

DATE: August 4, 1999
TO: All Departments
FROM: City Clerks
RE: *PLEASE POST FOR THE INFORMATION OF ALL EMPLOYEES*

SUMMARY OF DECISIONS



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

HELD IN THE COUNCIL CHAMBERS, CITY HALL

TUESDAY, AUGUST 3, 1999

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



- (1) Confirmation of the Minutes of the Regular Meeting of Monday, July 19, 1999

Decision - Confirmed as transcribed

PAGE #

(2) **UNFINISHED BUSINESS**

1. Senior Management Team - Re: Traffic Cameras - Acquisition Strategy

.. 1

Decision - Council agreed that The City will now negotiate a multi-party agreement for the supply and operation of photo radar and red light cameras in Red Deer

2. OIC Red Deer City Detachment - Re: Use of Traffic Cameras - Policy

.. 5

Decision - Council approved the enforcement strategy as outlined in the report from the OIC Red Deer City Detachment

with respect to the use of traffic cameras in Red Deer. A copy of the resolution outlining the enforcement strategy is available from the City Clerk's Office

3. OIC Red Deer City Detachment - Re: Smart Speed Monitoring Awareness Trailer Use and Acquisition . . . 8

Decision - Council agreed that The City will purchase and install a *Smart Speed Monitoring Awareness Trailer* with all the options outlined in the report from the OIC Red Deer City Detachment. The purchase of this device will be funded by additional revenue generated from photo radar and red light camera infractions

(3) **PUBLIC HEARINGS**

1. Deputy City Clerk - Re: Land Use Bylaw Amendment No. 3156/O-99 / Various Amendments to the Land Use Bylaw / (Consideration of 2nd & 3rd Readings of the Bylaw) . . . 12
2. Deputy City Clerk - Re: Land Use Bylaw Amendment No. 3156/R-99 / Part of Lot B, Plan 3854 MC, NE ¼ 28-38-27-4 / Riverside Light Industrial Area / The City of Red Deer - Request Rezoning to Accommodate Ambient Air Quality Monitoring Station / (Consideration of 2nd & 3rd Readings of the Bylaw) . . . 15
3. Deputy City Clerk - Re: Land Use Bylaw Amendment 3156/U-99 / Proposed Subdivision / Railway Plan C & E No. 1 / Lots 3 & 4, Block 5, Plan 5534 H.W. and Lot 17, Block 13, Plan 4592 K.S. / S ½ 20-38-27-4 / North Red Deer / Rockport Developments Ltd. / (Consideration of 2nd & 3rd Readings of the Bylaw) . . . 18
4. Deputy City Clerk - Re: Proposed Neighbourhood Area Structure Plan Amendment - Anders Southeast (Aspen Ridge) Neighbourhood - Phase 3, NE ¼ 3-38-27-4 / Bylaw Amendment No. 3217/A-99 / (Consideration of 2nd & 3rd Readings of the Bylaw) ***Bylaw No. 3217/A-99 must be considered prior to Bylaw No. 3156/V-99*** . . . 25
5. Deputy City Clerk - Re: Land Use Bylaw Amendment No. 3156/V-99 / NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd. / (Consideration of 2nd & 3rd Readings of the Bylaw) ***Please note that the passing of this bylaw is subject to Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 being passed*** . . . 30

Note: - No Page 34

6. Deputy City Clerk - Re: Disposal of Municipal Reserve - Riverside Light Industrial .. 35

Decision - Council agreed to the disposal of the noted municipal reserve lands in the Riverside Light Industrial area

(4) **REPORTS**

1. Engineering Services Manager - Re: Local Improvement Bylaw No. 3241/99 - Construct Water and Sanitary Sewer Mains, Including Roadway Paving on Golden West Avenue South of 67 Street / (Consideration of Three Readings of the Bylaw) .. 38

Decision - Local Improvement Bylaw No. 3241/99 was given three readings, approving the construction of water and sanitary sewer mains and the paving of roadway on Golden West Avenue south of 67 Street

2. Parkland Community Planning Services - Re: Land Use Bylaw Amendment No. 3156/Z-99 / Lot 3, Plan 962-4094, NE ¼ 30-38-27-4 / Johnstone Park - Phase 1 / 819000 Alberta Ltd. / (Consideration of 1st Reading of the Bylaw) .. 56

Decision - Land Use Bylaw Amendment No. 3156/Z-99 was given first reading. A Public Hearing will be held during the Council meeting of August 30, 1999

(5) **CORRESPONDENCE**

1. Jacques Paquette - Re: Request for Bylaw to Restrict Use of Engine Retarder Brakes within City Limits .. 60

Decision - Council directed the Administration to prepare a bylaw to restrict the use of engine retarder brakes within Red Deer's city limits. The enforcement of the bylaw will be concurrent with the erection of signage advising drivers that the use of engine retarder brakes (jake brakes) are not permitted

2. Property Team Inc. - Re: Request for Redesignation of Property /
104 Boyce Street - Lot 22, Block 2, Plan 782-1624 and 86 Bell
Street - Lot 4, Block 5, Plan 782-1624 . . 64

Decision - Council approved this request subject to the passage of an appropriate Land Use Bylaw amendment to allow an increase in the density on the said sites to provide for the development of one 24 unit rental complex per site. The developer, in conjunction with Parkland Community Planning Services, is to hold a public meeting with the residents of Bower Place to provide them an opportunity to view the scaled drawings, site plans and elevations, and to provide input into the proposed developments

3. Municipality of Chatham-Kent - Re: Federal Government Policies
on Establishment of and Addition to Reserves within Canada . . 86

Decision - Council passed a resolution agreeing to forward a letter of support to the Municipality of Chatham-Kent regarding their resolution to institute a process for the involvement of municipalities and communities in any pending and future land claim settlements, such that all community concerns are resolved prior to agreeing to such settlements

(6) PETITIONS AND DELEGATIONS

(7) NOTICES OF MOTION

(8) WRITTEN INQUIRIES

(9) BYLAWS

1. 3156/O-99 - Land Use Bylaw Amendment / Various Amendments
/- 2nd & 3rd Readings . . 105
. . 12

Decision - Bylaw given 2nd and 3rd readings following the Public Hearing

2. 3156/R-99 - Land Use Bylaw Amendment 3156/R-99 / Part of Lot B, Plan 3854 MC, NE ¼ 28-38-27-4 / Riverside Light Industrial Area / The City of Red Deer - Request Rezoning to Accommodate Ambient Air Quality Monitoring Station / - 2nd & 3rd Readings .. 108
 .. 15

Decision - Bylaw given 2nd and 3rd readings following the Public Hearing

3. 3156/U-99 - Land Use Bylaw Amendment / Proposed Subdivision / Railway Plan C & E No. 1 / Lots 3 & 4, Block 5, Plan 5534 H.W. and Lot 17, Block 13, Plan 4592 K.S. / S ½ 20-38-27-4 / North Red Deer / Rockport Developments Ltd. / - 2nd & 3rd Readings .. 110
 .. 18

Decision - Bylaw given 2nd and 3rd readings following the Public Hearing

4. 3156/V-99 - Land Use Bylaw Amendment / NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd. / - 2nd & 3rd Readings / **Please note that the passing of this bylaw is subject to Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 being passed** .. 112
 .. 30

Decision - Bylaw given 2nd and 3rd readings following the Public Hearing

5. 3156/Z-99 - Land Use Bylaw Amendment / Lot 3, Plan 962-4094, NE ¼ 30-38-27-4 / Johnstone Park - Phase 1 / 819000 Alberta Ltd. / (Consideration of 1st Reading of the Bylaw) .. 114
 .. 56

Decision - Bylaw given 1st reading

6. 3217/A-99 - Proposed Neighbourhood Area Structure Plan Amendment - Anders Southeast (Aspen Ridge) Neighbourhood - Phase 3, NE ¼ 3-38-27-4 / - 2nd & 3rd Readings / **Bylaw No. 3217/A-99 must be considered prior to Bylaw No. 3156/V-99** .. 116
 .. 25

Decision - Bylaw given 2nd & 3rd readings following the Public Hearing

- 7. 3241/99 - Local Improvement Bylaw / Construct Water and Sanitary Sewer Mains, Including Roadway Paving on Golden West Avenue South of 67 Street / - 3 Readings . . 125
.. 38

Decision - Bylaw given three readings

A G E N D A

FILE

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

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

TUESDAY, AUGUST 3, 1999

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

- | | | |
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| | | PAGE # |
| (2) | UNFINISHED BUSINESS | |
| 1. | Senior Management Team - Re: Traffic Cameras - Acquisition Strategy | .. 1 |
| 2. | OIC Red Deer City Detachment - Re: Use of Traffic Cameras - Policy | .. 5 |
| 3. | OIC Red Deer City Detachment - Re: Smart Speed Monitoring Awareness Trailer Use and Acquisition | .. 8 |
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| | <i>Note: - No Page 34</i> | |
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DATE: July 28, 1999
TO: KELLY KLOSS
City Clerk
FROM: SENIOR MANAGEMENT TEAM
RE: TRAFFIC CAMERAS - ACQUISITION STRATEGY

As instructed by City Council, the various options for acquiring the cameras in Red Deer have been explored. Three options are presented in this report, with a recommendation that City Council support option 3.

The three options are as follows:

1. The City to purchase equipment and operate the service.
2. Turn-key service delivery - contracting with a company.
3. Multi-party agreement for delivery of service.

An analysis of each follows

1. Purchase and Operation by The City of Red Deer

Equipment to be purchased with a one-time cost only includes the photo-radar unit, one laptop computer, two monitors, one desk computer, one used vehicle, red-light camera, wiring/equipping intersection, training, tripod and batteries.

The human resources required to maintain this service would include two full-time operators, two part-time operators, three municipal employees, vehicle expenses, overtime, mailing, advertising campaign, film purchase and processing.

Pros:

- Increased revenue.
- Job creation in Red Deer and its benefits.
- Revenue is created in Red Deer; remains in Red Deer.

Cons:

- Need to hire staff.
- Need for some renovations at RCMP building.
- Work associated with this function is repetitive and may create staff burnout and high turnover.
- Space required for storage.
- Increase in front counter traffic.
- Maintenance and upgrading costs associated with equipment.
- Training costs.
- Administration burden associated with court process.

2. Turn-Key Service Delivery - Contract With a Company

With this option, The City would enter into a contract with an equipment supplier and operator, who would provide equipment, process all violations, including all court responsibilities, and would maintain and service all equipment. They would be responsible for operation of all equipment, training costs, film development, storing of information, staffing, court responsibilities, maintenance costs, etc. There are at least three companies offering these services, and so a contract would need to be negotiated.

Pros:

- Once a contract is given, there is no administration burden.
- No maintenance costs.
- Guarantee that work will be performed.
- No need for staff training.
- Vehicle is supplied.

Cons:

- Possibility of loss of control over the operation and, thus, issues of client satisfaction.
- May be seen as more of a revenue generation.
- No control over the system once contract has been signed.

3. Multi-Party Agreement

With this option, The City of Red Deer will enter into a contract with a third party to supply the necessary staffing to maintain the administrative functions of the program. The City would be responsible for the actual operation of the cameras in line with the accepted guidelines to be approved by City Council. The contract with the equipment supplier could include all equipment on a lease basis, training, installation and maintenance of equipment, film development, storing of information, all functions associated with the court process, data for statistical purposes.

Until such time as contracts are negotiated, it is impossible to determine what percentage would be charged by a company.

SUMMARY

The Senior Management Team recommends to City Council that Option 3 be pursued, involving a multi-party operation and responsibility between the RCMP, The City of Red Deer and the company providing the equipment and part of its operation. This option gives The City the opportunity to oversee the use of the traffic cameras and we may request, from the RCMP, reports as and when needed. It further provides appropriate control through the contractual arrangements.

RECOMMENDATION

That Council of The City of Red Deer support Option 3, as outlined in the Senior Management Team's report of July 26, 1999, to negotiate a multi-party agreement for the supply and operation of photo radar and red-light cameras in Red Deer.



NORBERT VAN WYK, Chair
Senior Management Team

:dmg

Att.

Comments:

Based on our estimates, all three of these options create net revenue in the area of \$800,000 - \$1,100,000. In line with Council's focus on enforcement strategy as the most crucial consideration in the implementation of photo radar and red light cameras, we recommend Option No. 3. This option gives The City the highest degree of flexibility and control over enforcement strategy.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - August 3, 1999 Meeting

DATE: August 4, 1999
TO: Senior Management Team
FROM: Deputy City Clerk
RE: Traffic Cameras - Acquisition Strategy

Reference Report: Senior Management Team

Resolution:

Resolved that Council of The City of Red Deer, having considered report from the Senior Management Team dated July 28, 1999 re: Traffic Cameras - Acquisition Strategy, agrees to support Option No. 3 as outlined in the Senior Management Team's report dated July 26, 1999, to negotiate a multi-party agreement for the supply and operation of photo radar and red light cameras in Red Deer.

Report Back to Council Required: No

Comments/Further Action:

A number of Councillors expressed their desire to have short term contracts in this regard so that evaluation and adjustment to service can be implemented if required.



Jeff Graves
Deputy City Clerk

/clr

c Director of Community Services
Director of Corporate Services
Director of Development Services
OIC Red Deer City R.C.M.P. Detachment

Item No. 2

DATE: 13 JUL 99

TO: City Clerk

FROM: OIC Red Deer City Detachment

RE: **Use of Traffic Cameras - Policy**

On July 5, 1999, City Council adopted the use of Traffic Cameras within it's city limits as a means to reduce speeds and control some major intersections. The long term result is to increase the overall road safety for travelling motorists and pedestrians, reduce fatal motor vehicle accidents and injuries.

The RCMP Red Deer City proposes to follow the below noted policies when it comes to using Traffic Cameras as a use of enforcement:

1. Primary focus of speed enforcement with photo radar will be in school zones and playground areas;
2. Secondary enforcement will apply to our major traffic corridors;
3. Wherever possible, the photo radar will not be set in locations such as the bottom of a hill, or immediately upon the entry of a motorist into speed change zones.
4. Enforcement in the residential areas will continue to remain traditionally enforced, using laser, stationary hand-held radar. Should a request be made to the RCMP by a respective community association to use the photo radar enforcement in a residential area, it will be done once all other means of enforcement have been expired;
5. Signs will be maintained at all major entries to the City, indicating that traffic cameras are in use within the city limits;
6. The media will be advised on a weekly, bi-monthly or monthly basis of the general location of traffic cameras, eg: 32 Street, Deer Park, Taylor Drive North. The RCMP reserves the option to modify these locations suspect to complaints being received.

{page 2}

RE: Use of Traffic Cameras - Policy

7. Based on the city growth/expansion, the RCMP may identify further locations suitable for enforcement while maintaining it as previously described herein;
8. On a quarterly basis, the RCMP will report to the Policing Committee on the effect of traffic cameras;
9. A final report will be made yearly to Council members through the Business Plan.



(Gilles Guertin) Insp.
Officer In Charge
Red Deer City Detachment

Comments:

We recommend Council agree to the enforcement strategy outlined in the attached report from Inspector Guertin. In addition, a further detail under Item #2 should be added to specify a priority to be placed on enforcement on major traffic corridors where there is:

- (a) a significant potential for conflict between pedestrians and vehicles and
- (b) where there is a history of accidents.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: OIC Red Deer City Detachment
FROM: Deputy City Clerk
RE: Use of Traffic Cameras - Enforcement Strategy

Reference Report: OIC Red Deer City Detachment, dated July 13, 1999

Resolution:

Resolved that Council of The City of Red Deer, having considered report from the OIC Red Deer City RCMP Detachment dated July 13, 1999, re: Use of Traffic Cameras, hereby approves the following enforcement strategy:

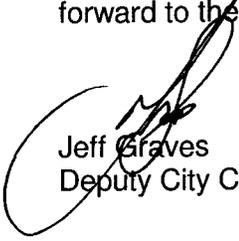
1. Primary focus of speed enforcement with photo radar will be in school zones and playground areas;
2. Secondary enforcement will apply to Red Deer's major traffic corridors where there is:
 - (a) a significant potential for conflict between pedestrians and vehicles, and
 - (b) where there is a history of accidents;
3. Wherever possible, the photo radar will not be set in locations such as the bottom of a hill, or immediately upon the entry of a motorist into speed change zones;
4. Enforcement in the residential areas will continue to remain traditionally enforced, using laser, stationary hand-held radar. Should a request be made to the RCMP by a respective community association to use the photo radar enforcement in a residential area, it will be done once all other means of enforcement have been exhausted;
5. Signs will be maintained at all major entries to the City, indicating that traffic cameras are in use within city limits
6. The media will be advised on a weekly, bi-monthly or monthly basis of the general location of traffic cameras, e.g.; 32 Street, Deer Park, Taylor Drive North. The RCMP reserves the option to modify these locations subject to complaints being received.

7. Based on the city's growth/expansion, the RCMP may identify further locations suitable for enforcement while maintaining it as previously described herein;
8. On a quarterly basis, the RCMP will report to the Policing Committee on the effect of traffic cameras;
9. A final report will be made yearly to Council members through the Business Plan.
10. Conventional levels of traffic enforcement will continue at the same level as provided as of July 1, 1999.

Report Back to Council Required: No

Comments/Further Action:

Please note that Item No. 10 was added by Council to your proposed strategy. Council looks forward to the progress reports as noted above.



Jeff Graves
Deputy City Clerk

/clr

c Director of Community Services
Director of Corporate Services
Director of Development Services

Item No. 3

DATE: 19 JUL 99

TO: City Clerk

FROM: OIC Red Deer City Detachment

RE: **Smart Speed Monitoring Awareness Trailer
Use & Acquisition**

On 05 JUL 99, Red Deer City Council tabled a motion with reference to the possible use and acquisition of a speed board trailer.

The speed monitoring awareness radar trailer can better be described as an unmanned, portable radar unit which is deployed on the street to promote safety on the road. This radar trailer is capable of accurately displaying the speed of a motorist as he is travelling towards the unit. The unit normally displays the posted speed limit and the motorists' as the vehicle enters the radar beam. It can be towed to sites experiencing speed related problems. It must be stressed that this is a public awareness and safety tool. No violation tickets are issued to offenders as the displayed speed brings to their attention their travelling speed in a non-invasive manner. If purchased with a computer data pack, it may also be used for the compilation of statistics of vehicle speeds. This information can then be used to make better assessments and overviews of traffic patterns.

Deployment:

Portability will allow the trailer to be positioned on boulevards, turn lanes and roadside. Due to it's size, this piece of equipment will **not** be used in conjunction with the deployment of a photo radar vehicle. It's use could precede the implementation of active enforcement. As an example, the trailer may be deployed for a period of one week on a given street and then removed. This would have allowed the travelling motorists to become sensitive to the speed limit prior to active enforcement. Since our major areas of concern remain the schools, playground areas and main traffic corridors, it is anticipated that this is where our main point of focus will remain.

Available Options:

- * A motion alarm to deter vandals
- * Removable trailer hitch

{2}

**RE: Smart Speed Monitoring Awareness Trailer
Use & Acquisition**

- * Sign rack to show speed limit signs
- * Stat pack for computation of traffic data
- * Plot vehicles vs. time of day; vehicle speed vs. time of day and number of vehicles
- * Pneumatic tube to lay across road surface to obtain traffic count information
- * Axle lock - prevents rolling when trailer is parked on incline.
- * Cost - \$16,000 - \$21,000 - depending on options taken

Acquisition:

Notwithstanding the fact that this unit can be rented, it is believed that it would be a wiser choice to purchase it outright. Not only can the data obtained serve the police department but it can be used by civil engineers and civil services. It can be used to slow down traffic in work zones or speed limit changes before new signs have been installed or for temporary situations.

Recommendations:

Based on the fact that a speed display board trailer will assist in the following areas:

- * slow down motorists
- * assist authorities
- * educate citizens of various programs and traffic measures
- * compiles traffic statistics to exercise preventive measures and lower traffic complaints
- * warn offenders in a non-invasive manner;

it is recommended that the City Council agrees to the installation of this device within the City limits of Red Deer subject to funding sources.


(Gilles Guertin) Insp.
Officer In Charge
Red Deer City Detachment

ELECTRO-RADAR

Interactive speed prevention system

DATE = 98/06/22
 REPORT = 98/06/23
 MAXIMUM SPEED ALLOWED
 "SLOW DOWN" TOLERANCE
 PAGE 1 OF 1

NUMBER C

| | 00-30 | 31-40 | |
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Comments:

We agree to the purchase of the device, including the options listed. The funding for this device would be from additional revenue from photo radar and red light camera infractions. This component is an important part of Council's enforcement strategy.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

COUNCIL MEETING OF AUGUST 3, 1999

**ATTACHMENT TO REPORT
APPEARING ON THE OPEN AGENDA**

RE:

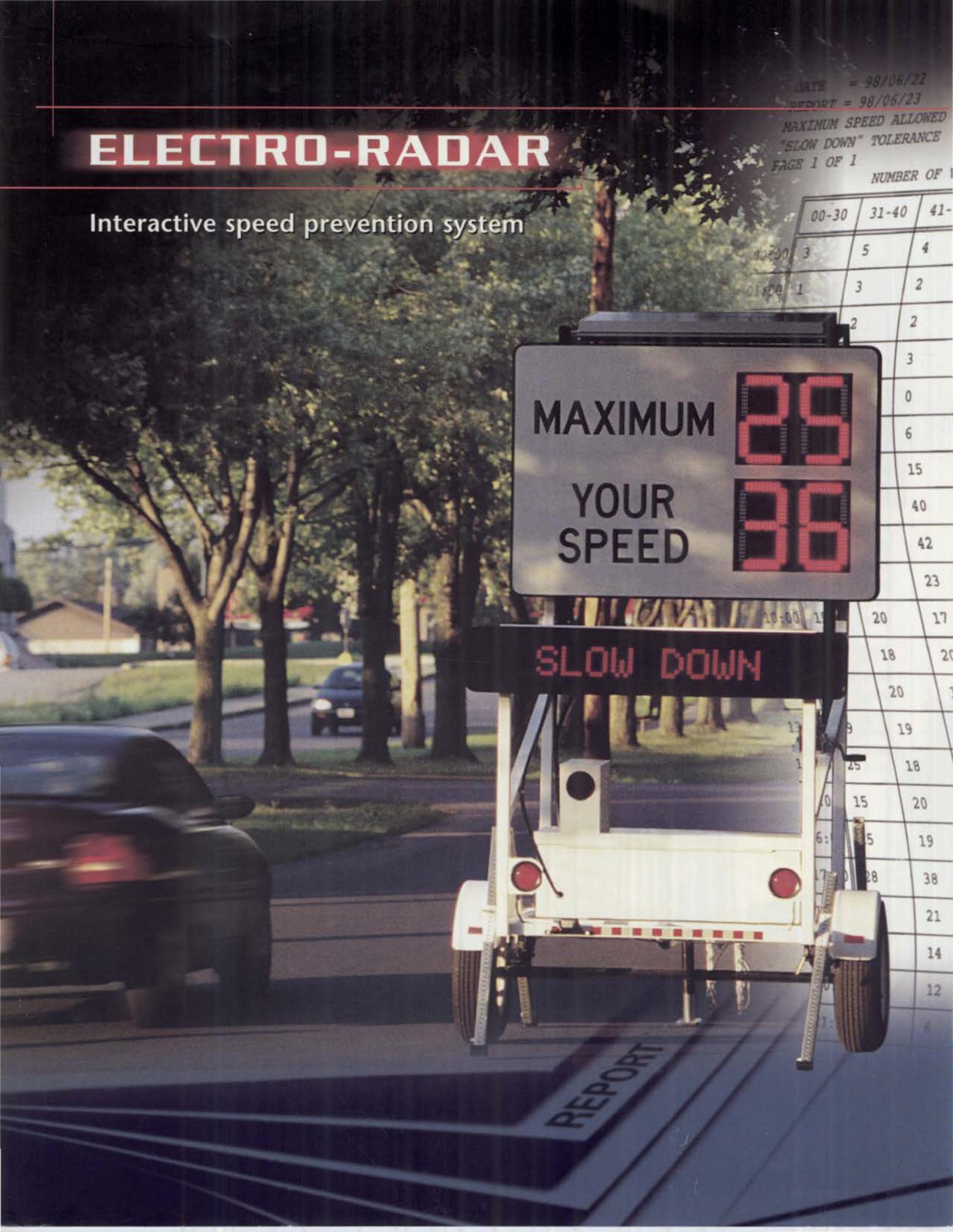
Speed Monitoring Awareness Trailer

DATE = 98/06/22
REPORT = 98/06/23
MAXIMUM SPEED ALLOWED
"SLOW DOWN" TOLERANCE
PAGE 1 OF 1
NUMBER OF

ELECTRO-RADAR

Interactive speed prevention system

| | 00-30 | 31-40 | 41 |
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REPORT

Every day, the Electro-Radar saves lives...

Technology serving prevention

In our the modern world, everything goes fast and many preoccupied motorists in a hurry exceed speed limits or do not notice work zone, direction change or school zone panels, jeopardizing their own lives as well as other people's lives.



The Electro-Radar brings an efficient solution to insure proper security level in our modern cities. It can act as a general prevention device and help municipalities, their various services, and police forces to play a leading role in prevention matters. The Electro-Radar informs, warns, and can even save lives.

The Electro-Radar brings its bright solution through solar power, high intensity LED display and precision radar. It protects children, pedestrians, motorists, and workers. Easy to use, highly visible at all times, you will find numerous applications where motorists will be warned, and consequently slow down, without being annoyed.

The Electro-Radar is becoming an essential prevention tool in many municipalities. Ease of installation, very low operating and maintenance costs and simple programming make it an additional device that can be used by any authority concerned with public safety.

High efficiency solar panel



Optional display panel



Batteries



Integrated 120V charger and solar regulator

Control panel



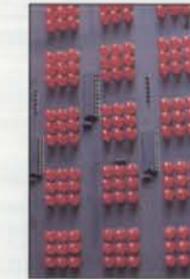
MAXIMUM
YOUR
SPEED

25

10

LED display panel insures:

- minimal consumption
- 100 000 hours life expectancy
- excellent visibility (day and night)
- low or no maintenance



Upper panel winch with autobreak feature



Integrated radar

Tail lights

Stabilizing and leveling legs



Removable leveling jack



14" wheels

Some applications of the Electro-Radar:

- Slows down motorists on streets where they have a natural tendency to drive too fast
- Slows down motorists near work zones on streets and boulevards
- Immediately informs the public of roadworks, traffic signal and speed limit changes, even before new signs and markings are installed, or for temporary situations
- Helps authorities to react to citizens' complaints
- Serves civil engineering, police departments, civil services and citizens at the same time
- Informs citizens on various programs or measures
- Can compile traffic statistics (optional statistical package) that can help make decisions on preventative or coercitive measures
- Lowers the number of complaints due to traffic or motorists
- Warns offenders and helps avoid disputes when police enforcement is done

The Electro-Radar comes in two models: the URBAN model, with 14" digits, that can be used in urban zones, and the BOULEVARD model, with 20" digits, that can be used on main streets and boulevards. The Urban model is the most commonly used by municipalities.

The Electro-Radar can be equipped with an optional electronic display board, allowing to display messages to motorists (Ex: SCHOOL ZONE, NEW SPEED LIMIT, etc.) and to warn them by flashing "SLOW DOWN" if they exceed the maximum speed (and a user programmable tolerance). This type of interaction tremendously increases the system efficiency.

The Electro-Radar is unique by its high visibility and its ease of installation and operation, but even more because of its positive recognition by motorists.



OUR PRODUCTS AND SERVICES

- Controllers and accessories: NEMA and 170
 - Detection systems and magnetic loops
 - Traffic and pedestrian signals: incandescent, fibre optic, neon, L.E.D. and accessories (brackets, cables)
 - Traffic signals 100mm: incandescent and L.E.D.
 - Preemption systems: fire, train, transit
 - Electronic soft touch actuators for pedestrians
 - Parking meters: electronic, debit systems, mechanical
 - Synchronization products
 - Counters and classifiers
 - Vehicle speed advisory
 - Parking control equipment
 - Pay and display machines
 - Vehicle ID systems
 - Distance measuring instruments
 - Weather stations
 - Signs: L.E.D. and fibre optic
- **Sales and turn-on**
 - **Synchronization networks**
 - **Special products and projects designs**
 - **Equipment leasing**
 - **Maintenance**

← BACK

YOUR VEHICLE TO NEW TECHNOLOGIES



← FRONT

Pascal LAMOUREUX
B. eng.

We know how!

105 Liberte Avenue
Candiac, Quebec, Canada
J5R 3X8
Tel.: (450) 635-1020
1-800-363-7481
Fax: (450) 635-1021
e-mail: pilamoureux@compuserve.com



July 2, 1999

CITY OF RED DEER
C/O: MR. DENNIS MOFFAT
CITY HALL
4914 48 AVENUE
P.O. BOX 5008
RED DEER, ALBERTA
T4N 3T4

Mr. Moffat,

We would like to take this opportunity to thank you for visiting our booth at the Federation of Canadian Municipalities trade show that was held in Halifax. It was a pleasure meeting you during that convention. As you requested, we included here after information regarding the "Electro-Radar". The "Electro-Radar" is an interactive speed prevention system that informs, warns and increases safety on our roads.

ELECTROMEGA LTD
4940, No. 3 Road, Suite 114
P.O. Box 102
Richmond B.C.
V6X 3A5
Tel.: (604) 271-4001
888 330-4060
Fax: (604) 271-4006

We know how!

A budgetary quotation for the "Electro-Radar" is as follow:

Electro-Radar (Urban model)
C/w: Trailer & radar,
300mm display for speed,
100mm variable message sign,
(Display "SLOW DOWN" or a programmed message)
The cost is \$20 000,00 per unit.

The leasing rates for the same package is:
Weekly rate: \$ 675,00 per unit
Monthly rate: \$ 2 295,00 per unit

We would like to mention that these prices do not include shipping and handling to the destination.

in: electromega-radar-trailer.doc

We hope these information to your entire satisfaction

Best regards,


Pascal Lamoureux, B.eng.
Canadian Technical Advisor
Manager, Western region



FILE

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: OIC Red Deer City R.C.M.P. Detachment
FROM: Deputy City Clerk
RE: Smart Speed Monitoring Awareness Trailer - Use and Acquisition

Reference Report: OIC Red Deer City Detachment, July 19, 1999

Resolution:

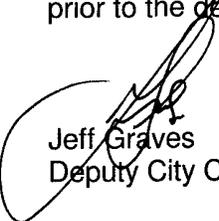
Resolved that Council of The City of Red Deer, having considered report from the OIC Red Deer City Detachment dated July 19, 1999 re: Smart Speed Monitoring Awareness Trailer Use and Acquisition, hereby agrees:

1. that The City purchase and install a Smart Speed Monitoring Awareness Trailer with all the options outlined in the above report;
2. that the purchase of this device be funded by additional revenue generated from photo radar and red light camera infractions.

Report Back to Council Required: No

Comments/Further Action:

Council indicated they would like to see the Smart Speed Monitoring Awareness Trailer in use prior to the deployment of the Photo Radar system.


Jeff Graves
Deputy City Clerk

/clr

c Director of Community Services
Director of Corporate Services
Director of Development Services

Item No. 1
Public Hearings

DATE: July 6, 1999
TO: City Council
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/O-99
Various Amendments to the Land Use Bylaw*

A Public Hearing has been advertised for Tuesday, August 3, 1999 at 7:00 p.m. for this bylaw.

This bylaw provides for various miscellaneous amendments to the Land Use Bylaw.

Recommendations

That following the Public Hearing Land Use Bylaw Amendment 3156/O-99 may be given second and third readings.



Jeff Graves
Deputy City Clerk

/clr
attchs.

Memo

To: Kelly Kloss

City Clerk

From: Paul Meyette

Principal Planner

Date: 06/28/99

Re: Bylaw 3156/0-99 (Various Amendments to the Land Use Bylaw)

Planning staff are enclosing several amendments to the Land Use Bylaw. In order to understand the implications of the amendments, this memo will explain the amendments section by section.

1. Enforcement

Section 31 (Enforcement) has been rewritten to add clarity and to allow the Inspections and Licensing Department the authority to inspect any property that is suspected of contravening the land use bylaw.

2. Parking Standards

The location of clause 47(2) is being moved to clarify the fact that the parking standards apply to all residential development, not just the residential development in the downtown.

3. Redevelopment in Older Neighbourhoods

A new clause has been added in the R1A and R1 District to allow the Municipal Planning Commission the option of increasing residential development standards to match the surrounding streetscape or

neighbourhood. This section would only be used in an older neighborhood to ensure that any redevelopment is compatible with the existing neighbourhood.

4. Part one, Section 5(1) of the Land Use Bylaw is amended to show the four new districts which were added to the Land Use Bylaw; these include three Direct Control Districts and the R1-N Residential Narrow Lot District.

Recommendation

Planning staff recommend that Council give first reading to Land Use Bylaw Amendment 3156/0-99.

A handwritten signature in black ink, appearing to read "Paul Meyette", is written over a horizontal line.

Paul Meyette ACP MCIP

cc L. Hodgson
D. Simpson

However, if permission were refused and it was necessary to go to court to get an Order authorizing the City to inspect, we felt there would be a risk that a Judge on such an application would want to see the bylaw authority for this person to inspect. If there were no such authority, the Court might not grant permission to inspect.

Therefore, the proposed amendment is designed to ensure that this potential loophole is closed off in the event that the authority of a City Official to inspect premises were ever questioned by a Judge on an application under section 543.

I trust this explanation clarifies the rationale behind the amendment.

Yours truly,

COPY

DONALD J. SIMPSON

DJS/vjh

c.c. Kelly Kloss - City Clerk

c.c. Paul Meyette - Parkland Community Planning Services

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

CHAPMAN RIEBEEK

Barristers, Solicitors

THOMAS H. CHAPMAN, Q.C.*
NICK P. W. RIEBEEK*
DONALD J. SIMPSON
T. KENT CHAPMAN*
GARY W. WANLESS*
LORNE E. GODDARD
GERI M. CHRISTMAN
NANCY A. BERGSTROM
SUZANNE M. ALEXANDER-SMITH
PATRICK T. SMITH
GAYLENE D. BOBB**

208 - 4808 Ross Street
Red Deer, Alberta T4N 1X5
TELEPHONE (403) 346-6603
TELECOPIER (403) 340-1280

Suite 101, 5020 - 50 A Street
Sylvan Lake, Alberta T4S 1R2
TELEPHONE (403) 887-2024
TELECOPIER (403) 887-2036

* Denotes Professional Corporation
**Denotes Student-at-Law

Your file:
Our file: GEN 07/99 DJS

July 8, 1999

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

**ATTENTION: Mr. Bryon Jeffers
Director of Development Services**

Dear Sir:

RE: Municipal Inspections

The recent amendment to the Land Use Bylaw in connection with inspections by Municipal Officers came about as a result of a discussion between Paul Meyeette and myself. Section 542 of the *Municipal Government Act* Authorizes a designated officer of the municipality to enter on land after giving reasonable notice in order to inspect to see whether or not any bylaw is being breached.

