b) Unless otherwise indicated m² means square metres of gross leasable floor area.

<u>Uses</u>	<u>Parking Spaces</u>
<u>Commercial & Industrial</u>	
<u>Commercial recreation facility</u>	<u>1.0 per 1.5 participants (at estimated maximum capacity) plus 1.0 per 20 m² (gross leasable floor area)</u>
Commercial entertainment facility	1.0 per <u>5</u> seats
Commercial service facility, excl. funeral homes	2.5 per 93 m ²
Food and/or beverage service facility	1.0 per 4 seats
Funeral homes	1.0 per 5 seats
Hotels, motels and hostels	1.0 per guest room
Local convenience shopping centres	5.1 per 93 m ² (gross leasable floor area)
Manufacturing and industrial plants, wholesale, servicing and repair establishments, research laboratories and transportation, communication or utility facility:	<u>3.0 per 93 m², but not less than 5 spaces per tenant or establishment (The Development Officer may vary this regulation to accommodate more labour intensive uses)</u>
<u>Warehousing, storage buildings and yards</u>	<u>1.0 per 93 m², but not less than 5 spaces per tenant or establishment</u>
Merchandise sales and/or rentals:	
sales/rental areas	5.1 per 93 m ²
office areas	2.0 per 93 m ²
warehouse	1.0 per 93 m ²
<u>warehouse sales</u>	<u>5.1 per 93 m²</u>
Offices	2.0 per 93 m ²
Regional & district shopping centres	5.1 per 93 m ² (gross leasable floor area)
Repair services	2.0 per 93 m ²
Vehicle and equipment sales	2.0 per 93 m ²

1.2 DEFINITIONS

"Animal Services" means development for the purpose of treatment, boarding, training, or grooming of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, pet grooming salons, boarding and breeding kennels, impounding and quarantining facilities, and animal shelters This does not include the sale of animals.

"Business Park" means a specially designated area to accommodate a number of buildings in a comprehensively designed setting.

"Financial Institution" means a development primarily for the banking or lending of money.

"Industrial Support Service" means development providing support services to industry. This term refers only to the following uses: duplicating, photocopying and blueprinting services, building security, cleaning or maintenance services, engineering (with dangerous goods), industrial drafting, land surveyors, laboratories, oilfield services, project design and management services, construction trade or construction contractor. "Office" is a separate use.

"Landscaped Area" means an area designed, constructed and laid out as a lawn, with or without shrubs, trees or flowers or other ornaments incidental to a landscaped area. Industrial districts may have low or no maintenance style landscaping.

"Noxious" means any use or activity which creates or is liable to create, by reason of destructive gas, fumes, or dust, emissions, objectionable odour, noise, vibration or unsightly storage of goods, waste, or other materials, a condition which may become hazardous or injurious in regard to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

"Nuisance" means any use or situation which is or may be dangerous to health or is offensive to the senses. This may include unsightliness, odour, noise, vibration, dust, smoke, and bright lights or glare.

"Office" means a development that provides professional, management, administrative, consulting, financial services, medical, and/or health care services. Typical uses include the offices of doctors, lawyers, accountants, engineers (no dangerous goods), architects, clerical, secretarial, employment, telephone answering and similar office support services, and financial services other than financial institutions.

"Trade/Commercial Schools" means development which provides technical instruction to students.

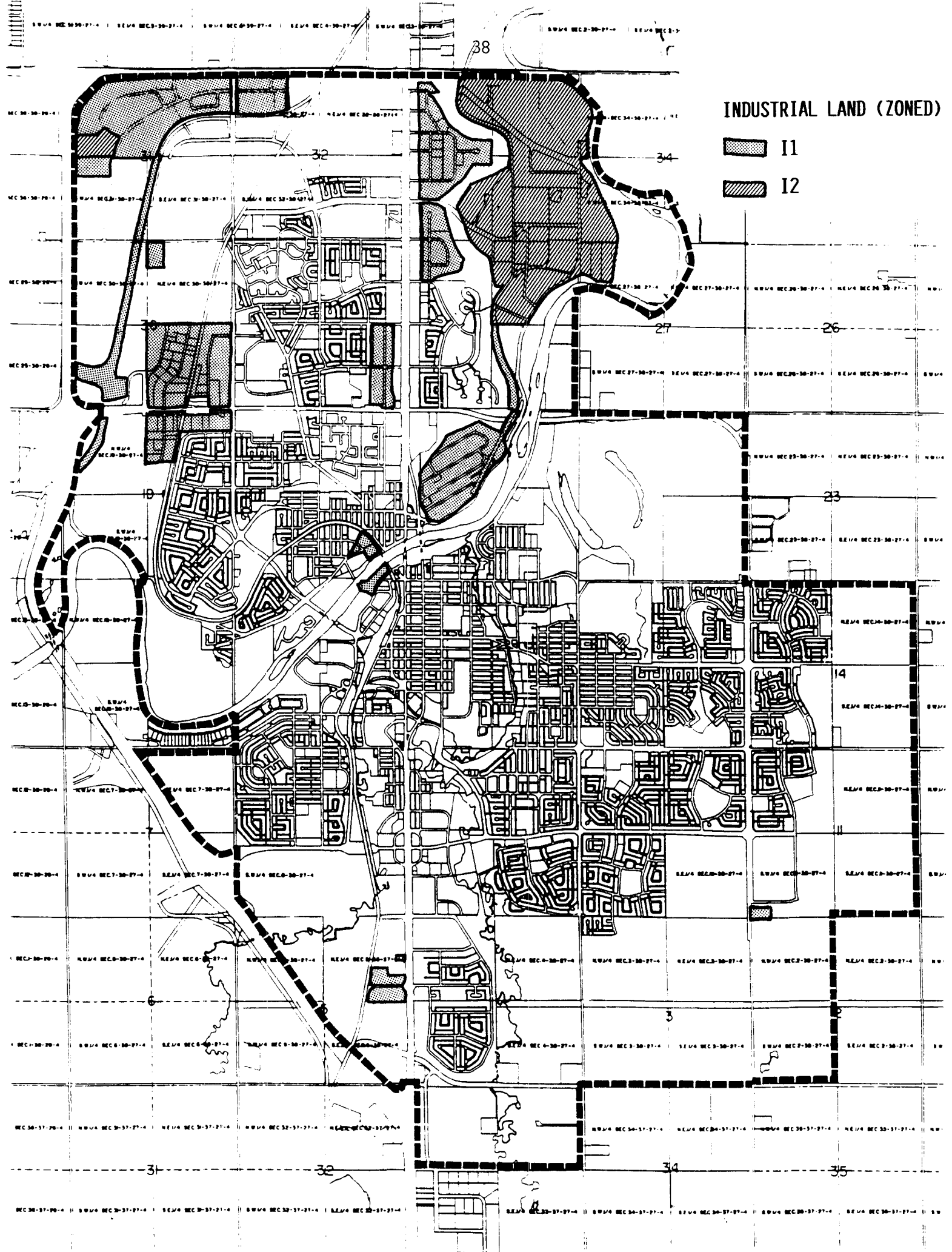
"Transportation, Communication or Utility Facility" means a facility for bus depots, trucking, taxi or courier firms, telephone, radio or television production or transmission, and water, sewer or electrical energy transmission, or railway right of way. (2672/D-93)

APPENDIX 5

INDUSTRIAL LAND USE DISTRICT LOCATIONS

INDUSTRIAL LAND (ZONED)

- 11
12



DATE: APRIL 26, 1994
TO: RED DEER REGIONAL PLANNING COMMISSION
FROM: CITY CLERK
RE: LAND USE BYLAW AMENDMENT 2672/M-94

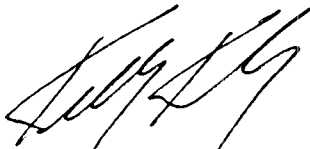
At its meeting of April 25, 1994, Council of the City of Red Deer gave first reading to the above noted bylaw, a copy of which is attached hereto.

Land Use Bylaw Amendment 2672/M-94 provides for various changes to the City's Industrial District.

This office will now proceed with advertising for a Public Hearing to be held on Tuesday, May 24, 1994, commencing at 7:00 p.m. or as soon thereafter as Council may determine.

It is my understanding that the Committee reviewing the Industrial District will be hosting a Public Open House on May 12, 1994. In this regard, I ask that your report concerning this Open House be provided to this office by Tuesday, May 17, 1994 in order that we may include same on the agenda of May 24, 1994.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Engineering Services
Bylaws and Inspections Manager
City Assessor
Land and Economic Development Manager
E. L. & P. Manager
Fire Chief
Council and Committee Secretary, S. Ladwig

* Please prepare the necessary advertising *

DATE: APRIL 26, 1994
TO: RED DEER REGIONAL PLANNING COMMISSION
FROM: CITY CLERK
RE: LAND USE BYLAW AMENDMENT 2672/M-94

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Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Engineering Services
Bylaws and Inspections Manager
City Assessor
Land and Economic Development Manager
E. L. & P. Manager
Fire Chief
Council and Committee Secretary, S. Ladwig



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BREMNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

NO. 3

DIRECTOR: W. G. A. Shaw, ACP, MCIP

Telephone: (403) 343-3394
Fax: (403) 346-1570

M E M O R A N D U M

DATE: April 22, 1994

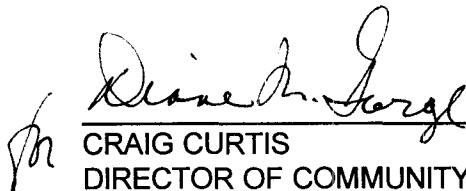
TO: Kelly Kloss, City Clerk

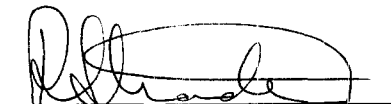
FROM: Craig Curtis, Director of Community Services
Bryon Jeffers, Director of Engineering Services
Ryan Strader, By-laws and Inspections Manager
Phil Newman, Associate Planner

SUBJECT: PLANNING ACT REVIEW DISCUSSION PAPER

The Department of Municipal Affairs is engaged in a review of the Planning Act and has released a Discussion Paper for comment. We have examined the paper in conjunction with A. Scott, Land and Economic Development Manager, D. Batchelor, Parks Manager and staff of the Regional Planning Commission.

We recommend that the attached Response report be adopted by the Council for submission to the Minister of Municipal Affairs.


CRAIG CURTIS
DIRECTOR OF COMMUNITY SERVICES


RYAN STRADER
BYLAWS & INSPECTIONS MANAGER


BRYON JEFFERS
DIRECTOR OF ENGINEERING SERVICES


PHIL NEWMAN
ASSOCIATE PLANNER

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER • MUNICIPAL DISTRICT OF CLEARWATER No. 99 • COUNTY OF STETTLE No. 6 • COUNTY OF LACOMBE No. 14 • COUNTY OF MOUNTAIN VIEW No. 17 • COUNTY OF PAINT EARTH No. 18 • COUNTY OF RED DEER No. 23 • TOWN OF BLACKFALDS • TOWN OF BOWDEN • TOWN OF CARSTAIRS • TOWN OF CASTOR • TOWN OF CORONATION • TOWN OF DIDSBURY • TOWN OF ECKVILLE • TOWN OF INNISFAIL • TOWN OF LACOMBE • TOWN OF OLDS • TOWN OF PENHOLD • TOWN OF ROCKY MOUNTAIN HOUSE • TOWN OF STETTLE • TOWN OF SUNDRE • TOWN OF SYLVAN LAKE • VILLAGE OF ALIX • VILLAGE OF BENTLEY • VILLAGE OF BIG VALLEY • VILLAGE OF BOTHA • VILLAGE OF CAROLINE • VILLAGE OF CLIVE • VILLAGE OF CREMONA • VILLAGE OF DELBURNE • VILLAGE OF DONALDA • VILLAGE OF ELNORA • VILLAGE OF GADSBY • VILLAGE OF HALKIRK • VILLAGE OF MIRROR • SUMMER VILLAGE OF BIRCHCLIFF • SUMMER VILLAGE OF GULL LAKE • SUMMER VILLAGE OF HALF MOON BAY • SUMMER VILLAGE OF JARVIS BAY • SUMMER VILLAGE OF NORGLINWOLD • SUMMER VILLAGE OF ROCHON SANDS • SUMMER VILLAGE OF SUNBREAKER COVE • SUMMER VILLAGE OF WHITE SANDS • SUMMER VILLAGE OF BURNSTICK LAKE



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

CITY OF RED DEER

PLANNING ACT REVIEW PAPER

EXECUTIVE SUMMARY

The City of Red Deer appreciates the opportunity to provide comments on the proposed changes to the Planning Act.

From the City's perspective, there are concerns about a number of aspects of the proposed changes. These concerns are discussed in detail in the attached response and are summarized as follows:

- * concern over the proposed alternatives regarding development agreements; the City has used a policy of "user pay" in terms of development and would be very concerned with proposed changes which could lead to a shift in costs to the general taxpayer.
- * concern over proposed alternatives which could change the Municipal Reserve dedication process; the current act provides a clear expectation to developers and the public in terms of the provision of parkland. Any amendment which would involve negotiations for public reserve will lead to unnecessary delays in development and will prove disadvantageous to the public which due to the declining size of City lots, have an increased reliance on public parks.
- * concern over the loss of regional plans and the regional planning commission; the regional plans foster intermunicipal planning within this region and the concept of regional planning is supported by the City.
- * The Regional Planning Commission has been the agency which has coordinated and provided land use planning within the region; they also have acted as an intermunicipal forum and regional voice on issues of common interest. The loss of the regional planning commission will have a long term detrimental affect on the City and the Region.
- * concern over the use of arbitration and mediation as additional steps in municipal decision making; these options should only be used upon the mutual agreement of the parties involved; the mandatory use of arbitration and mediation would erode municipal autonomy.

... 2



*a delight
to discover!*

CITY OF RED DEER
PLANNING ACT REVIEW PAPER
EXECUTIVE SUMMARY
PAGE TWO

- * concern over the comments on the ineffectiveness and confrontational nature of the existing public participation process; the City of Red Deer has prided itself on the extensive and productive public participation it uses; the city has developed its public participation process to provide constructive not confrontational input to plans and bylaws. Mediation or arbitration in public participation is not required.

The City of Red Deer urges the Provincial Government to consider additional discussions prior to considering any legislative change to the Planning Act. The City would look forward to participating in these discussions.

ALBERTA PLANNING ACT - REVIEW '94
Department of Municipal Affairs
DISCUSSION PAPER

RESPONSE
of the
CITY OF RED DEER

April 25, 1994

1.0 INTRODUCTION

The provincial government's review of the Planning Act is presented by the Department of Municipal Affairs as one component of government restructuring to meet a significant fiscal and economic challenge. The review is intended to recognize the importance of 13 principles listed in section 2.0 of the Discussion Paper. This response to the Paper focuses upon the principles and proposals of particular interest to the City of Red Deer.

2.0 REVIEW PRINCIPLES

The review principles are commendable in themselves but the Paper applies those principles in an uneven manner and raises conflicting options.

The key principle is Local Flexibility (*"A simplified planning system enhancing local decision - making within a clearly defined provincial framework"*). Municipal councils are elected to guide local government in the interests of the community. The direct accountability of a council to its diverse electorate must be reflected in a planning system or framework which respects municipal authority and empowers the council to pursue the directions desired by the community. Municipal autonomy must therefore be recognized as a fundamental principle in this review. The City consequently cannot support certain options presented in the Paper, in particular:

- (a) the variations to the existing mechanism of development agreements (section 12, p. 31-32);
- (b) the introduction of additional time limits on municipal decisions (section 12.5, p. 36);
- (c) the provision for affected land owners in the urban fringe to request Ministerial intervention, if municipalities are inactive in developing joint measures (section 9.2, p. 22);
- (d) provisions for the use of mediation and arbitration on matters which are now the purview of the municipality.

3.0 ORIENTATION OF THE PLANNING ACT

The City is concerned that the Paper which reviews the Act does not include a comprehensive examination of the strengths and weaknesses of the existing legislation and related regulations. There should also be recognition of current municipal practices which respond to the changing environment, trends and initiatives listed in section 3.1 (p. 3). An objective review would identify methods by which the existing legislation can be used to benefit communities. The Paper presents a subjective assessment with no detail regarding the source(s) of various comments.

The City specifically objects to the isolated proposal to eliminate planning mechanisms which limit the types of development in rural areas (section 3.2, point c, p. 4). This issue must be considered in relation to urban centres and the need for joint municipal agreements in the urban fringe. The City's response on this issue is given in section 9.0.

4.0 PRACTICE VERSUS LEGISLATION

A continuation of the dialogue on planning practice would be beneficial but it should only be contemplated in the Paper if the review process can include the results of such dialogue.

5.0 PROVINCIAL INTERESTS

The City supports the principle of Maintaining Provincial Interests (*"Clear statement of essential and basic provincial interests, effective mechanisms to co-ordinate provincial interests, and cost effective approaches to resolve conflict between provincial and municipal interests"*). It recognizes an important role for the provincial government in generating advisory guidelines related to "essential and basic provincial interests," except in matters of health or safety where regulations are required (section 5.2, p. 7-8). However, the City has grave reservations over the use of Ministerial directives due to their potential negative impact on local autonomy (section 5.2, p. 7-8).

The Paper's pursuit of a higher degree of integration of municipal and provincial approvals (p. 8-10) is endorsed, subject to the maintenance of local decision-making authority. Of the alternatives presented, an integrated and parallel approval process is preferable (point 4, p. 10).

The safeguarding of the highway system is recognized by the City as being of particular importance (section 5.5, p. 11). The integration of land use and transportation planning must protect the integrity of the system. However, with respect to the financing of highway improvements (point 3, p. 12), there must be regard to the fact that financial resources are declining generally and not just at the provincial level. If a specific highway improvement can be identified in advance as being necessitated by a specific development, the proposal to require municipalities and developers to contribute to the costs of highway improvement has merit. However, if a general benefit would be generated by a highway improvement, the cost must be met by the Province as part of its responsibility for the highway system.