Our concern was that, in the absence of bylaw authority to enter on premises to inspect, it might be the case that a Municipal Official did not have any status or power to inspect. It is true as you point out that a Bylaw Officer could always request permission to ask the owner to be allowed to enter premises to inspect. If the permission was granted, the Bylaw Officer could no doubt inspect the premises.

FILE

Council Decision – July 5, 1999 Meeting

DATE: July 6, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/O-99
Various Amendments to the Land Use Bylaw*

Reference Report: Principal Planner, dated June 28, 1999

Bylaw Readings:

Land Use Bylaw Amendment No. 3156/O-99 was given first reading, a copy is attached.

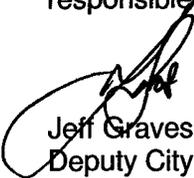
Report Back to Council Required:

Yes. A Public Hearing will be held on Tuesday, August 3, 1999 at 7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment No. 3156/O-99 provides for various miscellaneous amendments to the Land Use Bylaw.

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


Jeff Graves
Deputy City Clerk

/clr
attchs.

- c Director of Development Services
- Director of Community Services
- E. L. & P. Manager
- Fire Chief/Manager Emergency Services
- City Assessor
- Land and Economic Development Manager
- Public Works Manager
- Administrative Assistant, S. Ladwig

LAND USE BYLAW AMENDMENT

BYLAW NO. 3156/ D-99

DESCRIPTION: Various Amendments to
the Land Use Bylaw

FIRST READING: July 5/99

DATE OF FIRST PUBLICATION: July 16

DATE OF SECOND PUBLICATION: July 23

SECOND READING: Aug. 3 Tues.

THIRD READING: Aug. 3 Tues.

LETTERS REQUIRED TO PROPERTY OWNERS: YES _____ NO

DEPOSIT REQUIRED: NO YES _____ AMOUNT \$ _____

ACTUAL COST OF ADVERTISING: \$ _____

MAP PREPARATION: \$ _____

TOTAL \$ _____

REFUND _____ INVOICE _____ \$ ~~_____~~

COMPLETED

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/O-99 / Various Amendments to the Land Use Bylaw*

Reference Report: Deputy City Clerk dated July 6, 1999

Bylaw Readings:

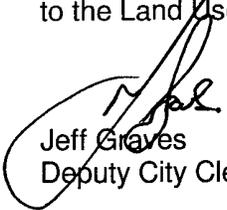
Land Use Bylaw Amendment 3156/O-99 was given 2nd and 3rd readings, a copy is attached

Report Back to Council Required: No

Comments/Further Action:

This bylaw amendment was given 2nd and 3rd readings following the Public Hearing. This office will update the consolidated version of the Land Use Bylaw and distribute same in due course.

Land Use Bylaw Amendment No. 3156/O-99 provides for various miscellaneous amendments to the Land Use Bylaw.


Jeff Graves
Deputy City Clerk

/clr
attchs.

- c Director of Development Services
- Director of Community Services
- E. L. & P. Manager
- Emergency Services Manager
- City Assessor
- Land and Economic Development Manager
- Public Works Manager
- Doug Kutinsky, Graphics Designer
- Administrative Assistant, S. Ladwig
- C. Rausch, City Clerk's Office

**LAND USE BYLAW AMENDMENT
VARIOUS AMENDMENTS**

1. Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/O-99 for the purpose of amending various sections intended to clarify and improve the existing bylaw. This notification will explain the amendments section by section.

(a) Enforcement:

Section 31 (Enforcement and Penalties) has been rewritten to clarify that the Inspections and Licensing Department has the authority to inspect any property that is suspected of contravening this bylaw.

(b) Parking Standards:

The location of clause 47(2) is being moved to 47 (1) to clarify the fact that the parking standards apply to all residential development and not just residential development in the downtown. The standards for parking have not changed.

(c) Redevelopment in Older Neighbourhoods:

A new clause has been added in the R1A and R1 Districts to allow the Municipal Planning Commission the option to increase residential development standards in older neighbourhoods where it is desirable that new development match older existing developments in the neighbourhood.

(d) Establishment of Districts:

Part One, Section 5 (1) is amended to show the four new districts which have been added to the Bylaw. These include three DC - Direct Control Districts and the R1N – Residential Narrow Lot Housing District.

2. A copy of the proposed Bylaw may be inspected by the public at the office of the City Clerk, 2nd Floor of City Hall during regular office hours.
3. Prior to considering this Bylaw, City Council will hold a Public Hearing in the Council Chambers, 2nd Floor of City Hall on **Tuesday, August 3, 1999, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions are also acceptable if received by the City Clerk no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing.

KELLY KLOSS
CITY CLERK

(Publication Dates: July 16 and July 23, 1999)

BYLAW 3156/0-99

VARIOUS LAND USE AMENDMENTS

BACKGROUND

This collection of amendments is part of an ongoing review of the Land Use Bylaw; these amendments are intended to clarify and improve the existing land use bylaw.

PURPOSE OF THE BYLAW

This bylaw proposes to:

- clarify that the Inspections and Licensing Department has the authority to inspect any property suspected of contravening the land use bylaw**
- clarify that the residential parking requirements in the land use bylaw apply to all residential development in the city**

- **give MPC the power to increase residential development standards in older neighbourhoods where it is desirable to that new development match older existing developments in the neighbourhood.**
- **Part One, Section 5.1 is amended to show the four new districts which have been added (3 Direct Control Districts and the R1N District .**

Council Decision – July 5, 1999 Meeting

DATE: July 6, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/O-99
Various Amendments to the Land Use Bylaw*

Reference Report: Principal Planner, dated June 28, 1999

Bylaw Readings:

Land Use Bylaw Amendment No. 3156/O-99 was given first reading, a copy is attached.

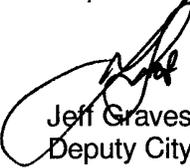
Report Back to Council Required:

Yes. A Public Hearing will be held on Tuesday, August 3, 1999 at 7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment No. 3156/O-99 provides for various miscellaneous amendments to the Land Use Bylaw.

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


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
E. L. & P. Manager
Fire Chief/Manager Emergency Services
City Assessor
Land and Economic Development Manager
Public Works Manager
Administrative Assistant, S. Ladwig

Memo

To: Kelly Kloss

City Clerk

From: Paul Meyette

Principal Planner

Date: 06/28/99

Re: Bylaw 3156/0-99 (Various Amendments to the Land Use Bylaw)

Planning staff are enclosing several amendments to the Land Use Bylaw. In order to understand the implications of the amendments, this memo will explain the amendments section by section.

1. Enforcement

Section 31 (Enforcement) has been rewritten to add clarity and to allow the Inspections and Licensing Department the authority to inspect any property that is suspected of contravening the land use bylaw.

2. Parking Standards

The location of clause 47(2) is being moved to clarify the fact that the parking standards apply to all residential development, not just the residential development in the downtown.

3. Redevelopment in Older Neighbourhoods

A new clause has been added in the R1A and R1 District to allow the Municipal Planning Commission the option of increasing residential development standards to match the surrounding streetscape or

neighbourhood. This section would only be used in an older neighborhood to ensure that any redevelopment is compatible with the existing neighbourhood.

4. Part one, Section 5(1) of the Land Use Bylaw is amended to show the four new districts which were added to the Land Use Bylaw; these include three Direct Control Districts and the R1-N Residential Narrow Lot District.

Recommendation

Planning staff recommend that Council give first reading to Land Use Bylaw Amendment 3156/0-99.



Paul Meyette ACP MCIP

cc L. Hodgson
D. Simpson

BYLAW NO. 3156/O-99

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

Whereas The City of Red Deer is seeking to maintain the character of older neighbourhoods; and

Whereas the City of Red Deer seeks to enforce the Bylaw by allowing inspections of properties that are suspected of contravening the Bylaw;

The Municipal Council of the City of Red Deer enacts as follows:

- 1 Section 31 is deleted and the following section is substituted in its place:

"ENFORCEMENT

- 31 (1) The provisions of this bylaw may be enforced by way of stop order, injunction or such other relief as may be available under the *Municipal Government Act*.
- (2) A designated officer may inspect premises in accordance with the provisions of the *Municipal Government Act* where there are reasonable grounds to believe that the premises are being used in contravention of this bylaw. Without limiting the generality of the foregoing, such reasonable grounds would include:
- (a) complaints from the public that premises are being used contrary to the bylaw;
 - (b) the observations of a bylaw officer that there is excessive traffic, parking problems, accumulated debris in a yard or other apparent breach of this bylaw.
- (3) For the purpose of inspecting premises pursuant to this bylaw and the *Municipal Government Act*, the following shall be designated officers:
- (a) a bylaw officer;
 - (b) a building inspector;
 - (c) a member of The City Inspections Department;

(d) the Development Officer or anyone designated by the Development Officer.”

2 Section 47(2) is hereby deleted.

3 The following is added to section 47(1):

“Residential

| | |
|-----------------------------|---|
| Detached Dwelling | 2.0 per unit |
| Semi-detached | 2.0 per unit |
| Multi-attached Building | 2.0 per unit |
| Multiple Family Building | 1.0 per one bedroom unit; 1.5 per two bedroom unit; 2.0 per three bedroom unit plus 1.0 space for every 5 units which must be clearly identified as guest parking |
| Lodging and Boarding Houses | 1.0 per 2 persons being accommodated |
| Senior Citizen Housing | 1.0 per 2 dwelling units “ |

4 The following section 47(2) is hereby added:

“47 (2) Notwithstanding Section 47(1), all residential development in the C1 District shall meet the residential parking standards as specified above.”

5 The following Section 165.1 is hereby added to the RESIDENTIAL LOW DENSITY DISTRICT section of the Land Use Bylaw:

“165.1 Redevelopment in Existing Neighbourhoods

Notwithstanding Section 164, in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission shall have the authority to require increased development standards for any infill or redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or along the applicable street.”

6 The following Section 170.1 is hereby added to the RESIDENTIAL (SEMI-DETACHED DWELLING) DISTRICT section of the Land Use Bylaw:

“170.1 Redevelopment in Existing Neighbourhoods

Notwithstanding Section 169, in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission shall have the authority to require increased development standards for any infill or redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or along the applicable street."

- 7 In Part One, Section 5 (1) - the listing of City of Red Deer Land Use Districts, is amended to include (listed alphabetically):

"R1N Residential Narrow Lot District

DC Direct Control District:

DC(7) Direct Control District No. 7
 DC(8) Direct Control District No. 8
 DC(9) Direct Control District No. 9"

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

 MAYOR

 CITY CLERK

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/O-99 / Various Amendments to the Land Use Bylaw*

Reference Report: Deputy City Clerk dated July 6, 1999

Bylaw Readings:

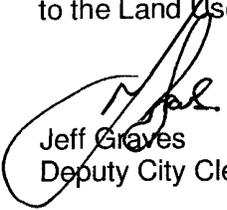
Land Use Bylaw Amendment 3156/O-99 was given 2nd and 3rd readings, a copy is attached

Report Back to Council Required: No

Comments/Further Action:

This bylaw amendment was given 2nd and 3rd readings following the Public Hearing. This office will update the consolidated version of the Land Use Bylaw and distribute same in due course.

Land Use Bylaw Amendment No. 3156/O-99 provides for various miscellaneous amendments to the Land Use Bylaw.



Jeff Graves
Deputy City Clerk

/clr
attchs.

- c Director of Development Services
- Director of Community Services
- E. L. & P. Manager
- Emergency Services Manager
- City Assessor
- Land and Economic Development Manager
- Public Works Manager
- Doug Kutinsky, Graphics Designer
- Administrative Assistant, S. Ladwig
- C. Rausch, City Clerk's Office

Item No. 2

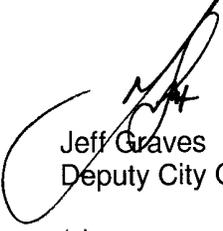
DATE: July 6, 1999
TO: City Council
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/R-99 / Part of Lot B, Plan 3854 MC, NE ¼ 28-38-27-4 / Riverside Light Industrial Area / The City of Red Deer (Request Rezoning to Accommodate Ambient Air Quality Monitoring Station)*

A Public Hearing has been advertised for Tuesday, August 3, 1999 at 7:00 p.m. for this bylaw.

Land Use Bylaw Amendment No. 3156/R-99 provides for the redesignation of part of Lot B, Plan 3854 MC from A2 Environmental Preservation District to PS Public Service (Institutional or Governmental) District. The rezoning will accommodate an air quality monitoring station.

Recommendations

That following the Public Hearing, Land Use Bylaw Amendment 3156/R-99 may be given second and third readings.

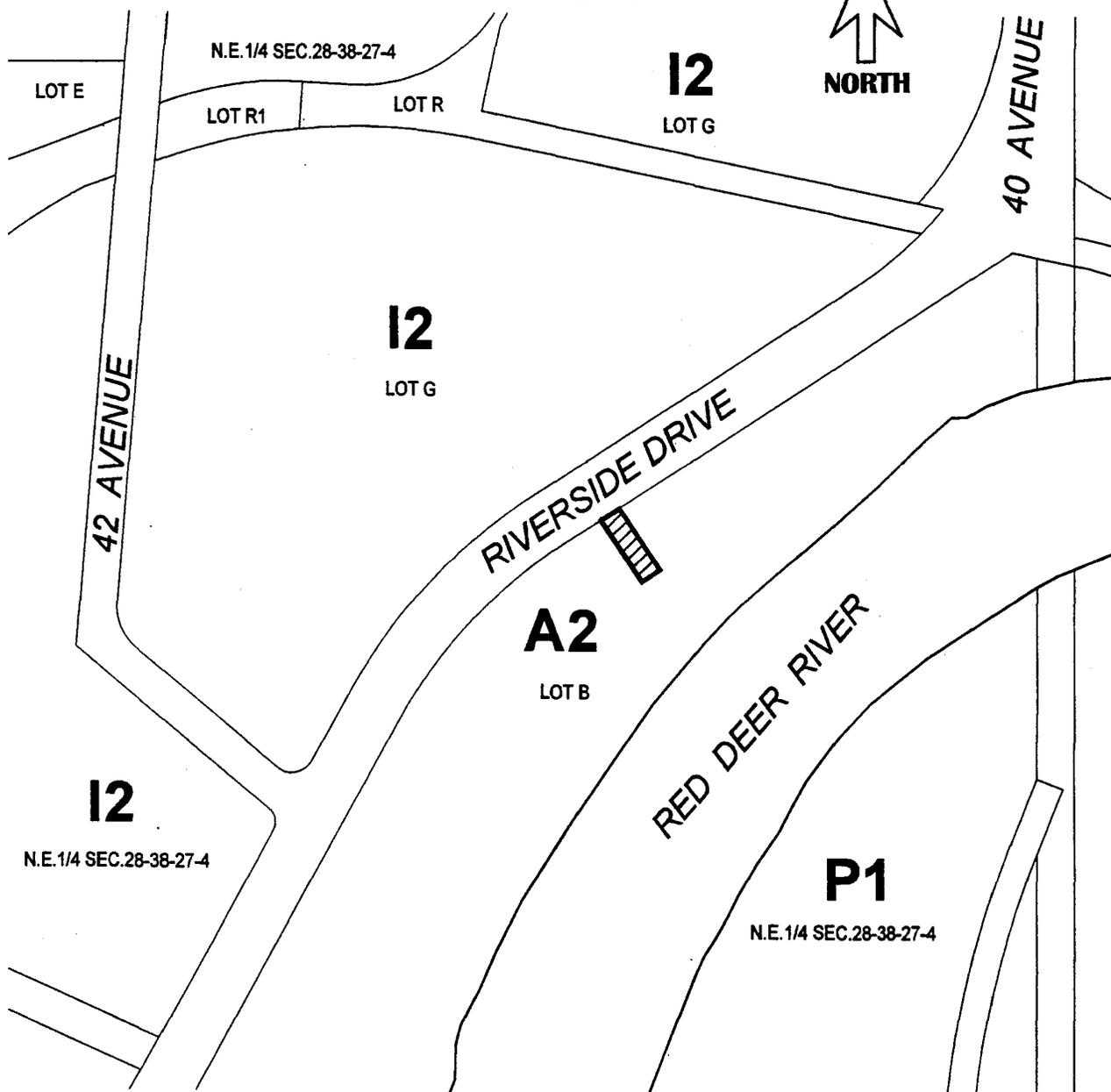


Jeff Graves
Deputy City Clerk

/clr
attchs.

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A2 to PS 

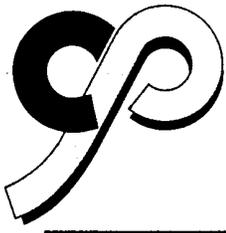
AFFECTED DISTRICTS:

A2 - Environmental Preservation

PS - Public Service (Institutional or Governmental)

MAP No. 13 / 99

BYLAW No. 3156 / R - 99



17

**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: June 8, 1999

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/R-99
Part of Lot B, Plan 3854 MC
NE 1/4 Sec. 28-38-27-4
Riverside Industrial Area
The City of Red Deer

The City of Red Deer is requesting the redesignation of part of Lot B, Plan 3854 MC from A2 Environmental Preservation District to PS Public Service (Institutional or Governmental) District. The proposal is to accommodate an Alberta Environmental Protection Department's air quality monitoring trailer. The use is temporary in nature, but could last for up to fifteen years. The Public Service District is intended to accommodate uses that are public or quasi-public in nature and most school sites in the City have this land use district. The redesignation of the site will allow the Municipal Planning Commission to consider the use as an institutional service facility while keeping the remaining land as parkland.

Staff Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/R-99.

Sincerely,


Frank Wong,
Planning Assistant

Attachment

LAND USE BYLAW AMENDMENT

BYLAW NO. 3156/ R-99

DESCRIPTION: Rezoning Lot B, Plan Blk 3854 Mc. To accommodate an Environmental Air Quality Monitoring Trailer - A1 to PS

FIRST READING: July 5

DATE OF FIRST PUBLICATION: July 16

DATE OF SECOND PUBLICATION: July 23

SECOND READING: Aug. 3

THIRD READING: Aug. 3

LETTERS REQUIRED TO PROPERTY OWNERS: YES [checked] NO

DEPOSIT REQUIRED: NO [checked] YES AMOUNT \$

ACTUAL COST OF ADVERTISING: \$

MAP PREPARATION: \$

TOTAL \$

REFUND INVOICE \$

COMPLETED

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment 3156/R-99, Part of Lot B, Plan 3854 MC, NE ¼ 28-38-27-4 / Riverside Light Industrial Area / The City of Red Deer - Request Rezoning to Accommodate Ambient Air Quality Monitoring Station*

Reference Report: Deputy City Clerk dated July 6, 1999

Bylaw Readings:

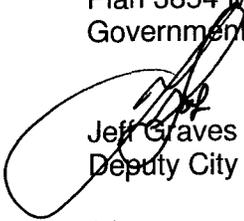
Land Use Bylaw Amendment No. 3156/R-99 was given 2nd & 3rd readings following the Public Hearing. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/R-99, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.

Land Use Bylaw Amendment No. 3156/R-99 provides for the redesignation of part of Lot B, Plan 3854 MC from A2 Environmental Preservation District to PS Public Service (Institutional or Governmental) District. This rezoning will accommodate an air quality monitoring station.



Jeff Graves
Deputy City Clerk

/clr
attchs.

- c Director of Development Services
- Director of Community Services
- Recreation, Parks & Culture Manager
- E. L. & P. Manager
- Emergency Services Manager
- City Assessor
- Land and Economic Development Manager
- Public Works Manager
- Doug Kutinsky, Graphics Designer

- S. Ladwig, Administrative Assistant
- C. Rausch, City Clerk's Office
- Environmental Advisory Board

BYLAW 3156/R-99

AIR MONITORING UNIT

BACKGROUND

This bylaw is proposed to allow an air monitoring unit on Riverside Drive.

PURPOSE OF THE BYLAW

This bylaw proposes to rezone part of the park area east of Riverside Drive from A2 Environmental Preservation to PS Public Service. This change is necessary because the A2 District does not include an air monitoring unit as a permitted or discretionary use.

(Map)

**LAND USE BYLAW AMENDMENT
RIVERSIDE INDUSTRIAL AREA**

1. Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/R-99 for the purpose of rezoning part of Lot B, Plan 3854 MC from A1 – Environmental Preservation District to PS – Public Service (Institutional or Government) District. The proposal is to accommodate a temporary (up to 15 years) Air Quality Monitoring Trailer for the Alberta Environmental Protection Department. Rezoning of this site will allow the Municipal Planning Commission to consider the use as an institutional service facility while keeping the remaining land as parkland.

PLEASE USE PARAGRAPHS 2 AND 3 FROM LAND USE BYLAW AMENDMENT 3156/U-99 AND PUT THOSE TWO PARAGRAPHS IN **JUST ONCE** TO COVER THE TWO ADS – SPREAD ACROSS THE BOTTOM OF THE TWO NOTICES.

LUBA 3156/U-99
Map
Paragraph 1

LUBA 3156/R-99
Map
Paragraph 1

2. Paragraph 2 can be spread out across the four columns to cover both ads.
3. Paragraph 3 can be spread out across the four columns to cover both ads.

KELLY KLOSS
CITY CLERK

(Publication Dates: July 16 and July 23, 1999)



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

July 13, 1999

**MULTICON LTD.
77 SUNSET WAY, S.E.
CALGARY, AB T2X 3C1**

Dear Sir/Madam:

Re: Land Use Bylaw Amendment 3156/R-99, Riverside Industrial Area.
Part of Lot B, Plan 3854 MC, NE ¼ Section 28-38-27-4

As a property owner adjacent to the above land, this letter is to inform you that Council of The City of Red Deer has given the first of three readings to this Bylaw.

Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/R-99 for the purpose of rezoning part of Lot B, Plan 3854 MC from A1 – Environmental Preservation District to PS – Public Service (Institutional or Government) District, as shown on the attached map. The proposal is to accommodate a temporary (up to 15 years) Air Quality Monitoring Trailer for the Alberta Environmental Protection Department. Rezoning of this site will allow the Municipal Planning Commission to consider the use as an institutional service facility while keeping the remaining land as parkland.

Council will hold a Public Hearing to hear from any resident that may be affected by the passing of this proposed Bylaw on **Tuesday, August 3, 1999, at 7:00 p.m.**

If you wish to advise City Council that this Bylaw does affect you, would you please do one of the following no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing:

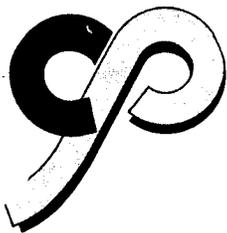
1. advise me by telephone that you wish to attend the Public Hearing and speak to members of Council; or
2. provide me with a letter outlining your views; or
3. provide me with a properly signed Petition.

If you have any questions, please contact me at (403) 342-8132.

Yours truly,

**JEFF GRAVES
DEPUTY CITY CLERK**

| T | V | OwnerName | OwnerAdd1 | OwnerAdd2 | MainLegal: | Rur |
|---|---|------------------|-------------------|----------------------|---------------|---------|
| 2 | | CITY OF RED DEER | P O BOX 5008 | RED DEER, AB T4N 3T4 | LT B BK PL | 0-0-0-1 |
| 2 | | MULTICON LTD. | 77 SUNSET WAY S E | CALGARY, AB T2X 3C1 | 4-27-38-28-NE | 4-27-3 |
| 2 | | CITY OF RED DEER | P O BOX 5008 | RED DEER, AB T4N 3T4 | 4-27-38-28-NE | 4-27-3 |



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: June 8, 1999
To: Kelly Kloss, City Clerk
From: Frank Wong, Planning Assistant
Re: Land Use Bylaw Amendment 3156/R-99
Part of Lot B, Plan 3854 MC
NE 1/4 Sec. 28-38-27-4
Riverside Industrial Area
The City of Red Deer

The City of Red Deer is requesting the redesignation of part of Lot B, Plan 3854 MC from A2 Environmental Preservation District to PS Public Service (Institutional or Governmental) District. The proposal is to accommodate an Alberta Environmental Protection Department's air quality monitoring trailer. The use is temporary in nature, but could last for up to fifteen years. The Public Service District is intended to accommodate uses that are public or quasi-public in nature and most school sites in the City have this land use district. The redesignation of the site will allow the Municipal Planning Commission to consider the use as an institutional service facility while keeping the remaining land as parkland.

Staff Recommendation

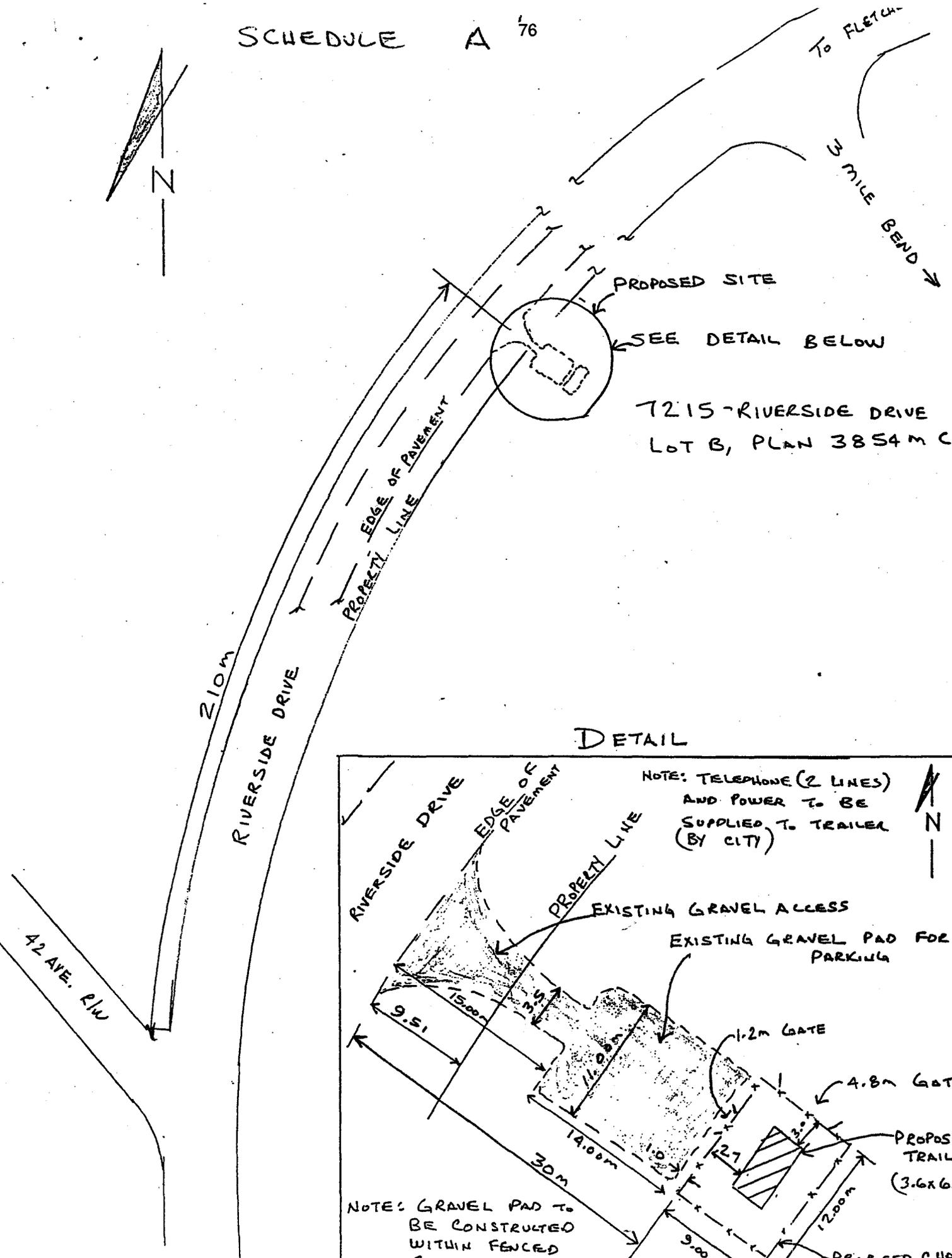
Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/R-99.

Sincerely,


Frank Wong,
Planning Assistant

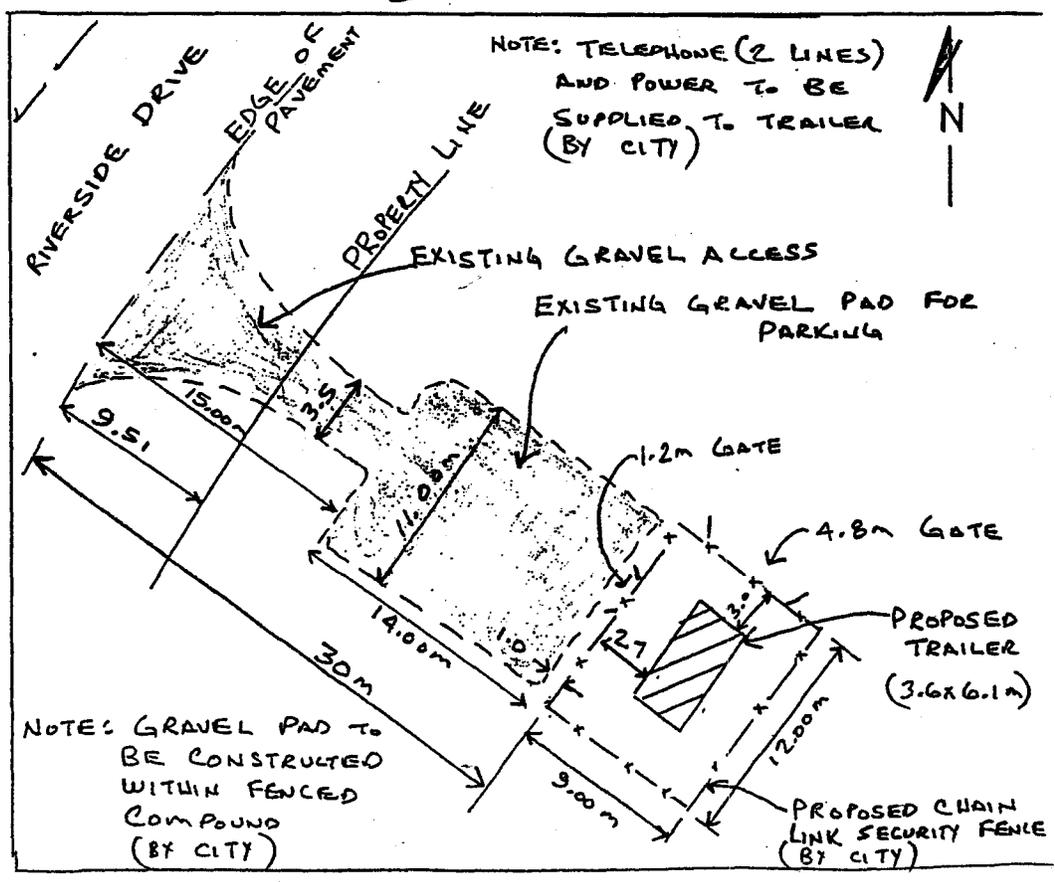
Attachment

SCHEDULE A '76



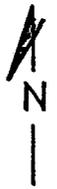
7215-RIVERSIDE DRIVE
LOT B, PLAN 3854 M C

DETAIL



NOTE: GRAVEL PAD TO BE CONSTRUCTED WITHIN FENCED COMPOUND (BY CITY)

NOTE: TELEPHONE (2 LINES) AND POWER TO BE SUPPLIED TO TRAILER (BY CITY)



Comments:

We agree with the recommendation of the Environmental Advisory Board that Council approve the installation of the Air Quality Monitoring Station and pursue an appropriate contract with Alberta Environmental Protection.

Normally we cannot recommend a budget decision outside of the budget process, however there is an extenuating circumstance in this situation. A commitment to air monitoring was made in the Environmental Master Plan that has not been implemented to date. During the preparation of this year's budget we were not aware that an Air Quality Monitoring Station would become available and as a result did not include it in the 1999 Budget. Due to a combination of circumstances one has become available and if we act now we will be able to secure one for a Red Deer location. If we delay we will very likely not be able to secure a station for the foreseeable future. Any decision relative to membership in PAMZ and the associated cost of that membership should be debated during budget deliberations. As a result, we are recommending only that Council agree to:

- the installation of the Air Quality Monitoring Station on Riverside Drive subject to a satisfactory contract being negotiated between The City and Alberta Environmental Protection;
- an additional expenditure to the 1999 Budget of \$11,000 which includes \$8,000 in start up costs and \$3,000 for 1999 operating costs;
- the inclusion of \$8,000 in the 2000 Operating Budget to cover the annual operating cost of the station;
- passage of first reading of a Land Use Bylaw amendment to rezone land on Riverside Drive to accommodate the station.