Of the options regarding land use and development control around airports, the City favours option a, "two tier regulatory system", with provincial regulation of land use and development around major airports, on safety grounds (section 5.6, p. 12-13).

6.0 ROLE OF ALBERTA MUNICIPAL AFFAIRS

The City encourages the establishment and use of coordination mechanisms with other departments on planning matters (section 6.1, point b, p. 14). It may also support a monitoring function by the department (point d) if it included consideration of the effects of the decreased municipal authority which would result from the Paper's proposals and the results are open to objective review prior to any changes to the legislation being contemplated.

7.0 ROLE OF THE ALBERTA PLANNING BOARD

The City supports the consolidation of various boards related to functions of the department (section 7.0, p. 15). The new board's responsibilities under the Planning Act, to consider intermunicipal disputes and violations of provincial regulations, raise several points:

- (a) intermunicipal disputes could be reduced through requirements for joint municipal agreements on the urban fringe; disputes could be minimized by a change to a system of combined urban and rural district municipalities;
- (b) a consideration of violations of provincial regulations would presume a system of monitoring which is not addressed in the Paper;
- (c) to base intermunicipal disputes on full-cost recovery from the municipalities and stakeholders could result in some participants having to engage in a process not of their choosing and at their own cost.

8.0 REGIONAL PLANNING

It is the opinion of the City that the Paper's proposals respecting regional planning (section 8.0 p. 16-19) abrogates the provincial government's responsibility to facilitate a meaningful intermunicipal planning system. The proposals would result in additional costs to provincial departments and the municipalities. In addition, the jurisdictional uncertainty which would be created would be liable to render the system inefficient and ineffective causing frustrated municipalities to opt out. The City's specific concerns are:

- (a) the removal of provincial funding will have a negative impact on municipalities and the downloading of costs will discourage a regional cooperative planning system;

- (b) small municipalities will have reduced access to planning services due to increased costs;
- (c) provincial departments will have to interact with 377 individual municipalities instead of having access to clearly defined regional groupings;
- (d) regional or intermunicipal planning will be more time consuming and costly as the boundaries of the regions could very well vary annually, due to voluntary membership (sections 8.2 & 8.3, p. 17) and the Papers acceptance that the boundaries could be flexible and vary with the service provided (section 8.4, p. 17);
- (e) the province will incur greater costs in addressing the regional void in the planning system than it would if it maintained a reasonable level of funding support to the municipalities to facilitate regional planning;
- (f) Intermunicipal Service Agencies are proposed in the Paper as "one of the options" but there are no other proposals (section 8.1, p. 16).

The City believes, in view of these concerns, that the Agencies are being pursued too hastily and that there is a great need for further discussion of the form and funding of the future regional planning system in Alberta.

9.0 REGIONAL PLANS

The City agrees that an intermunicipal planning mechanism is needed and submits the following comments on the options presented in the Paper (section 9.1, p. 20):

- (i) intermunicipal statements - options a and b would not represent a meaningful form of planning in the absence of any policy content;
- (ii) complete repeal of regional plans - option 'c' would have to be pursued since the existing regional plans would be incompatible with the proposed Intermunicipal Service Agencies. However, the question of what would replace these plans remains unanswered;
- (iii) status quo - option 'd' would be unrealistic as the existing regional plans would relate to regions which would no longer exist and no municipality would wish to administer such a plan;

The urban fringe (section 9.2) is of particular interest to the City. The City is concerned that the removal of "planning mechanisms" which limit the types of development in rural areas (option c, p.4) should only occur if a joint municipal agreement has been adopted (section 9.2, p. 21). The City's experience has been

that such agreements are difficult to secure in practice and this issue should be addressed in the revised Act. While intermunicipal cooperation cannot be legislated, a mandatory joint general municipal plan is supported in principle for larger urban centres and their adjoining municipalities (section 11.1, p. 27-28).

10.0 SUBDIVISION APPROVALS AND APPEALS

The City supports the transfer of subdivision approving authority to the municipalities subject to:

- (a) municipalities being authorised to pursue the administrative processing of subdivision applications as it decides appropriate;
- (b) the province not regulating subdivision processes (section 10.2, p. 23-24);
- (c) subdivision appeals being heard at either the local or regional level with a provincial body hearing only matters involving significant provincial matters. The city objects to the proposal (section 10.3, Point 3, p. 24) that a provincial body could hear appeals on disputes between municipalities and developers.
- (d) aldermen being retained as minority participants on any local or regional appeal body (section 10.4, point 3, p. 26).

11.0 LOCAL PLANNING STRUCTURE

The City welcomes the Paper's statement that the review is not intended to alter the local planning structure in any significant manner (p. 27, first paragraph). The City is sensitive to the need for proactive planning and the need to facilitate the pursuit of community aspirations. The principle of Local Flexibility is important in this regard.

The City is in general accord with the approach of retaining the essential elements of the local planning structure (sections 11.2 to 11.4, p. 28 & 29) subject to joint general municipal plans and general municipal plans being mandatory for larger municipalities.

Area structure plans (section 11.3, p.29) supplemented by outline plans have been used effectively in the City. A possible amendment to the existing legislation would be to formalise the status of outline plans.

The City agrees with the Paper's approach of leaving the content of land use by-laws to the discretion of the municipalities (section 11.4, p. 29). However, the efficiencies of the existing development control system will be offset by the cumbersome and costly mediation and arbitration procedures proposed in the Paper.

The City disagrees with the alternatives for development appeal boards (section 11.5, p. 30) which specifically exclude aldermen from the board. The City has one alderman on its five person Board and a provision for a minority representation of a municipal council on a board must be maintained. This provision would accord with one of the alternatives presented in the Paper for subdivision appeal bodies (section 10.4, point 3, p. 26).

12.0 PLANNING IMPLEMENTATION

The Paper's alternatives respecting development levies and charges (section 12.1, p. 31 - 32) represent a major potential undermining of municipal autonomy and are therefore completely unacceptable, except for the option of "complete municipal autonomy". The impact of the alternatives on the municipalities is disturbing to contemplate given the acknowledgement that "in most municipalities, serious conflict does not exist and therefore any solution (sic) should not disrupt any existing successful practices" (p. 32, final paragraph).

The Paper's alternatives regarding municipal and school reserve lands do not present any approaches which significantly improve upon the existing system (section 12.2, p. 34):

- (a) the City questions the need for another by-law to establish reserve requirements, if it is limited to the existing limit for reserve dedication. The limit is readily justified and the City experiences needs beyond that limit;
- (b) revised (reduced) standards (alternative b) are consequently unacceptable;
- (c) a negotiated approach (alternative c) would not address developer concerns without a reduction in reserve dedication below the existing limit to the detriment of the community and/or a time consuming and costly mediation and arbitration.

It is clear that if the present system of municipal and school reserve dedication is to change, there is a need for considerable additional discussion.

The Paper's options regarding environmental reserve (section 12.3, p. 35-36) are welcomed as additional provisions. The Act should also be amended to allow for the dedication of environmental reserves upon the subdivision of land less than 2 acres in area as environmental sensitivity is not a factor of parcel area.

The City in principle supports provisions for the protection of wildlife corridors, subject to further discussion of appropriate mechanisms (section 12.4, p. 36).

The introduction of additional time limits on the municipalities is not supported (section 12.5, p.36). The City, in common with most other municipalities, acts reasonably in these matters and any "delays" are invariably for just cause and often due to circumstances beyond the City's control.

13.0 PUBLIC PARTICIPATION

The City has long facilitated the full participation of all interested parties in the planning process. The Paper overlooks the experience and current practice of municipalities such as the City and consequently has a single focus upon mediation and arbitration without a consideration of time and cost issues.

At the formal hearing stage, the City would support the use of concurrent hearings for several by-law amendments related to the same development (section 13.1, p.38).

14.0 CONCLUSION

The City believes that the periodic review of the Planning Act is merited to ensure that it is sensitive to the needs of the province. However, a starting point should be a clearer analysis of the strengths and weaknesses of the existing legislation. Any proposals for amendment must be cognisant of the time and cost implications and be subject to considered discussion. The City therefore submits that there must be further opportunities to examine the Department's proposals for amendments to the Planning Act before a Bill is prepared.

Alberta Planning Act - Review '94 Discussion Paper

March 1994

Alberta
MUNICIPAL AFFAIRS

ALBERTA PLANNING ACT - REVIEW '94 DISCUSSION PAPER

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ALBERTA PLANNING ACT - REVIEW '94

1.0 INTRODUCTION

Alberta faces a significant fiscal and economic challenge over the next few years. The review of the Alberta Planning Act and its resultant planning system is but one component of government restructuring to meet this challenge.

This discussion paper has been written with the assumption that the reader will have a good understanding of the current planning system. Those interested parties who need further explanation may contact Alberta Municipal Affairs at 427-2523.

The purpose of circulating this discussion paper is to solicit your suggestions for restructuring the planning system in Alberta. The paper contains a number of alternatives for restructuring that system. Many of the alternatives are outlined in general terms as this paper is a discussion paper and not a position paper. Your input will assist in developing these alternatives into workable solutions. Please address your submission to:

Honourable Stephen C. West
Minister of Alberta Municipal Affairs
c/o Local Government Services Division
15th Floor, Commerce Place
10155-102 Street
Edmonton, Alberta T5J 4L4

In addition to any specific comments, we have enclosed a questionnaire to assist in your response. Please return the questionnaire by April 18, 1994.

Please forward your submission by April 5, 1994 to "Planning Act Review":

by mail at:

P.O. Box 596
Edmonton Alberta
T5J 2K8

or by Fax
(431-0606)

2.0 REVIEW PRINCIPLES

Changes to the planning system in Alberta are driven by an economic environment that has changed significantly since the 1977 Planning Act was written. The Planning Act is being reviewed at this time, in part to recognize the importance of the following:

- Deregulation: A deregulated planning system which facilitates sound development practices. Provincial and municipal regulation only where there is a clear need.
- Reduced Provincial Funding and Intervention: Reduction in provincial funding and delivery of direct services. Provincial intervention only when necessary.
- Maintaining Provincial Interests: Clear statement of essential and basic provincial interests, effective mechanisms to coordinate provincial interests, and cost effective approaches to resolve conflict between provincial and municipal interests.
- Local Flexibility: A simplified planning system enhancing local decision-making within a clearly defined provincial framework.
- Cost Effective and Affordable: Reduction in overlap of approval processes and information requirements to ensure reasonable, cost effective, and coordinated decisions.
- Timely Decisions: Ensure that decisions at all levels are made in a timely fashion.
- Adequate Due Process: Provide adequate access so that landowners and the public can provide input to decision making.
- Access to Regional Resources: Provide opportunity for municipalities to pool resources and cost recover for a wide variety of services as determined by participating municipalities.
- Support to Community Economic Development: Reorient the planning system to provide more support to self-driven community economic development.
- Sustainable Development: The recognition of the commitment to the protection of the environment.
- Cost Effective Municipal/Developer Interface: Provide a cost effective mechanism to balance the interests of municipalities and the development industry within a framework of facilitating development and financially viable communities.
- Effective Intermunicipal Cooperation: Develop effective mechanisms to reduce intermunicipal disputes and associated time delays.
- Responsive Administration: Develop responsive, proactive administrations which facilitate development initiatives within sound municipal management practices.

3.0 ORIENTATION OF PLANNING ACT

3.1 Purpose

The 1977 Planning Act was largely oriented to land-use control. The purpose of the current Planning Act (Section 2) is quoted below.

"Section 2: The purpose of this Act and the regulations is to provide means whereby plans and related measures may be prepared and adopted to:

- (a) achieve the orderly, economical and beneficial development and use of land and patterns of human settlement, and
- (b) maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta, without infringing on the rights of individuals except to the extent that is necessary for the greater public interest".

Revisions to the current Act and planning system must recognize a changing environment and adapt to the following trends and initiatives:

- 1. Recognizing financial restraint.
- 2. Facilitating development.
- 3. Supporting self-initiated community development.
- 4. Facilitating pooling of municipal resources.
- 5. Broadening planning beyond land-use control and regulation.
- 6. Meeting the challenges of new environmental initiatives.
- 7. Supporting community economic viability.

Some stakeholders believe that the current purpose of the Planning Act is sufficient to address these needs, while others suggest that the purpose and the various components need to be adjusted. What is your opinion?

Despite the changing environment, municipalities will still need clear authority to undertake municipal land-use control. The revisions must reflect a reoriented planning system that facilitates and streamlines the process while maintaining the necessary regulatory components.

3.2 Unique Municipal and Regional Needs

Alberta consists of a wide range of municipalities and regions: small and large, urban and rural, rural and metropolitan regions, all with different expectations and needs from the provincial planning legislation. Some smaller urban and rural municipalities believe that the legislation is far too cumbersome for their limited needs, whereas the large urban and rural municipalities desire increased flexibility to implement detailed planning mechanisms to meet

their community needs. Metropolitan and rural regions have expressed the need for differing mechanisms to best meet their regional needs. In addition, some rural municipalities believe that the current Planning Act, Subdivision Regulation and associated plans inhibit their ambitions to become more urbanized.

The result is a need to adjust the planning systems to better meet these diverse needs. Some of the options available are as follows:

- a. Allow smaller municipalities to adopt General Municipal Plans, Area Structure Plans, and Land-use By-laws as one by-law.
- b. Further recognize that some urban and rural municipalities need additional flexibility to manage their own unique planning needs.
- c. Eliminate planning mechanisms which limit the types of development in rural areas and require these developments to meet higher servicing standards. These principles could be applied to all of the province or to the larger metropolitan areas where major urban/rural conflict appears to arise. In the non-metropolitan areas of the province, negotiated agreements with respect to urban and rural development appear to work well.

3.3 Consistency

In addition to being able to react to the unique needs of various municipalities and regions, the approval process must be consistent. The issue of consistency is further addressed under the heading of Subdivision Approvals and Appeals in Section 10.

4.0 PRACTICE VERSUS LEGISLATION

Some stakeholders believe that the current legislation is flexible enough to incorporate a variety of innovative planning approaches. They identify the problem as one of practice more than legislation. Changes to legislation alone cannot address common sense and the way sound planning practices are applied. Mechanisms to address planning practices are therefore required.

Municipalities must review their development standards to ensure that the standards meet public expectations and are reasonable in today's economic environment. Municipal standards must continually adjust to the changing environment and community expectations.

It is important to have constructive dialogue on planning practice without significant direct provincial intervention or financing. Dialogue on planning practice could be generated through the following methods:

- a. Using existing municipal and professional associations to facilitate dialogue on planning practice.
- b. Forming a private institute made up of all stakeholders (private and public) to facilitate ongoing discussions on a wide range of community development issues. This group would operate without provincial funding.
- c. Municipalities would establish performance standards for their planning system and undertake an annual review to determine areas of improvement.
- d. Additional mechanisms to mediate between various stakeholders.

5.0 PROVINCIAL INTERESTS

A number of the provincial departments have a major stake in the current planning system. This includes Alberta Environmental Protection; Alberta Transportation and Utilities; Alberta Agriculture, Food, and Rural Development; Alberta Labour; Alberta Economic Development and Tourism; Alberta Health; the Energy Resources Conservation Board; and other agencies. Each department's provincial interests are currently maintained through the Subdivision Regulation, regional plans, delivery of information to municipalities through regional planning commissions, direct dialogue with municipalities, or special legislation.

The provincial contribution to the existing regional planning system will be eliminated by 1996/97. As a result other methods are required to maintain provincial interests.

The following outlines some of the important themes and concerns expressed by key provincial departments in the review of the existing planning legislation.

- **Overlap of Approvals:** Departments are prepared to discuss a variety of mechanisms to reduce overlap between provincial and local approvals. Some of the options will decrease provincial involvement, better integrate approval process, or require major policy direction with respect to reducing municipal authority. Opportunities may exist to better integrate public and private land planning in a more cost effective system.
- **NIMBY:** Provincial departments are concerned that if there is no provincial or regional delivery system for planning, the NIMBY syndrome will worsen. The province needs to provide guidance to municipalities to ensure that its objectives are met.
- **Provincial Interests:** Many of the provincial departments use the Subdivision Regulation, regional plans, and regional planning commissions to achieve provincial objectives. Mechanisms in the form of either ministerial directives, regulations, guidelines, or regional forums will be required to replace the existing system.
- **Cost Effectiveness:** The current regional system provides a cost-effective system for some provincial departments, however, the current system has a financial impact on Alberta Municipal Affairs. A few departments may incur additional expenses in relating to municipalities directly rather than working through regional planning commissions.
- **Support For Community Economic Development:** Opportunities exist for support to be provided on a regional basis as each department reduces its internal structures.
- **Consultation:** Many stakeholders are affected by the Alberta Planning Act. Consultation with key stakeholders is necessary.
- **Interdepartmental Coordination:** There is a need to ensure that individual department policies affecting land use and development are coordinated and communicated to municipalities.

5.1 Existing Provincial Guidelines

Currently a number of provincial directives and guidelines are implemented through regional plans or other local documents. These guidelines were adopted more than ten years ago. Changed circumstances require that they be reviewed. The guidelines are:

1. Rural Industrial Guidelines.
2. Lake Management Guidelines.
3. Agricultural Land Conservation Guidelines.

Lake Management Guidelines and Agricultural Land Conservation Guidelines: These guidelines are being reviewed in consultation with the affected departments.

Existing Rural Industrial Guidelines: The rural guidelines established the basic framework for rural industrial development in Alberta. The guidelines are not supported by a number of rural municipalities; they were implemented (in a large part) through the existing regional plans and through the Subdivision Regulation related to highway development. In order to effectively address this issue, modifying the current municipal financial system so that locational decisions are less affected by the concern for the gain or loss of municipal revenue needs to be discussed.