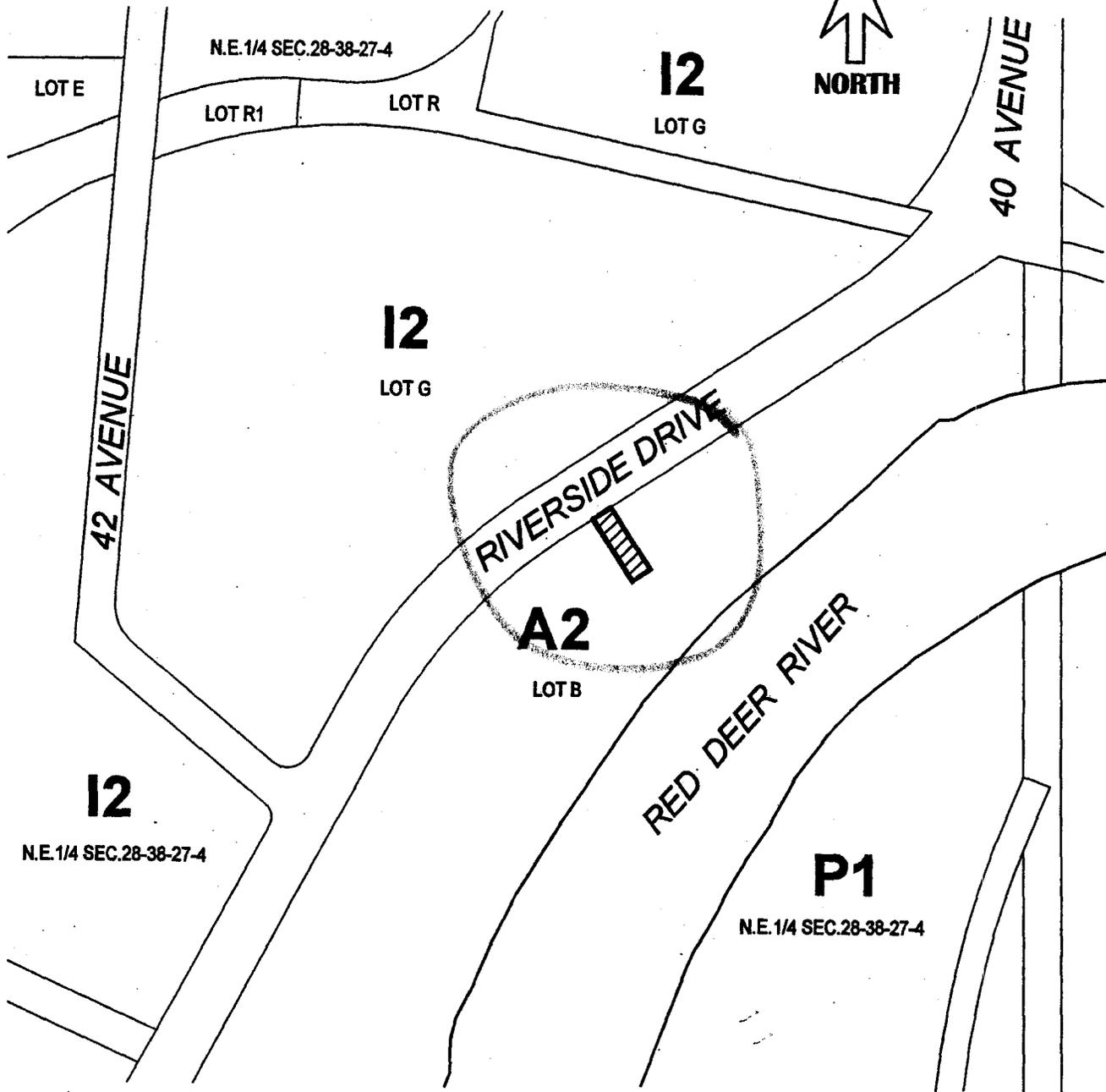
It should be noted that we have for many years monitored water quality at an approximate cost of \$5,000 per year. The addition of air quality monitoring is from our point of view a reasonable step in addressing our environmental management responsibilities.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A2 to PS 

AFFECTED DISTRICTS:

A2 - Environmental Preservation

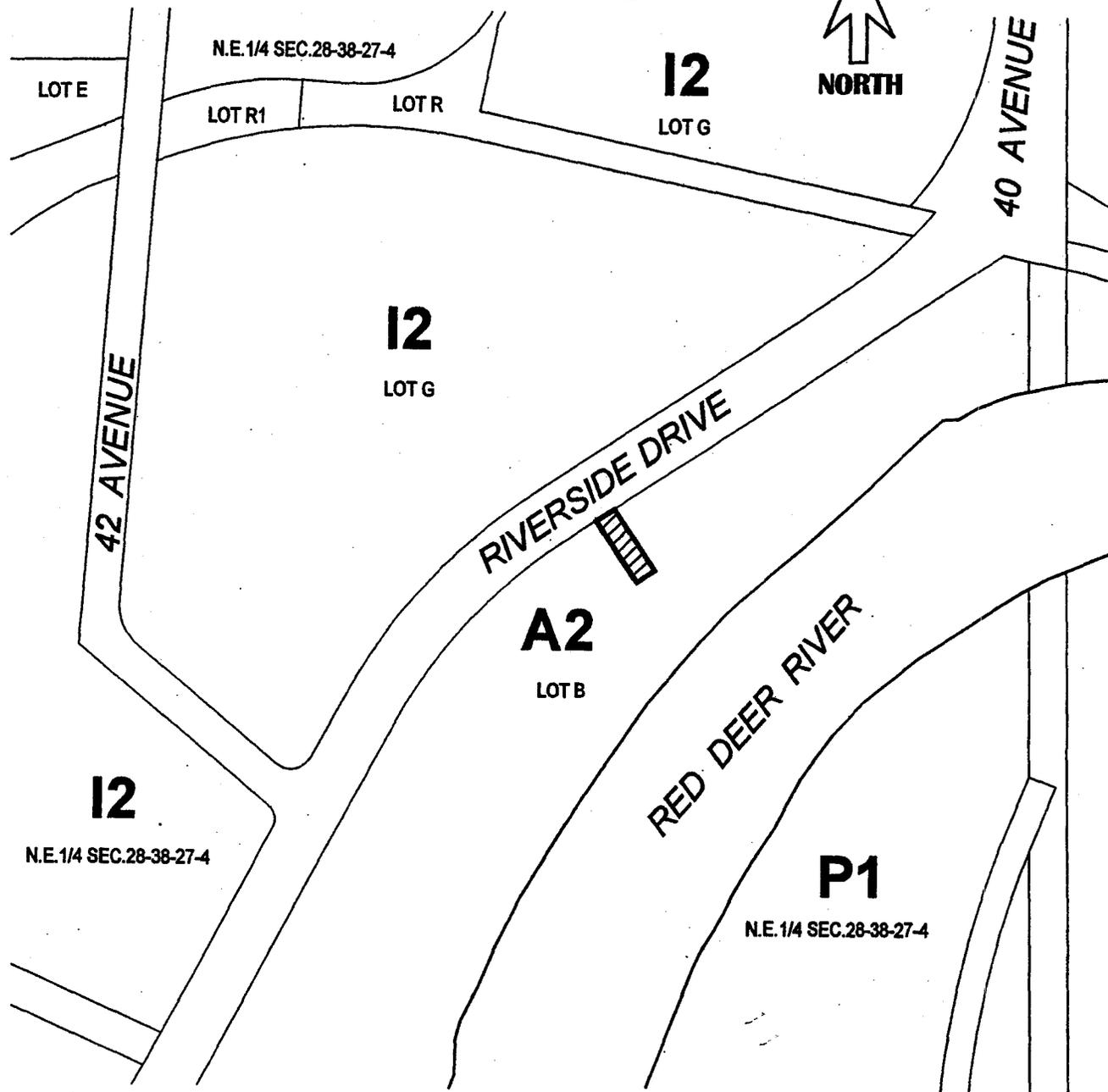
PS - Public Service (Institutional or Governmental)

MAP No. 13 / 99

BYLAW No. 3156 / R - 99

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A2 to PS 

AFFECTED DISTRICTS:

A2 - Environmental Preservation

PS - Public Service (Institutional or Governmental)

MAP No. 13 / 99

BYLAW No. 3156 / R - 99

DATE: JULY 7, 1999
TO: TONY WOODS, DRAFTING
FROM: SANDRA LADWIG, CITY CLERKS
RE: Land Use Bylaw Amendment 3156/R-99
Part of Lot B, Plan 3854 MC
NE ¼ Section 28-38-27-4
Riverside Industrial Area

I enclose herewith the map to accompany the Land Use Bylaw Amendment Ad to appear in the newspaper. Could you please re-do the map so that it is about 3 ¼" wide by 3 ¼ to 3 ½ " long. I will include the explanation of rezoning within the first paragraph of the ad.

Could I possibly have this by Tuesday, July 13, 1999.

Thanks Tony.

Sandra
SANDRA LADWIG
City Clerk's Department

COST OF MAP PREPARATION:

\$.....30.20.....

DK
July 7 /99.

DATE: JULY 7, 1999
TO: NORM FORD, ASSESSMENT & TAX
FROM: SANDRA LADWIG, CITY CLERKS
RE: Land Use Bylaw Amendment 3156/R-99
Part of Lot B, Plan 3854 MC
NE ¼ Section 28-38-27-4
Riverside Industrial Area

May I please have a list of the property owners as outlined on the attached plan.

Could I possibly have this by Tuesday, July 13, 1999.

Thank you.

SANDRA LADWIG
City Clerks

BYLAW NO. 3156/R-99

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

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

- 1 The "Use District Map H13" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 13/99 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

MAYOR

CITY CLERK

Council Decision – July 5, 1999 Meeting

DATE: July 6, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/R-99 / Part of Lot B, Plan 3854 MC, NE ¼ 28-38-27-4 / Riverside Light Industrial Area / The City of Red Deer (Request Rezoning to Accommodate Ambient Air Quality Monitoring Station)*

Reference Report:

Planner, dated June 8, 1999

Bylaw Readings:

Land Use Bylaw Amendment No. 3156/R-99 was given first reading, a copy is attached.

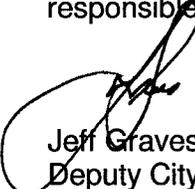
Report Back to Council Required:

Yes. A Public Hearing will be held on Tuesday, August 3, 1999 at 7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment No. 3156/R-99 provides for the redesignation of part of Lot B, Plan 3854 MC from A2 Environmental Preservation District to PS Public Service (Institutional or Governmental) District. The rezoning will accommodate an air quality monitoring station.

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


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
Land and Economic Development Manager
Recreation, Parks & Culture Manager
Public Works Manager
Principal Planner
Administrative Assistant, S. Ludwig

FILE

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment 3156/R-99, Part of Lot B, Plan 3854 MC, NE ¼
28-38-27-4 / Riverside Light Industrial Area / The City of Red Deer - Request
Rezoning to Accommodate Ambient Air Quality Monitoring Station*

Reference Report: Deputy City Clerk dated July 6, 1999

Bylaw Readings:

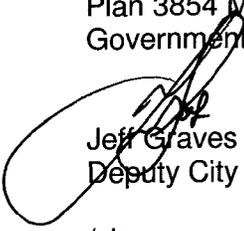
Land Use Bylaw Amendment No. 3156/R-99 was given 2nd & 3rd readings following the Public Hearing. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/R-99, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.

Land Use Bylaw Amendment No. 3156/R-99 provides for the redesignation of part of Lot B, Plan 3854 MC from A2 Environmental Preservation District to PS Public Service (Institutional or Governmental) District. This rezoning will accommodate an air quality monitoring station.



Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
Recreation, Parks & Culture Manager
E. L. & P. Manager
Emergency Services Manager
City Assessor
Land and Economic Development Manager
Public Works Manager
Doug Kutinsky, Graphics Designer

S. Ladwig, Administrative Assistant
C. Rausch, City Clerk's Office
Environmental Advisory Board

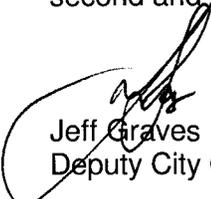
DATE: July 7, 1999
TO: City Council
FROM: Deputy City Clerk
RE: *Proposed Subdivision / Railway Plan C & E No. 1, Lots 3 & 4, Block 5, Plan 5534 H.W., and Lot 17, Block 13, Plan 4592 K.S., S ½ 20-38-27-4 North Red Deer / Rockport Developments Ltd. / Land Use Bylaw Amendment 3156/U-99*

A Public Hearing will be held on Tuesday, August 3, 1999 at 7:00 p.m., in the Council Chambers, for the above Land Use Bylaw Amendment.

Land Use Bylaw Amendment 3156/U-99 provides for the redesignation of land from I1 Industrial District, R1A Residential (Semi-detached Dwelling) District and roads and lanes to R1 Residential (Low Density) District and roads and lanes. The proposal will enable the resubdivision of the area to accommodate approximately 19 single family lots.

Recommendation

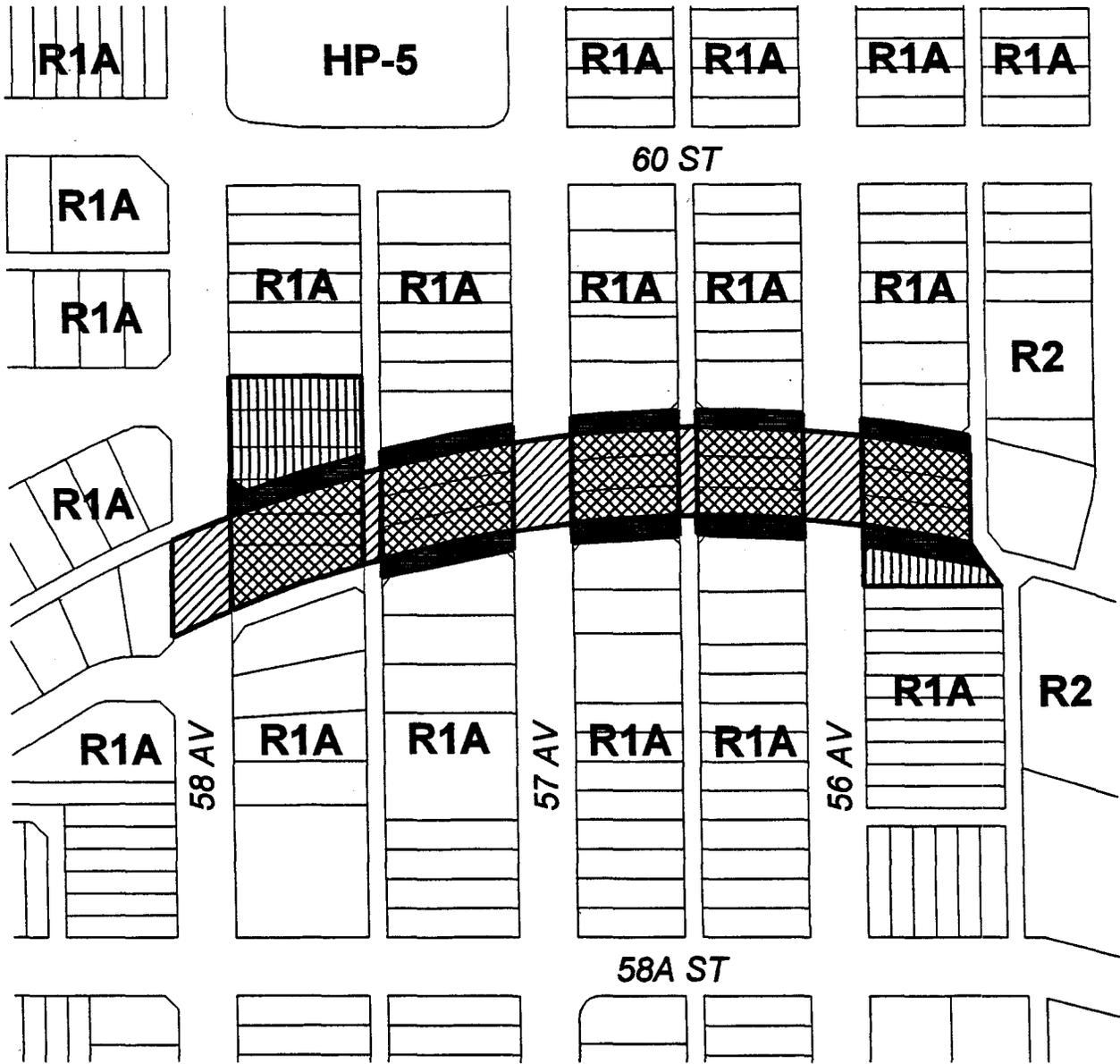
That following the Public Hearing, Land Use Bylaw Amendment No. 3156/U-99 may be given second and third readings.


Jeff Graves
Deputy City Clerk

/clr
attchs.

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

I1 to Road or Lane

I1 to R1

Lane to R1

R1A to R1



AFFECTED DISTRICTS:

11 - Industrial (Business Service)

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

MAP No. 16 / 99

BYLAW No. 3156 / U - 99

July 21, 1999

Dear Sir:

In regards to the City's proposal for rezoning of property's on the old railway tracks adjacent to my property Lot #8 it seems the city does just whatever they damn well please! In August of 1996 I took up a petition with approximately 75 names to keep 58 Avenue a dead end street. The City council said that I would be notified if anything further was going to be done. But in their wisdom they sold this land to a contractor who naturally would build houses which means they would have to open the road about which I was never contacted. So now I am told by Northside Community Association it is to late to do anything about the property adjacent to mine. That leaves me to think you don't give a shit what I figure and you (the City) will do what you please anyway. Therefore I am against any more development on the old railroad tracks for the purpose of housing.

Your truly



Dan Hagarty
Lot #8
5827 - 58 Avenue
Red Deer, AB



Bemoco Land Surveying Ltd.

Our File: S-143-98 Subdivision Consultants ★ Land Surveyors

June 21, 1999

City of Red Deer
City Clerk
Box 5008
Red Deer, Alberta
T4N 3T4

Attention: Kelly Kloss

Dear Sir:

RE: Proposed Subdivision
Railway Plan C & E No.1
Lots 3 & 4, Block 5, Plan 5534 H.W.
Lot 17, Block 13, Plan 4592 K.S.

Please find enclosed four copies of our Tentative Plan for the above along with our original plan showing the land which require redesignation to conform to the same.

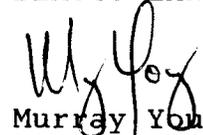
On behalf of Rockport Developments Ltd., perspective purchasers of the above property, please accept this letter as a formal application to redesignate these lands from I1 Industrial (Business Service) and R1A (Semi-Detached Dwelling) Districts to R1 Residential District as per the above plans.

Would you kindly notify our office of the date and time when this item will be dealt with by Council in order that we may make arrangements to attend.

Should you have any questions pertaining to the above, please do not hesitate to call.

Yours truly,

BEMOCO LAND SURVEYING LTD.



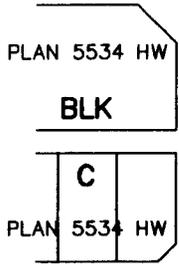
Murray Young, A.L.S.

MY/dpv

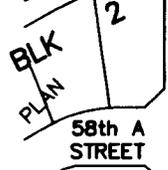
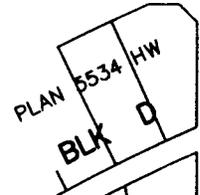
Encl

cc: UMA Engineering Ltd.
Attention: Craig Suchy
- 1 copy of each of 3 plans

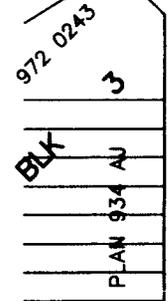
Rockport Developments Ltd.
Attention: Darren McArthur
- 1 copy of each of 3 plans



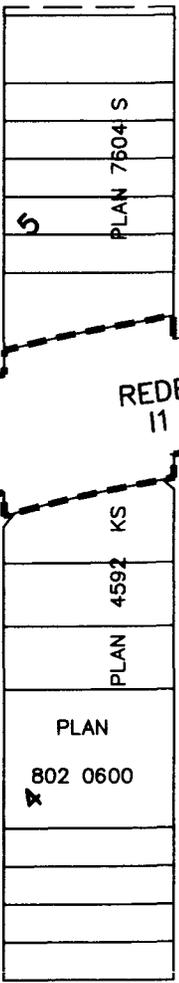
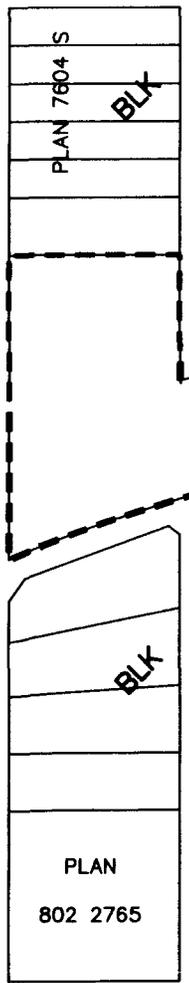
59th STREET



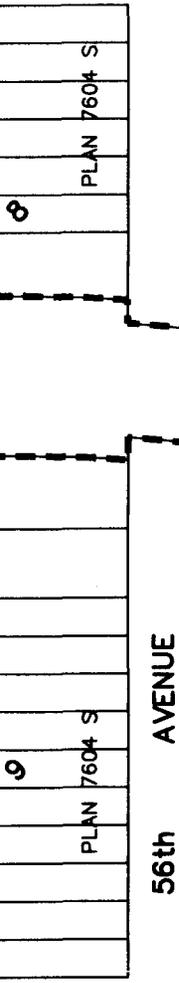
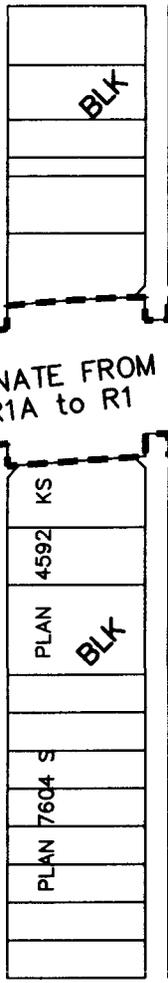
58th A STREET



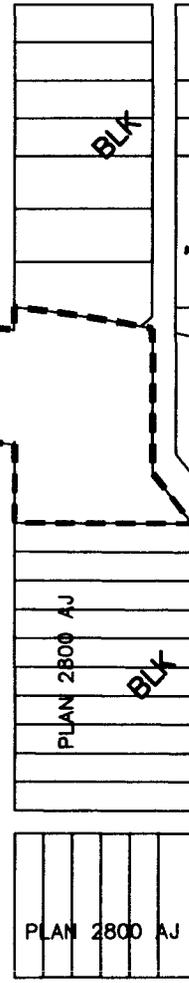
58th AVENUE



57th AVENUE



56th AVENUE



60th STREET

REDESIGNATE FROM
I1 & R1A to R1

58th A STREET



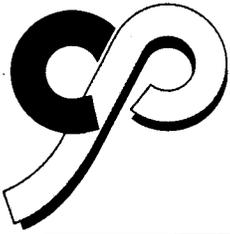
SCALE = 1 : 2000

NOTES:

-Area dealt with is bounded thus -----
and contains 1.20 ha.

REV: JUNE 21, 1999
REV: FEB. 9, 1999
Bemoco Land Surveying Ltd.
21,7895-49th Avenue
Red Deer, Alberta

Ph. No. 342-2611 File No: S-143-98



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: June 25, 1999

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/U-99
Railway Plan C & E No. 1,
Lots 3 & 4, Block 5, Plan 5534 HW, and
Lot 17, Block 13, Plan 4592 KS
S 1/2 Sec. 20-38-27-4
North Red Deer
The City of Red Deer/Rockport Developments Ltd.

Bemoco Land Surveying Ltd., on behalf of Rockport Developments Ltd., is requesting the redesignation of portions of optioned City owned land for single family development. The redesignation will change 1.27 ha (3.13 ac) of land from I1 Industrial District, R1A Residential (Semi-detached dwelling) District and roads and lanes to R1 Residential (Low-density) District and roads and lanes. The proposal will enable the resubdivision of the area to accommodate approximately 19 single-family lots.

On June 21, 1999, City Council granted a request from the Northside Community Association and passed a resolution placing a moratorium on City owned lands in North Red Deer until the area redevelopment plan is completed in January 2000. The moratorium however excluded lands that are currently under purchase agreements. This Bylaw amendment involves the land, which was excluded because it was previously optioned to a developer as indicated by the attached letter from the Land & Economic Development Manager.

The proposal complies with the existing C.P. Railway Right-of-Way Area Redevelopment Plan – Bylaw No. 3073/92, which calls for single family development in this area.

Staff Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/U-99.

Sincerely,

Frank Wong
Frank Wong,
Planning Assistant

Attachment

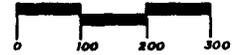
C.P. Railway Right-Of-Way Area Redevelopment Plan

LEGEND

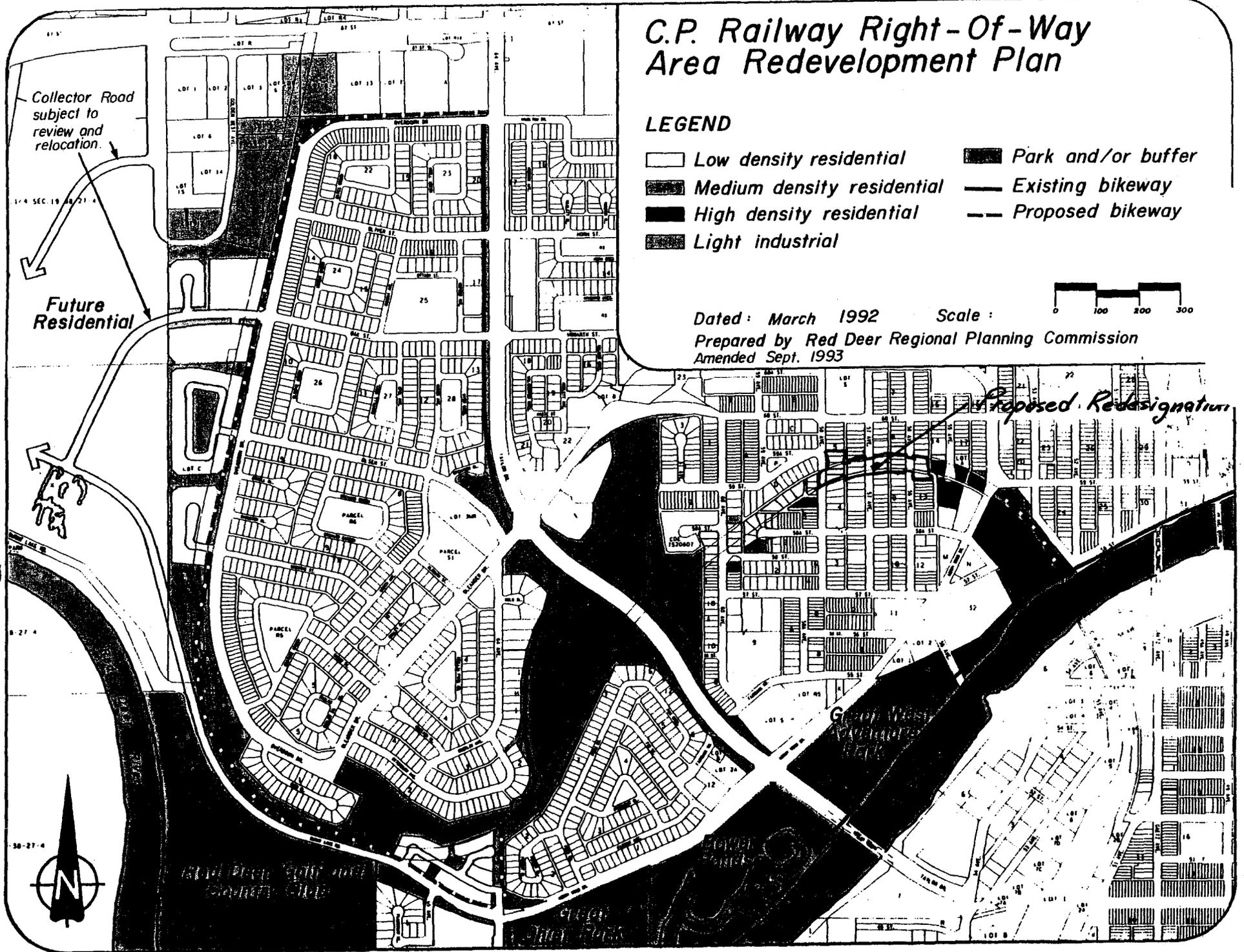
- | | |
|--|--|
|  Low density residential |  Park and/or buffer |
|  Medium density residential |  Existing bikeway |
|  High density residential |  Proposed bikeway |
|  Light industrial | |

Dated: March 1992

Scale:



Prepared by Red Deer Regional Planning Commission
Amended Sept. 1993



LAND USE BYLAW AMENDMENT

BYLAW NO. 3156/ U-99

DESCRIPTION: Bemeco Land Surveying, on behalf
of Rockport, 11-~~12~~ R1A, Road & Lane
to R1 roads & lane.

FIRST READING: July 5

DATE OF FIRST PUBLICATION: July 16

DATE OF SECOND PUBLICATION: July 23

SECOND READING: Aug. 3

THIRD READING: Aug. 3

LETTERS REQUIRED TO PROPERTY OWNERS: YES NO

DEPOSIT REQUIRED: NO YES AMOUNT \$ Bemeco

ACTUAL COST OF ADVERTISING: \$ 200.60 + 14.04 = 214.64 x 2
429.28

MAP PREPARATION: \$ 30.20

TOTAL \$ 459.48

REFUND INVOICE \$

COMPLETED

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment 3156/U-99 / Railway Plan C & E No. 1 / Lots 3 & 4, Block 5, Plan 5534 H.W. and Lot 17, Block 13, Plan 4592 K.S. / S 1/2 20-38-27-4 / North Red Deer / Rockport Developments Ltd. (Bemoco Land Surveying Ltd.)*

Reference Report: Deputy City Clerk dated July 7, 1999

Bylaw Readings:

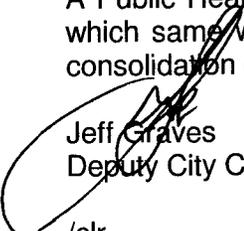
Land Use Bylaw Amendment 3156/U-99 was given second and third readings. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment 3156/U-99 provides for the redesignation of land from I1 Industrial District, R1A Residential (Semi-detached Dwelling) District and roads and lanes to R1 Residential (Low Density) District and roads and lanes. The proposal will enable the redesignation of the area to accommodate approximately 19 single family lots.

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/U-99, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Community Services
Engineering Services Manager
E. L. & P. Manager
Emergency Services Manager
City Assessor
Land and Economic Development Manager
Public Works Manager
Doug Kutinsky, Graphics Designer
Administrative Assistant, S. Ladwig
C. Rausch, City Clerk's Office

Office of the City Clerk

August 4, 1999

Att: Mr. Murray Young
Bemoco Land Surveying Ltd.
21, 7895 - 49 Avenue
Red Deer, AB T4P 2B4

Dear Mr. Young:

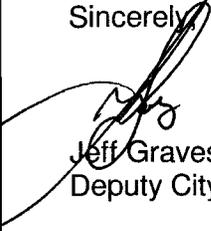
Re: *Railway Plan C & E No. 1, Lots 3 & 4, Block 5, Plan 5534 H.W., and Lot 17, Block 13, Plan 4592 K.S., S ½ 20-38-27-4 North Red Deer / Rockport Developments Ltd. (Bemoco Land Surveying Ltd.) / Land Use Bylaw Amendment 3156/U-99*

At the City of Red Deer's Council Meeting held Tuesday, August 3, 1999, a Public Hearing was held with respect to Land Use Bylaw 3156/U-99. Following the Public Hearing, Land Use Bylaw Amendment 3156/U-99 was given second and third readings, a copy of which is attached.

Land Use Bylaw Amendment 3156/U-99 provides for the redesignation of land from I1 Industrial District, R1A Residential (Semi-detached Dwelling) District and roads and lanes to R1 Residential (Low Density) District and roads and lanes. The proposal will enable the redesignation of the area to accommodate approximately 19 single family lots.

Please do not hesitate to contact me should you have any questions or require further clarification.

Sincerely,



Jeff Graves
Deputy City Clerk

/clr
attchs.

c Principal Planner
 Administrative Assistant, S. Ladwig





Office of the City Clerk

July 21, 1999

Bemoco Land Surveying Ltd.
Attention: Mr. Murray Young
21, 7895 – 49 Avenue
Red Deer, AB T4P 2B4

Dear Sirs:

Re: Land Use Bylaw Amendment 3156/U-99
North Red Deer – Rockport Developments Ltd.

I do not believe that The City has received a deposit from you toward the actual costs of advertising the above Land Use Bylaw Amendment. I therefore enclose herewith an Invoice to cover the actual costs of advertising.

I trust you will find this in order.

Yours truly,

SANDRA LADWIG
Administrative Assistant
City Clerk's Department



THE CITY OF RED DEER
 ACCOUNTS RECEIVABLE DEPARTMENT
 P.O. BOX 5008, 4914 - 48 AVENUE
 RED DEER, ALBERTA T4N 3T4
 PHONE NO. 403-342-8375 / 403-342-8224
 G.S.T. REGISTRATION # R119311785

**ACCOUNTS
 RECEIVABLE
 INVOICE**

INVOICE NUMBER

097187

INVOICE DATE

99/07/21

YEAR MTH DAY

**TERMS: Net 30 Days
 1½% PER MONTH CHARGE
 ON ALL OVERDUE ACCOUNTS
 ANNUAL INTEREST 18%
 UNLESS OTHERWISE ADVISED**

Bemoco Land Surveying Ltd.
 21, 7895 - 49 Avenue
 RedDeer, AB T4P 2B4

| REFERENCE | TAX EXEMPT TAXABLE ZERO RATED | E T Z | AMOUNT | G.S.T. | TOTAL |
|---|-------------------------------------|-------------|-----------------------|----------|--|
| Land Use Bylaw Amendment 3156/U-99 North Red Deer - Rockport Developments Ltd. | | | | | |
| Advertising July 16/99 | \$214.64 | | | | |
| July 23/99 | 214.64 | | | | |
| Map Preparation | 30.20 | | | | |
| Total | | E | \$459.48 | | \$459.48 |
| G.L. Account Dist. (Cost Centre. Object. Subsidiary) | | | Amount | | |
| 59.5901 | | | \$459.48 | SUBTOTAL | SUBTOTAL |
| G.S.T. 2.3210 | | | FINANCE CHARGE | | \$459.48 ↑ TOTAL INVOICE DUE |
| | | | YES _____ NO _____ | | |

PLEASE RETURN THIS STUB WITH YOUR PAYMENT

PRESENT ENTIRE INVOICE IF RECEIPT REQUIRED

THE CITY OF RED DEER
 Accounts Receivable Invoice

INVOICE AMOUNT

\$459.48

ACCOUNT NUMBER

59.5901

INVOICE NUMBER

097187

AMOUNT PAID



PLEASE QUOTE ACCOUNT NUMBER
 WHEN PAYING BY CHEQUE

MAKE CHEQUES PAYABLE TO
 "THE CITY OF RED DEER"

COPY DISTRIBUTION
 48514 Rev. 97 (07)

• White: CUSTOMER

• Pink: ORIGINATING DEPARTMENT

• Yellow: TREASURY DEPARTMENT

0603 2000

96

BYLAW 3156/U-99

NORTH RED DEER

BACKGROUND

This bylaw is proposes to redesignate lands in the North Red Deer neighbourhood.

PURPOSE OF THE BYLAW

This bylaw proposes to rezone part of the former railway right of way from Industrial use to Single Family Residential. On June 21, 1999, this site was exempted from the moratorium on the sale and development of undeveloped City owned lands because of a pending sale agreement.

The rezoning will allow for 19 single family lots.

(Map)

**LAND USE BYLAW AMENDMENT
NORTH RED DEER**

1. Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/U-99 for the purpose of rezoning 1.27 ha (3.13 ac) of land from I1 – Industrial District, R1A – Residential (Semi-detached dwelling) District and Roads and Lanes to R1 – Residential (Low Density) District and Roads and Lanes as shown on the above map. The proposal will enable the resubdivision of the area to accommodate approximately 19 single family lots. This land previously optioned to a Developer was excluded from the moratorium to January 2000 placed on city-owned lands in North Red Deer.
2. A copy of the proposed Bylaw may be inspected by the public at the office of the City Clerk, 2nd Floor of City Hall during regular office hours.
3. Prior to considering this Bylaw, City Council will hold a Public Hearing in the Council Chambers, 2nd Floor of City Hall on **Tuesday, August 3, 1999, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions are also acceptable if received by the City Clerk no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing.

KELLY KLOSS
CITY CLERK

(Publication Dates: July 16 and July 23, 1999)

Office of the City Clerk

July 13, 1999

**MEADOWGLEN DEVELOPMENTS LTD.
BOX 234,
RED DEER, AB T4N 5E8**

Dear Sir/Madam:

Re: Land Use Bylaw Amendment 3156/U-99,
Railway Plan C & E No. 1, Lots 3 & 4, Block 5, Plan 5534 HW and Lot 17,
Block 13, Plan 4592 KS, S ½ Section 20-38-27-4, North Red Deer

As a property owner adjacent to the above land, this letter is to inform you that Council of The City of Red Deer has given the first of three readings to this Bylaw.

Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/U-99 for the purpose of rezoning 1.27 ha (3.13 ac) of land from I1 – Industrial District, R1A – Residential (Semi-detached dwelling) District and Roads and Lanes to R1 – Residential (Low Density) District and Roads and Lanes as shown on the map attached hereto. The proposal will enable the resubdivision of the area to accommodate approximately 19 single family lots. This land previously optioned to a Developer was excluded from the moratorium to January 2000 placed on city-owned lands in North Red Deer.

Council will hold a Public Hearing to hear from any resident that may be affected by the passing of this proposed Bylaw on **Tuesday, August 3, 1999, at 7:00 p.m.**

If you wish to advise City Council that this Bylaw does affect you, would you please do one of the following no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing:

1. advise me by telephone that you wish to attend the Public Hearing and speak to members of Council; or
2. provide me with a letter outlining your views; or
3. provide me with a properly signed Petition.

If you have any questions, please contact me at (403) 342-8132.

Yours truly,

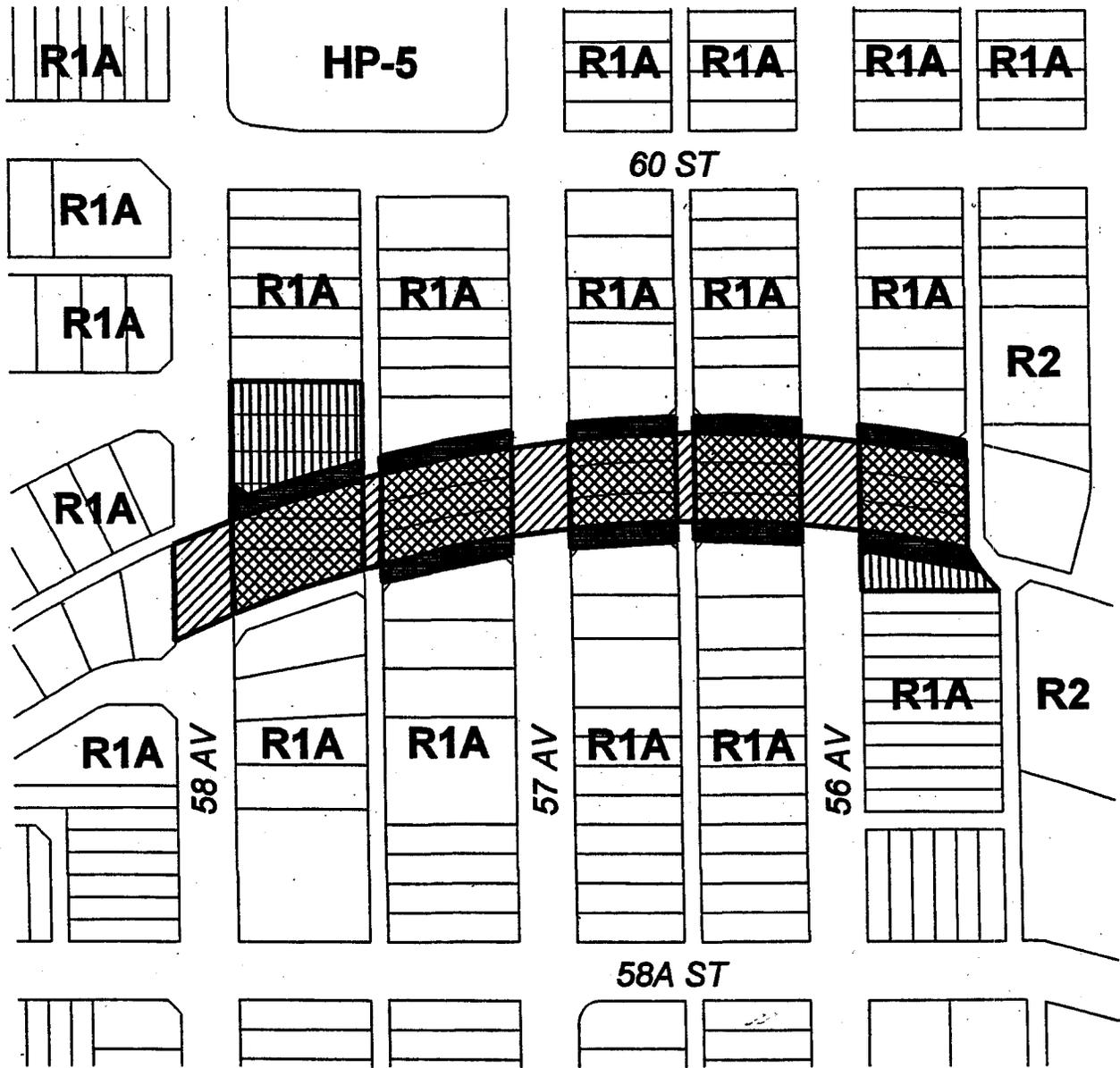


**JEFF GRAVES
DEPUTY CITY CLERK**



The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

I1 to Road or Lane

I1 to R1

Lane to R1

R1A to R1



AFFECTED DISTRICTS:

11 - Industrial (Business Service)

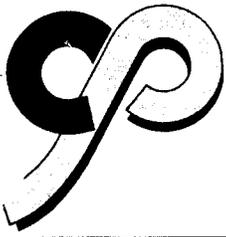
R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

MAP No. 16 / 99

BYLAW No. 3156 / U - 99

| Ta | VN | OwnerName | OwnerAdd1 | OwnerAdd2 | OC | MainLegal: | Rut. | o | Stree |
|----|----|----------------------------|---------------------|--------------------|----|-------------------|------|-----|-------|
| 20 | | EDWARD & TRUDY HUGET | 5909 - 58 AVE. | RED DEER, AB T4N | | LT 5 BK 5 PL | 0-0- | 590 | 58 |
| 20 | | ESTHER ELIZABETH YOUNG | 5911 - 58 AVE. | RED DEER, AB T4N | | LT 6 TO 7 BK 5 PL | 0-0- | 591 | 58 |
| 20 | | TONY DAVID PALMER | 5906 - 57 AVE. | RED DEER, AB T4N | | LT 15-16 BK 5 PL | 0-0- | 590 | 57 |
| 20 | | TONY DAVID & TAMMI LYNN | BOX 237 | EXSHAW, AB T0L | | LT 17-18 BK 5 PL | 0-0- | 590 | 57 |
| 20 | | KELTIE ELIZABETH & L IAN | 5902 - 56 AVE. | RED DEER, AB T4N | | LT 15 BK 8 PL | 0-0- | 590 | 56 |
| 20 | | LONNIE & DIANE STAPLES | 5901 - 57 AVE. | RED DEER, AB T4N | | LT 2 BK 8 PL | 0-0- | 590 | 57 |
| 20 | | MOUNTAIN QUEST INC | 133 CRAWFORD STREET | RED DEER, AB T4P | | LT 3 BK 8 PL | 0-0- | 590 | 57 |
| 20 | | RUSSELL CROSBY | 6013 - 56 AVE. | RED DEER, AB T4N | | LT 13-14 BK 8 PL | 0-0- | 590 | 56 |
| 20 | | REGINALD & CLARINDA | 5901 - 56 AVE. | RED DEER, AB T4N | | LT 1 BK 14 PL | 0-0- | 590 | 56 |
| 20 | | JACK ALEXANDER & LINDA | 36 NORDEGG CRESC. | RED DEER, AB T4P | | LT 2 BK 14 PL | 0-0- | 590 | 56 |
| 20 | | JOSEPH DANIEL & MARGARET | BOX 15, 39026 RGE | RED DEER, AB T4S | | LT 3 BK 14 PL | 0-0- | 590 | 56 |
| 20 | | GARY DOUGLAS CATON | 37 NAGEL AVE. | RED DEER, AB T4P | | LT 15-16 BK 13 PL | 0-0- | 582 | 56 |
| 20 | | MEADOWGLEN | BOX 234, | RED DEER, AB T4N | | LT 20 BK 13 PL | 0-0- | 550 | 58A |
| 20 | | ROBERT & CECELIA KACZMAR | 5902 - 55 AVE. | RED DEER, AB T4N | | LT 18 BK 14 PL | 0-0- | 590 | 55 |
| 20 | | M. KIM & BRENT WILSON | 5824 - 56 AVE. | RED DEER, AB T4N | | LT 16 BK 9 PL | 0-0- | 582 | 56 |
| 20 | | GERALD LEE GILLETT & | 5820 - 56 AVE. | RED DEER, AB T4N | | LT 17 BK 9 PL | 0-0- | 582 | 56 |
| 20 | | STACCATO BUSINESS | 52 MCNABB CRESC. | STONY PLAIN, AB | | LT 9 BK 9 PL | 0-0- | 581 | 57 |
| 20 | | CORRIE SPENCER | 4617 - 47 STREET, | RED DEER, AB T4N | | LT 10 BK 9 PL | 0-0- | 582 | 57 |
| 20 | | DONALD & JOCELYN | BOX 723, | RED DEER, AB T4N | | LT 11 BK 9 PL | 0-0- | 582 | 57 |
| 20 | | LUIGI MAURO | 5826 - 57 AVE. | RED DEER, AB T4N | | LT 15 BK 4 PL | 0-0- | 582 | 57 |
| 20 | | MICHAEL SHEA | 5822 - 57 AVE. | RED DEER, AB T4N | | LT 16 BK 4 PL | 0-0- | 582 | 57 |
| 20 | | WILLIAM PARTICA & MARIE | BOX 993, | RIMBEY, AB T0C 2J0 | | LT 17 BK 4 PL | 0-0- | 581 | 57 |
| 20 | | DAVID DANIEL CHAMBERS | 5819 - 58 AVE. | RED DEER, AB T4N | | LT 6 BK 4 PL | 0-0- | 581 | 58 |
| 20 | | LEO & RITA BEAUCHESNE | 5823 - 58 AVE. | RED DEER, AB T4N | | LT 7 BK 4 PL | 0-0- | 582 | 58 |
| 20 | | THOMAS DANIEL HAGARTY | 5827 - 58 AVE. | RED DEER, AB T4N | | LT 8 BK 4 PL | 0-0- | 582 | 58 |
| 20 | | W. VOLLMAN | 5801 - 59 STREET, | RED DEER, AB T4N | | LT 1 BK D PL | 0-0- | 580 | 59 |
| 20 | | GEORGE & SHIRLEY BELL | 5805 - 59 STREET, | RED DEER, AB T4N | | LT 2 BK D PL | 0-0- | 580 | 59 |
| 20 | | SHIRLEY NELSON & DARCY | 7023 - 59 AVE. | RED DEER, AB T4P | | LT 1 BK C PL | 0-0- | 580 | 59A |
| 20 | | GARY WILLIAM & GAIL ESTHER | 5806 - 59A STREET., | RED DEER, AB T4N | | LT 2 BK C PL | 0-0- | 580 | 59A |
| 20 | | 353167 ALBERTA LTD | 6879 - 50 AVE. | RED DEER, AB T4N | | LT X BK 14 PL | 0-0- | 591 | 55 |



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: June 25, 1999

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/U-99
Railway Plan C & E No. 1,
Lots 3 & 4, Block 5, Plan 5534 HW, and
Lot 17, Block 13, Plan 4592 KS
S 1/2 Sec. 20-38-27-4
North Red Deer
The City of Red Deer/Rockport Developments Ltd.

Bemoco Land Surveying Ltd., on behalf of Rockport Developments Ltd., is requesting the redesignation of portions of optioned City owned land for single family development. The redesignation will change 1.27 ha (3.13 ac) of land from I1 Industrial District, R1A Residential (Semi-detached dwelling) District and roads and lanes to R1 Residential (Low-density) District and roads and lanes. The proposal will enable the resubdivision of the area to accommodate approximately 19 single-family lots.

On June 21, 1999, City Council granted a request from the Northside Community Association and passed a resolution placing a moratorium on City owned lands in North Red Deer until the area redevelopment plan is completed in January 2000. The moratorium however excluded lands that are currently under purchase agreements. This Bylaw amendment involves the land, which was excluded because it was previously optioned to a developer as indicated by the attached letter from the Land & Economic Development Manager.

The proposal complies with the existing C.P. Railway Right-of-Way Area Redevelopment Plan – Bylaw No. 3073/92, which calls for single family development in this area.

Staff Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/U-99.

Sincerely,

Frank Wong,
Planning Assistant

Attachment

BYLAW NO. 3156/U-99

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

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

- 1 The "Use District Map F10" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 16/99 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

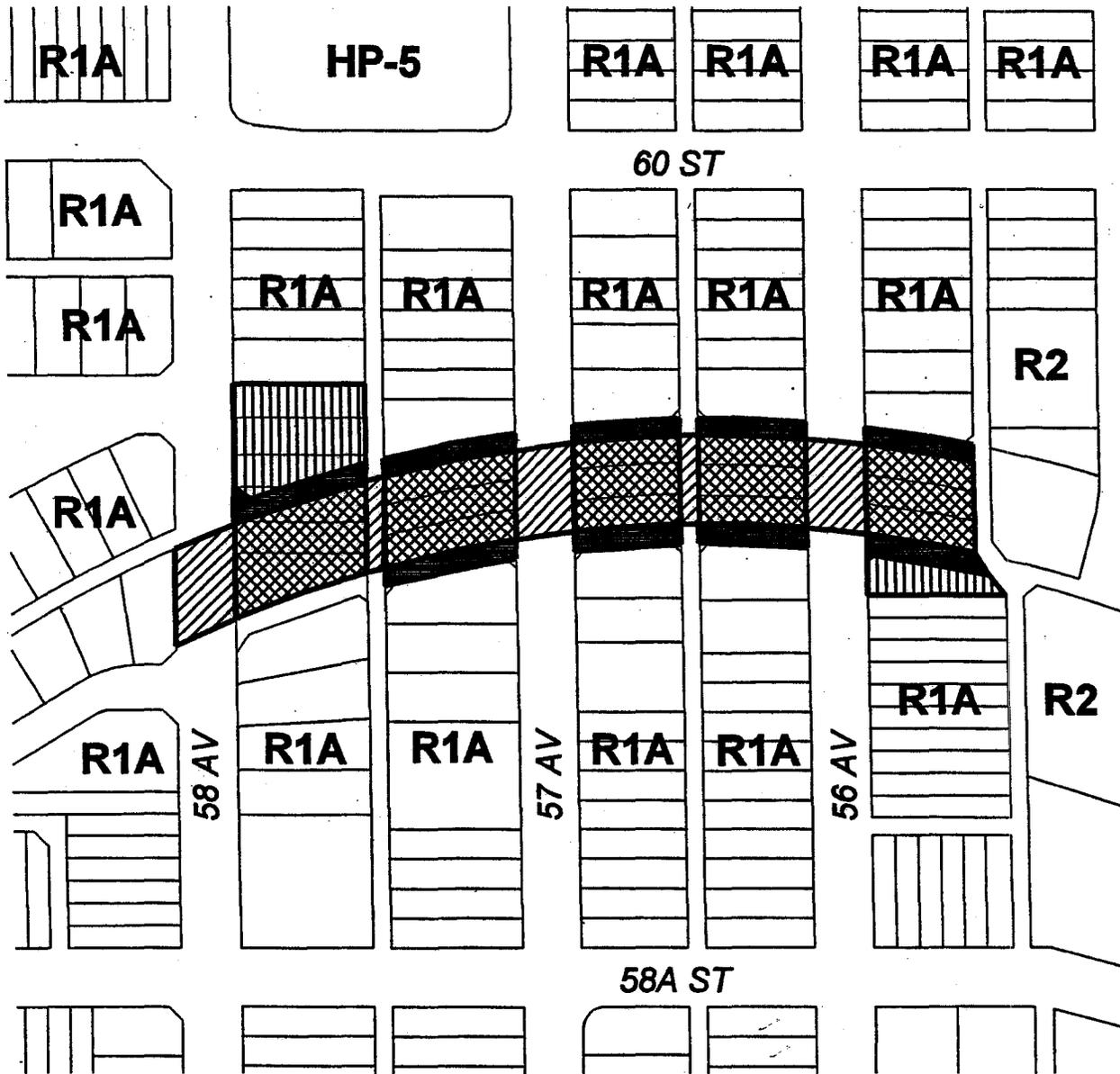
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



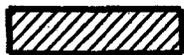
Change from:

I1 to Road or Lane

I1 to R1

Lane to R1

R1A to R1



AFFECTED DISTRICTS:

I1 - Industrial (Business Service)

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

MAP No. 16 / 99

BYLAW No. 3156 / U - 99

C.P. Railway Right-Of-Way Area Redevelopment Plan

LEGEND

-  Low density residential
-  Medium density residential
-  High density residential
-  Light industrial
-  Park and/or buffer
-  Existing bikeway
-  Proposed bikeway

Dated: March 1992

Scale:

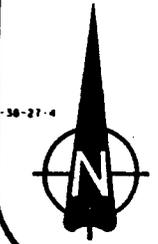


Prepared by Red Deer Regional Planning Commission
Amended Sept. 1993

Collector Road
subject to
review and
relocation.

Future
Residential

Proposed Redesignation



DATE: JULY 7, 1999
TO: TONY WOODS, DRAFTING
FROM: SANDRA LADWIG, CITY CLERKS
RE: Land Use Bylaw Amendment 3156/U-99
Railway Plan C & E No. 1,
Lots 3-4, Block 5, Plan 5534 HW and
Lot 17, Block 13, Plan 4592 KS
S 1/2 Section 20-38-27-4
North Red Deer. Rockport Developments Ltd.

I enclose herewith the map to accompany the Land Use Bylaw Amendment Ad to appear in the newspaper. Could you please re-do the map so that it is about 3 1/4" wide by 3 1/4 to 3 1/2 " long. I will include the explanation of rezoning within the first paragraph of the ad.

Could I possibly have this by Tuesday, July 13, 1999.

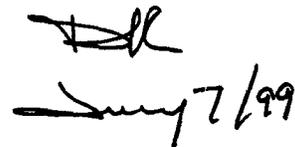
Thanks Tony.



SANDRA LADWIG
City Clerk's Department

COST OF MAP PREPARATION:

\$.....30.20.....



July 7/99

DATE: JULY 7, 1999
TO: NORM FORD, ASSESSMENT & TAX
FROM: SANDRA LADWIG, CITY CLERKS
RE: Land Use Bylaw Amendment 3156/U-99
Railway Plan C & E No. 1,
Lots 3-4, Block 5, Plan 5534 HW and
Lot 17, Block 13, Plan 4592 KS
S 1/2 Section 20-38-27-4
North Red Deer. Rockport Developments Ltd.

May I please have a list of the property owners as outlined on the attached plan.

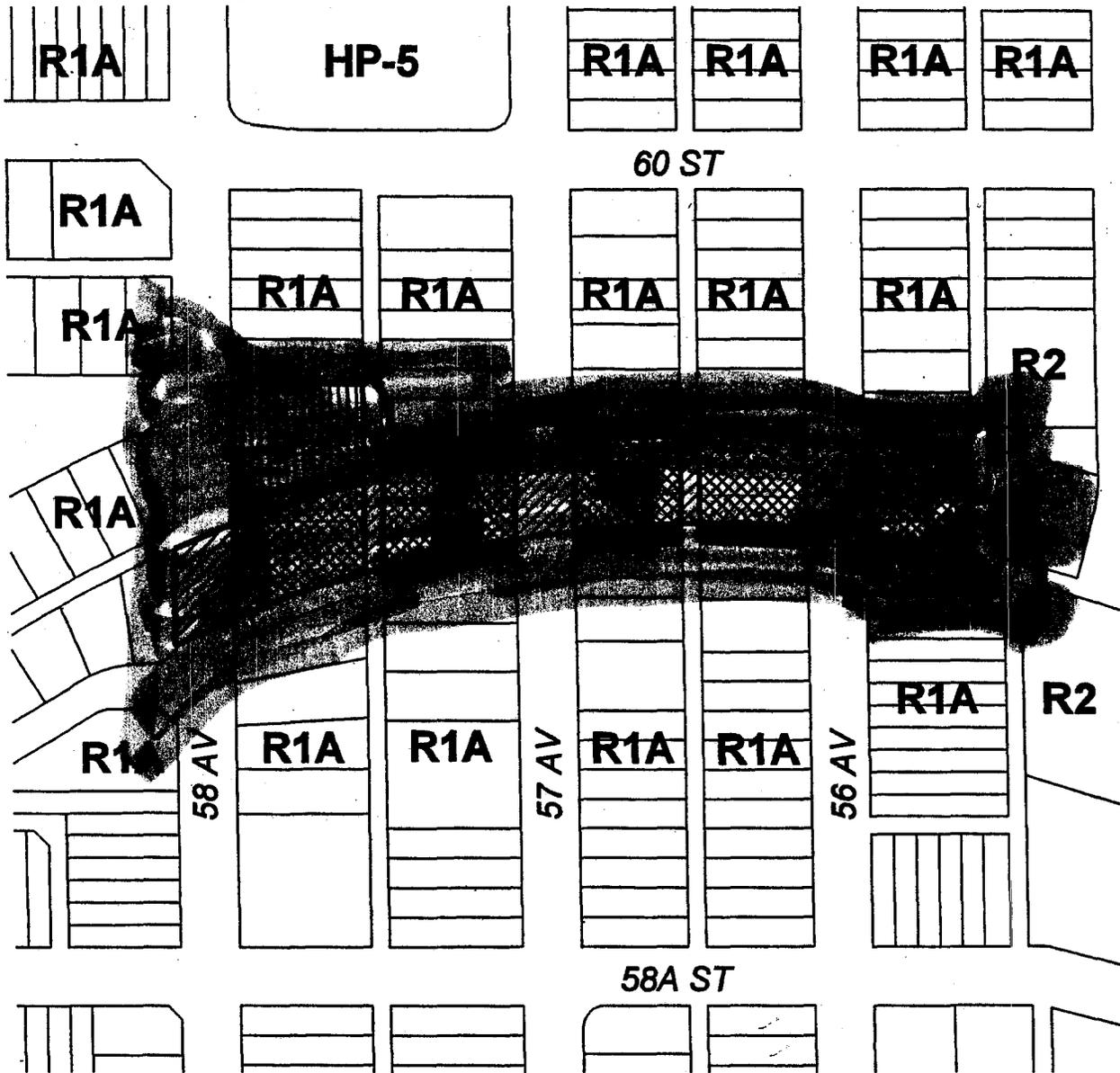
Could I possibly have this by Tuesday, July 13, 1999.

Thank you.

SANDRA LADWIG
City Clerks

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

I1 to Road or Lane



I1 to R1



Lane to R1



R1A to R1



AFFECTED DISTRICTS:

I1 - Industrial (Business Service)

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

MAP No. 16 / 99

BYLAW No. 3156 / U - 99

Memo

DATE: June 24, 1999
TO: Kelly Kloss, City Clerk
FROM: Alan Scott, Land & Economic Development Manager
RE: **BEMOCO REZONING REQUEST - NORTH RED DEER**

The request for rezoning, on behalf of Rockport Developments Ltd., is related to the Offer to Purchase identified in our memo to the June 21, 1999 meeting of Council, at which a moratorium on development of City-owned land was discussed for the North Red Deer area.

The resolution of Council, approving the moratorium, excluded this land, as the sale was pending at the time.

This sale has now been completed and Rockport is prepared to proceed with a development in accordance with the existing Area Structure Plan, which permits single family developments.

Recommendation

The Land and Economic Development Department recommends that Council approve the rezoning request to R1 Residential from I1 Industrial and R1A Semi-Detached Residential.

Sincerely,



Alan V. Scott
Land & Economic Development Manager

AVS/pr

DATE: February 17, 1999
TO: City Clerk
FROM: **DON BATCHELOR**
Recreation, Parks & Culture Manager
GREG SCOTT
Community Development & Planning Coordinator
RE: **BEMOCO REZONING REQUEST; I1 TO R1A**

The Recreation, Parks and Culture Department has reviewed this rezoning request by Bemoco Land Surveys and supports it based on the proposed recommendation contained within the C.P. Railway Right-of-Way Area Redevelopment Plan.

This Redevelopment Plan proposes that land use from the lane west of 60 Avenue to Kerry Wood Drive include duplex and single family lots plus three multi-family lots. This lower density development is more conducive to present residential development, plus has the support of area residents.



DON BATCHELOR



GREG SCOTT

:nb

DATE: June 25, 1999

TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON, Community Services Director
GREG SCOTT, Community Development & Planning Coordinator

RE: BEMOCO: REZONING REQUEST - NORTH RED DEER

The Community Services Division has reviewed and supports the proposed subdivision rezoning request for North Red Deer. The proposed project conforms to the appropriate zoning and is in support of the CP Railway Right-of-Way Area Redevelopment Plan for this area.

We are aware that there is both support and opposition for the planning and development of a pedestrian trail through this area. As a trail is not presently included in the Railway Redevelopment Plan, any new attempt to include one would require the support of the Recreation, Parks & Culture Department and a significant public consultation process.



LOWELL R. HODGSON



GREG SCOTT

:dmg

- c. Don Batchelor, Recreation, Parks & Culture Manager
Ed Morris, Recreation Development Supt.

Bemoco Land Surveying Ltd.

Our File: S-143-98

Subdivision Consultants ★ Land Surveyors

June 21, 1999

City of Red Deer
City Clerk
Box 5008
Red Deer, Alberta
T4N 3T4

Attention: Kelly Kloss

Dear Sir:

RE: Proposed Subdivision
Railway Plan C & E No.1
Lots 3 & 4, Block 5, Plan 5534 H.W.
Lot 17, Block 13, Plan 4592 K.S.

Please find enclosed four copies of our Tentative Plan for the above along with our original plan showing the land which require redesignation to conform to the same.

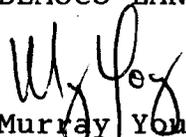
On behalf of Rockport Developments Ltd., perspective purchasers of the above property, please accept this letter as a formal application to redesignate these lands from I1 Industrial (Business Service) and R1A (Semi-Detached Dwelling) Districts to R1 Residential District as per the above plans.

Would you kindly notify our office of the date and time when this item will be dealt with by Council in order that we may make arrangements to attend.

Should you have any questions pertaining to the above, please do not hesitate to call.

Yours truly,

BEMOCO LAND SURVEYING LTD.

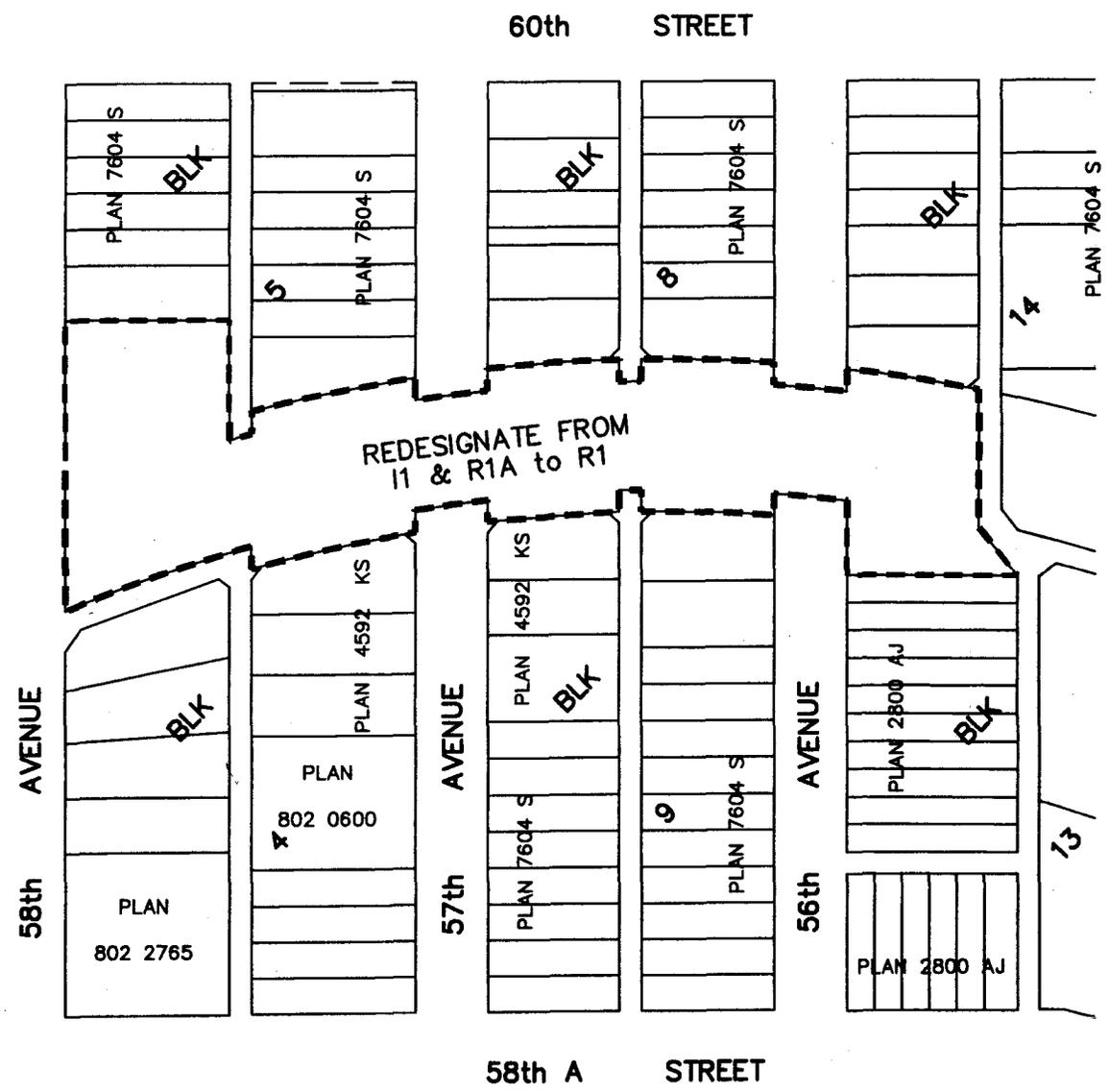
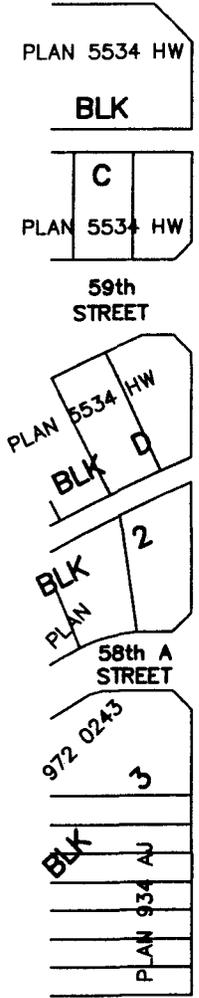

Murray Young, A.L.S.

MY/dpv

Encl

cc: UMA Engineering Ltd.
Attention: Craig Suchy
- 1 copy of each of 3 plans

Rockport Developments Ltd.
Attention: Darren McArthur
- 1 copy of each of 3 plans



REDESIGNATE FROM
I1 & R1A to R1



SCALE = 1 : 2000

NOTES:

-Area dealt with is bounded thus -----
and contains 1.20 ha.

REV: JUNE 21, 1999
REV: FEB. 9, 1999
Bemoco Land Surveying Ltd.
21,7895-49th Avenue
Red Deer, Alberta

Ph. No. 342-2611 File No: S-143-98

Council Decision – July 5, 1999 Meeting

DATE: July 6, 1999
TO: Principal Planner
FROM: City Clerk
RE: *Proposed Subdivision / Railway Plan C & E No. 1, Lots 3 & 4, Block 5, Plan 5534 H.W., and Lot 17, Block 13, Plan 4592 K.S., S 1/2 20-38-27-4 North Red Deer / Rockport Developments Ltd. / Land Use Bylaw Amendment 3156/U-99*

Reference Report:

Correspondence from Bemoco Land Surveying Ltd. on behalf of Rockport Developments Ltd., dated June 21, 1999

Bylaw Readings:

This bylaw was given first reading, a copy is attached

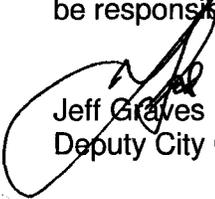
Report Back to Council Required:

Yes. A Public Hearing will be held Tuesday, August 3, 1999 at 7:00 p.m., in the Council Chambers

Comments/Further Action:

Land Use Bylaw Amendment 3156/U-99 provides for the redesignation of land from I1 Industrial District, R1A Residential (Semi-detached Dwelling) District and roads and lanes to R1 Residential (Low Density) District and roads and lanes. The proposal will enable the resubdivision of the area to accommodate approximately 19 single family lots.

This office will now proceed with the advertising for a Public Hearing. Our office has advised [REDACTED] on behalf of Rockport Developments Ltd., via letter, that they will be responsible for the advertising costs.