Options to be considered include the following:

1. Placing the guidelines in a Ministerial directive or regulation.
2. Continuing the policy direction as guidelines with greater emphasis on intermunicipal agreements to allow for regional flexibility.
3. Eliminating the guidelines.
4. Developing different guidelines for metropolitan and non-metropolitan regions.

The consequences of no provincial guidance may include an increased number of intermunicipal disputes, further sprawl development (increasing the demand for infrastructure financing), underutilized existing infrastructure, and an inefficient provincial highway system.

5.2 Maintaining Provincial Interests

The various government departments need to be able to implement provincial objectives. Thus there is a need for mechanisms to clearly articulate provincial policy directions and implement these within a planning system that gives more authority to municipalities. The objective is to reduce conflict between municipal and provincial interests.

Options to be considered include the following:

- a. **Regulations:** Significant key provincial interests such as protecting the provincial highway system and public safety with respect to separating development from sour gas facilities would be handled through the Subdivision Regulation, as is currently the case. Regulations provide for a consistent application of provincial-wide interests.
- b. **Ministerial Directives:** Issues dealing with matters not related to public safety and health could be addressed through Ministerial Directives. Careful legislative drafting would be required to ensure that these directives could be made binding on municipal planning initiatives. These directives could deal with such matters as balancing rural and urban interests and intermunicipal cooperation.

c. **Ministerial Guidelines:** A variety of issues could be dealt with through a process of guidelines which attempt to influence municipal processes and decision-making. Guidelines might be issued on the following:

- (i) Facilitating development.
- (ii) Accommodating the tourism industry.
- (iii) Intermunicipal cooperation.
- (iv) Flexible and responsive administration of municipal land-use control.
- (v) Local planning documents and the shift to facilitating economic development.
- (vi) Incorporating environmental reviews into the local approval process in a cost-effective manner.

d. **Provincial Appeal:** Allow provincial departments the authority to appeal municipal development and subdivision decisions to a provincial board in a case where municipal action is clearly contrary to provincial policy and regulations.

e. **Regulatory Review:** Alberta Municipal Affairs could develop regulations that maintain provincial interests. Ministerial authority could exist to direct municipal actions.

5.3 Interdepartmental Coordination and Provincial Policy Development

Currently, provincial and interdepartmental coordination and policy development on land-use matters occurs through the Alberta Planning Board. In recent years the Alberta Planning Board role has been largely limited to a subdivision-appeal function. Provincial land-use policy could be coordinated and developed through an interdepartmental coordinating committee.

What is needed is an effective mechanism to ensure that provincial objectives are being achieved. Affected departments would have to be consulted before a policy directive could be requested. An elected provincial committee would have to approve policy directives to make sure that the policies reflect elected rather than bureaucratic values.

Although municipalities are willing to accept increased responsibility, provincial interests with respect to land use and development will have to be well coordinated. Municipalities need a solid coordinated provincial framework within which to work.

5.4 Integrating Provincial and Municipal Approvals

A variety of provincial approvals and municipal approvals have developed over time. Each independent approval process is logical and reasonable when considered in isolation. However, when the various approval processes are examined together, criticism has been raised with respect to the amount of time it takes to obtain all the different approvals, the amount of information required, the duplication of information, number of presentations, variety of opportunities for public participation and decision-making responsibilities between various provincial and municipal bodies.

The Planning Act review limits its focus to the municipal approval processes and does not attempt to resolve the various issues with respect to other department approvals. The streamlining of departmental approvals is being examined under the government deregulation initiative. Any changes to other legislation would require further consultation with other departments and the public. A new Planning Act will include sufficient flexibility for local development approval processes to adapt to any provincial or federal government approval process.

Some of the approval processes that require municipal and provincial approvals include the Natural Resources Conservation Board (NRCB), Energy Resources Conservation Board (ERCB), and public land lease approval processes.

Issues:

- **Duplication of Information and Hearings:** Many major projects (gas plants, recreation resorts, pulp mills, etc.) are subject to review by the NRCB or ERCB and other provincial regulatory bodies. These reviews are expensive, lengthy and can be confusing for the proponent, various stakeholders and interveners. These projects are also subject to a local planning approval. As a result duplication of information and public hearings occur.
- **Provincial and Local Interests:** Generally, the provincial agencies examine the provincial interests and local planning agencies represent the local interests. At times there is confusion over what role each approval body is performing. As well, at times local and provincial interests may not be in harmony. The current Planning Act attempts to limit the authority of a local planning agency in setting standards and conditions which would be in conflict with a provincial approval agency (see section 2.1, Planning Act).
- **Certainty of Use:** The proponent, even though it may receive one level of approval, has no certainty that the other approval body will issue an approval. A proponent can expend considerable funds to get one approval only to find out that the project may not be acceptable for another reason. The element of risk is very high considering the extensive amount of information required in today's approval environment.
- **Which Approval Comes First:** Often one level of decision maker is unwilling to make a decision until the other body has made a decision. In many cases the initial decision maker will wish to hear all the information to ensure that its decision is justified and defensible. As a result the amount of information required may not be equitable with the decision received.

Municipal and local interests must be able to be addressed in any of the alternatives. The municipality must be able to address the financial impact of the development, financial arrangements to supply servicing to the site, development standards, compatibility with adjacent land uses, site suitability and other related issues. The following briefly outlines some of the alternatives available:

1. Clarification of Roles: Clarification of roles of provincial and municipal agencies would result in limitations of information and level of detail to each appropriate agency.
2. Municipal Approval in Principle: The municipality could issue an approval in principle prior to a provincial approval and then provide detailed comments during the provincial approval process.
3. Municipal Approvals Prior to Provincial Approvals: The municipality could issue a formal approval prior to a provincial approval.
4. Integrated and Parallel Approval Process: This process could involve concurrent municipal and provincial public hearings but still require separate decisions.
5. Single Decision Making Agency: The decision process of a provincial agency could be supplemented with decision makers from municipalities and other regulatory approval agencies. A single final all encompassing decision would be issued.
6. Specific Project Exemption from the Planning Act: Currently section 3 of the Planning Act allows the Lieutenant Governor in Council the ability to exempt any development from the provisions of the Planning Act. Terms and conditions can be added to this exemption.
7. Tailoring the Process for Each Development: Through memorandums of understanding, between provincial agencies and municipal authorities, tailored for the circumstances of each development or types of development a streamlined process could be achieved.

The above are only a few alternatives. Stakeholder input will generate additional alternatives and consequences.

In the case of public lands, the provincial government must retain the authority to decide on the management of the resources on crown lands.

In viewing these alternatives the primary responsibility of the Province for the management of energy and natural resources must be recognized. The provincial government must retain the authority to decide on the management of the resources, and provincial crown agencies must be able to carry out their provincial mandate. Provincial interests in resource management must be recognized in local land use decisions.

5.5 Development Adjacent to Alberta's Highways

Alberta has made a significant public investment in the highway system which serves not only local needs but also interregional, interprovincial and international trade, tourism, and travel. Through managing development adjacent to highways and access to highways, Alberta has maintained a high degree of safety and free-flow of traffic, thereby supporting efficient road transport and economic competitiveness. Any changes to the Planning Act and the Subdivision Regulation must include provisions to maintain and plan a safe and efficient highway system. The following key issues arise when considering development adjacent to the highway system and the review of the Planning Act.

1. **Adjacent Development and Access to the Highway System:** Under the current Subdivision Regulation, the nature of development permitted in rural areas along the highway system is restricted to commercial businesses providing services directly to the travelling public (eg., gas stations). Other commercial development is not allowed. This policy is intended to manage where automobile and truck traffic exists and enters highways, thereby maintaining a safe and free-flow of traffic and reducing requirements for costly highway upgrades. It also allows provision to be made for future highway right-of-way.

The siting of commercial development in urban centres, on the other hand, has served to accumulate traffic volumes where highway access can be handled at interchanges or other types of controlled intersections. This also limits public costs for highway improvements.

Some rural municipalities are interested in accommodating a broader range of commercial development. This development would most likely seek locations along the highway system for visibility to potential customers and access.

Alternatives include:

- to retain the current Subdivision Regulation.
- to modify them to allow a greater range of permissible development. Provisions, however, would have to be made to manage highway access, allow for future right-of-way, and limit public costs - eg., continued approvals by Alberta Transportation and Utilities to ensure siting of development at appropriate access points; requirements for developers/municipalities to pay for access improvements.

2. **Streamlining of Approvals:** Related to the above, the current Subdivision Regulation provides a mechanism to facilitate integrated planning between Alberta Transportation and Utilities and municipalities. Municipal area structure plans are to be prepared for development adjacent to highways; they are approved by the Minister of Transportation and Utilities from the perspective of highway impact and access.

This mechanism has worked well in many municipalities. However, some feel the process is too lengthy and cumbersome.

It is clear, however, that land use and transportation planning are mutually dependent. Alternatives to ensure that highway and municipal development plans are coordinated include:

- the current mechanism of municipal area structure plans.
 - integrated highway and land use management agreements between municipalities and Alberta Transportation and Utilities. Such agreements could be signed for areas under development pressure, and could focus on the system of collector and service roads to access the highway system, and the access points.
3. **Financing of Highway Improvements:** As increasing development occurs along the highway system, particularly surrounding large urban areas, major infrastructure improvements may be required to maintain the level of safety and service. As provincial financial resources decrease, Alberta Transportation and Utilities may require the benefiting municipality and the developer(s) to contribute to the costs of the improvement. One alternative is to amend the Planning Act to allow municipalities to charge an offsite levy against the development(s) to facilitate the cost-sharing of highway infrastructure (eg., interchange development).

5.6 Airport Vicinity Protection Areas

Under the Planning Act, the Province develops provincial regulations to guide land use and development around airports and is currently examining whether and how to delegate that responsibility to the host municipality. Concern has been raised by a number of municipalities and by both the Edmonton and Calgary Airport Authorities regarding transferring of regulatory responsibility to the municipal level.

The alternatives being examined include:

- a. **Two Tier Regulatory System:** The Province will continue to regulate land use and development around major airports with regular scheduled traffic. Land use and development around all other public airports or specifically identified airports which do not play a critical provincial role will be regulated by municipalities through local by-laws using provincial guidelines.

- b. Municipal Regulations with Provincial Review: Using provincial rules, affected municipalities will develop local land-use and development by-laws. To ensure that they are applied consistently throughout the province, local by-laws and amendments would be approved by a provincial body. A provincial appeal, mediation, and arbitration process could be available to resolve disputes.
- c. Complete Municipal Autonomy: Municipalities will regulate land-use and development around airports through standard land-use by-laws. Provincial involvement would be advisory. Protection standards will conform to guidelines established by the Province. The Department would provide ongoing technical support. Intermunicipal dispute resolution would be available through a provincial body.

A closer review of the regulatory alternatives is necessary to ensure that the provincial interest in the air transport system is protected. Any solution will have to respect any provincial-federal agreements or develop additional mechanisms to work within the agreements. Any alternative must ensure that the extensive investment in provincial infrastructure is protected and that air transport opportunities are not lost.

6.0 ROLE OF ALBERTA MUNICIPAL AFFAIRS

Alberta Municipal Affairs is reducing its direct delivery of planning service. The Department is winding down its direct services to municipalities in the Northeast portion of the Province. The Department could undertake activities related to the following:

6.1 Legislative Policy Advisor

- a. Provide advice to Minister on legislation, regulations, Ministerial Directives, and guidelines.
- b. Establish coordination mechanisms with other departments to develop policy on planning and development matters.
- c. Prepare materials for the Minister to present to the Standing Policy Committee or other decision-making body.
- d. Monitor the effects of increased municipal planning authority.

6.2 Dispute Arbitrator

The Minister of Municipal Affairs could be given the authority to assign disputes to a provincial board, an independent arbitrator, or department officials. These disputes could be intermunicipal or between a municipality and a provincial agency. The Alberta Planning Board currently fills that role.

The role of a dispute arbitrator working with a municipality and a provincial department with respect to a development or subdivision matter would be a new role for Alberta Municipal Affairs. Currently a subdivision appeal to the Alberta Planning Board addresses these matters in the context of a quasi-judicial hearing. A provincial department with mutual agreement of a municipality could be given authority to appeal a local decision to a provincial appeal board in order to protect the department's provincial interest.

7.0 ROLE OF THE ALBERTA PLANNING BOARD

The Alberta Planning Board currently coordinates interdepartmental land use related policy, administers the Alberta Planning Fund, administers the Alberta Planning Act, acts as a subdivision appeal body, and hears appeals on regional plans and intermunicipal disputes on planning matters. As a result of the objective to reduce the number of provincial boards, increased financial restraint, and a desire for increased municipal flexibility, it is expected that the Alberta Planning Board will be replaced.

The consolidated board would undertake its new mandate as described in the new Municipal Government Act. The Board's activities would encompass powers now exercised by the Alberta Assessment Appeal Board and the Local Authorities Board, as well as some of the duties of the Alberta Planning Board. It would serve largely as a tribunal of last resort on a variety of matters.

With respect to the Planning Act, the new board would be limited to considering intermunicipal disputes and violations of provincial regulations regarding planning matters. Interdepartmental coordination and policy development would be accomplished through other mechanisms. The Department of Municipal Affairs would administer the Planning Act.

As an option, municipalities, prior to referring a dispute to the Minister would be required to illustrate that consensus building, negotiations and mediations have been attempted. At the Minister's request, the new board could hear appeals on planning matters related to intermunicipal disputes. These intermunicipal disputes may arise due to a variety of planning matters (such as the adoption of the Airport Vicinity Protection Area By-law which affects an adjacent municipality, a local planning by-law or amendment which impacts an adjacent municipality, a dispute over development in the urban fringe, or a dispute over an intermunicipal planning agreement). An option may be for the Minister to assign an independent mediator or arbitrator.

Resolving intermunicipal disputes would be based on full-cost-recovery from the participating municipalities and stakeholders.

If provincial departments are given the authority to appeal municipal subdivision decisions, the Minister could have the new board hear such appeals. The new board's role with respect to subdivision appeals is further discussed under subdivision approvals.

8.0 REGIONAL PLANNING

To date regional planning has been carried out by the ten regional planning commissions who have the mandate to:

1. Prepare regional plans.
2. Prepare statutory plans on the request of council.
3. Provide planning advice to municipalities which request the service.
4. Encourage public participation in planning matters.
5. Act as a subdivision approving authority for those municipalities that do not have their own resources.

The need for change has stemmed from current financial restraint, an increased desire to deregulate, the inability of some regions to reach consensus and develop conflict resolution over intermunicipal planning matters, the dissatisfaction by some participating municipalities with the results achieved within a regional planning system, and the changing demands on the planning agencies.

Regional planning commissions will no longer be mandatory planning bodies within the Alberta planning system.

All alternatives are being examined with the expectation that the planning system will be largely self-funded, have no or minimal provincial funding, and will be developed with a maximum of municipal flexibility.

8.1 Intermunicipal Service Agencies

One of the options is to allow municipalities to create an agency which would provide a wide variety of services to a group of municipalities interested in pooling their municipal resources in a cost-effective manner. This agency would have no decision-making authority unless agreed to by participating municipalities.

These services could include land-use planning, building inspection, regional economic development, regional information services, assessment services, and any other municipal services to which the participating municipalities agreed.

The agency could provide these resources through in-house staff, consultants, and contract staff, and be partially or fully privatized. The services would be privatized and provided on full-cost-recovery basis.

8.2 Voluntary Participation in the Intermunicipal Service Agency

The functions of existing commissions could be included within "Intermunicipal Service Agencies" formed and financed as needed by participating municipalities. One option is that participation would be on a voluntary basis only.

Participating municipalities would finance these voluntary agencies on a fee-for-service basis. Each participating municipality would pay only for the service it receives.

The advantage of this arrangement is that municipalities would participate willingly on a need basis. One disadvantage is that certain important issues transcend municipal boundaries and voluntary membership would not provide an assured forum for all affected municipalities to discuss the various impacts.

8.3 Participation in Intermunicipal Service Agency

A system could be developed in which municipalities have an onus to participate in discussions on intermunicipal issues. All municipalities in the region could be charged a minimal uniform fee to facilitate coordinated discussion for a minimal number of meetings.

All other services would be provided on a voluntary basis and on a fee-for-service basis.

One main advantage of required participation is that all municipalities would be required to participate in the discussion of intermunicipal issues at least once or twice a year. A forum for the discussion of intermunicipal issues provides an effective method to develop intermunicipal cooperation.

8.4 Number of Regions

The number of agencies may vary depending on the fiscal resources available from participating municipalities and the need to better represent communities of similar interest.

The boundaries of the agencies could be flexible and vary with the service provided. Agencies may even interchange expertise.

8.5 Intermunicipal Service Agency Representation

A variety of options exist for the representation on the "Intermunicipal Service Agency." Some of these are outlined below:

- a. **Municipal Membership:** The agency could be limited to municipal membership with voting membership and appointments to the Board of Directors as agreed to by the participating municipalities.

- b. **Diversified Membership:** In addition to the municipal membership to the umbrella organization, membership could include municipalities, regional industry and business, regional agencies (e.g., tourist associations), and key public stakeholder groups for each service area, all providing financing to the organization. Voting membership and appointments to the board of directors and various committees would be at the discretion of the municipal participants. Funding this diversified membership would come from fees for a particular service.

8.6 Funding of "Intermunicipal Service Agency"

The system could be developed to be largely self-funded, have no or minimal government funding, and allow for a maximum of municipal empowerment. The options for funding the "intermunicipal services agencies" include the following:

- a. **Municipal Funding:** The "intermunicipal services agencies" would be funded by contributions from the participating municipalities, fees for services, and cost-recovery mechanisms for planning and other services. Participating municipalities would agree to mechanisms for collecting municipal contributions.
- b. **Funding From Non-Municipal Participants:** If the "intermunicipal services agencies" involve non-municipal participants for specific services, additional revenues could be generated through fees charged to these participants.
- c. **Other Funding Sources:** If a system of intermunicipal agencies is established with required membership and the agency has the role of facilitator, the base funding could be provided through a system of fees charged through a surcharge on subdivision and development.
- d. **Departmental Contributions:** Individual government departments may want to provide base funding for coordinating and facilitating function between municipalities and the department, either on an annual basis or a fee-for-service basis.

8.7 Departmental/Municipal Coordination

A variety of government departments may wish to use the Intermunicipal Service Agency to deliver specific department initiatives in a more cost-effective manner and to serve as a contact with municipalities. Alberta Economic Development and Tourism, Alberta Environment, and Alberta Agriculture, Food, and Rural Development may wish to influence the role of the "Intermunicipal Services Agency" in order to support such initiatives as the Rural Development Initiative, Sustainable Community Development, Tourism Development, and Community and Regional Economic Development.

Internal department funding for these programs could be reduced and a small portion of funding provided to the "Intermunicipal Services Agencies" through contracts or service fees. As government services are further defined in all departments, the "Intermunicipal Services Agency" could possibly provide a link between public and private land-planning. This opportunity requires considerable further discussion with Alberta Environmental Protection.

In order to facilitate dialogue between municipalities and government departments, each service agency could act as the facilitator.

9.0 REGIONAL PLANS

Currently, regional plans have been used to implement provincial interests and address regionally significant issues. Many planning issues, development impacts, and physical features cross municipal boundaries, and as a result some type of intermunicipal planning mechanism is needed.

9.1 Options

Regional plans provided the policy framework to deal with these intermunicipal issues. In most cases, the regional plans are largely non-regulatory and focused on land use. In a few regions, the plans are still regulatory and deal with municipal issues as well as significant regional issues. Options for dealing with regional plans are listed below:

- a. Deregulated Regional Plans/Intermunicipal Statements: A Ministerial directive would be issued to have all regional plans deregulated and refocused to articulate only regional interests and objectives within a framework of provincial interests. The plans would represent the goals and objectives of the participating municipalities developed within a provincial framework.

The intermunicipal goals and objectives would be developed on the basis of the following principles:

- Recognizing the diversity and commonality within each region.
- Representing all parts of the region - urban, rural, large, and small municipalities.
- Facilitating, not regulating, development within sound planning and environmental principles.
- Developing a framework for intermunicipal cooperation, consultation, and coordination.
- Developing a comprehensive approach to regional goals and objectives with a balance of land use, regional economic development, environmental, and other significant regional issues.
- Providing a framework for collective strategic action related to the chosen goals and objectives.
- Encouraging a positive working relationship and sensitivity with all stakeholders, institutions and public and provincial agencies.
- Recognizing that planning and land-use regulations are the sole responsibility of each participating municipality.

An intermunicipal statement of goals and objectives could be adopted through the following alternative mechanisms.

- (i) A two-thirds majority of participants.
- (ii) One hundred percent consensus of all participants.

The latter approach provides a better mechanism to ensure that the spirit of intermunicipal cooperation and conflict resolution is achieved. However, one municipality would effectively have veto power.

- b. Optional Intermunicipal Goals and Objectives Statement: Intermunicipal Service Agencies could exercise the option to adopt an intermunicipal statement of goals and objectives. Statements would not be regulatory and would represent intermunicipal interests and objectives within a provincial framework. Existing plans would be repealed if they did not meet the key criteria of being non-regulatory and dealing with intermunicipal interests.
- c. Complete Repeal of Regional Plans: This action would simply repeal the existing regional plans and provide no opportunity for municipalities to formally state their common interests.
- d. Status Quo: The existing regional plans could remain in place as is until the participating municipalities decided to devote resources to change the plans. The remaining participating municipalities could choose a municipality to administer the plans.

In an environment of fiscal restraint, municipalities may need to develop intermunicipal mechanisms beyond the existing Regional Municipal Services Commission Act to address strategies for infrastructure and services. It may be necessary to develop a regional strategy for a variety of services and to place these activities within the context of intermunicipal goals and objectives.

9.2 Intermunicipal Cooperation - Urban Fringe

In the event of the elimination of regional plans and commissions there may be increased conflict between urban and rural municipalities in the urban fringe. In order to facilitate development in an orderly fashion in today's competitive economic environment, resolutions of disputes between urban and rural centres must be facilitated quickly and effectively.

Urban and rural municipalities must reassess their traditional positions on these matters. In the absence of any joint municipal agreement it may be necessary to adopt provincial regulations which would limit the development potential within a specified area in the urban and rural municipality until a joint agreement was adopted. In addition to these requirements urban annexation would be limited.

Any intermunicipal disputes would be subject to appeal to the new provincial board, however, the Board would have to be satisfied that both parties have made genuine efforts to resolve the matter locally including efforts towards independent mediation.

In addition affected landowners could request the Minister to intervene in the urban fringe if municipalities are inactive in developing joint measures.

These matters are discussed further in Section 11.1 - Urban Fringe.

10.0 SUBDIVISION APPROVALS AND APPEALS

10.1 Subdivision Approvals

Currently ten regional planning commissions and 21 municipalities have subdivision-approving authority in Alberta. Alberta Municipal Affairs acts as the subdivision approving authority in northeastern Alberta, where no regional planning commission exists.

The following options are being examined with respect to subdivision approvals:

1. **Empowerment to Municipalities:** Subdivision-approving authority could be given to all municipalities regardless of status or size. Regional planning commissions would no longer be subdivision-approving authorities.

Municipalities could pursue the following options with respect to the administrative processing of subdivision applications:

- a. Hire in-house staff.
 - b. Contract existing regional planning commissions (future "intermunicipal service agencies") to undertake the administrative processing.
 - c. Contract a private consulting firm.
2. **Regional Decision Making:** A group of municipalities could agree to establish a regional subdivision-approving authority. Membership would be voluntary.

Each municipality would be given the option to implement full-cost-recovery of subdivision processing. It would be up to the municipality to decide if the subdivision process should be subsidized locally. Subdivision processing agencies or private consultants would charge full cost-recovery. The municipality would decide what costs should be passed on.

In order to ensure that provincial interests are examined in the subdivision decision the municipal subdivision approving authority would be required to comply with the provincial Subdivision Regulation and circulate specified applications for review by provincial agencies.

10.2 Consistency of Subdivision Processes:

Agents for landowners and subdivision applicants have raised concerns that procedures, information, and processing requirements vary from one subdivision-approving authority to the next. These inconsistencies, to mention a few, consist of:

1. Radically different application fees for the same service.
2. Extent of information required.
3. Radical differences in appraisal fees for money-in-lieu of public reserve.
4. Significantly different procedures for first parcel subdivisions.
5. Different approaches to the use of descriptive plans.
6. Refusal to hear an applicant's agent when deciding on a subdivision.

7. Approvals of subdivisions subject to land use by-law redesignation.
8. Refusal to process a land-use by-law amendment until a development agreement is signed.

Agents for applicants are concerned that inconsistent practices and procedures and inequitable treatment of applicants will increase if every municipality is given approving authority.

On the other hand, these differences in practice indicate the need to adjust processes to meet individual municipal needs and reflect local municipal development objectives. The issue of consistency could be addressed through the following alternative mechanisms:

- a. Strengthen the definition of subdivision processing practice within a provincial subdivision regulation.
- b. Develop a code of practice with all stakeholders either on a provincial, regional, or local basis.

10.3 Subdivision Appeals

In the case of subdivision appeals, the options include:

1. Municipal Subdivision Appeals: Changes will be required to legislation to ensure that membership on municipal subdivision appeal board is perceived as objective and not biased towards the municipal government.

Municipalities could decide what portion of the costs of a subdivision appeal would be cost recovered.

2. Regional Appeal Bodies: Allowing for local municipalities to establish regional subdivision appeal bodies on a voluntary basis could be examined. Municipalities would have the ability to decide if they wish a full-cost-recovery system or wish to subsidize the appeal costs.

Legislation would have to restrict membership on the appeal body to ensure objectivity and a fair hearing.

3. Limited Provincial Appeals: Subdivision appeals to the new provincial board could occur on major developments adjacent to the provincial highway system, major provincial water bodies, provincially identified environmentally sensitive hazard lands, and flood plains, and on disputes between municipalities and developers.

Further clarification would be required to define the key provincial interest areas.

Administrative costs of provincial appeals would be on a full-cost-recovery basis.

One of the key consequences of empowering subdivision approval and appeals may be the limited availability of planning and legal expertise to municipalities and regional appeal bodies, because the appeal function is a quasi-judicial function and should continue to be. In the case of subdivision appeals, many clients applaud the objectivity of a provincial appeal body.

A system of subdivision appeals could involve a combination of limited provincial appeals and regional or municipal subdivision appeal boards. In any case, the subdivision appeal process must continue as a quasi-judicial function in order to avoid a significant number of referrals to the courts.

Changing the subdivision process in Alberta will have to be undertaken in carefully implemented stages to avoid disrupting and confusing the public and the various participants. A clear transition strategy is needed.

10.4 Quasi-Judicial Nature of Appeals

The development and subdivision appeal process is a significant checkpoint in the municipal approval process; it determines whether a reasonable approach has been taken to recognize the greater public needs without infringing on the rights of individuals. Many applicants appreciate the perceived objectivity of the current provincial subdivision appeal system, while some municipalities believe that the Alberta Planning Board was neither knowledgeable about nor sensitive to municipal needs. Others feel the current appeal system took far too long to reach a decision because it was not bound to any time limits to hear appeals or issue decisions, and that the current system is too costly and too confrontational.

In reviewing alternatives to the existing provincial subdivision appeal process, it must be clearly understood that the appeal function is not an exercise in local political accountability. Local political accountability is exercised at a much earlier stage when the municipality adopts planning by-laws and sets policy. If local residents or individual landowners feel that the local rules do not reflect community standards, then the local politician must decide whether the rules should be changed.

The generally held principles that "no man shall be a judge in his own cause" and "justice must not only be done, but must be seen to be done" must be examined when considering the possibility of delegating subdivision appeals to local municipalities. An improperly constituted appeal body could result in a significant increase of appeals to the court. Where council and staff are part of the appeal board, applicants may feel they have not received a fair hearing.

In comparison, the current Planning Act allows councillors to hear development appeals as long as they were not part of the initial development decision. Although the legislation can sanction this "institutional bias," various stakeholders are apprehensive about delegating subdivision appeals to the local level. For this reason, the composition of any future local appeal body must be reviewed.

This concern could be resolved through the following alternatives:

1. Prohibiting councillors or staff from being appointed to local appeal boards.
2. Providing a list of trained arbitrators familiar with planning practice but not associated with the municipality. The municipality and the applicant could choose arbitrators from that list to hear an appeal.
3. Appointment of councillors as minority participants on the appeal board. The appointed councillors could not be involved in the issuance of the original development permit.

In the case of subdivision appeals, many stakeholders will only accept delegation of subdivision-appeal authority if the appeal process is unbiased or at least perceived to be unbiased. Therefore, the composition of a local appeal board is critical if the municipality is to assume this responsibility.

11.0 LOCAL PLANNING STRUCTURE

Municipalities must have clear jurisdiction and authority to undertake planning activities and land-use control. The current review is not intended to alter the local planning structure in any significant manner except to better meet the previously outlined principles.

The following examines only those areas of the Planning Act that may require additional attention. It is expected that the remaining local planning mechanisms will remain as they are unless further consultation determines that additional changes are required.

11.1 Urban Fringe

The fringe areas around Alberta's urban centres are areas where the close proximity between urban and rural development can lead to significant conflict. Currently, the Subdivision Regulation, regional plans, and joint general municipal plans provide for the planning concerns in these areas.

Assuming all regional plans become less regulatory or are no longer a mandatory planning document, the joint general municipal plan or some type of joint planning exercise will be an even more critical planning tool to resolve urban and rural conflicts in the urban fringe.

In some areas of the province, joint planning has been extremely successful; in other areas joint planning is not supported because the methods of conflict resolution have been inadequate. The ingredients for the successfully prepared and maintained joint planning ventures appear to include:

- Strong political will on behalf of all parties.
- Treating all parties fairly and equally.
- Making sure that concrete benefits flow to each party.
- Dealing with urban and rural issues, including lands within the immediate boundaries of the urban centre.
- Ensuring industry and landowner support to resolve urban/rural conflict so that logical development can proceed without extensive time delays and appeals.
- An ongoing process of collaboration, consensus building, and open communication.
- Supportive administration searching for creative solutions.
- A predetermined process for conflict resolution and binding arbitration.

In addition to the above, joint plans in the fringe area must address the strategies for transportation and other utility infrastructure corridors to ensure cost effective expansion of these facilities.

Options to implement the above include the following:

- a. **Optional Joint General Municipal Plans:** The preparation of joint general municipal plans remains optional and at the discretion of the affected municipalities.
- b. **Mandatory Joint General Municipal Plans:** Joint general municipal plans or agreements dealing with the mechanisms of how municipalities will cooperate regarding development proposals in the urban fringe might become mandatory in areas where urban centres have a population for example of 5,000 or more.
- c. **Subdivision Regulation:** In the absence of joint general municipal plans and regulatory regional plans, the Subdivision Regulation could become more detailed about what land uses are appropriate in the urban fringe within both the urban and rural areas. Currently only country residential land uses are addressed in the Subdivision Regulation, but all land uses could be addressed. The Subdivision Regulation would not apply where a joint general municipal plan exists.

Each option has a variety of consequences related to municipal autonomy, the desired degree of provincial intervention, and intermunicipal conflict resolution. In all cases, a mechanism to appeal intermunicipal disputes could be available through the Minister of Municipal Affairs or directly to binding arbitration.

11.2 General Municipal Plan

To accommodate the rapid growth of the 1970s, many general municipal plans focused on land use. With the changing economic and municipal environment it may be necessary to alter the content and focus of this municipal planning tool. The general municipal plan could be the prime municipal document which describes how a municipality is facilitating development, reducing regulations, responding to its chosen economic development objectives, achieving desired environmental objectives, and managing its infrastructure and financial resources to achieve its development objectives.

The following options are available:

- a. **Mandatory General Municipal Plan:** Continue with the mandatory requirement for a general municipal plan for urban centres over 1,000 and rural municipalities over 10,000. Broaden the scope of the plan.
- b. **Optional General Municipal Plans:** Make general municipal plans optional but attempt to broaden the scope of their content.

General municipal plans would be mandatory for municipalities that wish to continue to use Direct Control Districts.

The purpose of a General Municipal Plan is to provide the policy framework, goals and objectives for the detailed and regulatory planning mechanisms. The absence of this policy framework could result in a lack of rationale for development approvals and refusals, ad hoc decision making, and inequitable treatment of landowners.

11.3 Area Structure Plans

The 1977 Planning Act created area structure plans as a formal tool to preplan and develop subdivision guidelines for future development areas. Some criticisms of area structure plans are that they have become too cumbersome, expensive to prepare, and meaningless in a rapidly changing housing market. Some options to resolve this problem include:

- a. Detailed Guidelines for Area Structure Plan Preparation: This would require that the Department develop specific guidelines that would be applicable to all municipalities. It would be difficult to adapt the guidelines to all circumstances.
- b. Adoption of Area Structure Plan by By-law or Resolution: Adoption by resolution would provide greater flexibility to municipalities for adoption of area structure plans.
- c. Elimination of Area Structure Plan Requirement: A subdivision applicant could be required to prepare a general scheme of how the balance of a parcel is to be subdivided.

An informal adoption process provides increased flexibility at the expense of guaranteed approval for the developer and the public.

11.4 Land-use By-law

The land-use by-law is currently a key planning tool and should remain as a mandatory municipal planning document. Although some parties believe that land-use by-laws should be standardized across the Province, it is not expected that a standardized by-law could address all the needs of every municipality or the specific development objectives of the various councils.

Municipalities must continue to ensure that the land-use by-law and the associated development standards and processes are meeting community objectives. In addition, municipalities must search for creative ways to deregulate the by-laws and achieve their desired results. (See Section 4.0 - Practice vs Legislation).

Facilitating dialogue between various stakeholders on the content of land-use by-laws at the provincial, regional, and local level may help to resolve future conflict.

11.5 Development Appeals

Under existing legislation, local development appeal boards may include some members of council. Those that have council membership have been criticized for having a municipal bias (see discussion on Quasi-Judicial Nature of Appeals on page 23). The alternative approaches are as follows:

- a. Prevent a municipality from appointing councilors or municipal staff to local development appeal boards.
- b. Provide a list of qualified arbitrators not associated with the municipalities, from which the appellant and the municipality could choose to adjudicate the dispute.
- c. Have municipalities establish regional appeal boards.

12.0 PLANNING IMPLEMENTATION

12.1 Development Levies and Charges

Municipalities and the development industry continue to bring forward opposing views as to how development standards, charges, and levies should operate within Alberta. Generally, the existing legislation provides a balance between municipal and developer interests.

The Planning Act does not set any development standards. The matter of development standards is solely within the jurisdiction of the municipality. However, the Planning Act outlines the types of charges municipalities may impose. The current Act enables municipalities to require the developer to pay for the onsite hard services associated with a development. The developer may be also responsible for dealing with oversizing and contributions to expansion of major municipal water, sanitary and storm sewer facilities. The Planning Act, however, does not permit charges for soft services; rather, it assumes that these will be financed through taxation and user fees.

Most municipalities in Alberta have worked within the current legislative framework. However, some municipalities have continually gone beyond the jurisdiction outlined in the Planning Act. This action is based on the rationale that new growth should pay its own way and that municipalities should be able to set their own community standards and control their own financial destiny.

Industry is concerned that some municipalities go beyond the requirements of the Planning Act and negotiate in an environment of forced compliance. Industry is requesting a more effective conflict-resolution method than resolving matters in the courts. Industry believes that standards are excessive in some municipalities, considering the current housing market conditions. However, in some cases industry is prepared to exceed the requirements of the Act as long as this is accomplished in an environment of fair negotiations.