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
E. L. & P. Manager
Fire Chief/Manager Emergency Services


City Assessor
Land & Economic Development Manager
Public Works Manager
S. Ludwig, Administrative Assistant



Office of the City Clerk

July 7, 1999

Att: Mr. Murray Young
Bemoco Land Surveying Ltd.
21, 7895 - 49 Avenue
Red Deer, AB T4P 2B4

Dear Mr. Young:

Re: Proposed Subdivision / Railway Plan C & E No. 1, Lots 3 & 4, Block 5, Plan 5534 H.W., and Lot 17, Block 13, Plan 4592 K.S., S 1/2 20-38-27-4 North Red Deer / Rockport Developments Ltd. / Land Use Bylaw Amendment 3156/U-99

At the City of Red Deer's Council meeting held Monday, July 5, 1999, first reading was given to Land Use Bylaw Amendment 3156/U-99, a copy of which is attached.

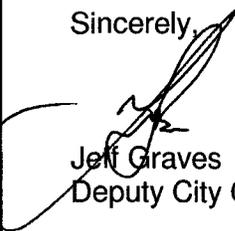
Land Use Bylaw Amendment 3156/U-99 provides for the redesignation of land from I1 Industrial District, R1A Residential (Semi-detached Dwelling) District and roads and lanes to R1 Residential (Low Density) District and roads and lanes. The proposal will enable the resubdivision of the area to accommodate approximately 19 single family lots.

This office will now proceed with the advertising for a Public Hearing to be held on Tuesday, August 3, 1999 at 7:00 p.m. in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, your company, acting on behalf of Rockport Developments, is required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$400. We require this deposit by no later than 10:00 a.m., Wednesday, July 14, 1999, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

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

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Principal Planner
~~Administrative Assistant S. Ludwig~~

The City of Red Deer

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment 3156/U-99 / Railway Plan C & E No. 1 / Lots 3 & 4, Block 5, Plan 5534 H.W. and Lot 17, Block 13, Plan 4592 K.S. / S 1/2 20-38-27-4 / North Red Deer / Rockport Developments Ltd. (Bemoco Land Surveying Ltd.)*

Reference Report: Deputy City Clerk dated July 7, 1999

Bylaw Readings:

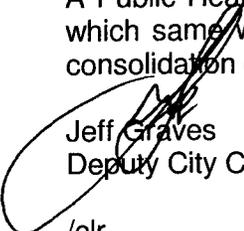
Land Use Bylaw Amendment 3156/U-99 was given second and third readings. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment 3156/U-99 provides for the redesignation of land from I1 Industrial District, R1A Residential (Semi-detached Dwelling) District and roads and lanes to R1 Residential (Low Density) District and roads and lanes. The proposal will enable the redesignation of the area to accommodate approximately 19 single family lots.

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/U-99, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Community Services
Engineering Services Manager
E. L. & P. Manager
Emergency Services Manager
City Assessor
Land and Economic Development Manager
Public Works Manager
Doug Kutinsky, Graphics Designer
Administrative Assistant, S. Ladwig
C. Rausch, City Clerk's Office

FILE

Office of the City Clerk

August 4, 1999

Att: Mr. Murray Young
Bemoco Land Surveying Ltd.
21, 7895 - 49 Avenue
Red Deer, AB T4P 2B4

Dear Mr. Young:

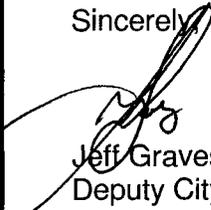
Re: *Railway Plan C & E No. 1, Lots 3 & 4, Block 5, Plan 5534 H.W., and Lot 17, Block 13, Plan 4592 K.S., S 1/2 20-38-27-4 North Red Deer / Rockport Developments Ltd. (Bemoco Land Surveying Ltd.) / Land Use Bylaw Amendment 3156/U-99*

At the City of Red Deer's Council Meeting held Tuesday, August 3, 1999, a Public Hearing was held with respect to Land Use Bylaw 3156/U-99. Following the Public Hearing, Land Use Bylaw Amendment 3156/U-99 was given second and third readings, a copy of which is attached.

Land Use Bylaw Amendment 3156/U-99 provides for the redesignation of land from I1 Industrial District, R1A Residential (Semi-detached Dwelling) District and roads and lanes to R1 Residential (Low Density) District and roads and lanes. The proposal will enable the redesignation of the area to accommodate approximately 19 single family lots.

Please do not hesitate to contact me should you have any questions or require further clarification.

Sincerely,



Jeff Graves
Deputy City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig

The City of Red Deer



Box 5008
Red Deer, Alberta
T4N 3T4

Item No. 4

DATE: July 6, 1999
TO: City Council
FROM: Deputy City Clerk
RE: *Proposed Neighbourhood Area Structure Plan Amendment - Anders Southeast (Aspen Ridge) Neighbourhood - Phase 3, NE ¼ 3-38-27-4 / Bylaw Amendment No. 3217/A-99*

A Public Hearing has been advertised for Tuesday, August 3, 1999 at 7:00 p.m. for this bylaw.

This bylaw provides for an amendment to the Anders East (Aspen Ridge) Neighbourhood Area Structure Plan.

Please note that this bylaw must be considered prior to Land Use Bylaw Amendment 3156/V-99.

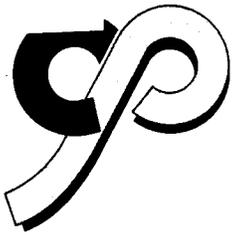
Recommendations

That following the Public Hearing, Neighbourhood Area Structure Plan Amendment No. 3217/A-99 may be given second and third readings.



Jeff Graves
Deputy City Clerk

/clr
attchs.



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

DATE: JUNE 28, 1999

TO: CITY CLERK

**RE: PROPOSED NEIGHBOURHOOD AREA STRUCTURE PLAN AMENDMENT
ANDERS ASPEN RIDGE NEIGHBOURHOOD**

In accordance with Section 3.1.3.6 of the *City's Planning and Subdivision Guidelines*, all proposed Neighbourhood Area Structure Plan amendments must be forwarded to City Council for consideration of approval. Area Structure Plans are statutory plans under the Municipal Government Act thereby requiring the mandatory three readings and public hearing by City Council prior to final Plan approval and/or amendment.

Background

The existing Anders Aspen Ridge Neighbourhood Area Structure Plan (ASP) was approved by City Council on July 27, 1998. This new City neighbourhood is still undeveloped with only some initial grading and installation of servicing infrastructure completed. Neighbourhood Area Structure Plans, when approved by City Council, form the basis for future zoning, subdivision and development decisions for the area.

The City received an application from Melcor Developments Ltd. requesting several minor amendments to their current approved Aspen Ridge Area Structure Plan. The revised ASP proposal has been processed in accordance with the City's *Planning and Subdivision Guidelines*. Proposed changes to the existing Area Structure Plan are summarised as follows:

- Adjustment to the curve of the short collector roadway between 30th Avenue and Addington Drive thereby slightly increasing the size of the multiple family site to the north.
- Revisions to some local roadways in the north center portion of the plan area and also to the area lying southwest of the multiple family site, south of Addington Drive.
- Some minor adjustments to areas which will permit the location of two storey homes with walkout basement.
- Conversion of some R1-A (semi-detached) residential to R1-N (single family) narrow lot residential.
- Some minor adjustments to various land use area calculations (i.e. single family, semi-detached, multiple family).

There is no change to any of the school, central park or other municipal reserve/public sites including the treed areas along the east side of the quarter. Other than as noted above, the remainder of the existing Aspen Ridge neighbourhood ASP is unaffected. Upon receipt of the Area Structure Plan amendments, the revised Plan was referred to all applicable City Departments and outside agencies for comment and identification of issues. No concerns were received from any of the referral agencies/departments. The revised Area Structure Plan proposal fully conforms to the City's Municipal Development Plan, the Joint General Municipal Plan, the Major East Hill Area Structure Plan and the Community Services Master Plan.

Neighbourhood Public Meeting

Following circulation of a hand delivered door to door neighbourhood newsletter in the area, a community public meeting was held June 23, 1999. No residents attended the meeting.

City Clerk
Anders Aspen Ridge
Neighbourhood Area Structure Plan Amendment
Page 2

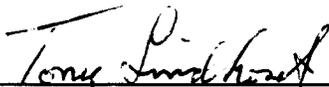
Analysis/Summary

The proposed Area Structure amendments reflect only minor changes to the current adopted ASP. It would appear that the proposed amendments are acceptable to the surrounding community as neither any public inquiry was received nor did any area residents attend the neighbourhood meeting.

The City's Municipal Planning Commission, pursuant to the ***City's Planning and Subdivision Guidelines***, has recommended Council approval of the Area Structure Plan amendments.

Recommendation

Planning staff recommend that City Council proceed with first reading of Bylaw Amendment 3217/A-99 being an amendment to the Anders Southeast (Aspen Ridge) Neighbourhood Area Structure Plan.

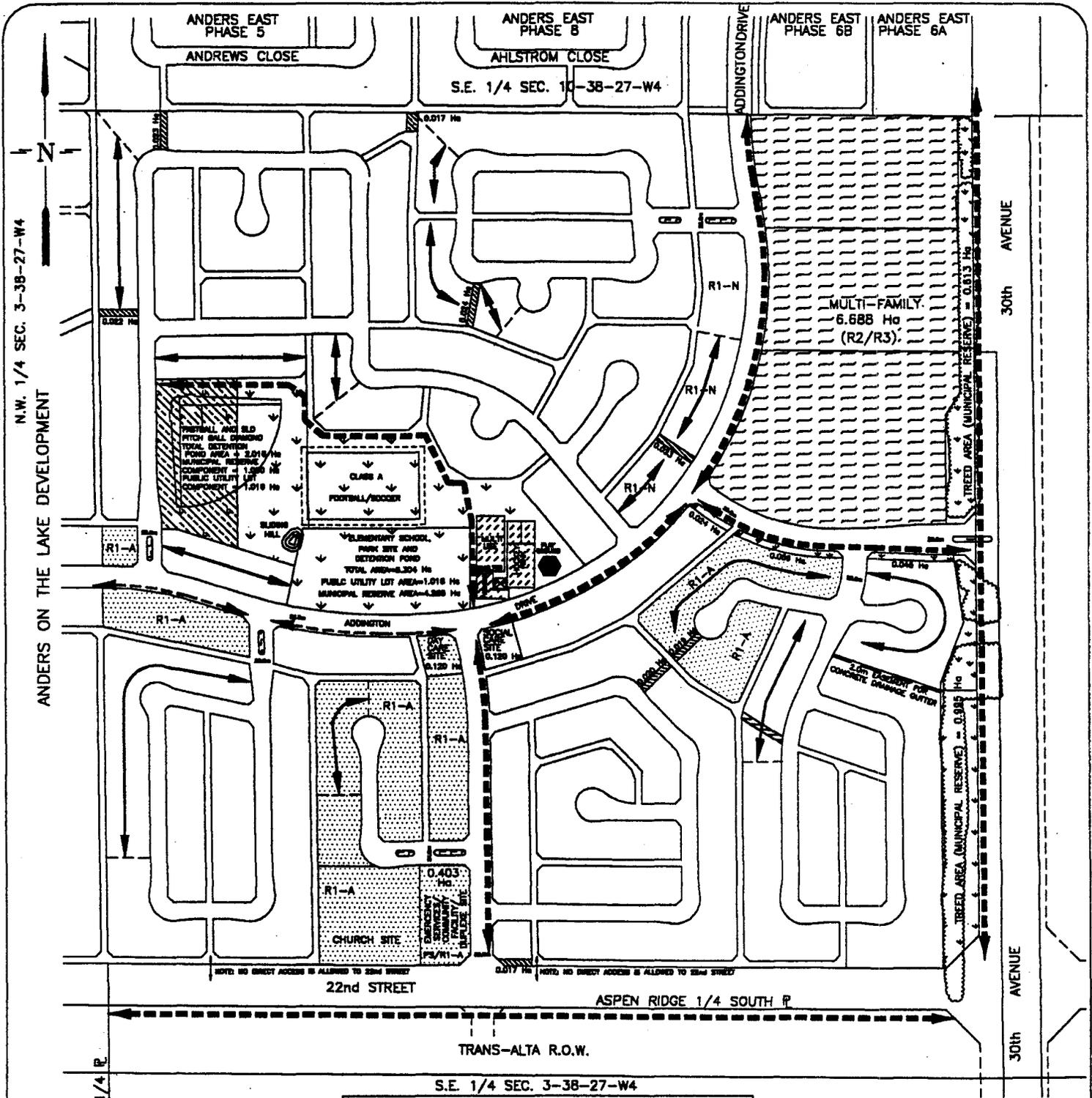


Tony J. Lindhout, ACP, MCIP
PLANNER

attachments

- c. Lowell Hodgson, Director of Community Services
Al-Terra Engineering
Melcor Developments Ltd.

PROPOSED AREA STRUCTURE PLAN



S.E. 1/4 SEC. 3-38-27-W4

LEGEND:

- TWO STOREY RESIDENTIAL WITH WALKOUT BASEMENTS PERMITTED
- SINGLE FAMILY
- MULTI-FAMILY
- DUPLEX
- PUBLIC UTILITY LOTS
- SCHOOL, PARKS, AND PUBLIC OPEN SPACE
- MINOR PEDESTRIAN WALKWAYS AND BIKE PATHS
- MAIN PEDESTRIAN WALKWAYS AND BIKE PATHS
- CHILDREN'S PLAYGROUND

| | TOTAL AREA OF ORIGINAL 1/4 SECTION | 64,878 Ha | 160.31 Ac |
|--|------------------------------------|------------------|-------------|
| 28th STREET AND 30th AVENUE WIDENING | 4,827 Ha | 11.43 Ac | |
| DEVELOPABLE AREA | 60,248 Ha | 148.88 Ac | 100% |
| SINGLE FAMILY - DETACHED (R1) | 27,828 Ha | 68.25 Ac | 45.8% |
| SINGLE FAMILY - NARROW (R1-N) | 1,085 Ha | 2.66 Ac | 1.8% |
| MULTIPLE FAMILY (R2/R3) | 6,688 Ha | 16.53 Ac | 11.1% |
| DUPLEX LOTS (R1-A) | 3,147 Ha | 7.78 Ac | 5.2% |
| EMERGENCY SERVICES/COMMUNITY FACILITY/ DUPLEX SITE (PS/R1-A) | 0,402 Ha | 0.98 Ac | 0.7% |
| CHURCH SITE (R1-A) | 0,811 Ha | 2.00 Ac | 1.3% |
| DAY CARE SITE (R1-A) | 0,121 Ha | 0.30 Ac | 0.2% |
| SOCIAL CARE SITE (R1) | 0,120 Ha | 0.30 Ac | 0.2% |
| ELEMEN. SCHOOL SITE, PARK AND WALKWAYS (P1) | 4,418 Ha | 10.91 Ac | 7.3% |
| TREED AREA ALONG 30th AVENUE (P1) | 1,809 Ha | 3.98 Ac | 2.7% |
| STORM DETENTION POND (PS) | 1,018 Ha | 2.51 Ac | 1.7% |
| PUBLIC UTILITY LOTS (PS) | 0,182 Ha | 0.40 Ac | 0.3% |
| ROADS | 13,048 Ha | 32.24 Ac | 21.7% |
| COLLECTOR | 3,043 Ha | 7.52 Ac | |
| RESIDENTIAL | 7,311 Ha | 18.07 Ac | |

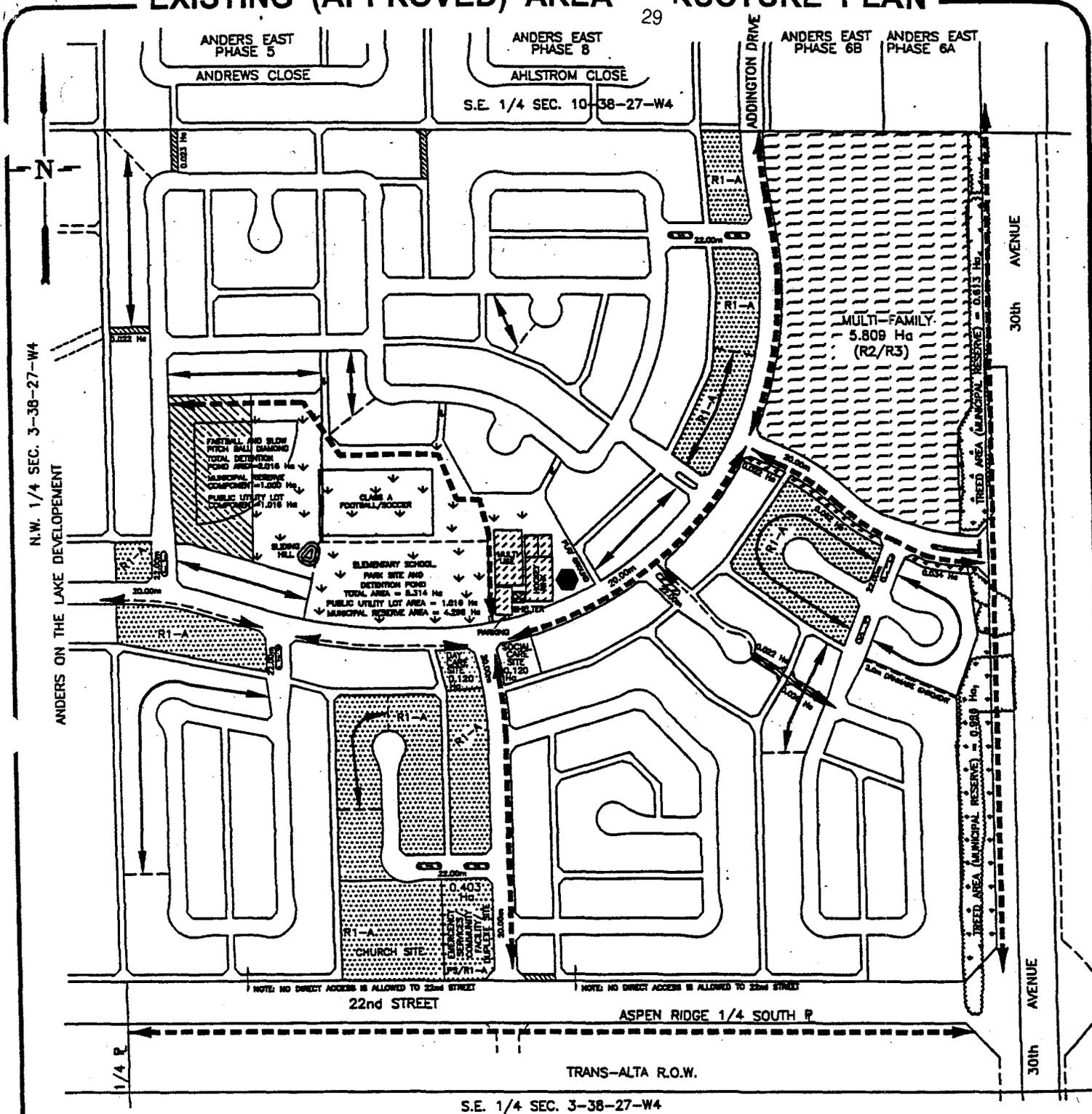
**FIGURE 3
DEVELOPMENT
CONCEPT**

SCALE 1:5000
REVISED JUN 14/99

AL-TERRA
ENGINEERING LTD.

EXISTING (APPROVED) AREA STRUCTURE PLAN

29



LEGEND:

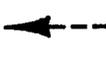
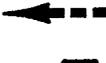
-  TWO STOREY RESIDENTIAL WITH WALKOUT BASEMENTS PERMITTED
-  SINGLE FAMILY
-  MULTI-FAMILY
-  DUPLEX
-  PUBLIC UTILITY LOTS
-  SCHOOL, PARKS, AND PUBLIC OPEN SPACE
-  MINOR PEDESTRIAN WALKWAYS AND BIKE PATHS
-  MAIN PEDESTRIAN WALKWAYS AND BIKE PATHS
-  CHILDREN'S PLAYGROUND

FIGURE 3 DEVELOPMENT CONCEPT

SCALE 1:5000
REVISED SEPT 22/98

AL-TERRA
ENGINEERING LTD.

EDMONTON REG. OFFICER

LAND USE BYLAW AMENDMENT

BYLAW NO. 3156/ 3217/A-99

DESCRIPTION: ASP Amendment - Andrews
(Aspen Ridge) Neighbourhood
5 Amendments - to curve,
roadway, area, RIA to RIN, use.

FIRST READING: July 5
DATE OF FIRST PUBLICATION: July 16
DATE OF SECOND PUBLICATION: July 23
SECOND READING: Aug. 3
THIRD READING: Aug. 3

LETTERS REQUIRED TO PROPERTY OWNERS: YES _____ NO

DEPOSIT REQUIRED: NO YES _____ AMOUNT \$ _____
ACTUAL COST OF ADVERTISING: \$ _____
MAP PREPARATION: \$ _____
TOTAL \$ _____
REFUND _____ INVOICE _____ \$ _____

COMPLETED

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Proposed Neighbourhood Area Structure Plan Amendment - Anders Southeast (Aspen Ridge) Neighbourhood - Phase 3, NE ¼ 3-38-27-4 / Bylaw Amendment No. 3217/A-99*

Reference Report: Deputy City Clerk dated July 6, 1999

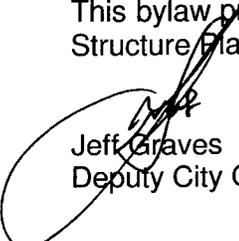
Bylaw Readings:

Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 was given 2nd & 3rd readings following the Public Hearing. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

This bylaw provides for an amendment to the Anders East (Aspen Ridge) Neighbourhood Area Structure Plan.



Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Community Services
Engineering Services Manager
E. L. & P. Manager
Emergency Services Manager
City Assessor
Land and Economic Development Manager
Public Works Manager
Doug Kutinsky, Graphics Designer
Administrative Assistant, S. Ladwig
C. Rausch, City Clerk's Office

BYLAW 3217/A-99

PROPOSED NEIGHBOURHOOD AREA STRUCTURE PLAN AMENDMENT ASPEN RIDGE

BACKGROUND

Melcor Developments Ltd. is the developer of the Aspen Ridge Neighbourhood. The Neighbourhood Area Structure Plan for this neighbourhood was adopted in November of 1999.

PURPOSE OF THE BYLAW

This bylaw proposes to:

- adjust the curve of the short collector roadway between 30th Avenue and Addington Drive; the multiple family site will be slightly enlarged as a result**
- revise some local roadways**

- **minor adjustments to the locations where two storey homes with walkouts will be permitted**
- **conversion of some R1A semi-detached residential to R1N Narrow single family**

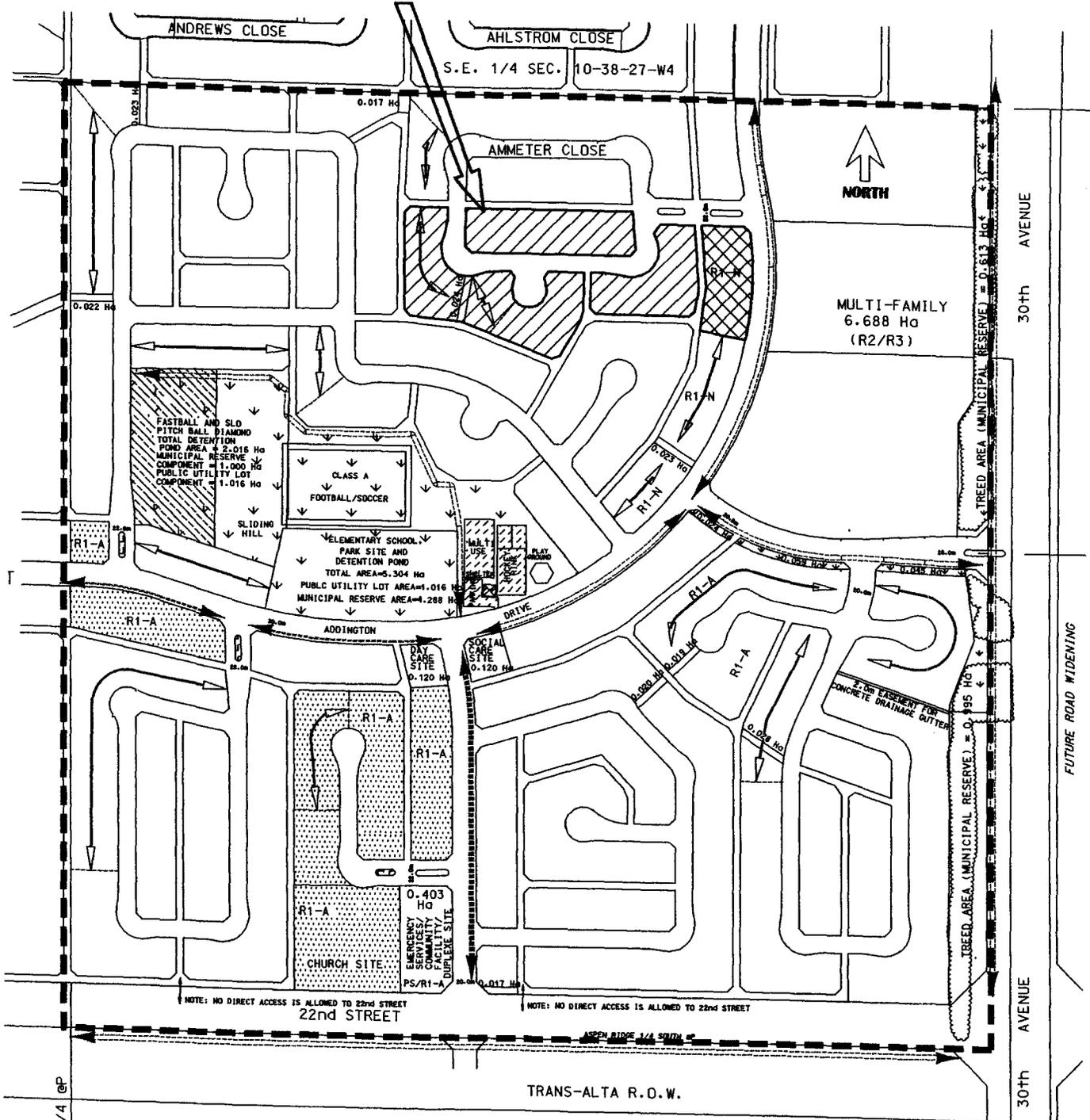
A public meeting was held regarding the changes and no comments were received.

BYLAW No. 3156 / V-99

CHANGE FROM:

A1 to R1 

R1A to R1N 



BYLAW AMENDMENT 3217 / A-99

ANDERS ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

(Please put the large Aspen Ridge plan above this ad)

**ANDERS (ASPEN RIDGE)
NEIGHBOURHOOD AREA STRUCTURE PLAN AMENDMENT**

1. The Council of The City of Red Deer propose to pass Bylaw 3217/A-99, being a bylaw amendment to adopt the Neighbourhood Area Structure Plan Amendment for the Anders (Aspen Ridge) neighbourhood, as shown on the above plan.

The amendments are summarized as follows:

- Adjustment to the curve of the short collector roadway between 30th Avenue and Addington Drive, thereby slightly increasing the size of the multiple family site to the north;
 - Revisions to some local roadways in the north center portion of the plan area and also to the area lying southwest of the multiple family site south of Addington Drive;
 - Some minor adjustments to areas which will permit the location of two storey homes with walkout basements;
 - Conversion of some R1A (semi-detached) residential to R1N (single family) Narrow Lot residential;
 - Some minor adjustments to various land use area calculations (i.e. single family, semi-detached, multiple family).
2. A copy of the proposed Bylaw may be inspected by the public at the office of the City Clerk, 2nd Floor of City Hall during regular office hours.
 3. Prior to considering this Bylaw, City Council will hold a Public Hearing in the Council Chambers, 2nd Floor of City Hall on **Tuesday, August 3, 1999, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions are also acceptable if received by the City Clerk no later than 4:30 p.m. on the Monday prior to the date of the Public Hearings.

KELLY KLOSS
CITY CLERK

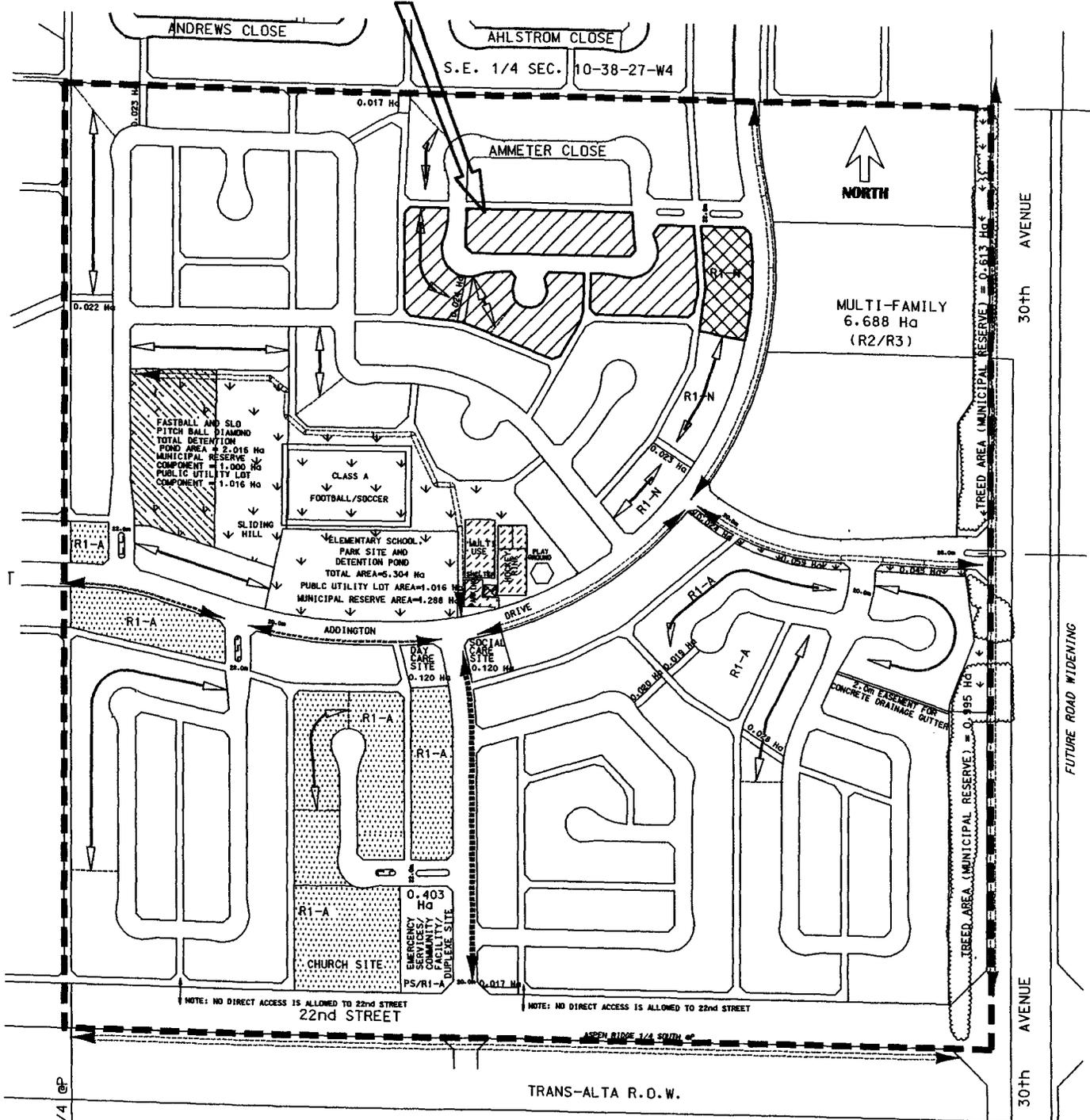
(Publication Dates: July 16 and July 23, 1999.)

BYLAW No. 3156 / V-99

CHANGE FROM:

A1 to R1 

R1A to R1N 



BYLAW AMENDMENT 3217 / A-99

ANDERS ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

DATE: JUNE 28, 1999

TO: CITY CLERK

**RE: PROPOSED NEIGHBOURHOOD AREA STRUCTURE PLAN AMENDMENT
ANDERS ASPEN RIDGE NEIGHBOURHOOD**

In accordance with Section 3.1.3.6 of the *City's Planning and Subdivision Guidelines*, all proposed Neighbourhood Area Structure Plan amendments must be forwarded to City Council for consideration of approval. Area Structure Plans are statutory plans under the Municipal Government Act thereby requiring the mandatory three readings and public hearing by City Council prior to final Plan approval and/or amendment.

Background

The existing Anders Aspen Ridge Neighbourhood Area Structure Plan (ASP) was approved by City Council on July 27, 1998. This new City neighbourhood is still undeveloped with only some initial grading and installation of servicing infrastructure completed. Neighbourhood Area Structure Plans, when approved by City Council, form the basis for future zoning, subdivision and development decisions for the area.

The City received an application from Melcor Developments Ltd. requesting several minor amendments their current approved Aspen Ridge Area Structure Plan. The revised ASP proposal has been processed in accordance with the City's *Planning and Subdivision Guidelines*. Proposed changes to the existing Area Structure Plan are summarised as follows:

- Adjustment to the curve of the short collector roadway between 30th Avenue and Addington Drive thereby slightly increasing the size of the multiple family site to the north.
- Revisions to some local roadways in the north center portion of the plan area and also to the area lying southwest of the multiple family site, south of Addington Drive.
- Some minor adjustments to areas which will permit the location of two storey homes with walkout basement.
- Conversion of some R1-A (semi-detached) residential to R1-N (single family) narrow lot residential.
- Some minor adjustments to various land use area calculations (i.e. single family, semi-detached, multiple family).

There is no change to any of the school, central park or other municipal reserve/public sites including the treed areas along the east side of the quarter. Other than as noted above, the remainder of the existing Aspen Ridge neighbourhood ASP is unaffected. Upon receipt of the Area Structure Plan amendments, the revised Plan was referred to all applicable City Departments and outside agencies for comment and identification of issues. No concerns were received from any of the referral agencies/departments. The revised Area Structure Plan proposal fully conforms to the City's Municipal Development Plan, the Joint General Municipal Plan, the Major East Hill Area Structure Plan and the Community Services Master Plan.

Neighbourhood Public Meeting

Following circulation of a hand delivered door to door neighbourhood newsletter in the area, a community public meeting was held June 23, 1999. No residents attended the meeting.

City Clerk
Anders Aspen Ridge
Neighbourhood Area Structure Plan Amendment
Page 2

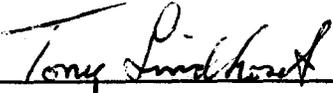
Analysis/Summary

The proposed Area Structure amendments reflect only minor changes to the current adopted ASP. It would appear that the proposed amendments are acceptable to the surrounding community as neither any public inquiry was received nor did any area residents attend the neighbourhood meeting.