The issue of who pays for growth is continent-wide. Jurisdictions throughout the United States and Canada have dealt with the matter in a variety of ways. Some jurisdictions provide less opportunity for municipal charges and others have provided a wider range of charges. The trend in some areas is to rethink and reduce the demands on the development industry. The affect of development standards and charges varies from jurisdiction to jurisdiction and over time, depending on the condition of the local housing market.

Alternative methods to deal with the issue include:

- a. Increased Limits on Municipalities: This approach would further limit municipal actions on development levies, charges, and standards, and would enforce the existing provision of the Planning Act.

The Minister could instruct the new provincial board to hear appeals from developers and enforce municipal non-compliance with the legislation.

- b. Complete Municipal Autonomy: Limitations on municipalities could be eliminated and municipalities would have the authority to negotiate any provisions. No appeal would be available to a provincial body. In place of a provincial appeal mechanism, municipalities and developers would be free to agree on mediation or arbitration (or both) to resolve disputes. Matters of development charges, levies, and standards would be available for review by the arbitrator.
- c. Existing Act Provisions Plus Opportunity For Negotiations: The current provisions in the Planning Act could remain. These could be supplemented with a negotiation process to go beyond the provisions through a process of mediation and binding arbitration. All matters, including development standards, would be open for discussions. The arbitrator or arbitration panel would have full autonomy to rule on all issues.
- d. Sanction Contract Zoning with an Appeal Mechanism: The practice of not approving a land-use by-law redistricting until a development agreement is signed could be legitimized subject to the developer's ability to appeal to the Minister of Municipal Affairs. The Minister could request the new provincial board to hear an appeal, or assign further mediation followed by binding arbitration from an independent panel, or assign a government official to rule on the dispute.
- e. Provincial Guidelines: Alberta Municipal Affairs could develop a set of principles to guide development charges and standards. These guidelines could be developed through a mediation process involving key stakeholders. Municipalities would be given broader authority to implement charges at various stages of planning approval.

To resolve disputes under the guidelines, the new provincial board or an assigned arbitration panel could make available a Ministerial-mandated mediation and arbitration process.

All options would be developed on the theory that the conflict-resolution process would be cost-recovered from the participants.

This issue has been examined extensively in the past. The options could have a significant effect on the development industry and municipalities. This is a complex issue. The effects of municipal charges and standards will depend on the conditions with the local housing market. In most municipalities, serious conflict does not exist and therefore any solution should not disrupt any existing successful processes. Before a conclusion can be reached, additional consultation with stakeholders may be required to explore the various alternatives.

12.2 Municipal and School Reserve Lands

The current Planning Act allows for the taking of up to 10 percent of the proposed land development for parks, recreation and school purposes. The requirement is discretionary and based on the assumption that municipalities and school authorities will clearly outline a demonstrated need before exercising this option. In most municipalities, the practice is to take the maximum allowable of 10 percent. Also, in a few cases some reserve lands have been determined to be surplus and are disposed of at a latter date. This practice draws criticism from the development industry.

On the other hand, in some municipalities and in some specific cases the 10 percent land contribution is not sufficient to meet all the municipal and school needs in a specific area. These sites are generally planned to accommodate regional and community school and open space needs, as well as the immediate neighbourhood. Some municipalities would like to negotiate more than a 10 percent contribution. Other municipalities have requested the permission to lease public reserve lands to various community groups to reduce their own maintenance costs.

As well, as communities grow into areas where municipal and school reserve allocation has been taken through money-in-lieu, no land is available for the recreation and school needs.

Private development proposals have also been put forward which would integrate school, recreation, and senior citizen housing in centralized areas. The concept of integrating senior citizens into community recreation and education programs has been developed in some European countries.

As a result, the provisions of the Planning Act dealing with recreation and school open space raise several key issues:

1. The lack of justification for taking 10 percent of development lands for recreation and school needs.
2. Land is being taken solely for the purpose of getting rid of it at a later date for the benefit of increased value, because money-in-lieu is determined as a value prior to subdivisions under the current Act.
3. The ability to take a similar percentage of land for all developments regardless of density and use.
4. Money-in-lieu taken before development occurs may result in the municipalities having to pay an inflated price later for additional lands needed for recreation and school needs.
5. The inability to lease public reserve lands to various groups to cover maintenance costs.

6. The inability to lease public reserve lands to private developers in order to integrate senior citizen housing into recreation and school institutions.
7. Limitations on the use of redevelopment levies for land only is considered too restrictive.

The following alternatives are identified for discussion and feedback:

- a. **Open Space By-law:** The current Act provisions could remain in place with an additional requirement for open space standards to be adopted by by-law. The by-law would require the municipality to outline its open space standards and requirements and the justification for taking the reserve land in relation to broad categories of land use and densities. The public hearing would allow the development industry and private landowners to provide input into the community standards.
- b. **Revise Standards for Reserve Requirements:** The current standard of 10 percent within the Planning Act could be revised to reflect need based on density of development and the proposed use.
 - Up to 15 percent for development greater than 12 (existing Act provision) or 20 dwelling units per acre.
 - Up to 10 percent for three to 12 (existing Act provision) or 20 dwelling units per acre.
 - Up to 5 percent for development less than three dwelling units per acre for all uses.
- c. **Negotiated Amount:** The current 10 percent would be eliminated and the developer/private landowner and the municipality would negotiate an amount based on the specific needs of the development and community. The negotiations would be subject to a set time period and open to further private mediation and binding arbitration.
- d. **Limitations on Utilization of Money-in-Lieu in Urban Fringe Areas:** Municipalities would not be allowed to use money-in-lieu in an agreed-upon urban fringe area. Should disputes arise, negotiations between municipalities would be subject to a set time period, mediation, and binding arbitration.
- e. **Flexibility to Lease Municipal and School Reserve Land:** Municipalities would be given increased flexibility to lease reserve lands for maintenance purposes on the condition that public access to the reserve lands would not be limited.
- f. **Leasing of Municipal and School Reserve Land for Senior Citizen Projects:** Legislative procedures could be streamlined so that developers could have long-term leases on public reserve lands to allow senior citizen facilities on the same land as recreation and education facilities.

- g. **Flexible use of Money-in-Lieu:** Expand the ability of municipalities to use money-in-lieu for reserve land and redevelopment levies for recreation facilities and equipment within the benefiting neighborhood.
- h. **Perpetual Easements:** Allow the flexibility to use perpetual easements to increase open space as a result of negotiations related to density borrowing, cluster developments, bareland condominiums, and other mechanisms.

The above alternatives and others need to be reviewed carefully as they affect the ability of municipalities and school authorities to provide necessary municipal services during a time of fiscal restraint. However, municipal and school needs must be balanced with full consideration to the concerns of the development industry and private landowners. The recent changes to school administration will also have to be incorporated into new provisions.

12.3 Environmental Reserve

Currently, the Planning Act allows land which is characterized as environmentally sensitive (land subject to flooding or unstable conditions) to be allocated to the municipality for environmental protection. The purpose is to protect public safety and reduce public expenditures for disaster compensation. In some cases municipalities and private landowners have desired to examine other private means to achieve the same environmental protection. Some of the options are as follows:

1. **Conservation Easements:** In this case, the individual landowner would retain ownership of the land subject to an agreement to restrict the use of the property to enhance the specific environmental protection. Legislative changes would be required to introduce this alternative mechanism.
2. **Development Restrictions:** Restrictive covenants could be used to enforce development conditions which would meet the objective of the specific environmental protection without the landowner having to give up the land. This method has been used by some municipalities. Current legislation neither restricts nor condones this method. These alternatives would provide municipalities and landowners with additional opportunities to achieve their individual objectives without losing land rights or increasing municipal liability.

12.4 Wildlife Corridors

In a few municipalities, development is encroaching upon wildlife migration corridors. As a result, these municipalities wish to be able to protect these corridors and integrate wildlife migration into the expanding settlement. Resolving this issue is relatively easy if there exists a willing landowner; however, it becomes far more complex if the landowner is not willing to participate. A few options which could be considered are:

1. **Conservation Easement:** With the agreement of the landowner, a perpetual easement could be registered against the property to preserve the conservation objective. A Wildlife Conservation Agency or a Crown Agency could be the beneficiary of the easement. Legislative changes would be required to implement such a mechanism.
2. **Development Condition:** A developer could be required to protect the wildlife corridor in exchange for some type of compensation, such as a transfer of density to another part of the development project.
3. **Environmental Protection and Enhancement Act:** The issue of wildlife corridors could be dealt with as special regulations under the new Environmental Protection and Enhancement Act.
4. **Individual Resolution:** Considering that this issue only affects a few municipalities, dealing with the matter on a case-by-case basis where there is an unwilling landowner may be more appropriate than developing legislation which would affect all municipalities. Individual agreements could be developed with the Minister of Environmental Protection.
5. **Land Purchase by Wildlife Conservation:** A Wildlife Conservation Agency may wish to develop a program to purchase private land to achieve the desired wildlife corridor protection. This approach is currently practiced in a number of cases.

Before registering a conservation easement for a wildlife corridor, careful consideration must be given to private landowner rights, municipal liability, compensation, and legislative changes.

12.5 Timeliness of Local Approvals

The current Planning Act provides specific time frames for development approvals, development appeals, subdivision approvals, and appeals. However, it does not set any time frames for other municipal approvals such as land-use by-law amendments, area structure plan amendments, or the timely execution of development agreements. Criticism has been levied against some municipalities and various approvals because of the information costs and time delays.

Possible options are based on the assumption that the municipality has a complete application and all the necessary information available for a decision. A dispute over the availability of information could be subject to mediation processes and even arbitration.

One of the options is to introduce time limits for carrying out land-use by-law amendments and area structure plans by-laws, and signing development agreements and other municipal approvals which regulate private land. The time limit could be extended by agreement.

One way to ensure that municipalities take time limits seriously is to allow the applicant to take the proposed amendment to the new provincial board or an independent arbitration panel. Another alternative would be to penalize a municipality through a reduction in development charges.

13.0 PUBLIC PARTICIPATION

The Planning Act provides municipalities and various agencies with jurisdiction to affect the use of private land. Municipalities, in passing by-laws, are required to hold public hearings. Thus, public hearings and notices are mandatory at numerous stages of the approval process, as illustrated below:

- Regional Plan adoption and amendment.
- General Municipal Plan adoption and amendment.
- Area Structure Plan adoption and amendment.
- Redevelopment Plan adoption and amendment.
- Land-Use By-law adoption and amendment.
- Subdivision appeal.
- Development appeal.

Two major criticisms of the public participation processes in the Planning Act have been raised. One criticism is voiced by the proponents of development and the other by the general public.

13.1 Overlapping Public Participation

Development proponents criticize the multitude of opportunities that the public is given to intervene in the development process. If the development requires other provincial government approvals, then other public hearing processes will also occur.

- **Single and Concurrent Hearings for the Same Development**

One alternative to dealing with this dilemma is to authorize municipalities to hold a single hearing for the same development for a multitude of by-law amendments. As well, flexibility could be provided to municipalities to hold concurrent hearings with other agencies on the same development. Legislative adjustments would be required to ensure that legal and administrative concerns can be resolved with concurrent hearings.

13.2 Ineffective Public Participation

Public participants, too, have criticized the current Planning Act's public participation process in some municipalities. Many in the general public find the public hearing process inhibiting and confrontational, especially in the case of large developments, and in the larger municipalities where time limits are placed on presentations. A variety of alternatives are available to provide more effective public participation:

- **Public Hearing Panel or Officer**

Larger municipalities could establish hearing panels or officers to summarize public presentations without the imposition of time constraints.

- **Consensus Building and Mediation Processes**

Municipalities could be authorized to come up with processes to develop consensus between stakeholders and the proponent, including formal and informal mediation processes within the current timelines and in addition to the formal public hearing. In many cases, development proponents already carry out this practice. This approach would have to be done without giving interveners the impression that they have the same decision-making power as the council and the proponent.

Generally, the objective would be to provide municipalities with additional alternatives and flexibility to meet the legal requirement of due process within existing timelines.

14.0 CONFLICT RESOLUTION

The development process naturally involves a variety of stakeholders, private landowners, developers, and various interveners. Conflict is a fact of life within a development-approval process. The success of a future system for Alberta will depend on how well, both substantively and procedurally, the conflict-resolution process works.

The current system relies on a third party, either council or an appeal tribunal, to settle the dispute through a confrontational process. The current Planning Act does not encourage disputing parties to resolve their own disputes so that lasting solutions can be developed. Some proponents support the current system of public hearings and confrontational presentation as the best means to find the best solution; others do not.

14.1 Mediation and Arbitration - An Additional Tool?

In addition to the formal public hearing process, municipalities might be given additional tools within the Planning Act to develop consensus building and collaboration and to use mediation and arbitration without creating additional time delays or infringing on the rights of individuals.

15.0 FUTURE PLANNING SYSTEM

15.1 Introduction

The following provides a brief description of the existing planning system and a potential model for the future restructuring of the Alberta planning system. This material should be read in conjunction with the main body of the discussion paper.

This potential model will have to be evaluated in relation to its ability to meet the outlined principles of the Planning Act review. The proposed model is developed on the assumption that the various provincial mandates for resource development will not be fettered by local decision making.

15.2 Comparison of Existing and Proposed System

PLANNING ACT REVIEW		
Component	Existing System	Proposed System
Provincial Interests	• Individual Department Acts and Regulations	• Individual Department Acts and Regulations
	• Planning Act and Subdivision Regulations	• Planning Act and expanded Subdivision and Development Regulations
	• Supplemented with Ministerial Guidelines or Directions when required	• Ministerial Guidelines or Directions when required.
	• Regional Plans	
	• Regional Planning Commissions	
	• Individual Departments	• Individual Departments
	• Local By-laws	• Local By-laws
Provincial Policy Coordination	• Alberta Planning Board	• Interdepartmental Committee
Municipal/Provincial Department Relationship	• Individual Department & Municipality	• Individual Department & Municipality
	• Regional Planning Commission - Regional Forum.	• Voluntary Intermunicipal Service Agency -Regional Forum

PLANNING ACT REVIEW

Component	Existing System	Proposed System
Disputes - Intermunicipal	<ul style="list-style-type: none"> • Informal <ul style="list-style-type: none"> - Municipalities - Regional Planning Commission (in some areas) • Formal <ul style="list-style-type: none"> - Alberta Planning Board 	<ul style="list-style-type: none"> • Informal <ul style="list-style-type: none"> - Municipalities - Independent Mediator - Voluntary Inter-municipal Service Agency • Formal <ul style="list-style-type: none"> - Minister assigns to one of the following: <ol style="list-style-type: none"> 1. Dept. Official or 2. Independent Arbitrator/Panel or 3. Appeal Tribunal
Disputes - Municipal/Provincial	<ul style="list-style-type: none"> • Informal <ul style="list-style-type: none"> - Municipalities & Departments - Regional Planning Commission (in some areas) • Formal <ul style="list-style-type: none"> - Action only activated on subdivision appeal 	<ul style="list-style-type: none"> • Informal <ul style="list-style-type: none"> - Municipalities - Voluntary Inter-municipal Service Agency • Formal <ul style="list-style-type: none"> - Provincial Department can initiate an appeal to a provincial board claiming a provincial regulation has been violated by municipality
Regional Component	<ul style="list-style-type: none"> • Regional Plan Preparation • Subdivision Approval (in designated areas) • Preparation of Plans on request of municipality • General planning advice 	<ul style="list-style-type: none"> • Voluntary municipal participation in inter-municipal services agency
Joint Planning	<ul style="list-style-type: none"> • Joint General Municipal Plans Optional 	<ul style="list-style-type: none"> • Joint General Municipal Plans in urban fringe mandatory or • Prescriptive provincial regulations for urban fringe development

PLANNING ACT REVIEW

Component	Existing System	Proposed System
Local Planning	<ul style="list-style-type: none"> • General Municipal Plan mandatory • Area Structure Plan optional by by-law • Land-use By-law mandatory • Voluntary circulation of by-laws to government departments • Mandatory circulation of Land-use By-law affecting landowner 	<ul style="list-style-type: none"> • General Municipal Plan optional • No requirement - subdivision applicant required to provide <u>general scheme</u> for future subdivision. • Land-use By-law mandatory • Circulation of planning by-laws to affected government department mandatory • Circulation of Land-use By-law affecting landowner mandatory
Subdivision Approvals	<ul style="list-style-type: none"> • Regional Planning Commissions in majority of province • Designated Municipal Subdivision Approving Authorities • Alberta Municipal Affairs in North East Alberta 	<ul style="list-style-type: none"> • All subdivisions decided locally. • Provincial agencies provide comments only in key provincial interest area • Waiver of subdivision regulations can only be given by affected department • Processing of subdivision applications contracted to voluntary intermunicipal services agency
Subdivision Appeals	<ul style="list-style-type: none"> • Appeal to Alberta Planning Board 	<ul style="list-style-type: none"> • All subdivision appeals to local appeal board. Membership on local appeal board limited. <p>OPTION:</p> <ul style="list-style-type: none"> • Provincial interest subdivisions are appealed to a provincial appeal body

PLANNING ACT REVIEW

Component	Existing System	Proposed System
Subdivision Appeals (continued)		OPTION: (continued) <ul style="list-style-type: none"> Local interest subdivisions are appealed to local appeal board Each department can appeal a municipal action to the Minister of Municipal Affairs for investigation and action of violation of provincial regulation
Funding	<ul style="list-style-type: none"> Provincial - approx. \$5 million Municipal contributions approx. \$5 million 	<ul style="list-style-type: none"> Provincial funding eliminated Municipal funding on voluntary basis and user pay for services

16.0 TRANSITION

With reduced resources for all parties and the need to consult with affected stakeholders, it will be difficult to make adjustments to the Planning Act in a short period of time. The new directions need to be phased in over a period of time. As well, it will be necessary to develop a strategic implementation strategy.