The City's Municipal Planning Commission, pursuant to the ***City's Planning and Subdivision Guidelines***, has recommended Council approval of the Area Structure Plan amendments.

Recommendation

Planning staff recommend that City Council proceed with first reading of Bylaw Amendment 3217/A-99 being an amendment to the Anders Southeast (Aspen Ridge) Neighbourhood Area Structure Plan.



ny J. Lindhout, ACP, MCIP
ANNER

attachments

- c. Lowell Hodgson, Director of Community Services
Al-Terra Engineering
Melcor Developments Ltd.

BYLAW NO. 3217/A-99

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

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

- 1 Bylaw 3217/98 with regard to The Anders Southeast (Aspen Ridge) Area Structure Plan, is amended by deleting therefrom Page 5, Figure 3 and Figures 5 through 9 and substituting therefor the attached Page 5, Figure 3 and Figures 5 through 9 which forms part of the Bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of , A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of , A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of , A.D. 1999.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of , A.D. 1999.

MAYOR

CITY CLERK

Table 1 - Neighbourhood Area Structure Plan Statistics

| Land Use | Acres | Hectares | Percentage |
|---|---------------|---------------|---------------|
| Single Family Detached (R1) | 67.13 | 27.168 | 45.1% |
| Single Family Detached - Narrow (R1-N) | 2.68 | 1.085 | 1.8% |
| Duplex Lots (R1-A) | 8.84 | 3.578 | 5.9% |
| Residential – Multi-family (R2/R3) | 16.53 | 6.688 | 11.1% |
| Church Site (R1) | 2.00 | 0.811 | 1.3% |
| Day Care Site (R1-A) | 0.30 | 0.121 | 0.2% |
| Social Care Site (R1) | 0.30 | 0.120 | 0.2% |
| Emergency Services / Community Facility / Duplex Site (PS/R1-A) | 0.99 | 0.402 | 0.7% |
| School Site, Park & Walkways (P1) | 10.91 | 4.416 | 7.3% |
| Storm Detention Ponds (PS) | 2.51 | 1.016 | 1.7% |
| Treed along 30th Avenue (P1) | 3.98 | 1.609 | 2.7% |
| Public Utility Lots (PS) | 0.46 | 0.188 | 0.3% |
| Streets and Lanes | 32.24 | 13.048 | 21.7% |
| TOTAL DEVELOPABLE AREA | 148.88 | 60.249 | 100.0% |

Table 1 illustrates that 64.1 per cent of the Neighbourhood Area Structure Plan Area is for residential uses, 12.0 per cent for open space including a storm detention pond, 21.5 per cent for dedicated streets and lanes and the balance for other related uses.

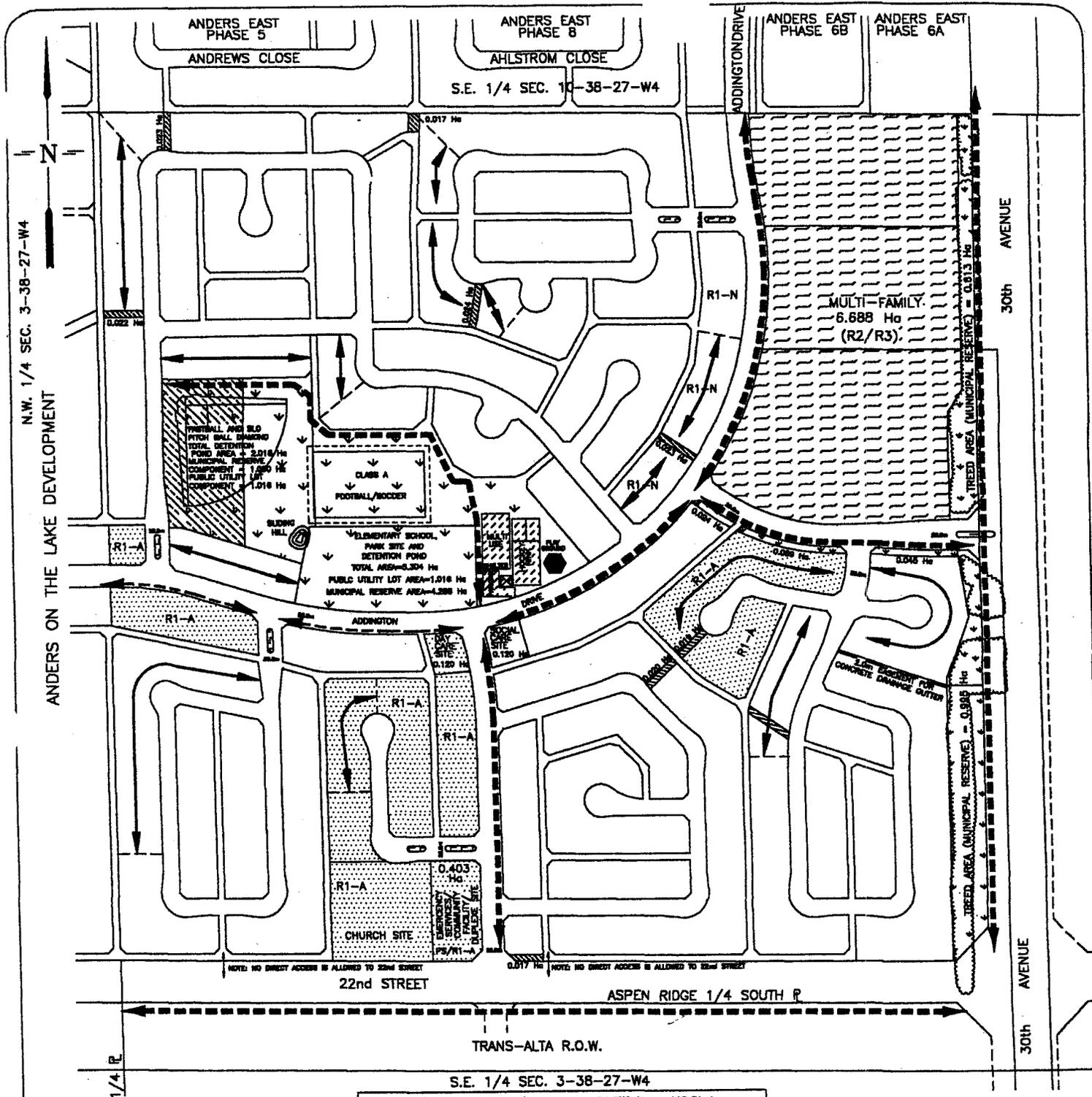
4.4 Residential

The low density residential areas are proposed for predominately R1 single detached dwellings and a portion R1-A which may accommodate semi detached dwellings as well as detached dwellings.

The residential (R2/R3) medium density area in the northeast portion of the Neighbourhood Area Structure Plan is proposed for a mix of product type. The actual mix is very much dependent upon the prevailing market conditions and will be finalized at the subdivision stage. As previously noted, a portion of the medium density area is intended as a mature adult community.

The residential density allocated for the area in the East Hill Area Structure Plan is approximately six (6) units per gross acre.

The Neighbourhood Area Structure Plan, depending upon the actual lot size and land use, is anticipated to accommodate 690 to 770 dwelling units and a population of 2070 to 2310 persons. Given this estimated unit count the overall density for the Outline Plan Area is approximately 4.3 to 4.8 units per gross acre.



LEGEND:

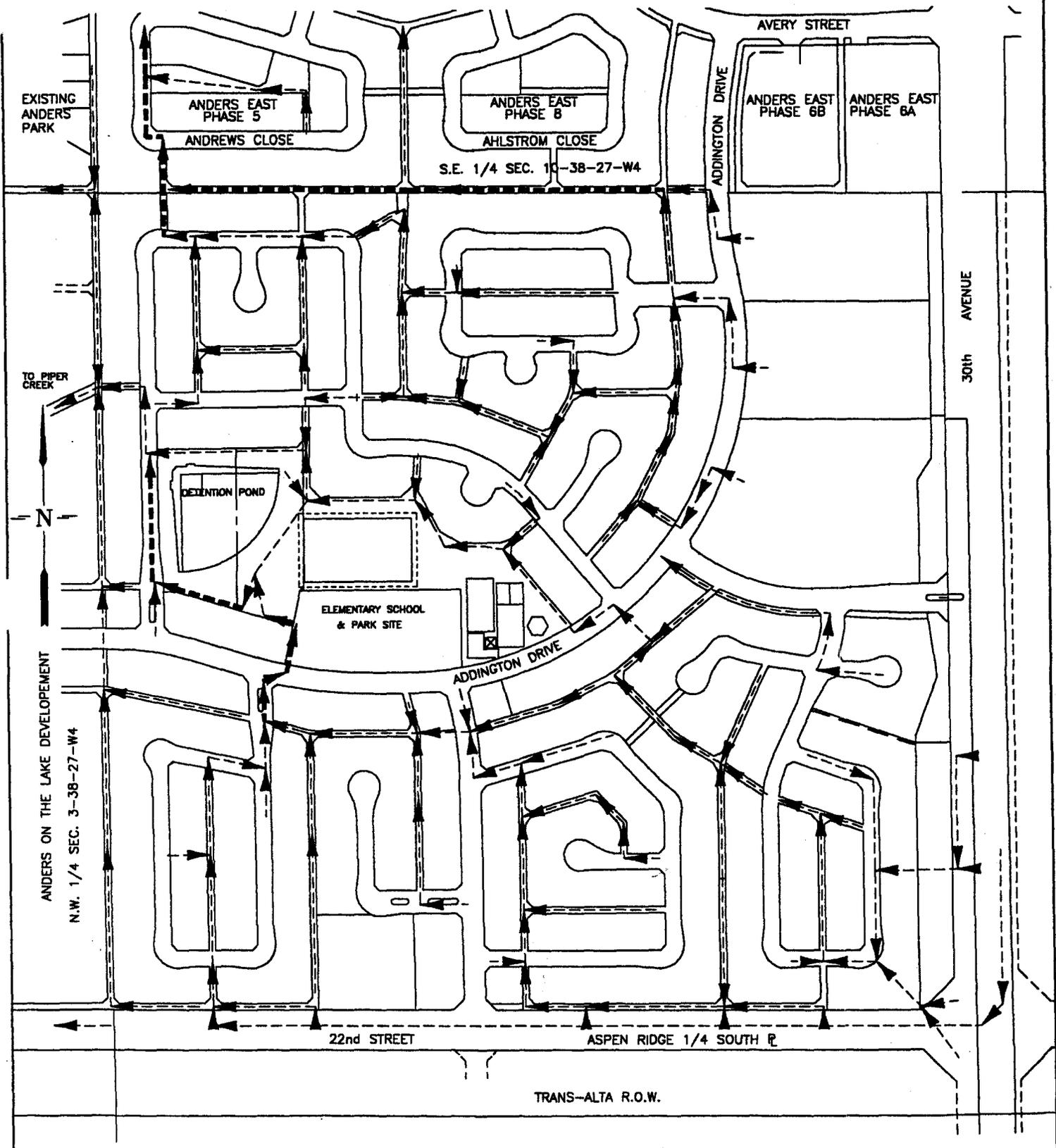
- TWO STOREY RESIDENTIAL WITH WALKOUT BASEMENTS PERMITTED
- SINGLE FAMILY
- MULTI-FAMILY
- DUPLEX
- PUBLIC UTILITY LOTS
- SCHOOL, PARKS, AND PUBLIC OPEN SPACE
- MINOR PEDESTRIAN WALKWAYS AND BIKE PATHS
- MAIN PEDESTRIAN WALKWAYS AND BIKE PATHS
- CHILDREN'S PLAYGROUND

| S.E. 1/4 SEC. 3-38-27-W4 | | | |
|--|-----------|-----------|-------|
| TOTAL AREA OF ORIGINAL 1/4 SECTION | 84,876 Ha | 180.31 Ac | |
| 22ND STREET AND 30TH AVENUE WIDENING | 4,827 Ha | 11.43 Ac | |
| DEVELOPABLE AREA | 80,249 Ha | 148.88 Ac | 100% |
| SINGLE FAMILY - DETACHED (R1) | 27,188 Ha | 67.13 Ac | 45.1% |
| SINGLE FAMILY - NARROW (R1-N) | 1,085 Ha | 2.68 Ac | 1.8% |
| MULTIPLE FAMILY (R2/R3) | 6,888 Ha | 18.53 Ac | 11.1% |
| DUPLEX LOTS (R1-A) | 3,578 Ha | 8.84 Ac | 8.9% |
| EMERGENCY SERVICES/COMMUNITY FACILITY/ DUPLEX SITE (PS/R1-A) | 0,402 Ha | 0.99 Ac | 0.7% |
| CHURCH SITE (R1-A) | 0,811 Ha | 2.00 Ac | 1.3% |
| DAY CARE SITE (R1-A) | 0,121 Ha | 0.30 Ac | 0.2% |
| SCHOOL CARE SITE (R1) | 0,120 Ha | 0.30 Ac | 0.2% |
| ELEMEN. SCHOOL SITE, PARK AND WALKWAYS (P1) | 4,418 Ha | 10.91 Ac | 7.3% |
| TREED AREA ALONG 30TH AVENUE (P1) | 1,808 Ha | 3.98 Ac | 2.7% |
| STORM DETENTION POND (PS) | 1,018 Ha | 2.51 Ac | 1.7% |
| PUBLIC UTILITY LOTS (PS) | 0,188 Ha | 0.48 Ac | 0.3% |
| ROADS | 13,048 Ha | 32.24 Ac | 21.7% |
| COLLECTOR | 3,043 Ha | 7.52 Ac | |
| RESIDENTIAL | 7,311 Ha | 18.07 Ac | |
| LANES | 2,892 Ha | 6.95 Ac | |

FIGURE 3
DEVELOPMENT
CONCEPT

SCALE 1:5000
REVISED JUN 14/99

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN



**FIGURE 5
STORM SEWERS**

SCALE 1:5000

REVISED JUNE 28, 1999

S.E. 1/4 SEC. 3-38-27-W4

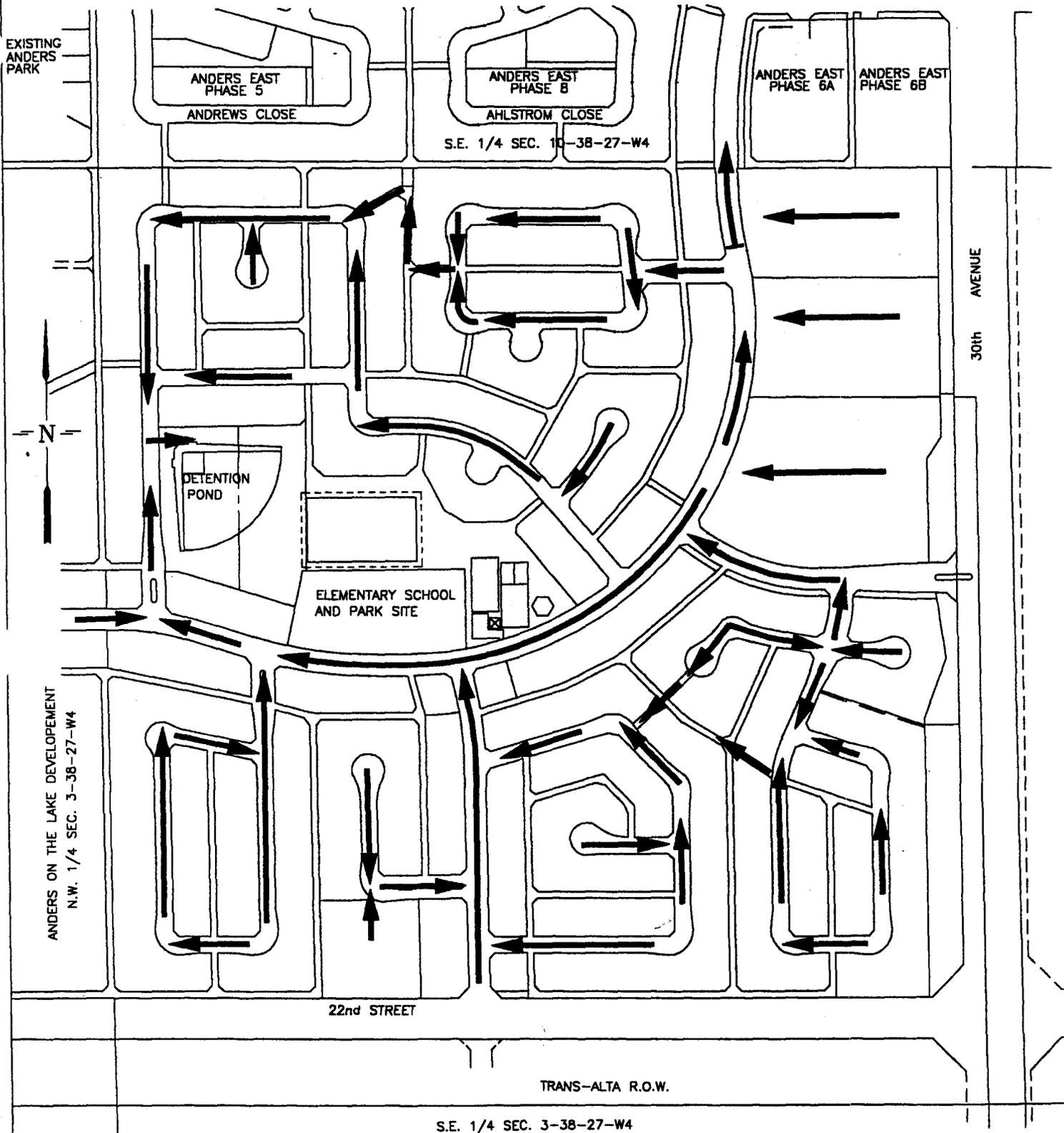
- LEGEND:
- STORM TRUNK
 - STORM SEWER

AL-TERRA
ENGINEERING LTD.

EDMONTON

RED BOOK

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN



**FIGURE 6
OVERLAND DRAINAGE
GREATER THAN 1:5
YEAR STORM EVENT**

LEGEND:
 DIRECTION OF FLOW

SCALE 1:5000

REVISED JUNE 28, 1999

AL-TERRA
ENGINEERING LTD.

EDMONTON

RED OXER

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

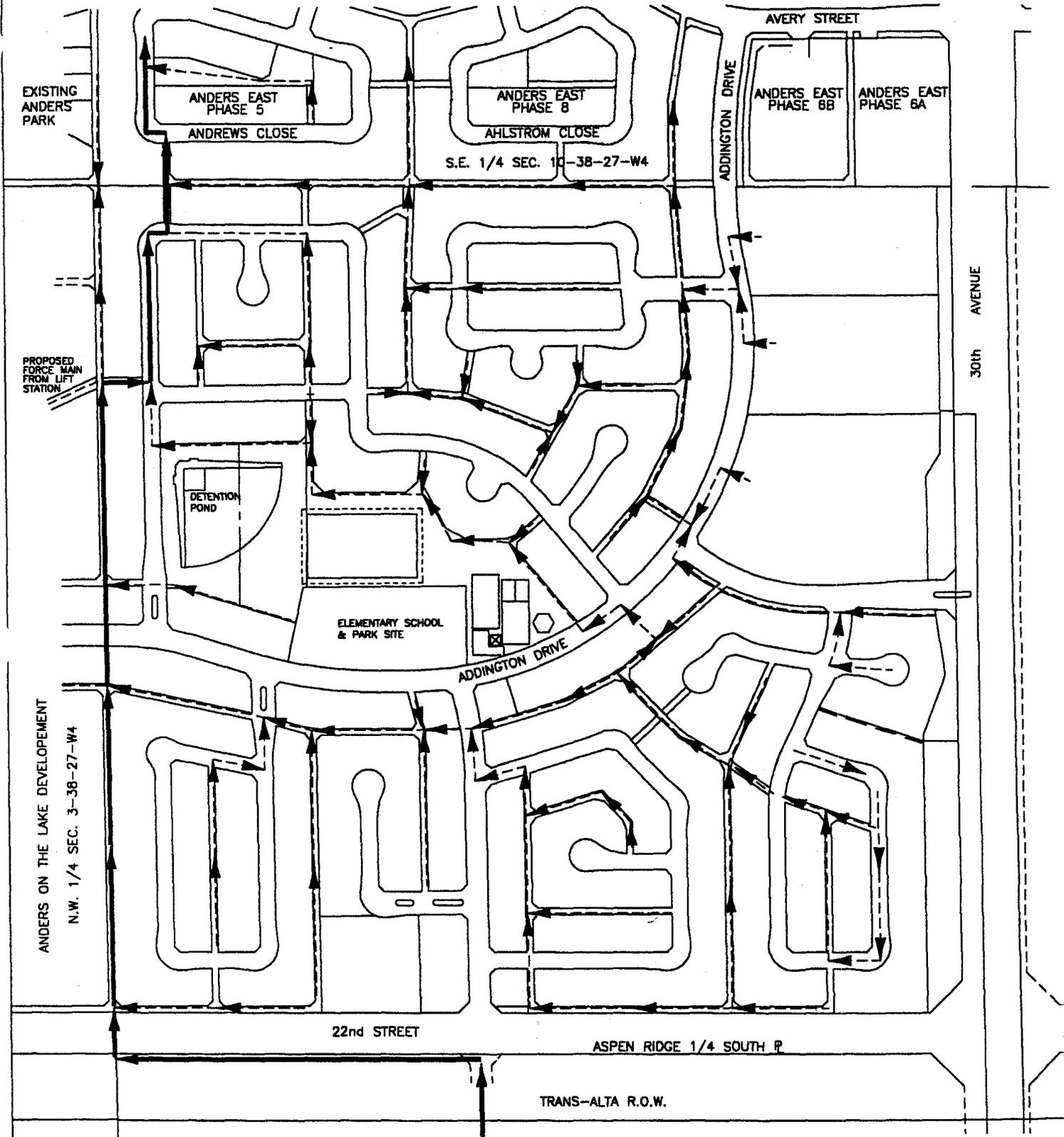


FIGURE 7 SANITARY SEWERS

SCALE 1:5000

REVISED JUNE 28, 1999

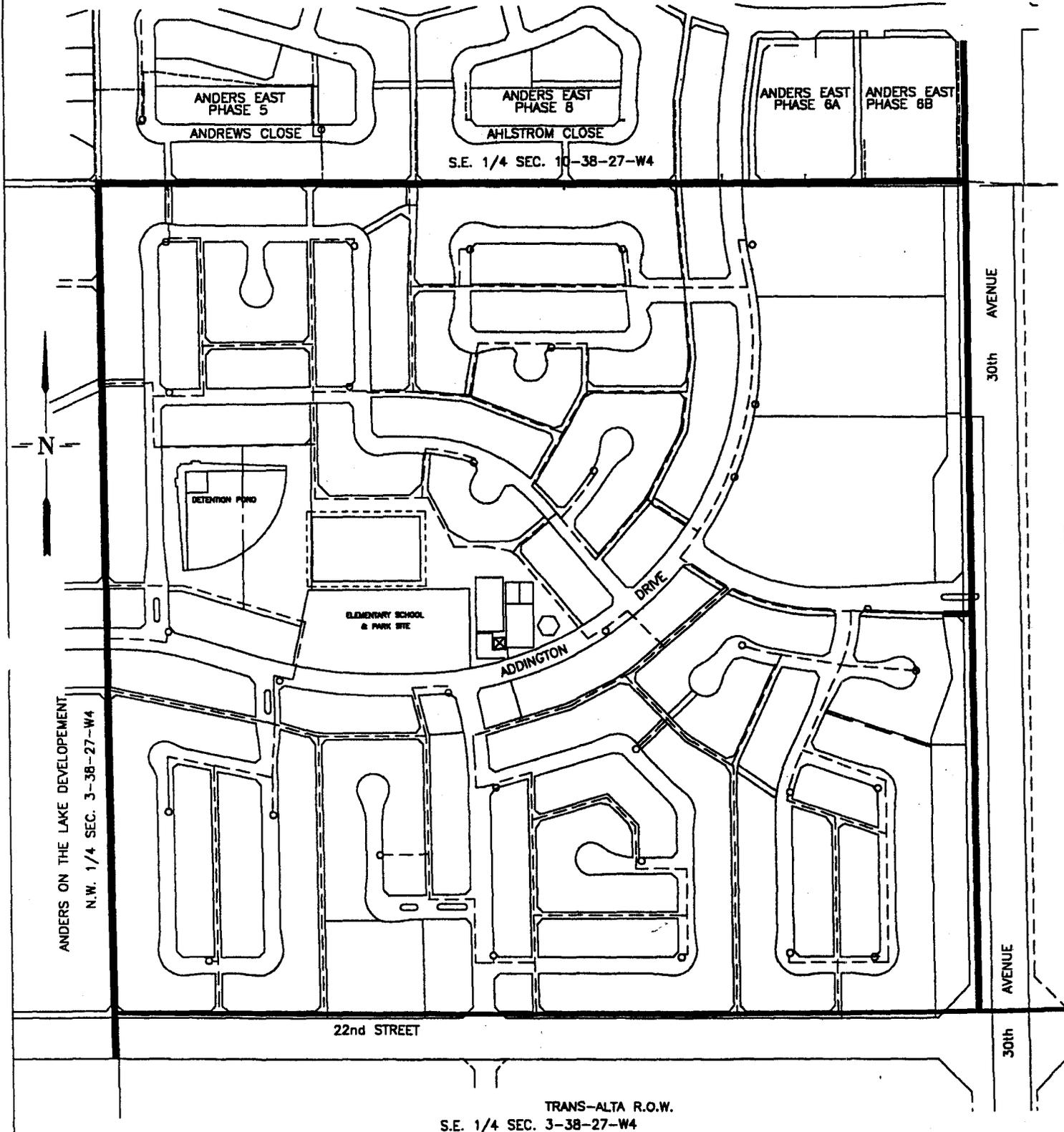
S.E. 1/4 SEC. 3-38-27-W4

LEGEND:

- SANITARY TRUNK
- 200mm SANITARY

AL-TERRA
ENGINEERING LTD.

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN



**FIGURE 8
WATER DISTRIBUTION**

TRANS-ALTA R.O.W.
S.E. 1/4 SEC. 3-38-27-W4

LEGEND

- FEEDER WATER MAIN
- WATER MAIN
- HYDRANT

SCALE 1:5000

REVISED JUNE 28, 1999

AL-TERRA
ENGINEERING LTD.

EDMONTON RED DEER

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

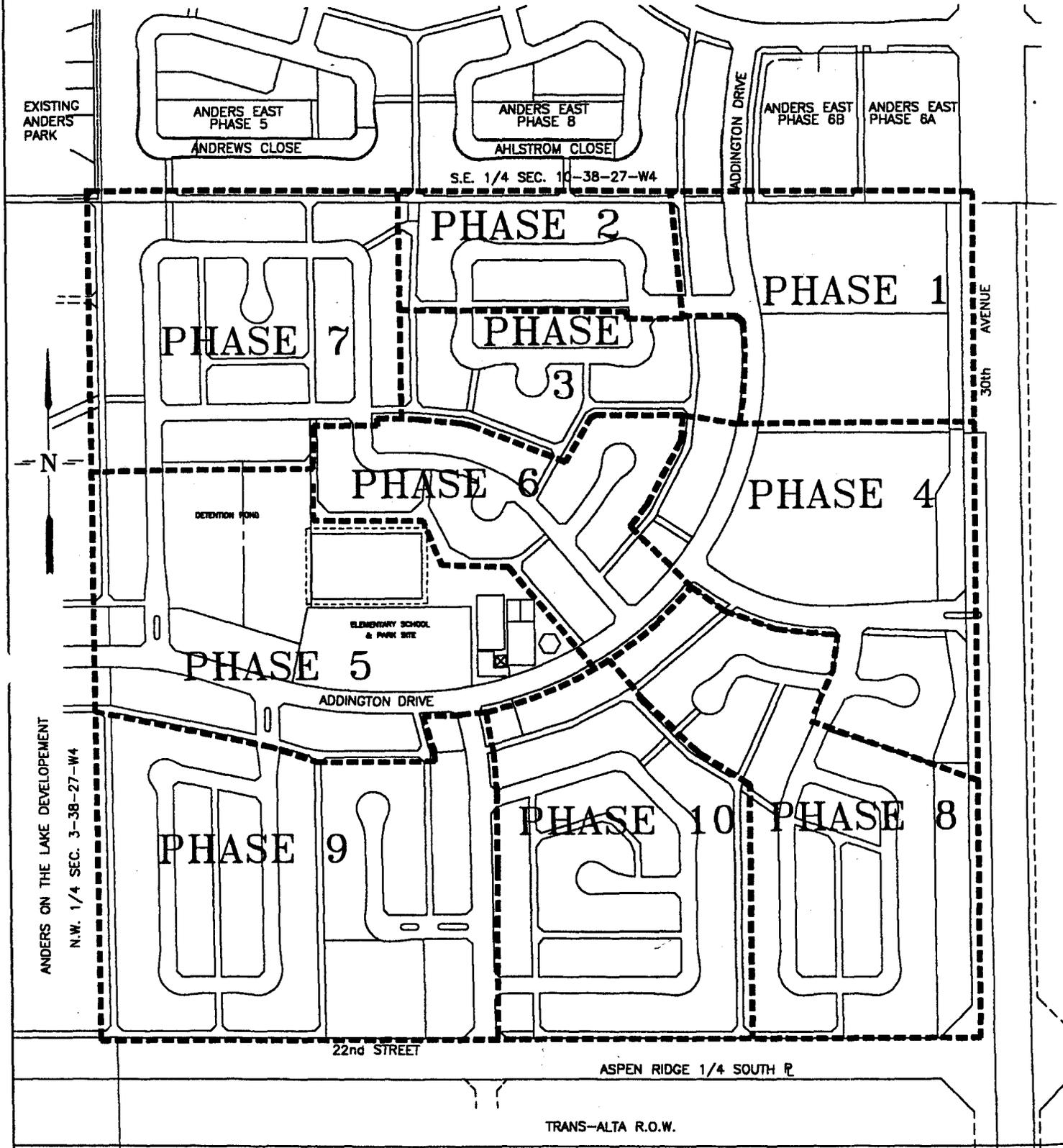


FIGURE 9 PHASING CONCEPT

LEGEND:

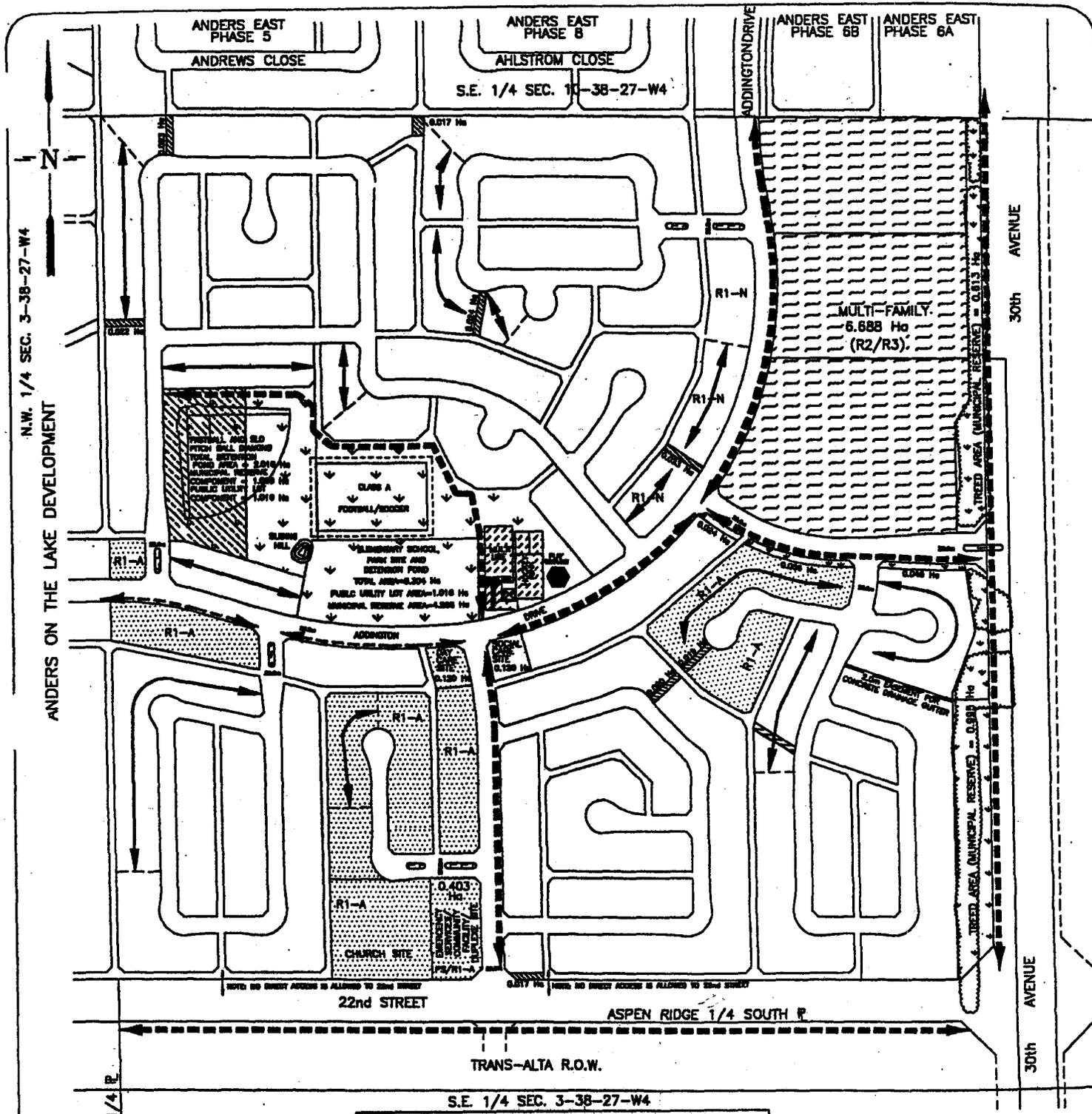
PHASE BOUNDARY - - - - -

AL-TERRA
ENGINEERING LTD.