APPENDIX A

CANDIDATES FOR DEREGULATION

A variety of candidates for deregulation has emerged following initial input from municipal administrators (urban and rural), existing subdivision-approving authorities, and regional planning commissions. Past requests for amendments to the Act and a review of the 1985 deregulation initiatives have also contributed to the list.

Since administrative law requires municipalities to have authority and jurisdiction to take actions, any deregulation initiatives would be implemented only with a clear mandate given to municipalities to undertake land-use control.

Consequences:

The following is only a preliminary list. Each of the candidate deregulation items has associated consequences. These are briefly discussed below.

Candidates for Deregulation:

Planning Act

<u>Candidate</u>	<u>Consequence</u>
<ul style="list-style-type: none"> Streamline the area redevelopment plan adoption process and its relationship to land-use by-law amendments. 	<p>No consequence as long as public participation is maintained. This clarifies the process.</p>
<ul style="list-style-type: none"> Increasing municipal flexibility in dealing with legal non-conforming uses without loss of municipal control. 	<p>Increased flexibility may result in loss of municipal control. This needs careful legislative drafting. It provides opportunity to recognize unique site circumstances in addition to creating special land-use districts to accommodate development.</p>
<ul style="list-style-type: none"> Authorization of joint hearings for various planning by-laws dealing with the same development. 	<p>Careful legislative drafting required to ensure that due process and fairness are achieved. Some municipalities are administratively already following this procedure. This action will support this efficient practice.</p>
<ul style="list-style-type: none"> Clarifying the process for permitted uses, further restricting appeals on permitted uses. 	<p>Adjacent landowners' ability to object to developments could be restricted. There may be no way to coordinate development between properties. A uniform process across the Province may be best to protect individual rights.</p>

- Clarify process for appeals on second dwelling on an 80-acre parcel.

If the appeal is eliminated, there may be no way to coordinate access and infrastructure between properties. This would limit the opportunity for adjacent landowners to provide input. One option is to give municipalities the authority to decide if a local appeal process will exist for a permitted second dwelling on 80 acres.
- Eliminate restrictions on number of dwelling units on a lot and allow municipality to have clear authority to control.

Control of number of dwelling units on a lot would be administered through the local development process. Local municipalities will need the expertise to assess effects. This reduces provincial intervention.
- Clarify and simplify the public reserve provisions.

No major consequences as long as existing rights of municipalities and school boards are protected. This will ensure clarity for stakeholders.
- Delegate plan cancellations from the Alberta Planning Board to local municipalities.

No major consequences. It will result in more administrative duties for local municipalities. There will be some minor additional municipal costs that could be cost-recovered. It will reduce red tape, development approval times, and provincial involvement.
- Clarify that notice to landowner on tax role is adequate notice for by-law amendments.

Careful legislative drafting needed to ensure that due process is achieved.
- Eliminate innovative residential development areas and special planning areas through a simple provincial interest clause.

An all-inclusive statement allowing for the provincial interests to be protected. Careful legislative drafting will be required to ensure that provincial interests will be protected.
- Simplify replotting schemes if possible.

Streamlining may result in loss of compensation to private landowners. This needs careful examination and consultation with key stakeholders (e.g., Alberta Surveyors' Association). In practice, other approaches are used to resubdivide existing developments due to the complex replotting scheme process. This alternative and others will be further explored.
- Delegate time extensions from Alberta Planning Board to local municipalities.

No major consequences. There will be some additional administrative duties for municipalities which can be cost-recovered. This will reduce red tape and development approval-time delays.

- Compliance certificates are being requested by mortgage and legal firms.

There is no requirement in the Planning Act for municipalities to issue compliance certificates. Mortgage companies are requesting compliance certificates, which is costly for municipalities. It will be necessary to clearly allow for cost-recovery or to eliminate any obligation for municipalities to respond.
- Streamline and integrate approval process for landfill sites.

Decision process for landfill approvals is being considered by a joint stakeholder committee under the leadership of Alberta Health. A more cost-effective decision process is being developed.
- Clarify a municipal subdivision authority's approval to delegate certain types of subdivisions to municipal staff.

No major consequence as long as a distinctive appeal process exists. This would reduce Council's administrative duties and development time for landowners.
- Shorten to 14 days the time period for subdivision appeals for all parties.

No major consequences. This would reduce development delays. It is important to maintain/ensure consistency in appeal periods for all agencies.
- Streamline advertisement of subdivision approval notices. Determine whether there are reasonable effective alternatives to newspaper advertisement.

No major consequences as long as due process is adequate and administratively practical. Directly notifying adjacent landowners on the tax role would be more cost-effective.
- Increase flexibility for local municipalities to endorse final subdivision plan within 14-day appeal period.

Ensure that due process is achieved and individual rights to object are not eroded. Careful legislative drafting would be required. This would reduce development time delays.
- Assess need for adjacent landowner subdivision appeals.

In some situations the consequences are minimal. In other cases adjacent landowners could be significantly affected. Review the option of a public hearing at the subdivision stage at the discretion of the local subdivision-approving authority. One possibility is to give each subdivision-approving authority the option to determine the circumstances where adjacent landowner notice is required.

- Clarification of separation distances and approval procedures for intensive livestock operations and encroachment of incompatible uses.

Impact being resolved with Alberta Agriculture, Food, and Rural Development and stakeholder input. The Province has a major interest in protecting the agricultural industry from encroachment by incompatible uses.

Regulation 449/81 - Sherwood Park./St. Albert Growth Limits:

- Eliminate regulation.

Policy set by cabinet as a result of Edmonton annexation. The policy of setting growth limits on Sherwood Park and St. Albert are not practical. Natural growth has remained within the limits.

In the long term, the city may initiate another major uni-city annexation application.

Subdivision Regulation:

- Reduce mandatory circulation of applications after consulting with affected provincial departments and under certain circumstances (e.g., existence of an Area Structure Plan - ASP).

Minimal consequence. This would reduce red tape and development time periods.

- Reduce mandatory circulation for subdivisions registered before 1950.

Subdivisions registered before 1950 require subdivision approval to split titles to ensure availability of servicing. Currently full circulation is required. This would reduce red tape and development time periods.

- Reduce processing time for certain types of subdivision applications.

Increased pressure and administrative costs on subdivision-approving authorities to process within time limits. Subdivision applicants would face additional costs to ensure that their applications would be complete and ready for consideration.

- Eliminate from Subdivision Regulation the design standards which are best set by local municipalities (e.g., dead-end street design, minimum lot sizes for fully serviced subdivisions, design standards for industrial subdivisions).

Local municipalities must have expertise. Most do. This option has minimal consequences. It would reduce the time needed to process subdivision applications which currently require waivers by Alberta Planning Board.

Subdivision Regulation:
(continued)

- | | |
|---|---|
| <ul style="list-style-type: none"> • Simplify and delegate waiver of Subdivision Regulation based on comments from affected provincial agency. | <p>Processing time improved.</p> |
| <ul style="list-style-type: none"> • Streamline regulations for highway vicinity subdivisions as agreed to by Alberta Transportation and Utilities. | <p>Processing time improved. The province's interests, as determined by Alberta Transportation and Utilities, are still protected.</p> |
| <ul style="list-style-type: none"> • Delegate maximum country residential parcel size to local municipality. | <p>Some inefficient use and loss of prime agricultural land may occur. This should be monitored.</p> |
| <ul style="list-style-type: none"> • Clarify and streamline regulations for single parcel and fragmented parcels. | <p>No major change anticipated. Legislative drafting must be clarified.</p> |
| <ul style="list-style-type: none"> • Consolidate provisions in Act which are duplicated in the Subdivision Regulation (eg., public reserve). | <p>No major change anticipated to reserve dedication since reducing reserve land requirements would result in financial hardship for municipalities and school boards.</p> <p>Any duplication between the Act and the Subdivision Regulation would be eliminated.</p> |
| <ul style="list-style-type: none"> • Clarify need for deferred reserve caveats. | <p>Ensure protection of municipality without unnecessary encumbrance on titles.</p> |
| <ul style="list-style-type: none"> • Reduce any duplication between the Provincial Plumbing and Drainage Regulation and the Subdivision Regulation with respect to minimum lot sizes for unserved areas. | <p>No major consequences. The result would be less duplication of regulations.</p> |

PLANNING ACT AMENDMENTS

Section 1

Introduction

no comm

Section 2

Review Principles

partially

The City's major concerns which are broadly addressed in this section include proposed changes to development agreements (potentially limiting the ability of the municipality to enforce user pay), time limits on rezonings, adding mediation and arbitration to the municipal decision making process.

Section 3

Orientation of the Planning Act

The Planning Act review proposes a new focus on economic development/broadening the application of the Act. The City's concerns relate to the proposal to eliminate provincial guidance for development in the urban fringe and the lack of an evaluation to determine the strengths and weaknesses of the existing Planning Act.

Section 4

Practice versus Legislation

supported

This Planning Act Review paper proposes a dialogue between planners on the application of the planning act. The City's position is that this should occur prior to the passage of the new act.

FEED FAX THIS END

FAX

To:	Kelly
Dept:	
Fax No:	
No. of Pages:	
From:	D. Mayette
Date:	
Company:	
Fax No.:	
Comments:	as requested

Peach-H

fax 580 7803E

Section 5**Provincial Interests****partially supported**

The City position supports the protection of Provincial interests although there are some concerns with the means proposed in the Planning Act Review such as:

- **the suggestion that municipalities share in the cost of highway improvements**
- **the suggestion that Provincial airport vicinity protection controls be decreased around major airports**

Section 6 and 7**Role of Alberta Municipal Affairs supported****Role of the Alberta Planning Board supported**

The Planning Act Review proposes that the role of the Alberta Planning Board be reduced. Municipal Affairs role would be to handle co-ordination.

Section 8**Regional Planning****not supported**

The Planning Act Review proposes that Regional Planning Commissions be terminated with the option of creating an intermunicipal service agency replacing them. The City position, as proposed, suggests further discussion of this issue is necessary.

Section 9**Regional Plans****not supported**

The Planning Act Review suggests that regional plans be eliminated. The City's position, as proposed supports intermunicipal planning. The need to resolve intermunicipal disputes through planning is supported.

Section 10

Subdivision Approvals **partially supported**

Municipal subdivision authority and appeals is supported in the City's proposed submission; further appeals by developers to the Province on matters of dispute is not supported.

Section 11

Local Planning Structure **partially supported**

The Planning Act Review does not propose any major changes to the local planning structure in this section. The City's position paper is concerned with the suggestion that an alderman cannot sit on either the development appeal board or the subdivision appeal board.

Section 12

Planning Implementation **opposed**

The Planning Act Review suggests changes which would undermine municipal authority respecting development charges and levies and it suggests changes in the municipal reserve dedication process. These changes are opposed.

Section 13

Public Participation **partially supported**

The Planning Act Review suggests that the municipal public participation process has not been confrontational and ineffective and suggests the use of mediators or arbitration. The City's position paper does not support the use or arbitration or mediators.



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4 FAX: (403) 346-6195

City Clerk's Department 342-8132

April 26, 1994

The Honourable Dr. Stephen C. West
Minister of Alberta Municipal Affairs
c/o Local Government Services Division
15th Floor, Commerce Place
10155 - 102 Street
Edmonton, Alberta
T5J 4L4

Dear Sir:

RE: ALBERTA PLANNING ACT - REVIEW '94 DISCUSSION PAPER

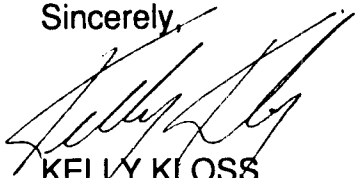
Council of the City of Red Deer, at its meeting held on Monday, April 25, 1994, adopted the attached City of Red Deer response to the above noted discussion paper, for submission to the Minister of Municipal Affairs.

As outlined in our response, The City would appreciate further opportunities to examine your Department's proposals for amendments to the Planning Act before a Bill is prepared.

Thank you for the opportunity to respond to this particular discussion paper.

If you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,



KELLY KLOSS
City Clerk

KK/clr
Attchs.

cc: Director of Community Services
Director of Engineering Services
Bylaws and Inspections Manager
Associate Planner



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**THE CITY OF RED DEER**

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department (403) 342-8132

April 27, 1994

The Honourable Dr. Stephen C. West
Minister of Alberta Municipal Affairs
c/o Local Government Services Division
15th Floor, Commerce Place
10155 - 102 Street
Edmonton, Alberta
T5J 4L4

Dear Sir:

RE: ALBERTA PLANNING ACT - REVIEW '94 DISCUSSION PAPER

Further to our letter of April 26, 1994 concerning the above topic and wherein we included a copy of The City of Red Deer's response to amendments to the Planning Act, please note that we neglected to include The City's Executive Summary. Please find attached hereto the said Executive Summary. I ask that you include it with the previous response provided by this office.

If you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services
Director of Engineering Services
Bylaws and Inspections Manager
Associate Planner

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THE CITY OF RED DEER

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CITY OF RED DEER

PLANNING ACT REVIEW PAPER

EXECUTIVE SUMMARY

The City of Red Deer appreciates the opportunity to provide comments on the proposed changes to the Planning Act.

From the City's perspective, there are concerns about a number of aspects of the proposed changes. These concerns are discussed in detail in the attached response and are summarized as follows:

- * concern over the proposed alternatives regarding development agreements; the City has used a policy of "user pay" in terms of development and would be very concerned with proposed changes which could lead to a shift in costs to the general taxpayer.
- * concern over proposed alternatives which could change the Municipal Reserve dedication process; the current act provides a clear expectation to developers and the public in terms of the provision of parkland. Any amendment which would involve negotiations for public reserve will lead to unnecessary delays in development and will prove disadvantageous to the public which due to the declining size of City lots, have an increased reliance on public parks.
- * concern over the loss of regional plans and the regional planning commission; the regional plans foster intermunicipal planning within this region and the concept of regional planning is supported by the City.
- * The Regional Planning Commission has been the agency which has coordinated and provided land use planning within the region; they also have acted as an intermunicipal forum and regional voice on issues of common interest. The loss of the regional planning commission will have a long term detrimental affect on the City and the Region.
- * concern over the use of arbitration and mediation as additional steps in municipal decision making; these options should only be used upon the mutual agreement of the parties involved; the mandatory use of arbitration and mediation would erode municipal autonomy.

... 2



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CITY OF RED DEER
PLANNING ACT REVIEW PAPER
EXECUTIVE SUMMARY
PAGE TWO

- * concern over the comments on the ineffectiveness and confrontational nature of the existing public participation process; the City of Red Deer has prided itself on the extensive and productive public participation it uses; the city has developed its public participation process to provide constructive not confrontational input to plans and bylaws. Mediation or arbitration in public participation is not required.

The City of Red Deer urges the Provincial Government to consider additional discussions prior to considering any legislative change to the Planning Act. The City would look forward to participating in these discussions.

BYLAW NO.2672/M-94

Being a Bylaw to amend Bylaw No.2672/80, 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:

That Bylaw No. 2672/80 be amended as follows:

1. Rescind section 6.3.1 Industrial (Business Service) District and replace it with the following:

6.3.1 I1 INDUSTRIAL (BUSINESS SERVICE) DISTRICT

6.3.1.1 General Purpose of District

To provide for a limited range of light industrial, warehousing, storage, and industrial support services, the operation of which do not create or emit noises, odours, dust, fumes or other factors which are regarded as nuisances; in addition, this district will provide for certain other businesses which are incompatible in commercial districts.

6.3.1.2 Permitted Uses

The following uses are permitted subject to Section 5.3.2 and 5.3.3.

- (1) Manufacture, processing, distribution, repair, servicing, and/or rental of any articles
- (2) Warehouse and storage, subject to Section 5.2.2.
- (3) Service stations
- (4) Accessory buildings or uses excluding sales
- (5) Accessory sales related to manufacturing, processing, and/or distribution of any article
- (6) Industrial Support Services
- (7) Identification, local advertising and general advertising on the following types of signs (see Section 4.12): (2672/T-89)

Awning, canopy signs
 Under canopy signs
 Fascia signs
 Free standing signs
 Painted wall signs
 Projecting signs
 Wall signs

- (8) A-Board Signs located within the boundaries of the lot, provided that:
 - (i) such signs may advertise only the businesses situated on such lot; and
 - (ii) such signs may not be placed on any portion of a lot which abuts an arterial road. (2672/H-93)

6.3.1.3 Discretionary Uses

The following uses are discretionary subject to Section 5.3.2 and 5.3.3.

- (1) Transportation, communication or utility facility
- (2) Trade/Commercial Schools (maximum capacity of 60 persons)
- (3) Food and/or beverage service facility (maximum capacity of 60 persons)
- (4) Sale of large trucks over 10,000 Kg, heavy construction equipment and machinery (2672/U-81)
- (5) Dangerous goods occupancy (2672/U-90)
- (6) Auction Marts (excluding livestock)
- (7) Animal Services
- (8) Billboard signs except on sites fronting on Gaetz Avenue between 28th Street and the southern boundary of the City, on Gaetz Avenue between 77th Street and the northern boundary of the City, on 67th Street between 59th Avenue and the western boundary of the City and on sites adjacent to Highway 2 within the City boundary.

6.3.1.4 Regulations

- (1) Floor Area: N/A
- (2) Building Height: N/A
- (3) Front Yard: Minimum 6 metres
- (4) Side Yard: Minimum 6 metres on one side
- (5) Rear Yard: Minimum 3 metres
- (6) Landscape Area: Minimum 40% of minimum front yard.
- (7) Parking Space: Subject to Section 4.10
- (8) Loading Space: Subject to Section 4.11
- (9) Site Area: Minimum 929 m²
- (10) Frontage: Minimum 22 metres

6.3.1.5 Site Development

- (1) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped spaces, and the parking layout shall be subject to approval by the Development Officer or the Municipal Planning Commission.