SCALE 1:5000

REVISED: JUNE 28, 1999

PROPOSED AREA STRUCTURE PLAN



LEGEND:

- TWO STOREY RESIDENTIAL WITH WALKOUT BASEMENTS PERMITTED
- SINGLE FAMILY
- MULTI-FAMILY
- DUPLEX
- PUBLIC UTILITY LOTS
- SCHOOL, PARKS, AND PUBLIC OPEN SPACE
- MINOR PEDESTRIAN WALKWAYS AND BIKE PATHS
- MAIN PEDESTRIAN WALKWAYS AND BIKE PATHS
- CHILDREN'S PLAYGROUND

| S.E. 1/4 SEC. 3-38-27-W4 | | | |
|--|-----------|-----------|-------|
| TOTAL AREA OF ORIGINAL 1/4 SECTION | 64,576 Ha | 160.31 Ac | |
| 22nd STREET AND 30th AVENUE WIDENING | 4,527 Ha | 11.43 Ac | |
| DEVELOPABLE AREA | 60,049 Ha | 148.88 Ac | 100% |
| SINGLE FAMILY - DETACHED (R1) | 27,829 Ha | 68.28 Ac | 45.9% |
| SINGLE FAMILY - NARROW (R1-N) | 1,085 Ha | 2.68 Ac | 1.8% |
| MULTIPLE FAMILY (R2/R3) | 6,888 Ha | 16.83 Ac | 11.1% |
| DUPLEX LOTS (R1-A) | 3,147 Ha | 7.78 Ac | 5.2% |
| EMERGENCY SERVICES/COMMUNITY FACILITY/ DUPLEX SITE (P3/R1-A) | 0,402 Ha | 0.98 Ac | 0.7% |
| CHURCH SITE (R1-A) | 0,811 Ha | 2.00 Ac | 1.3% |
| DAY CARE SITE (R1-A) | 0,121 Ha | 0.30 Ac | 0.2% |
| SOCIAL CARE SITE (R1) | 0,120 Ha | 0.30 Ac | 0.2% |
| ELEMENTARY SCHOOL SITE, PARK AND WALKWAYS (P1) | 4,418 Ha | 10.81 Ac | 7.3% |
| TREEN AREA ALONG 30th AVENUE (P1) | 1,809 Ha | 3.98 Ac | 2.7% |
| STORM DETENTION POND (P3) | 1,016 Ha | 2.51 Ha | 1.7% |
| PUBLIC UTILITY LOTS (P3) | 0,182 Ha | 0.40 Ac | 0.3% |
| ROADS | 13,046 Ha | 32.24 Ac | 21.7% |
| COLLECTOR | 3,043 Ha | 7.52 Ac | |
| RESIDENTIAL | 7,311 Ha | 18.07 Ac | |

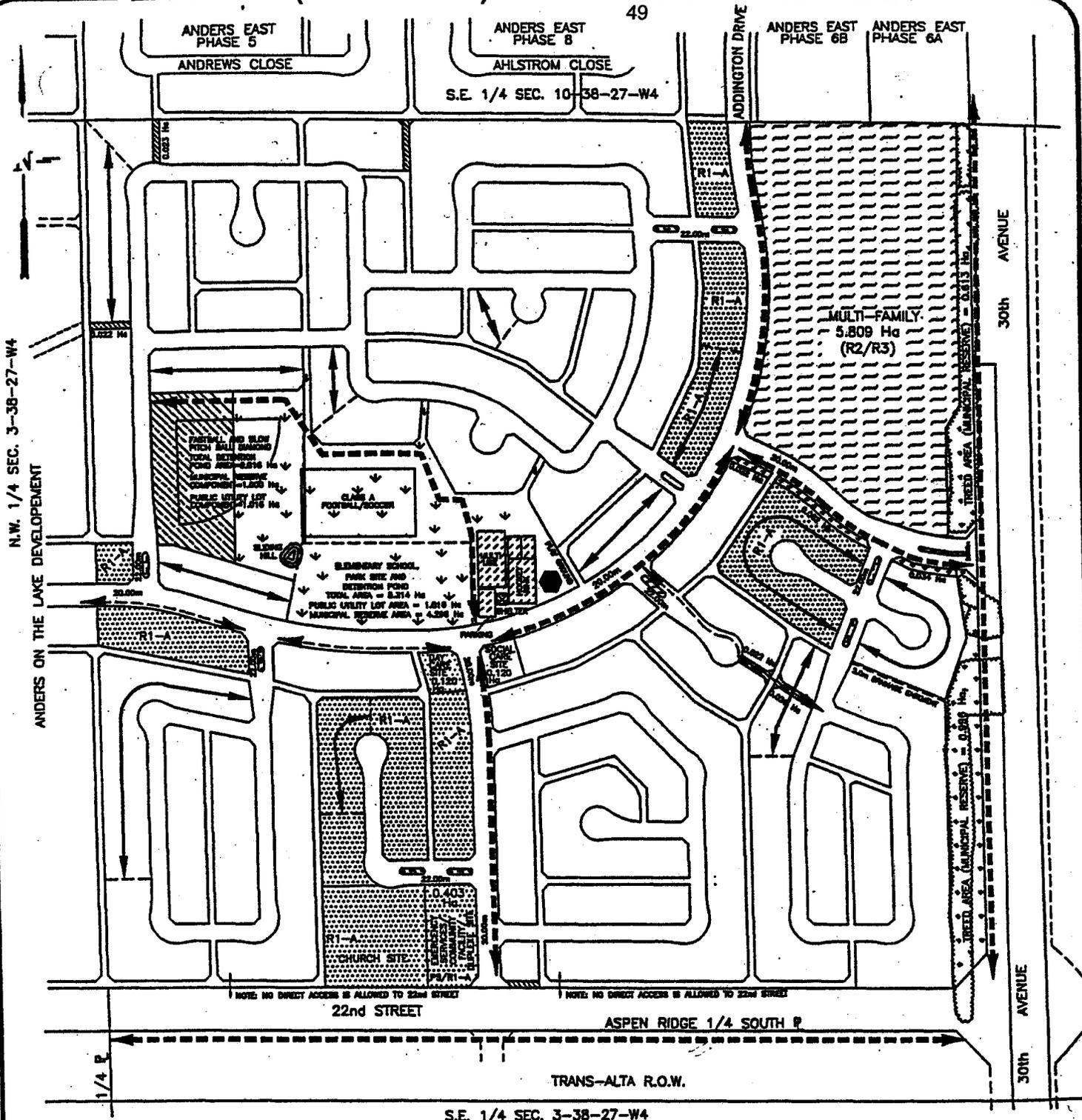
**FIGURE 3
DEVELOPMENT
CONCEPT**

SCALE 1:5000
REVISED JUN 14/99

AL-TERRA
ENGINEERING LTD.

EDMONTON RED DEER

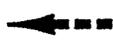
EXISTING (APPROVED) AREA STRUCTURE PLAN



N.W. 1/4 SEC. 3-38-27-W4
ANDERS ON THE LAKE DEVELOPMENT

S.E. 1/4 SEC. 3-38-27-W4

LEGEND:

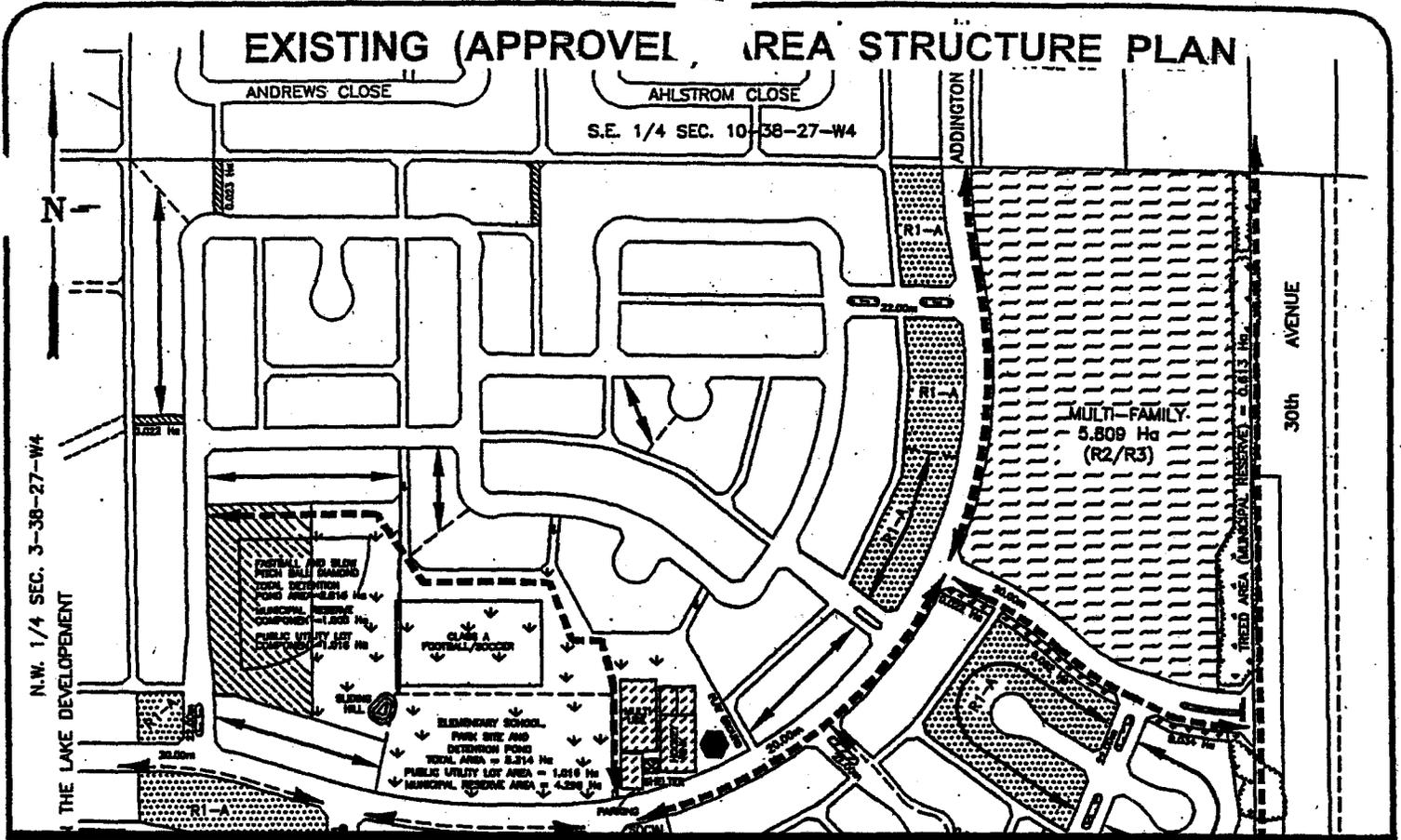
-  TWO STOREY RESIDENTIAL WITH WALKOUT BASEMENTS PERMITTED
-  SINGLE FAMILY
-  MULTI-FAMILY
-  DUPLEX
-  PUBLIC UTILITY LOTS
-  SCHOOL, PARKS, AND PUBLIC OPEN SPACE
-  MINOR PEDESTRIAN WALKWAYS AND BIKE PATHS
-  MAIN PEDESTRIAN WALKWAYS AND BIKE PATHS
-  CHILDREN'S PLAYGROUND

**FIGURE 3
DEVELOPMENT
CONCEPT**

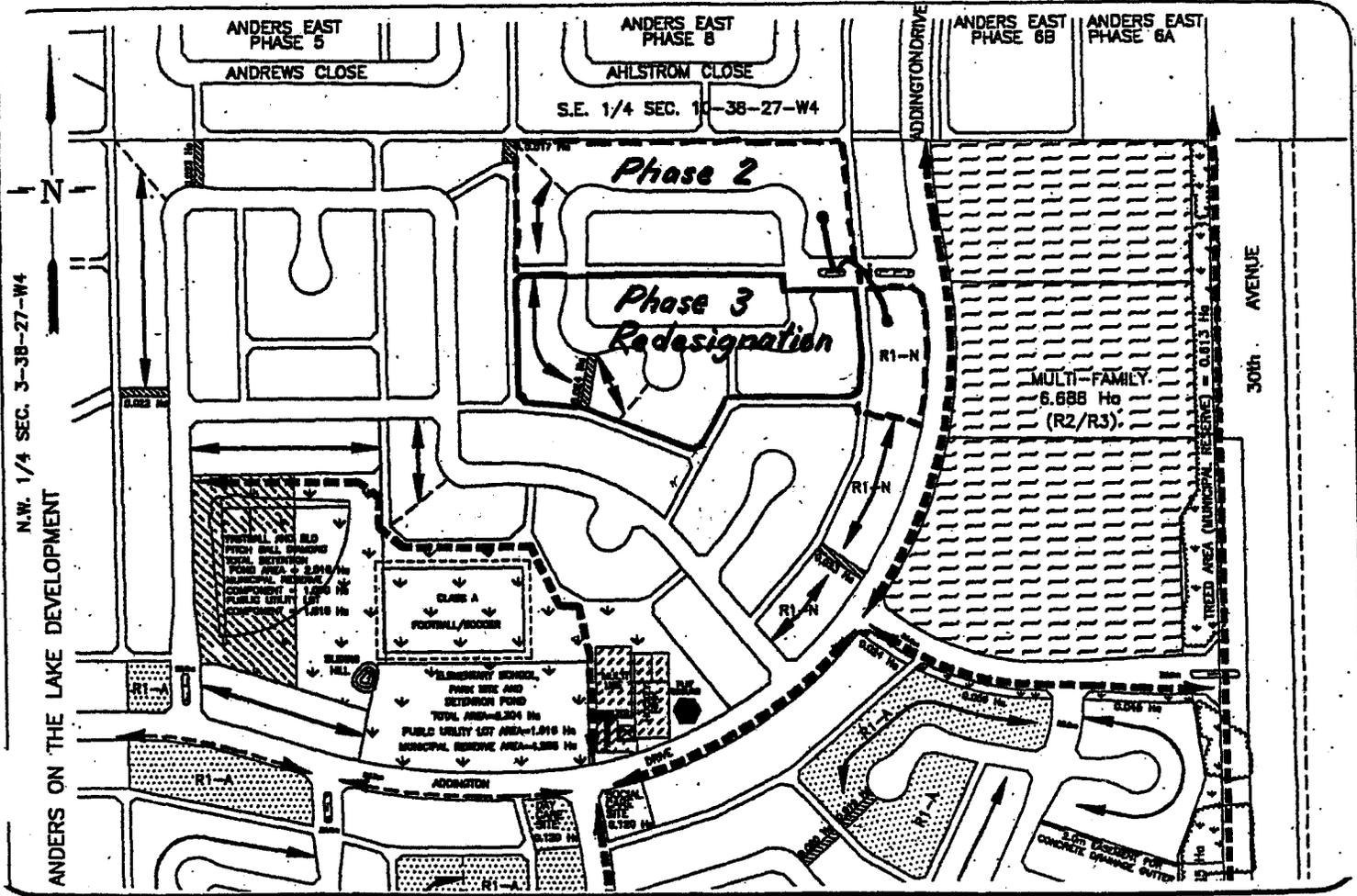
SCALE 1:5000
REVISED SEPT 22/98

AL-TERRA
ENGINEERING LTD.
EDMONTON ALBERTA

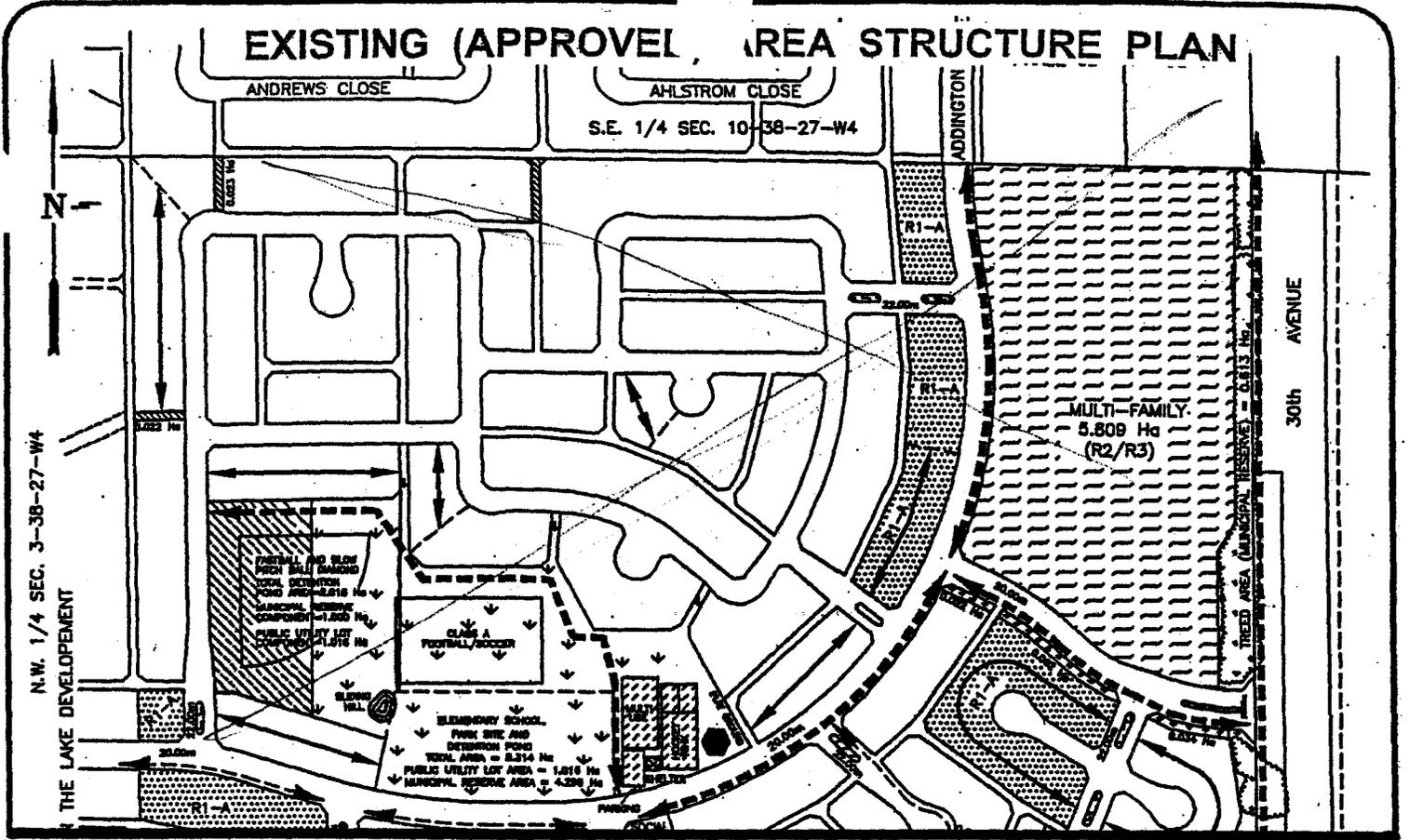
EXISTING (APPROVAL) AREA STRUCTURE PLAN



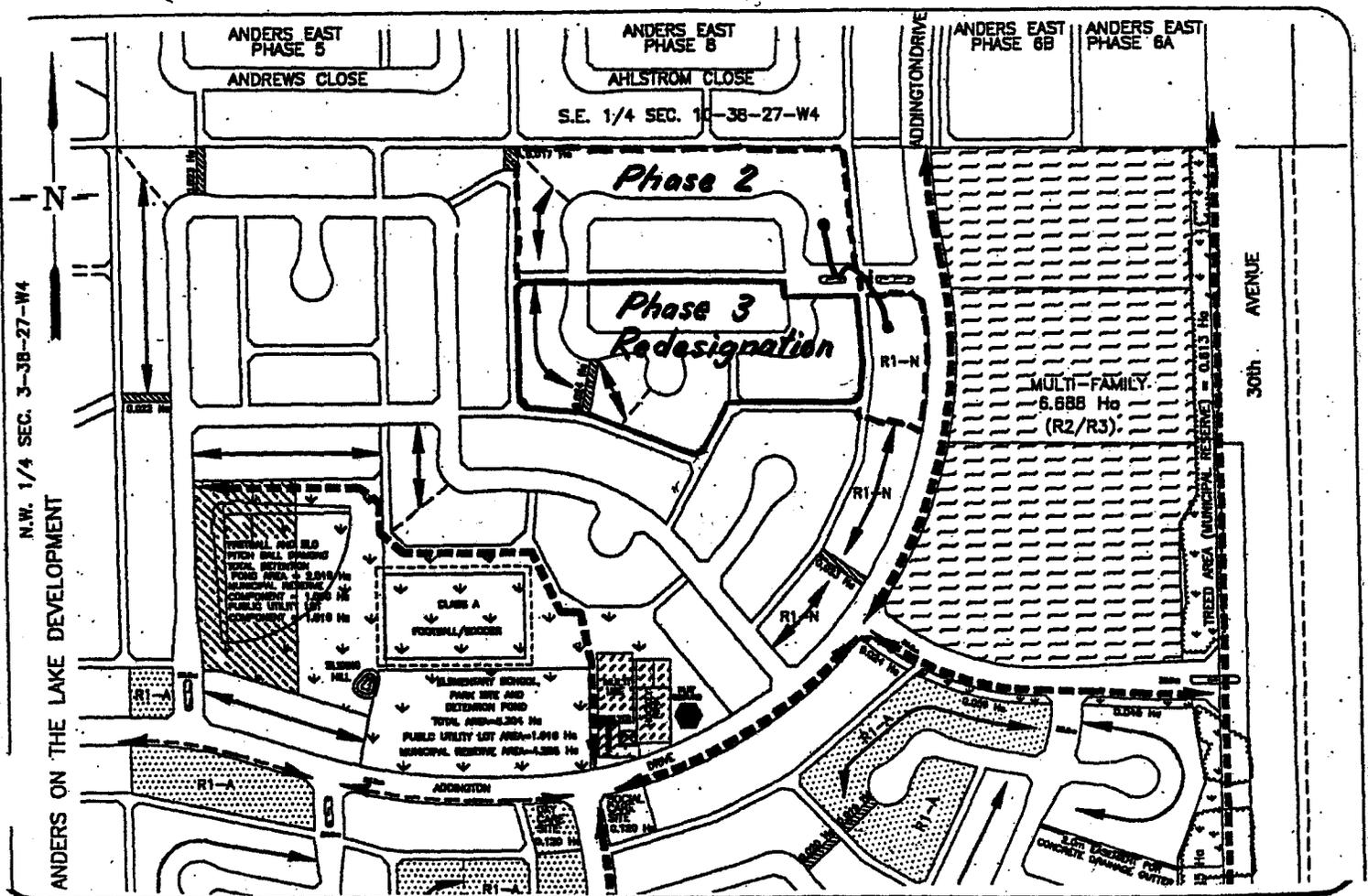
PROPOSED AREA STRUCTURE PLAN



EXISTING (APPROVAL) AREA STRUCTURE PLAN



PROPOSED AREA STRUCTURE PLAN



FILE

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Proposed Neighbourhood Area Structure Plan Amendment - Anders Southeast (Aspen Ridge) Neighbourhood - Phase 3, NE ¼ 3-38-27-4 / Bylaw Amendment No. 3217/A-99*

Reference Report: Deputy City Clerk dated July 6, 1999

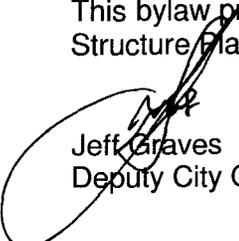
Bylaw Readings:

Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 was given 2nd & 3rd readings following the Public Hearing. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

This bylaw provides for an amendment to the Anders East (Aspen Ridge) Neighbourhood Area Structure Plan.


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Community Services
Engineering Services Manager
E. L. & P. Manager
Emergency Services Manager
City Assessor
Land and Economic Development Manager
Public Works Manager
Doug Kutinsky, Graphics Designer
Administrative Assistant, S. Ladwig
C. Rausch, City Clerk's Office

FILE

Office of the City Clerk

August 4, 1999

Mr. Guy Pelletier, c/o
Melcor Developments Ltd.
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Faxed To: 343-7510

Dear Sir:

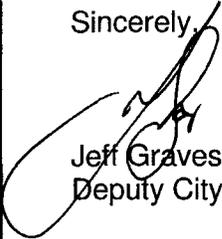
**Re: Neighbourhood Area Structure Plan Amendment 3217/A-99,
Anders Southeast (Aspen Ridge) - Phase 3, NE ¼ 3-38-27-4**

At the City of Red Deer's Council meeting held Tuesday, August 3, 1999, Council gave 2nd and 3rd readings to Bylaw Amendment No. 3217/A-99. A copy of the bylaw is attached. Bylaw No. 3217/A-99 provides for an amendment to the Anders East (Aspen Ridge) Neighbourhood Area Structure Plan.

Land Use Bylaw Amendment No. 3156/V-99 was subsequently given 2nd and 3rd readings and provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, eight narrow single family lots and one public utility lot. A copy of that bylaw has been forwarded under separate cover.

Please do not hesitate to contact me should you require any further information.

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer



Item No. 5

DATE: July 6, 1999
TO: City Council
FROM: Deputy City Clerk
RE: ***Land Use Bylaw Amendment No. 3156/V-99, NE ¼ 3-38-27-4, Anders Southeast (Aspen Ridge) - Phase 3, Melcor Development Ltd.***

A Public Hearing has been advertised for Tuesday, August 3, 1999 at 7:00 p.m. for this bylaw.

Land Use Bylaw Amendment No. 3156/V-99 provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, eight narrow single family lots and one public utility lot.

Please note that the passing of this bylaw is subject to Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 being passed.

Recommendations

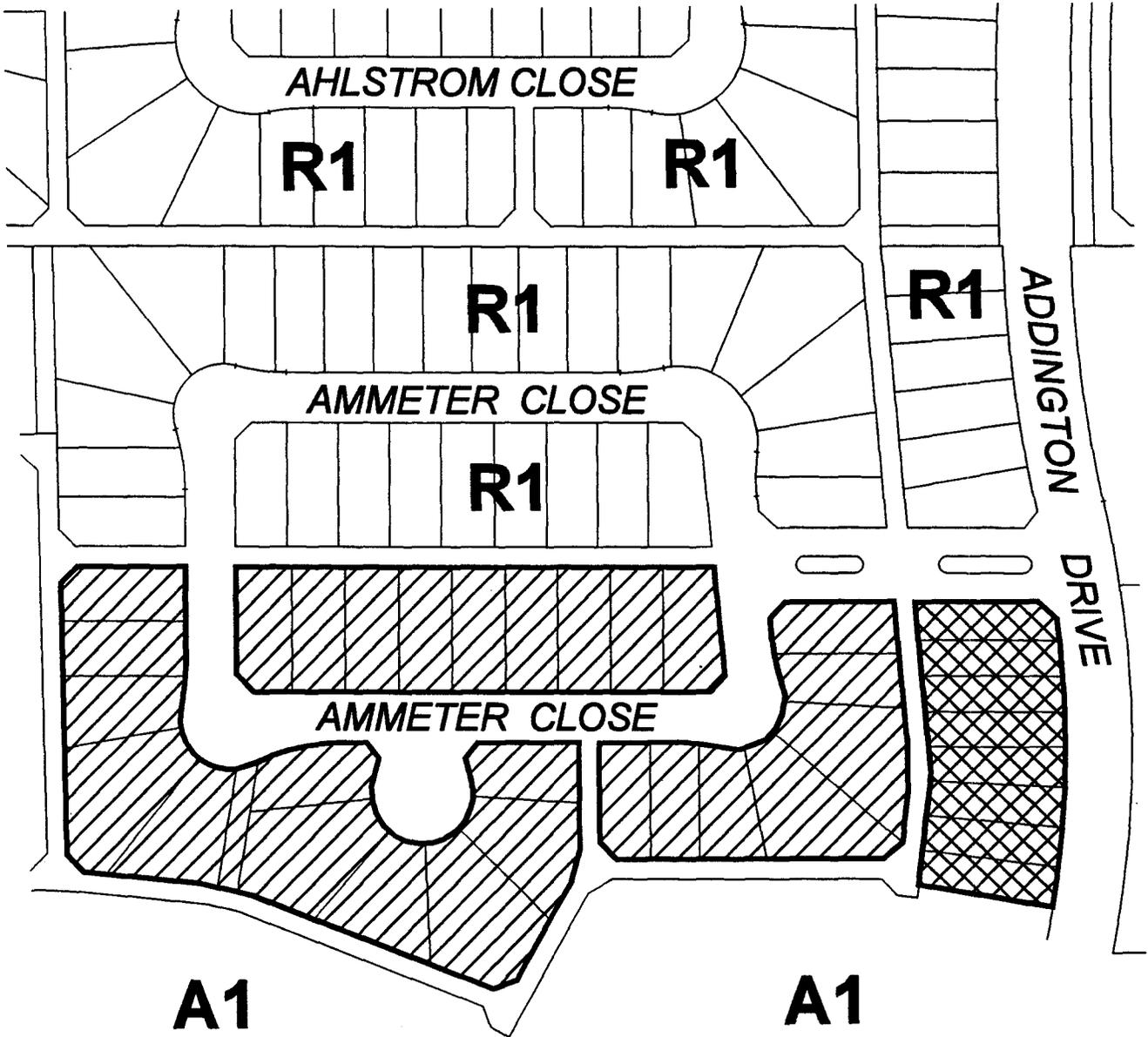
That following the Public Hearing, Land Use Bylaw Amendment No. 3156/V-99 may be given second and third readings.


Jeff Graves
Deputy City Clerk

/clr
attchs.

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi - Detached Dwelling)
- R1N - Residential (Narrow Lot)

Change from:

A1 to R1

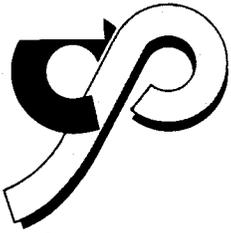


R1A to R1N



MAP No. 17 / 99

BYLAW No. 3156 / V - 99



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: June 28, 1999
To: Kelly Kloss, City Clerk
From: Frank Wong, Planning Assistant
Re: Land Use Bylaw Amendment 3156/V-99
NE ¼ Sec. 3-38-27-4
Anders Southeast (Aspen Ridge) – Phase 3
Melcor Developments Ltd.

Melcor Developments Ltd. is requesting the redesignation of part of the NE ¼ Sec. 3-38-27-4 in developing Phase 3 of the Anders Southeast (Aspen Ridge) Subdivision. The proposal redesignates 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, 8 narrow single family lots, and 1 public utility lot.

The proposed redesignation does not comply with the existing Anders Southeast (Aspen Ridge) Neighbourhood Area Structure Plan (NASP). A proposed amendment to the Neighbourhood Area Structure Plan is being processed simultaneously with this redesignation request to accommodate this proposed subdivision. The NASP amendment needs to precede this Bylaw amendment.

Staff Recommendation

Subject to the Anders Southeast (Aspen Ridge) Neighbourhood Area Structure Plan receiving first reading, Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/V-99.

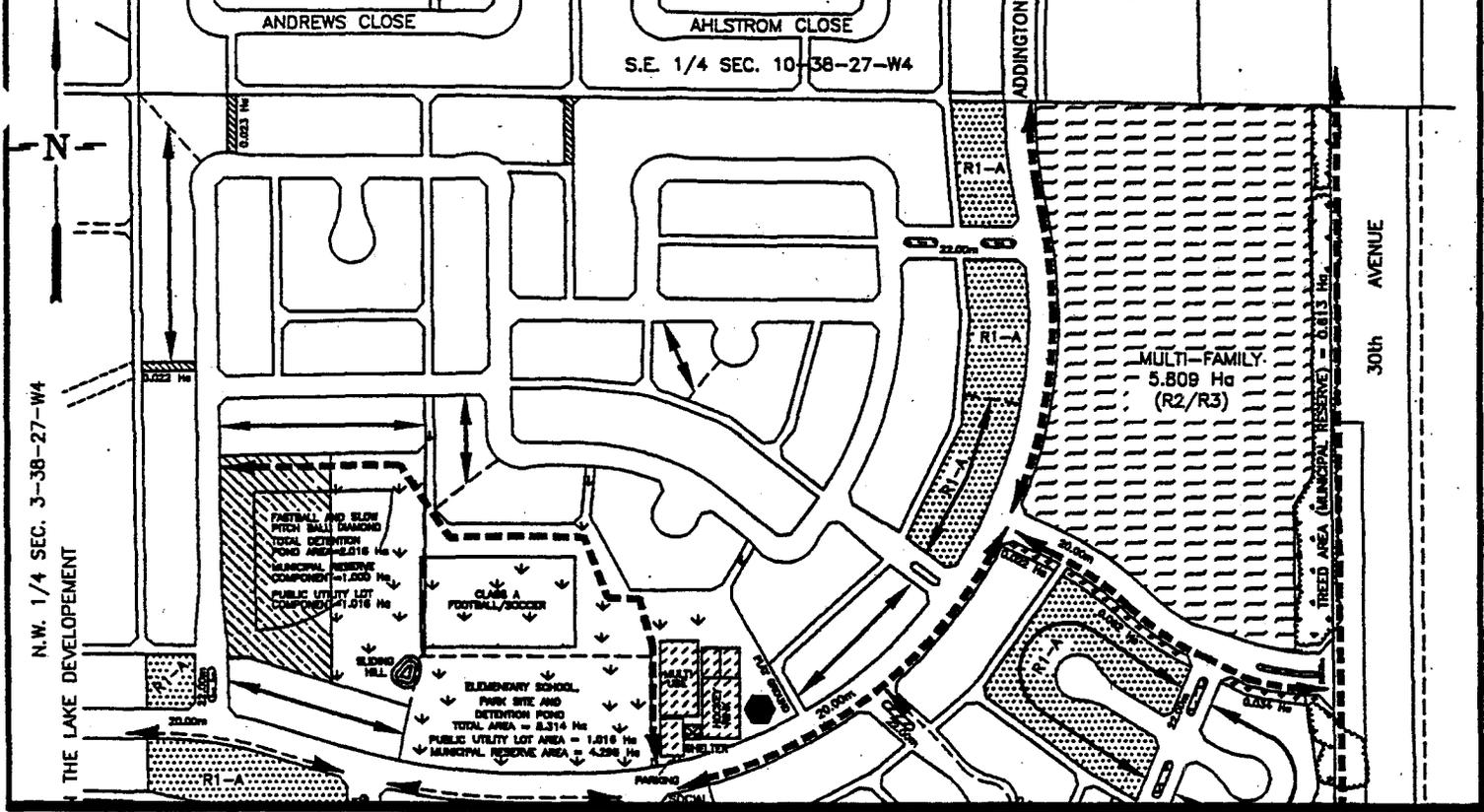
Sincerely,

Frank Wong

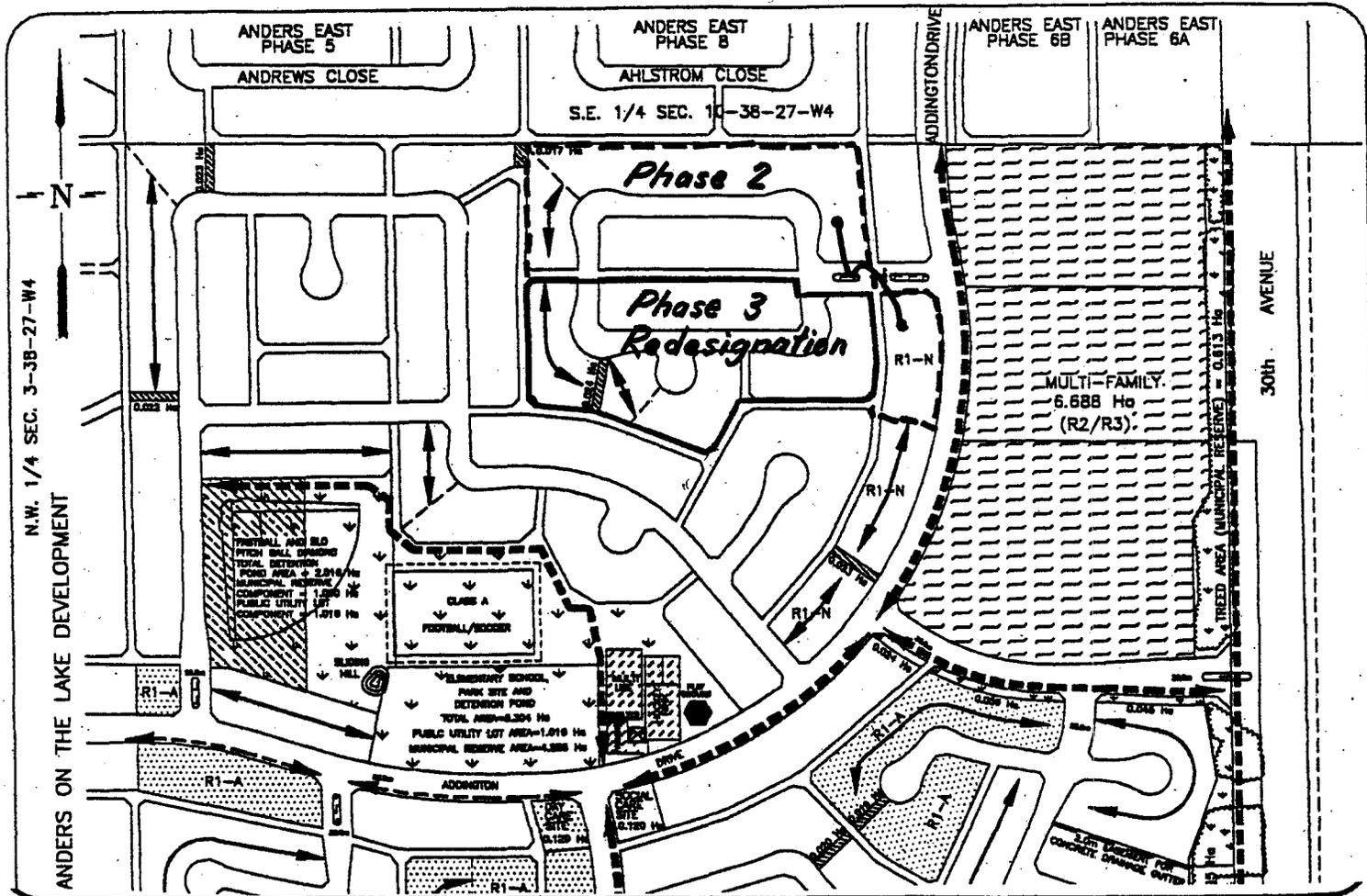
Frank Wong,
Planning Assistant

Attachment

EXISTING (APPROVED) AREA STRUCTURE PLAN



PROPOSED AREA STRUCTURE PLAN



LAND USE BYLAW AMENDMENT

BYLAW NO. 3156/V-99

DESCRIPTION: Melrose Dr. Rezoning Anders
SE (Open Ridge) Phase 3 from A1 to R1,
+ R1A to R1N. 27 SFD, 8' R1N, 1 P112.