6.3.1.6 Special Regulation

- (1) Notwithstanding Section 6.3.1.4 buildings on properties abutting a major arterial or abutting a service road adjacent to a major arterial shall be constructed at least 18 meters from the said arterial or service road. (2672/C-82). The building on Lot 10A, Block A, Plan 782 0258 (2404 - 50 Avenue) shall be exempted from this regulation, but shall have a minimum front yard setback of 15.0 metres. (2672/AA-93)

2. Rescind section 6.3.2 Industrial District and replace it with the following:

6.3.2 I2 INDUSTRIAL(HEAVY INDUSTRIAL) DISTRICT

6.3.2.1 General Purpose of District

To provide for a wide range of manufacturing, assembling, fabrication and processing of goods in which nuisance factors have a high probability of occurring.

6.3.2.2 Permitted Uses

- (1) All uses listed as permitted in the I1 Industrial (Business Service) District, Section 6.3.1.2 subject to Section 5.3.2 and 5.3.3.

6.3.2.3 Discretionary Uses

- (1) All uses listed as discretionary in the I1 Industrial (Business Service) District, Section 6.3.1.3, with the exception of industrial support services, subject to Section 5.3.2 and 5.3.3.
- (2) Manufacturing, processing, distribution, repair, servicing, and/or rental facilities that exceed the standards of Section 5.3.2
- (3) Livestock/Animal Auction Mart

6.3.2.4 Regulations

- (1) Floor Area: N/A
- (2) Building Height: N/A
- (3) Front Yard: Minimum 15 metres
- (4) Side Yard: Minimum 3.8 metres
- (5) Rear Yard: Minimum 3 metres
- (6) Landscape Area: Minimum 20% of the minimum front yard

- (7) Parking Space Required: Subject to Section 4.10
- (8) Loading Space Required: Subject to Section 4.11
- (9) Site Area: 1.2 hectares unless otherwise approved by the Municipal Planning Commission
- (10) Frontage: N/A

6.3.2.5 Site Development

- (1) The site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped spaces, and the parking layout shall be subject to approval of the Development Officer or the Municipal Planning Commission.

6.3.2.6 Site Location

- (1) For those developments that exceed or are expected to exceed performance standards of Section 5.3.2, the location of the site within the land use district and the relationship of the site to the rest of the City and surrounding environs shall be subject to approval by the Municipal Planning Commission.

- 3. Rescind subsections 5.3.1, 5.3.2, 5.3.3 and 5.3.4 and replace these with the following:

5.3 PERFORMANCE STANDARDS

5.3.1 Industrial Standard I

- (1) Industrial Standard I includes any industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material which shall emit no noxious substances or materials or create a nuisance discernable beyond the property line of the lot concerned,
- (2) no waste which does not conform to the standard established by the Water Bylaw and Sewer Bylaw of the City of Red Deer shall be discharged into any sewer,

- (3) The onus of proving to Municipal Planning Commission's or the Development Officer's satisfaction that a proposed development does and will comply with these requirements rests with the applicant.

5.3.2 Industrial Standard II

- (1) Industrial Standard II includes any industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material which shall not create a nuisance discernable beyond the property line of the lot concerned, but might produce noxious emissions,
- (2) Sections 5.3.1(2) and 5.3.1(3) apply to Industrial Standard II.

5.3.3 General Industrial Performance Standard

- (1) In addition to meeting all the other requirements of Section 5.3, development of an industrial site shall comply with the following:
 - (a) the minimum front yard of a site in any industrial district may be used only for:
 - (i) landscaped areas and pedestrian walkways which, together, unless otherwise provided in the Regulations shall comprise not less than 40 per cent of the area of the minimum front yard,
 - (ii) driveways having access to a street or streets at locations to be approved by the Municipal Planning Commission,
 - (iii) subject to the approval of the Municipal Planning Commission loading and parking areas having a combined area not exceeding 60 per cent of the area of the said minimum front yard, provided that vehicles can enter and leave the site without reversing or manoeuvring on the right-of-way of a registered street,
 - (iv) display purposes provided that no display is located within the minimum required landscaped areas of the front yard and subject to the approval of the Development Officer.
 - (b) in the event that the front yard of a site in any industrial district exceeds the minimum front yard, Section 5.3.3(2) shall apply to such excess.

(2) General Maintenance and Appearance of Industrial Sites

- (a) Those portions of an industrial site not covered by buildings and not used for open storage shall be either:
 - (i) paved or gravelled and maintained in a neat dust free condition to the satisfaction of the Municipal Planning Commission, or
 - (ii) landscaped suitably and maintained free of weeds to the satisfaction of the Municipal Planning Commission, or
 - (iii) a combination of (i) and (ii) hereof.
- (b) In the event that the street or boulevard abutting a site in an I1 or I2 district is not paved or not landscaped, the Municipal Planning Commission may permit an extension of not more than 12 months following notification by the City of completing of such paving or landscaping for compliance with this Bylaw upon the registered owner of the site entering into an agreement in writing with, and satisfactory to, the City in respect thereof, which agreement the City shall register against the site by way of Caveat.

4. Add the following to section 4.10.1(1):

Commercial Recreation Facility - 1.0 per 1.5 participants (at estimated maximum capacity) plus 1.0 per 20 m² (gross leasable floor area)

Merchandise sales and/or rentals:

Warehouse sales 5.1 per 93 m²

5. Delete the required parking spaces for commercial entertainment facility in Section 4.10.1(1) and substitute the following:

Commercial Entertainment Facility - 1.0 per 5 seats

6. Delete the required parking spaces for manufacturing and industrial plants, warehousing, wholesale and storage buildings and yards, servicing and repair establishments, research laboratories and transportation, communication or utility facility in Section 4.10.1(1) and substitute the following:

Manufacturing and industrial plants, wholesale servicing and repair establishments, research laboratories and transportation, communication or utility facility	3.0 per 93 m ² , but not less than 5 spaces per tenant or establishment (The Development Officer may vary this regulation to accommodate more labour intensive uses)
Warehousing, storage buildings and yards	1.0 per 93 m ² , but not less than 5 spaces per tenant or establishment

7. Add the following definitions, in alphabetical order, to Section 1.2:

"Animal Services" means development for the purpose of treatment, boarding, training, or grooming of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, pet grooming salons, boarding and breeding kennels, impounding and quarantining facilities, and animal shelters. This does not include the sale of animals.

"Business Park" means a specially designated area to accommodate a number of buildings in a comprehensively designed setting.

"Financial Institution" means a development primarily for the banking or lending of money.

"Industrial Support Service" means development providing support services to industry. This term refers only to the following uses: duplicating, photocopying and blueprinting services, building security, cleaning or maintenance services, engineering (with dangerous goods), industrial drafting, land surveyors, laboratories, oilfield services, project design and management services, construction trade or construction contractor. "Office" is a separate use.

"Noxious" means any use or activity which creates or is liable to create, by reason of destructive gas, fumes, or dust, emissions, objectionable odour, noise, vibration or unsightly storage of goods, waste, or other materials, a condition which may become hazardous or injurious in regard to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

"Nuisance" means any use or situation which is or may be dangerous to health or is offensive to the senses. This may include unsightliness, odour, noise, vibration, dust, smoke, and bright lights or glare.

"Trade/Commercial Schools" means development which provides technical instruction to students.

8. In Section 1.2, replace:

"Landscaped Area", "Office", and "Transportation, Communication, or Utility Facility" with the following:

"Landscaped Area" means an area designed, constructed and laid out as a lawn, with or without shrubs, trees or flowers or other ornaments incidental to a landscaped area. Industrial districts may have low or no maintenance style landscaping.

"Office" means a development that provides professional, management, administrative, consulting, financial services, medical, and/or health care services. Typical uses include the offices of doctors, lawyers, accountants, engineers (no dangerous goods), architects, clerical, secretarial, employment, telephone answering and similar office support services, and financial services other than financial institutions.

"Transportation, Communication or Utility Facility" means a facility for bus depots, trucking, taxi or courier firms, telephone, radio or television production or transmission, and water, sewer or electrical energy transmission, or railway right of way. (2672/D-93)

9. This By-law shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1994.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1994.

MAYOR

CITY CLERK



Alberta Urban Municipalities Association

8712 105 Street, P.O. Box 4607, Station S.E., Edmonton, Alberta T6E 5G4
Tel: (403) 433 4431 • Toll Free: 1 800 661 2862 • Fax: 433 4454

cc Mayor Bylaws & Insp. Manager
City Commissioner Associate Planner
Dir. of Eng. Services
Dir. of Community Services 94/05/09

April 25, 1994

Hon. Dr. Steve West MLA
Minister of Municipal Affairs
Government of Alberta
425 Legislative Building
10800 - 97 Ave NW
Edmonton, Alberta T5K 2B6

COPY

Dear Dr. West:

The Alberta Urban Municipalities Association has considered the Discussion Paper on the Alberta Planning Act Review '94.

Attached for your consideration is a document that sets out our views on this fundamental matter. We are of the opinion that some modifications to the system of planning in our Province are warranted and indeed timely. To that end we have pledged to work with you and your officials to identify those changes that will provide improvements.

Fundamentally however, we request that a clear statement from your government be made as to which Provincial land use interests will be carried forward; which ones will be abandoned, and if any new ones are to be adopted. As local urban governments, we continue to accept the financial responsibility for the costs of maintaining our local interests, but we will not ask our property taxpayers to underwrite the costs associated with the Provincial interests.

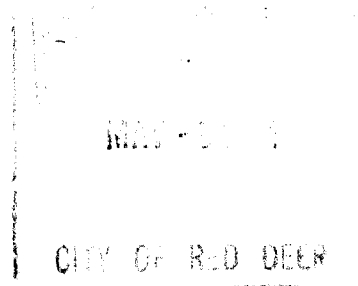
Our province has indeed benefited from the land use planning that is required by the 1977 Planning Act. As we proceed to jointly identify positive adjustments to the Legislation, it is critical that we work together to ensure that our collective interests are not irreparably harmed.

Sincerely,

William Purdy
President

cc Hon. Premier Klein
Members of Executive Council
Chairs of Standing Policy Committees

file
in April
25/94
C Agenda
with
Review of
Planning
Act
LK





Alberta Urban Municipalities Association

8712 105 Street, P.O. Box 4607, Station S.E., Edmonton, Alberta T6E 5G4
Tel: (403) 433 4431 • Toll Free: 1 800 661 2862 • Fax: 433 4454

COPY

April 26, 1994

Hon. Jim Dinning MLA
Provincial Treasurer
Government of Alberta
224 Legislative Building
10080 - 97 Ave NW
Edmonton, Alberta T5K 2B6

Dear Mr. Dinning:

The Alberta Urban Municipalities Association has reviewed the recommendations of the Alberta Tax Reform Commission.

As the majority of the recommendations deal with the primary source of revenue for municipalities -- the property tax, our views must be noted. Recently announced changes by the Province to the financial support to municipalities will significantly influence the ability of local governments to provide services to our residents. We cannot accept any additional changes that further deteriorates our limited revenue unless these changes are designed together.

We await the opportunity to discuss our responses with you.

Sincerely,

William Purdy
President

cc Hon. Premier
Members of Executive Council
Chairmen of Standing Policy Committees



Alberta Urban Municipalities Association

RESPONSE

**ALBERTA PLANNING ACT ---
REVIEW '94**

**ALBERTA TAX REFORM
COMMISSION**

May 1994



Alberta Urban Municipalities Association

RESPONSE

**ALBERTA PLANNING ACT ---
REVIEW '94**

**ALBERTA TAX REFORM
COMMISSION**

May 1994

ALBERTA PLANNING ACT
REVIEW '94

MAY 1994

EXECUTIVE SUMMARY:

Sound planning of human settlement is the result of the intricate balancing of competing interests. It was through the determined efforts of local governments, operating in partnership with the Provincial government, that fundamental planning instruments were put in place. Those challenging decisions made in the past have served the people of Alberta exceedingly well over the last two generations.

Land use planning in our Province focused on the development of positive quality of life factors. Balancing these factors, which are important to the residents of their community, with the rights of individual property owners, has ensured that change would be efficiently managed.

Local urban governments in the Province of Alberta have participated in the dramatic change that has occurred in our Province over the last two generations. The population has nearly doubled and the majority of Albertans have turned to urban governments to provide them with a wide variety of services.

The infrastructure necessary to sustain that growth and the attendant development has been efficiently and effectively managed through the use of modern planning principles.

Over these last forty years, revisions to planning legislation was designed to enhance these sound planning principles.

Exciting new measures like the proposed Municipal Government Act 1994 will strengthen local decision making, moving the opportunities for local people to make more and more of the decisions that affect their lives closer to home.

If properly constructed through joint development of certain legislative principles, the proposed changes to the system of planning land uses, will complement the increased local control provided.

To accomplish this, first and foremost, it is fundamental that the Province clearly enunciate its (Provincial) land use interests.

In 1982, shortly after the enactment of the new Planning Act, the Province gathered together the various provincial departmental interests and issued a report - "Framework for Application of Regional Plan Guidelines". This document served as a basis upon which all land use planning instruments in the Province were to be developed.

Provincial policies on the preservation of agricultural lands, restrictions on development next to major highways, the siting of residential developments next to potential and actual sour gas plants, the management of the urban fringe etc., were incorporated into the hierarchy of planning instruments that function in the province.

In reviewing the Discussion Paper, it is uncertain if the Province will continue to protect these Provincial interests or if new ones will be developed.

We raise this as a major concern because over the last twenty years, the provincial and municipal governments have invested billions of dollars in the development of infrastructure.

Transportation and utility corridors, highways, parks, water and sewage treatment facilities, recreational facilities etc., were built to increase the quality of life of Albertans. It is because our Province and municipal councils made these wise investments, we truly have an Alberta Advantage. Now is not the time to negatively dismantle those advantages.

Decisions on this infrastructure, such as its size, location and compatibility, were based on the migration patterns of future growth. It was the ability to incorporate into planning instruments, such as land use by-laws, general municipal plans or the regional plans, these decisions on growth patterns, that the integrity of the infrastructure investments have been maintained.

The dollars spent on sound land use planning was minor, when compared to the huge infrastructure investments that have already been made.

We submit, that those who propose radical changes to the Planning system, must not lose sight of the reality that planning, is decisions made today, to avoid costly mistakes tomorrow.

Although the Planning Act Review '94 is an opportunity to advance positive changes for land owners, local communities, their elected councils and the province, it must be clearly understood that the existing planning system has indeed served the people of Alberta very well, and changes advanced must be to improve the system, not to destroy it.

Once a clear statement as to what the province believes are the fundamental provincial interests is made, on such things as urban developments on good agricultural lands, minimum health, safety and health components, developments along highways, etc., local governments will plan for the future accordingly.

To prevent duplication and unnecessary expense, the provincial interests must not contain mixed or conflicting positions of government departments. (i.e. Economic Development and Environmental Protection regarding recreational/tourism development; or, Economic Development and Transportation regarding developments along highways, etc.)

The financial responsibility to ensure the enforcement and compliance of these Provincial interests, must rest with the Province and not the municipalities.

We are of the opinion, that once the actual costs required by each and every provincial government department to enforce and maintain the provincial interests are tabulated, the few dollars previously invested in partnership with the municipalities on planning, will quickly be seen as a bargain.

In conclusion, we would ask that the provincial government exercise extreme caution in not destroying a system merely for the sake of change.

Our response to the worksheet is attached.

AUMA RESPONSE TO THE QUESTIONNAIRE

ALBERTA PLANNING ACT - REVIEW '94

- 1. If the Planning Act is to consider matters beyond land use control, what should be included?**

Fundamentally, the Planning Act is responsible for Land Use Planning and Control. If however, revisions to the Planning Act are to be undertaken, then consideration should be given to ensure that other legislation (ie., Environmental Enhancement and Protection Act, etc.) is coordinated with the Planning Act to ensure that a municipal council's ability to effectively plan for existing and future human settlement is enhanced.

- 2. Should the legislation be more flexible to recognize the needs of different municipalities? If so, how should this be accomplished?**

Yes.

The legislation should be enabling, permitting those municipalities that have the capacity to streamline certain approval processes while maintaining the balance between the rights of land owners and the greater public good. For example, consideration should be given to permit temporary land uses.

- 3. Is there a need for guidelines for urban and rural growth?**

Absolutely.

The Provincial interests in the Urban Fringe (i.e., Transportation and Utility corridors, Restricted Development Areas, etc.) need to be clarified. However, guidelines for urban and rural growth ought to be

based on joint agreements amongst neighboring municipalities. Only in the absence of joint agreements should the Province impose guidelines.

4. Is the manner in which some municipalities interpret and practice planning a problem? If so, how can this be addressed?

Not to urban governments. However, with the pending loss of viable regional structures, smaller communities and the Province as a whole will be adversely affected by the lack of good planning in the future.

5. Should the issue of provincial interest be specifically noted in legislation or by some other mechanism? Which provincial interests?

Absolutely.

It is only after a clear articulation of what in fact are the Provincial interests, that it will be possible for local governments to efficiently and effectively plan for future growth and development.

These provincial interests must not be contradictory, and be accompanied by a commitment that the Province will ensure that they will financially support their enforcement and compliance.

Although the AUMA believes that a number of the existing Provincial interests must be maintained, those that address health, safety and the environment, together with the protection of the urban fringe are critical.

6. Do you agree with the alternatives listed in the Discussion Paper respecting the need to better integrate provincial and municipal approvals? Please elaborate?

The objective of reducing duplication is a long standing position of urban governments. It is likely that over the next few years, the major challenge for planning in Alberta will be the coordination of approvals between the municipality and the Province. Since the development of the Planning Act, a number of new legislative initiatives have been enacted that also deal with land use. These include the Natural Resources Conservation Board and the Environmental Protection and Enhancement Act. It is likely that once the Province sets out in legislation what in fact are their Provincial interests, how they will maintain and enforce their interests, and takes steps to coordinate other land use legislation with the Planning Act, then the necessary approval processes and practices can be jointly developed.

7. Do you foresee any problems with regulation of AVPA at the local level (ie., through land-use by-laws rather than the provincial level?

Yes.

Given that all airports have multi-municipal impact and involvement, the Province should maintain its regulatory role so that consistency is achieved. As both the Federal and Provincial governments are presently involved in airport planning, adding a municipal regulatory role will only serve to increase the regulatory over-burden.

8. What future role(s) should a provincial board play in the planning process?

- i) Provide for a one window approach for the coordination and articulation of the Provincial interests.

- ii) Provide for an informed dispute resolution tribunal for inter-municipal disputes.

9. If municipal service agencies were to be established, what types of services should they provide and what mechanisms and resources are needed to operate these agencies?

If municipal service agencies are established, they must be on a voluntary basis. It would be up to the member municipalities to determine services and resources.

10. If the concept of a regional plan is to be maintained, what types of issues should the plan address?

Regional Plans have provided valuable assistance in setting the framework within which municipal land use decisions are made and the concept should be maintained. To be effective however, mandatory membership is necessary. Unless this fundamental concept is dealt with, the contents of the Plan will remain uncertain and ineffective.

11. What are the implications of giving all municipalities subdivision approving authority?

Given that the Province is the guarantor of the certificates of title that are issued as a result of subdivision, and will set out the Provincial interests in legislation, the implications of this step are more of a concern to the Province than to urban governments. The AUMA would suggest that certain basic planning principles be required prior to granting sub-division approving authority.

12. Is there a need to provide a consistent uniform standard across the Province for subdivision processing? If so, what should these standards deal with?

Qualified Yes.

Inasmuch as the Province has thus far determined that no financial support will be provided for the processing of subdivisions, the issue of the maintenance and enforcement of the Provincial interests is a major concern.

The local municipality will determine their minimum standards reflective of the needs and their financial resources. However, if Provincial interests are to be incorporated into those standards then the Province must financially participate.

13. What are the issues in allowing subdivision appeals to occur at the local level?

In the effort to strengthen local governments, subdivision appeals can be heard at the local level. Although in rare cases where the appeal is filed by one municipality against another, the matter should go directly to a regional or Provincial appeal body. However, the issue of maintaining the Provincial departmental interests will require the province to consider the implication of this suggestion.

14. What are your views on membership to subdivision and development appeal boards?

Accountability and responsibility require that membership of appeal boards is solely up to the locally elected council to determine.

15. Should general municipal plans remain as a statutory document? If not what alternatives exist?

Yes.

Regulatory procedures presently mandated in the Planning Act and the regulations, for the establishment or amendment of general municipal plans, should be examined to remove duplications and streamlined to assist both the municipality and the land owner who may require changes.

16. What issues need to be addressed in dealing with the urban fringe areas?

Growth and the ability to service that growth are the keys to the urban fringe. Protection of future growth patterns, existing major infrastructure investments and the opportunity to reduce future land use conflicts, demands that the urban fringe be planned efficiently.

17. Are area structure plans still a useful planning tool? Is there a need to provide municipalities with a set of basic provisions to be included in all area structure plans? If so, what should the provisions be?

As an optional planning tool, the Area Structure Plan is a valuable tool that provides residents with some certainty of land use and a measure of local accountability. The current basic provisions have been sufficient.

18. Should the Planning Act set limits on what municipalities can charge for development and redevelopment levies? If not, why not; if so what should the limits be?

Absolutely not.

The unique characteristics of each and every urban government demands that development and redevelopment levies be determined by the locally elected council. A competitive market place, rather than centrally decreed levies must be permitted to operate.

19. Are land-use by-laws still a suitable planning tool? If not, what changes are needed?

Yes.

Other jurisdictions in Canada, and elsewhere, where land use by-laws are not used to guide growth, clearly demonstrate helter-skelter settlement patterns. This lack of a fundamental planning instrument has resulted in both high costs to provide basic services and unsightly developments, all impacting on the quality of life found in the community.

20. Do you foresee a role for an independent mediation/arbitration process? If so, where might this process be used?

Yes.

Given that it is suggested that individual provincial departments will be responsible for the maintenance and financial support of their provincial interests, then it will be necessary for a mediation/arbitration process to sort out what in fact these provincial interests are so that the municipality can plan accordingly. (i.e. Economic Development and Environmental Protection regarding recreational/tourism developments; or Economic Development and Transportation regarding developments along highways, etc.)

With respect to a regulated mediation/arbitration process at the municipal level, no justifiable need is identified as this mechanism to resolute disputes is already successfully used by some municipalities.

21. In the provision of reserves, what issues do you feel need to be addressed and why?

Local authorities, other than municipalities, who demand reserve dedication should be responsible to demonstrate the bona fided need for the lands requested.

The provisions for environmental reserves should be examined to determine if municipal flexibility can be enhanced. As well, it would be appropriate to give consideration to affording the municipality added flexibility in dealing with those reserves. Included in that

flexibility would be the manner of the dedication and possible future disposal, thereby reflecting the nature of the development and the aspirations of the local community.

22. What are the implications of setting timelines for local approvals (eg., land-use by-law amendments)?

The autonomy of local urban governments must not be compromised by the imposition of centrally planned artificial time frames for local approvals. It is the sole prerogative of the local council to grant certain approvals. Any attempt to circumvent local autonomy or impose costly regulations by the Province would be opposed.

23. What alternatives exist to better facilitate public participation in the planning process?

Local governments will continue to enhance the opportunity for the broadest public participation in the planning process.

However, the existing legislated regime for public participation in the planning process may have served to discourage, as opposed to encourage public participation (i.e. duplicated hearing processes for the same development albeit at different stages of approval). It may be appropriate to consider the public participation elements to ascertain where enhanced flexibility for local decisions on the process can be accommodated.

24. Of the candidates for deregulation listed in Appendix A, do you have any concerns? If so, please specify.

The candidates for deregulation listed in the Discussion Paper cover many of the concerns that have been raised by urban governments.

Many have been the genesis of the planning concerns cited by municipalities, land owners, the development industry and the public.

We support the majority of the revisions proposed, provided we are involved in the development of the alternatives and the Province does not off-load the costs associated with the maintenance of their (Provincial) interests.

We do however, have major concerns with one.

"Eliminate innovative residential development areas and special planning areas through a simple provincial interest clause."

Few things in life are truly simple.

The special planning areas provision permitted the Province to act unilaterally notwithstanding the legislative and regulatory constraints on the proposed development. This provision is rarely used and must not be camouflaged.

As for the innovative residential development areas, enabling provisions should be considered which would permit an elected council to respond to changing housing needs.

**ALBERTA TAX REFORM
COMMISSION**

May 1994

EXECUTIVE SUMMARY:

The Alberta Urban Municipalities Association has reviewed in detail the recommendations of the Alberta Tax Reform Commission contained in the Report to Albertans released on February 3, 1994.

We are disappointed that the Commission members appear to have overlooked the impact of **all** taxes that Albertans are called upon to pay, and dedicated a disproportionate level of interest on the Property Tax; **The only tax that municipal government relies upon to fund necessary services to property and people.**

Notwithstanding a resounding statement that Alberta has a highly competitive tax advantage when compared to other Canadian and non-Canadian jurisdictions, the Commission is of the opinion that major modifications to the property tax system, as opposed to either the income or royalty tax, would serve to enhance our competitive advantage.

We do not agree.

Examined against the seven tax principles outlined by the Commission, we believe that the property tax meets or exceeds six of those principles.

The Alberta property tax system:

- i) Requires the minimum amount of administration.
- ii) Is simple, visible, effective and accountable.
- iii) Relates to the ability to pay and the overall benefits received.

- iv) Provides a level playing field.
- v) Is stable, predictable and efficient.
- vi) Provides necessary revenues.

This is not to say that modifications to the property tax system are not in order.

Since the beginning of the last decade, municipal governments have pressed for some of the changes to the property tax system that the Commission has advanced, (such as the recommendation regarding the funding of education) and we are guardedly optimistic that some of these changes may now be acted upon.

The Commission clearly stated that any changes that may be contemplated **must be revenue neutral to municipalities.**

This is fundamental and cannot be over emphasized.

The new fiscal realities of provincial - municipal financing, the radical reduction of equalization payments that off-set the fiscal inequities that existed in Alberta, and the off-loading of programs and services from the Federal and Provincial governments to the municipalities, has created a stacking effect that can not be ignored.

More and more services to property and people must rely upon the property tax to be funded. Measures to reduce and eliminate non-essential services; improvements in service delivery through contracts with private firms, and the overall reduction in the size of local governments, by municipal governments themselves, has been common place in Alberta for a number of years.

The Commission appears to have ignored this reality.

Property taxes that fund municipal operations have been restrained by municipal councils for a number of years due to the increasing demands from external requisitions. Yet, the Tax Reform Commission is suggesting that municipalities should be restricted to only "essential services".

We wish to make it absolutely clear, that as a duly elected order of government, it will be our Councils, representing their residents, who will determine what services are to be provided.

It is important to note that municipalities and the Province have agreed to commence meaningful discussions on disentanglement. The results from these deliberations should go a long way in determining which order of government ought to be responsible and accountable for various services to Albertans. Through the elimination of duplications and unnecessary regulations, the overall cost of government to Albertans will be reduced.

We are proposing that the ongoing debate on the assessment of non-residential classes of property be finally brought to an end. Our recommendation is that the province and the municipalities come together, agree on a set of principles, and work in partnership to resolve this issue once and for all.

Any assessment driven shifts of the level of taxes that is presently paid by the various classes of property must be defensible and do not drive small business and homeowners into financial ruin.

In concluding, we wish to state that recognizing the fundamental principle of revenue neutrality for municipalities, the provincial government must exercise extreme caution in tinkering with the property tax system.

We have prepared a brief document that outlines those recommendations that we would support; those that we reject, and those recommendations with modifications, that will improve our property tax system.

If the province is committed to meaningful consultation and joint development of viable alternatives, our property tax system can be enhanced benefiting our mutual taxpayers.

AUMA RESPONSES TO TAX REFORM COMMISSION RECOMMENDATIONS:

3.1 All property should be assessed on the basis of market value.

Alberta's assessment system is based on market value of land and a regulated value of the replacement costs of the building and improvements. The recent announcements by Alberta Municipal Affairs to step up the pace of general assessments is a major first step in bringing all parcels in the province to a current assessment level. We believe that once the use of 100% regulated values is wide spread across Alberta, the move to full market value assessments can then be fairly examined.

3.2 Market value should be based on current use of the property.

This recommendation is strongly rejected.

Notwithstanding the fact that this recommendation contradicts recommendation 3.1, we will strongly reject any attempt to introduce measures that would create artificial distortions of values and the avoidance of property tax. Market value for land and regulated value for buildings and improvements is the basis upon which a particular parcel is assessed. Downtown Alberta is dotted with parcels that appear to be farms. Implementing this "current use" concept will directly affect parcels such as this and negatively impact the municipality and destroy any equity.

3.3 All property should be re-assessed on a general assessment basis far more frequently, ideally on an annual basis.

This recommendation is supported.

However, general assessments must not be rigidly regulated to occur every year as this is a local decision reflective of local circumstances. We recommend that general reassessments occur at least once every three years.

3.4 Transition mechanisms should be built in to address the impact on long-term residents, people on fixed incomes and those affected by major increases.

This recommendation is rejected as new or additional measures to those already provided in legislation are not required.

Taxation issues are exclusive to locally elected councils and any steps taken to intrude into this area by the province is opposed. If the province wishes to establish a fund to underwrite the costs associated with the tax system changes that they may impose, municipal governments would be prepared to consider its implications.

3.5 An independent provincial assessment corporation should be established.

Urban governments continue to support the Municipal Statutes Review Committee's recommendation that a central assessment agency be established on a voluntary basis. Valid and accurate assessments are fundamental to maintain the integrity of the equalized assessments upon which shared costs amongst municipalities is apportioned.

Inter-municipal disputes and equalized assessment appeals will unfortunately increase if the number and frequency of inaccuracies and discrepancies become apparent.

Recent announcements by the Minister of Municipal Affairs regarding assessment services would suggest that the province will not participate in the consideration of this matter.

Ultimately, the decision as to how assessment services will be delivered rests with the local council and not the province. We would encourage the province to work with municipalities and their Associations to design creative means of responding to their assessment service needs.

3.6 Hard to value properties.

This recommendation is of growing concern as the province withdraws from the delivery of assessment services.

Standardization of valuations across the province is essential and measures to ensure that a common basis for the valuation of these hard to value properties is necessary to reduce the inter municipal disputes that may arise.

3.7 Rental properties.

This recommendation is strongly rejected. The landlord and tenant relationship does not require the added involvement of the municipality.

3.8 - 3.9 Current policies on property tax exemptions should be reviewed. The Province should get out of the business of exempting certain properties.

We agree that the province should refrain from granting exemptions from property taxes.

The local councils presently have the authority to grant tax refunds but not exemptions from assessments. If the authority to grant both tax and **assessment exemptions** is provided, it will be necessary for municipalities to work together to establish guidelines so that the exemptions are consistently applied across the province.

8.1 Farm Buildings.

This recommendation is rejected as it includes the additional factor of "production value" or income opportunities to the valuations of the building and structures. It is recommended however, that major revisions to the method of assessing the value of farm properties are long overdue.

9.3 Optional 3% School levy.

Bill 19 incorporates this recommendation in the major revisions to the School Act.

We continue to be concerned over the increasing level of financial support that the property taxpayer is called upon to contribute to the costs of education.

The following Tax Reform Commission's recommendations:

Machinery and Equipment Assessment (4.1 - 4.6 and 9.1 - 9.2);

Split Mill Rates (5.1 - 5.2); Business Assessment (6.1 - 6.2); and,

Linear Property (EP & PL) (7.1 - 7.2) all deal with the non-residential classes of property.

Our response will address all of them collectively.

The Alberta Urban Municipalities Association believes that now is the time for the provincial government and the municipalities to enter into a dedicated dialogue that would lead to major revisions to the assessment of all non-residential classes of property.

Although the Tax Reform Commission has made a number of recommendations relative to the assessment and taxation of the Business, M & E and Electric Power and Pipeline classes of property, it is patently obvious from the Report to Albertans, that the issue of non-residential assessment is both complex and complicated.

Notwithstanding the fact that Linear Property (EP & PL) contains a significant amount of machinery and equipment assessment, the Commission suggests that no changes to this class of property is necessary. If this recommendation were to be adopted as presented, it is certain that a judicial review of the obvious inconsistency will occur, causing unnecessary uncertainty and disruption.

We are concerned with the Commission's recommendation that those large industries that presently contribute to the costs of education be relieved of that responsibility if the remaining classes of property are to be called upon to make-up for the loss of revenues. In the

most recent reporting year (1992), it is conservatively estimated that large industry contributed over \$200 Million to fund education. Shifting this amount to other property classes would have devastating consequences to homeowners and small businesses.

The Alberta Urban Municipalities Association strongly rejects the recommendations that the assessment and taxation of the Business Class of property be terminated, or that a "tax factoring" model be used as a replacement of the assessment of Machinery and Equipment.

The enormous tax shifts, and the unmanageable regulatory overburden that will result if these recommendations are adopted will cause Alberta small businesses and homeowners significant tax increases terminating our "Alberta Advantage".

On the basis of the limited information contained in the Tax Reform Commission's Report, it is likely that up to 10 different "Property Tax" factors may have to be established. Notwithstanding the unfortunate development that older facilities will witness a substantial tax shift (causing those plants to become uneconomic and threatening their viability to continue), the massive increase in the regulations needed will only serve to increase the costs of the performing and defending these assessments.

We believe that tinkering with either the Business Tax, the Machinery and Equipment Tax, Split Mill Rates or the Electric Power and Pipeline Tax in isolation will not resolve the concerns of municipalities, the Province or the taxpayers.

It will only be when all non-residential property is included in the jointly developed analysis, that a system of assessment can be developed that ensures that the municipal revenue stream is not impacted. Accepting the Tax Reform Commission's recommendation that machinery and equipment assessment be relieved of the education levy, opens a window of opportunity for a thorough and detailed consideration of the impacts of real change to the assessment of non-residential property, provided that the other classes of property are not called upon to make-up the loss of revenue.

Over the last number of years, the issue of non-residential assessment has been studied, debated and reviewed. The Cities of Calgary and Edmonton undertook major examinations of the Business Tax, while industry, the Province and municipalities agreed to disagree on the assessment of Machinery and Equipment. All of these studies concluded that although the existing system may have flaws, any changes that may be developed can not be taken by isolating one non-residential class from another.

Working in equal partnership, a determined approach in developing comprehensive changes to the system of assessing non-residential property will ensure that:

- i) The net revenue from all non-residential property to individual municipalities is neutral;
- ii) The new non-residential (commerce) class of property is assessed in similar fashion across the province. [Taxes levied on the assessment is a function of the decisions of locally elected councils and this must continue.]
- iii) Any changes that may be implemented be accompanied by a dedicated phase-in process, with split mill rates that are sensitive to defined categories within this class, ensuring that radical shifts in taxes paid are prevented. In other words the cure must not be worse than the disease.

- iv) The revised non-residential assessments be based on the fundamentals of Ad Volarem system that exists in our Province, and the extensive regulatory framework be reduced.
- v) This issue be comprehensively resolved within a 5 to 8 month time frame in order for the 1995 assessments to be undertaken reflecting of the revisions proposed.

We are of the opinion that if our collective objective is to arrive at positive solutions, by working together this objective can be met.

We are prepared to work with the Province on this fundamental matter that impacts all municipalities and await your response.