FIRST READING: July 5

DATE OF FIRST PUBLICATION: July 16

DATE OF SECOND PUBLICATION: July 23

SECOND READING: Aug. 3

THIRD READING: Aug. 3

LETTERS REQUIRED TO PROPERTY OWNERS: YES NO

DEPOSIT REQUIRED: NO YES AMOUNT \$ 400.00

ACTUAL COST OF ADVERTISING: \$ _____

MAP PREPARATION: \$ 30.20

TOTAL \$ _____

REFUND _____ INVOICE _____ \$ 402.31

COMPLETED



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

99 | 07 | 14
Year Month Day

Name: Melcor Dev. Ltd. Reference: LUBA.
900, 10310 Jasper Ave. Edmonton T5J 1Y8

NOT VALID ULESS MACHINE PRINTED HERE

ITEM
L.U.B. Advert
D.A.B. Fee
D.A.B. Advert

| Account Number (Cost Centre.Object.Subsidiary) | Subledger | T | Asset ID No. | Amount |
|---|-----------|---|--------------|---------------------|
| 59.5901 | | | | 400.00 |
| 54.5722 | | | | |
| 54.5901 | | | | |
| GST. REGISTRATION # R119311785 | | | | TOTAL 400.00 |

07/14/99 3:11PM 002#8268 A

SUNDRY \$400.00
CHECK \$400.00

REMITTANCE ADVICE

| DATE | PAYEE | AMOUNT | NUMBER | NET PAYMENT |
|---|--|--------|--------|-------------|
| 9 JUL 99 | CRDR-CITY OF RED DEER CANADIAN IMP BANK OF COMMERCE LD/ | 400.00 | 14714 | |
| Invoices Paid on Behalf of company RED DEER LAND DIVISION | | | | |
| 9 JUL 99 | JULY '99 Ref. ADVR. FEE-ASPEN RIDGE 2 | 400.00 | 400.00 | 400.00 |
| * TOTALS | | 400.00 | 0.00 | 400.00 |

DETACH THIS PORTION BEFORE DEPOSITING

Office of the City Clerk

August 27, 1999

Mr. Guy Pelletier
C/o Melcor Developments Ltd.
#502, 4901 – 48 Street
Red Deer, AB T4N 6M4

Dear Sir:

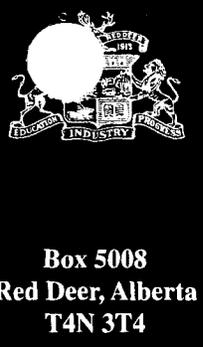
Re: Land Use Bylaw Amendment 3156/V-99,
Anders Southeast (Aspen Ridge) – Phase 3

I acknowledge receipt of your cheque in the amount of \$400.00 as a deposit toward the actual costs of advertising the above Land Use Bylaw Amendment. The advertisements appeared on July 16th and July 23rd.

At the same time as advertising your Land Use Bylaw Amendment, we advertised the Anders Aspen Ridge Neighbourhood Area Structure Plan. Rather than have two separate ads and two maps (wherein the property to be rezoned was already a part of the large map), we simply put inserted the one map and drafted both bylaws into one ad, which would definitely save money.

We thought this was being rather thrifty on our part, however, at the same time that we sent this ad to the Advocate, we also sent the Westerner Parade Route map. Our Advocate representative was on holidays, and in his absence, one of the girls "enlarged" the Land Use Bylaw and Area Structure Plan map double the size on July 16th, and made the Parade Route map small (reversed to what it should have been). When our Advocate rep returned from holidays, we ensured the July 23rd ad was normal size. He felt quite bad about this happening on July 16th, and therefore issued us a credit. In tabulating the actual costs of advertising, we felt that if you paid 1/3rd of the ad and we paid 2/3rds, that would be fair. The costs are as follows:

| | |
|-----------------------------|--------------------------|
| Advertisement July 16, 1999 | \$1,111.09 including GST |
| Advertisement July 23, 1999 | 444.43 including GST |
| Map Preparation | <u>30.20</u> |
| Total | \$1,585.72 |
| Less Credit | <u>378.78</u> |
| Balance Owing | \$1,206.94 |
| Owing by Melcor | \$402.31 |
| Owing by City | \$804.63 |



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Melcor Developments
Page 2

Since accounting costs in your office and here at The City are more than \$2.31, this is to advise that the \$400.00 deposit is close enough to the actual costs. We trust you will find this in order.

Yours truly,

A handwritten signature in cursive script that reads "Sandra Ladwig". The signature is written in black ink and is positioned above the typed name.

SANDRA LADWIG
Administrative Assistant

P.S. The cost of me tabulating and typing this letter –
- and you reading it,
I am sure also exceeds \$2.31. ha!

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: City Clerk
RE: *Land Use Bylaw Amendment No. 3156/V-99 / NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd.*

Reference Report: Deputy City Clerk dated July 6, 1999

Bylaw Readings:

Land Use Bylaw Amendment No. 3156/V-99 was given second and third readings following the Public Hearing. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment No. 3156/V-99 provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation accommodates the development of 27 single family lots, eight narrow single family lots and one public utility lot. ***Please note that the passing of this bylaw was subject to the Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 being passed. Bylaw No. 3217/A-99 was also given 2nd and 3rd readings following the respective Public Hearing.***

This office will now update the consolidated copy of the Land Use Bylaw and distribute same in due course.

Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Community Services S. Ladwig, Administrative Assistant
Engineering Services Manager C. Rausch, City Clerk's Office
E. L. & P. Manager
Fire Chief/Manager Emergency Services
City Assessor
Land and Economic Development Manager
Public Works Manager
Doug Kutinsky, Graphics Designer



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

August 4, 1999

Mr. Guy Pelletier, c/o
Melcor Developments Ltd.
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Faxed To: 343-7510

Dear Sir:

Re: Land Use Bylaw Amendment No. 3156/V-99, NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd.
(Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99, Refers)

At the City of Red Deer's Council Meeting held Tuesday, August 3, 1999, second and third readings were given to Land Use Bylaw Amendment 3156/V-99, a copy of which is attached.

Land Use Bylaw Amendment No. 3156/V-99 provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, eight narrow single family lots and one public utility lot.

Please do not hesitate to contact me should you have any questions or require further clarification.

Sincerely,

Jeff Graves
Deputy City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig

BYLAW 3156/V-99

PROPOSED LAND USE BYLAW AMENDMENT ASPEN RIDGE

BACKGROUND

In association with the amendment to the Aspen Ridge Neighbourhood Area Structure Plan, Melcor Developments Ltd. is proposing a land use bylaw amendment.

PURPOSE OF THE BYLAW

The land use bylaw amendment proposed will allow for the development of

- 27 single family lots
- 8 narrow single family lots
- 1 public utility lot



Office of the City Clerk

July 13, 1999

**MELCOR DEVELOPMENTS LTD.
900, 10310 JASPER AVENUE
EDMONTON, AB T5J 1Y8**

Dear Sir/Madam:

Re: Land Use Bylaw Amendment 3156/V-99,
and re: Area Structure Plan Bylaw Amendment 3217/A-99
Anders Southeast (Aspen Ridge) – Phase 3

As a property owner adjacent to the above land, this letter is to inform you that Council of The City of Red Deer has given the first of three readings to the above two Bylaw Amendments.

Land Use Bylaw Amendment 3156/V-99:

Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/V-99 for the purpose of rezoning 2.63 ha (6.5 ac) of land from A1 – Future Urban Development District to R1 – Residential Low Density District and part of Phase 2 from R1A – Residential (semi-detached dwelling) District to R1N – Residential Narrow Lot District in part of the NE ¼ of Section 3-38-27-4 in developing Phase 3 of the Anders Southeast (Aspen Ridge) Subdivision. The redesignation shown by the arrow on the map hereunder is to accommodate the development of 27 single family lots, 8 narrow single family lots and 1 public utility lot.

Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-99:

The Council of The City of Red Deer propose to pass Bylaw 3217/A-99, being a bylaw amendment to adopt the Neighbourhood Area Structure Plan Amendment for the Anders (Aspen Ridge) neighbourhood, as shown on the above plan.

The amendments are summarized as follows:

- Adjustment to the curve of the short collector roadway between 30th Avenue and Addington Drive, thereby slightly increasing the size of the multiple family site to the north;
- Revisions to some local roadways in the north center portion of the plan area and also to the area lying southwest of the multiple family site south of Addington Drive;
- Some minor adjustments to areas which will permit the location of two storey homes with walkout basements;

.....2

The City of Red Deer

Page 2

Land Use Bylaw Amendment 3156/V-99

And Area Structure Plan Bylaw Amendment 3217/A-99

- Conversion of some R1A (semi-detached) residential to R1N (single family) Narrow Lot residential;
- Some minor adjustments to various land use area calculations (i.e. single family, semi-detached, multiple family).

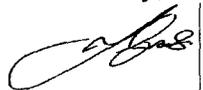
Council will hold Public Hearings to hear from any residents that may be affected by the passing of these Bylaws **on Tuesday, August 3, 1999, at 7:00 p.m.**

If you wish to advise City Council that this Bylaw does affect you, would you please do one of the following no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing:

1. advise me by telephone that you wish to attend the Public Hearing and speak to members of Council; or
2. provide me with a letter outlining your views; or
3. provide me with a properly signed Petition.

If you have any questions, please contact me at (403) 342-8132.

Yours truly,



JEFF GRAVES

DEPUTY CITY CLERK



Office of the City Clerk

July 13, 1999

**T. C. & RITA WELLS, S. DAVIDCHUK,
J. PARSONS & V. S. SCHAEFER
BOX 179,
WATER VALLEY, AB TOM 2E0**

Dear Sir/Madam:

Re: Land Use Bylaw Amendment 3156/V-99,
and re: Area Structure Plan Bylaw Amendment 3217/A-99
Anders Southeast (Aspen Ridge) – Phase 3

As a property owner adjacent to the above land, this letter is to inform you that Council of The City of Red Deer has given the first of three readings to the above two Bylaw Amendments.

Land Use Bylaw Amendment 3156/V-99:

Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/V-99 for the purpose of rezoning 2.63 ha (6.5 ac) of land from A1 – Future Urban Development District to R1 – Residential Low Density District and part of Phase 2 from R1A – Residential (semi-detached dwelling) District to R1N – Residential Narrow Lot District in part of the NE ¼ of Section 3-38-27-4 in developing Phase 3 of the Anders Southeast (Aspen Ridge) Subdivision. The redesignation shown by the arrow on the map hereunder is to accommodate the development of 27 single family lots, 8 narrow single family lots and 1 public utility lot.

Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-99:

The Council of The City of Red Deer propose to pass Bylaw 3217/A-99, being a bylaw amendment to adopt the Neighbourhood Area Structure Plan Amendment for the Anders (Aspen Ridge) neighbourhood, as shown on the above plan.

The amendments are summarized as follows:

- Adjustment to the curve of the short collector roadway between 30th Avenue and Addington Drive, thereby slightly increasing the size of the multiple family site to the north;
- Revisions to some local roadways in the north center portion of the plan area and also to the area lying southwest of the multiple family site south of Addington Drive;
- Some minor adjustments to areas which will permit the location of two storey homes with walkout basements;

The City of Red Deer

| Tax | VV | OwnerName | OwnerAdd1 | OwnerAdd2 | Ow | OwnerA | MainLeg | Rur | H | Street: |
|-----|----|--------------------------------|----------------------------|------------------|----|--------|----------|-----|---|---------|
| 141 | | MELCOR DEVELOPMENTS LTD. | 900 10310 JASPER AVE | EDMONTON, AB T5J | | | 4-27-38- | 4- | | 2:30 AV |
| 141 | | T C & RITA WELLS & S DAVIDCHUK | & J PARSONS & V S SCHAEFER | BOX 179 | | WATER | 4-27-38- | 4- | | 2:30 AV |

**LAND USE BYLAW AMENDMENT
ANDERS SOUTHEAST (ASPEN RIDGE) – PHASE 3**

1. Red Deer City Council plans to pass Land Use Bylaw Amendment 3156/V-99 for the purpose of rezoning 2.63 ha (6.5 ac) of land from A1 – Future Urban Development District to R1 – Residential Low Density District and part of Phase 2 from R1A – Residential (semi-detached dwelling) District to R1N – Residential Narrow Lot District in part of the NE ¼ of Section 3-38-27-4 in developing Phase 3 of the Anders Southeast (Aspen Ridge) Subdivision. The redesignation shown by the arrow on the map hereunder is to accommodate the development of 27 single family lots, 8 narrow single family lots and 1 public utility lot. An amendment to the Area Structure Plan is as noted below.

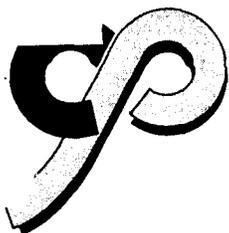
2. A copy of the proposed Bylaw may be inspected by the public at the office of the City Clerk, 2nd Floor of City Hall during regular office hours.

3. Prior to considering this Bylaw, City Council will hold a Public Hearing in the Council Chambers, 2nd Floor of City Hall on **Tuesday, August 3, 1999, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions are also acceptable if received by the City Clerk no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing.

KELLY KLOSS
CITY CLERK

“PUT THE LARGE MAP UNDERNEATH THIS AD”

(Publication Dates: July 16 and July 23, 1999)



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: June 28, 1999

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/V-99
NE ¼ Sec. 3-38-27-4
Anders Southeast (Aspen Ridge) – Phase 3
Melcor Developments Ltd.

Melcor Developments Ltd. is requesting the redesignation of part of the NE ¼ Sec. 3-38-27-4 in developing Phase 3 of the Anders Southeast (Aspen Ridge) Subdivision. The proposal redesignates 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, 8 narrow single family lots, and 1 public utility lot.

The proposed redesignation does not comply with the existing Anders Southeast (Aspen Ridge) Neighbourhood Area Structure Plan (NASP). A proposed amendment to the Neighbourhood Area Structure Plan is being processed simultaneously with this redesignation request to accommodate this proposed subdivision. The NASP amendment needs to precede this Bylaw amendment.

Staff Recommendation

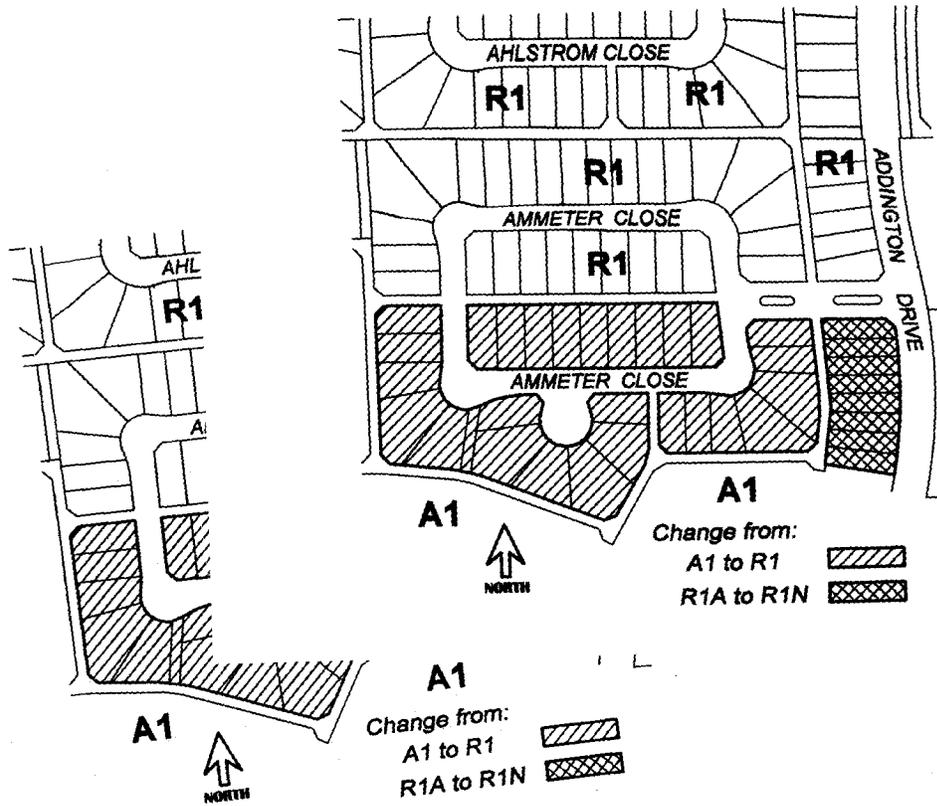
Subject to the Anders Southeast (Aspen Ridge) Neighbourhood Area Structure Plan receiving first reading, Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/V-99.

Sincerely,



Frank Wong,
Planning Assistant

Attachment



FILE

Council Decision – July 5, 1999 Meeting

DATE: July 6, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Proposed Neighbourhood Area Structure Plan Amendment - Anders Southeast (Aspen Ridge) Neighbourhood - Phase 3, NE ¼ 3-38-27-4 / Bylaw Amendment No. 3217/A-99*

SANDRA

Reference Report:

Parkland Community Planning Services dated June 28, 1999

Bylaw Passed:

Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 was given first reading, a copy is attached.

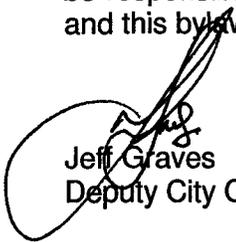
Report Back to Council Required:

Yes. A Public Hearing will be held Tuesday, August 3, 1999 at 7:00 p.m.

Comments/Further Action:

This bylaw provides for an amendment to the Anders East (Aspen Ridge) Neighbourhood Area Structure Plan.

This office will now proceed with the advertising for a Public Hearing. Melcor Developments will be responsible for the advertising costs relating to Land Use Bylaw Amendment No. 3156/V-99 and this bylaw amendment will be advertised in conjunction with that amendment.


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
E. L. & P. Manager
Fire Chief/Manager Emergency Services
City Assessor
Land and Economic Development Manager

DATE: JULY 7, 1999
TO: TONY WOODS, DRAFTING
FROM: SANDRA LADWIG, CITY CLERKS
RE: Land Use Bylaw Amendment 3156/V-99
NE ¼ Section 3-38-27-4
Anders Southeast (Aspen Ridge) – Phase 3
Melcor Developments Ltd.

AND
Proposed Area Structure Plan – Revision
Anders SE Aspen Ridge

I enclose herewith two maps. The above is an existing approved Area Structure Plan, and the one underneath is the proposed Area Structure Plan that has some amendments on it from the previously approved ASP.

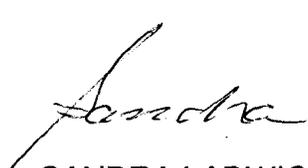
What I am thinking is that we can do the LUBA map and proposed Area Structure Plan map ALL IN ONE. If you would show the rezoning changes as noted on the Map No. 17 onto the Proposed Area Structure Plan map, we can kill two birds with one stone.

Can this be done?

Could I possibly have this by Tuesday, July 13, 1999.

7 1/4" wide

Thanks Tony.

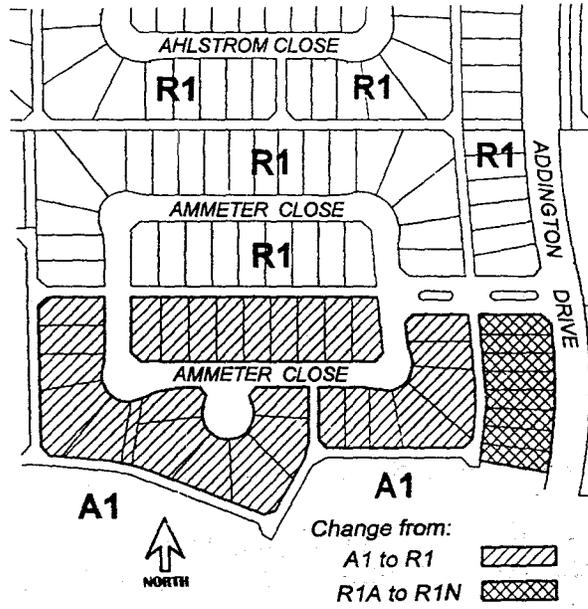

SANDRA LADWIG
City Clerk's Department

COST OF MAP PREPARATION:

\$ 30.20

DK
July 7/99.

*FOR STANDARD
3.25 x 3.5 map.*



A1



A1

Change from:

A1 to R1



R1A to R1N



Council Decision – July 5, 1999 Meeting

DATE: July 6, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/V-99 / NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd.*

Reference Report: Planning Assistant, dated June 28, 1999

Bylaw Readings:

Land Use Bylaw Amendment No. 3156/V-99 was given first reading, a copy is attached.

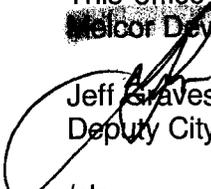
Report Back to Council Required:

Yes. A Public Hearing will be held on Tuesday, August 3, 1999 at 7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment No. 3156/V-99 provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, eight narrow single family lots and one public utility lot. *Please note that the passing of this bylaw is subject to the Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 being passed.*

This office will now proceed with the advertising for a Public Hearing. Our office has advised Melcor Developments, via letter, that they will be responsible for the advertising costs.


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
E. L. & P. Manager
Fire Chief/Manager Emergency Services
City Assessor
Land and Economic Development Manager
Public Works Manager
Administrative Assistant, S. Ladwig



Office of the City Clerk

July 6, 1999

Mr. Guy Pelletier, c/o
Melcor Developments Ltd.
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Faxed To: 343-7510

Dear Sir:

Re: Land Use Bylaw Amendment No. 3156/V-99, NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd. (Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99, Refers)

At the City of Red Deer's Council Meeting held Monday, July 5, 1999, first reading was given to Land Use Bylaw Amendment 3156/V-99, a copy of which is attached.

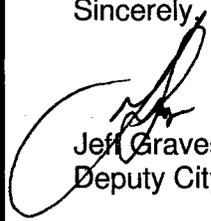
Land Use Bylaw Amendment No. 3156/V-99 provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, eight narrow single family lots and one public utility lot.

This office will now proceed with the advertising for a Public Hearing to be held on Tuesday, August 3, 1999 at 7:00 p.m., in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$400. We require this deposit by no later than 10:00 a.m., Wednesday, July 14, 1999, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

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

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

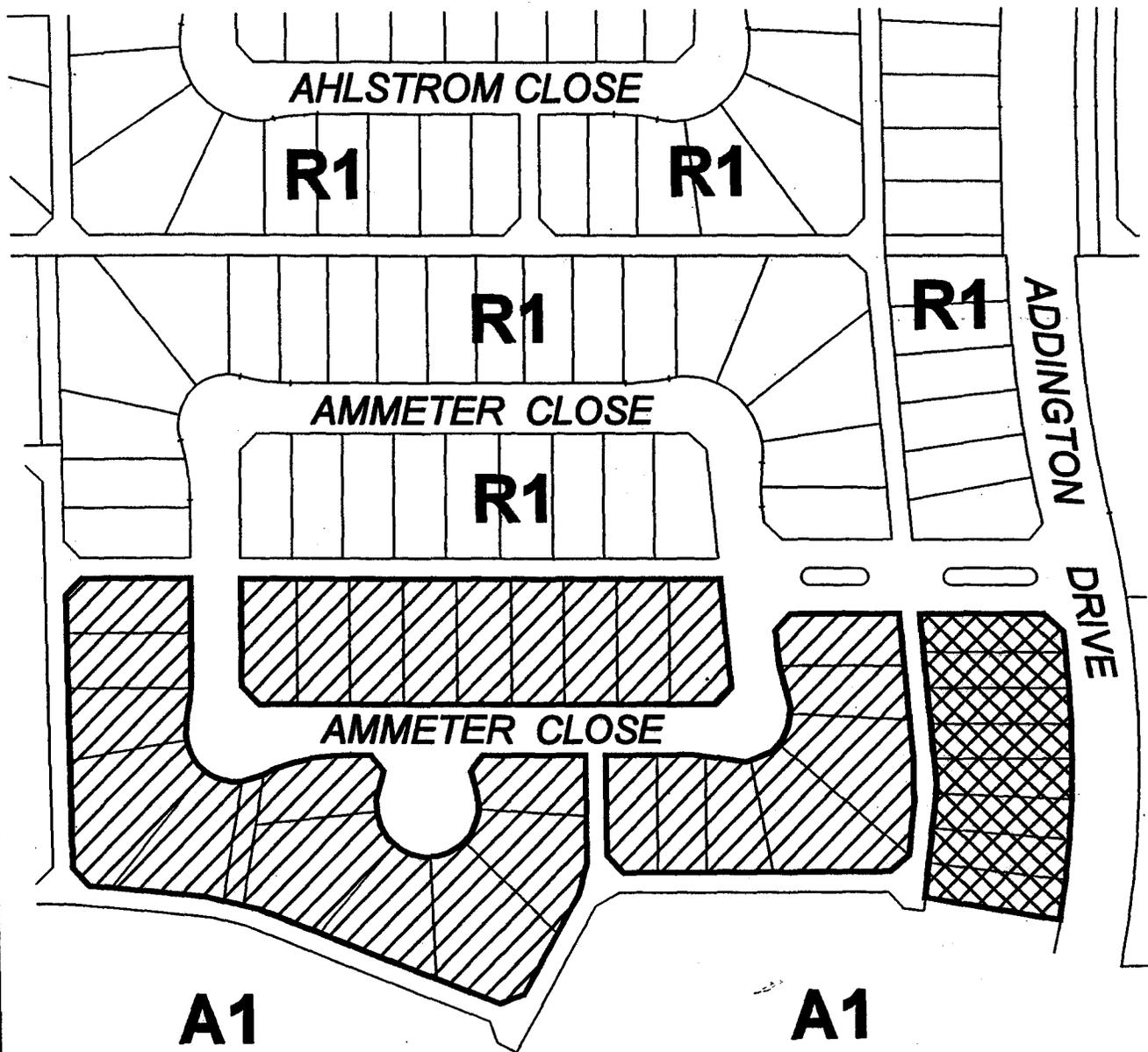
c Principal Planner


The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi - Detached Dwelling)
- R1N - Residential (Narrow Lot)

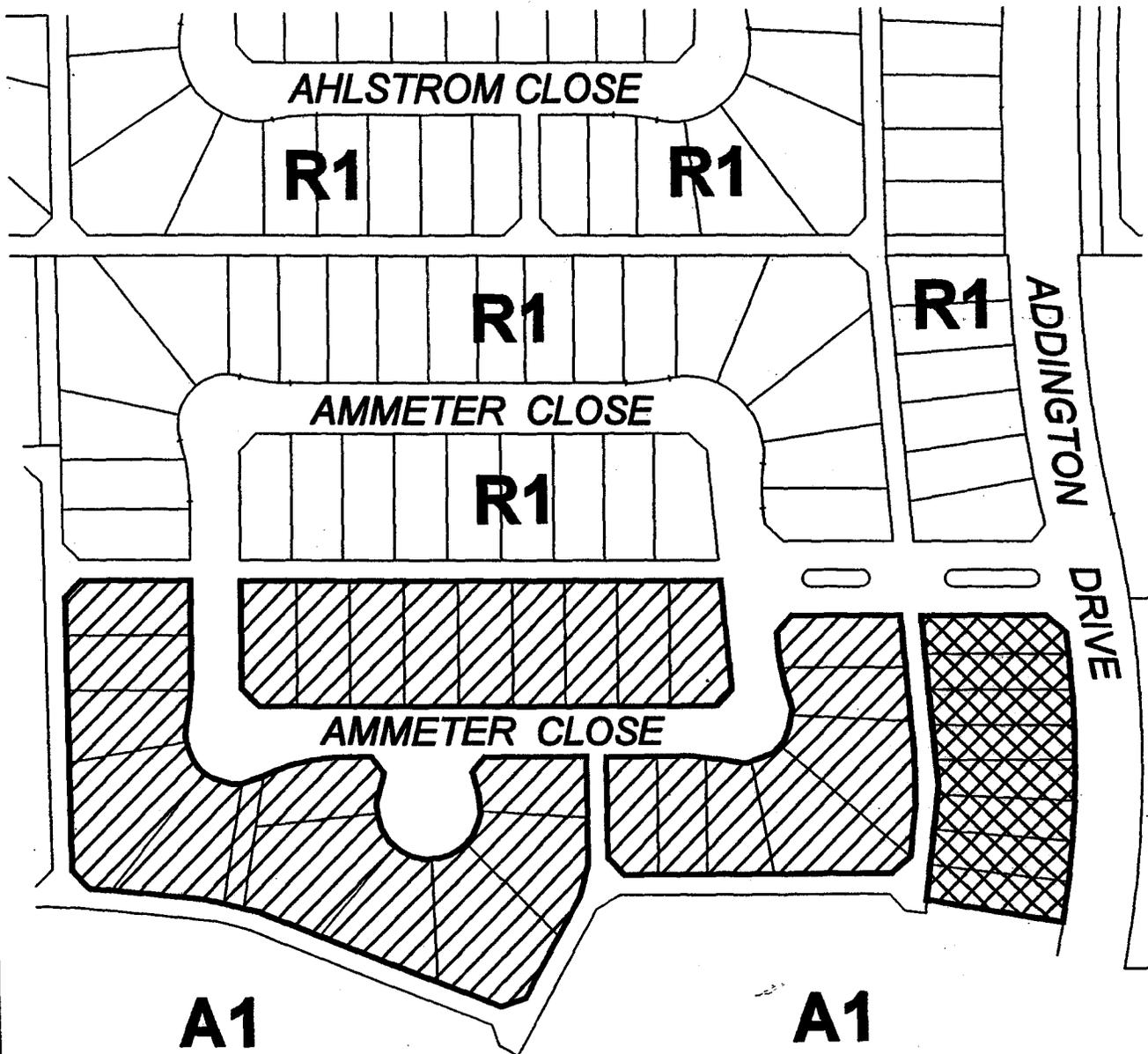
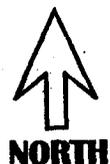
Change from:

- A1 to R1 
- R1A to R1N 

MAP No. 17 / 99
 BYLAW No. 3156 / V - 99

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi - Detached Dwelling)
- R1N - Residential (Narrow Lot)

Change from:

- A1 to R1 
- R1A to R1N 

MAP No. 17 / 99
BYLAW No. 3156 / V - 99

DATE: JULY 7, 1999
TO: TONY WOODS, DRAFTING
FROM: SANDRA LADWIG, CITY CLERKS
RE: Land Use Bylaw Amendment 3156/V-99
NE ¼ Section 3-38-27-4
Anders Southeast (Aspen Ridge) – Phase 3
Melcor Developments Ltd.

AND
Proposed Area Structure Plan – Revision
Anders SE Aspen Ridge

I enclose herewith two maps. The above is an existing approved Area Structure Plan, and the one underneath is the proposed Area Structure Plan that has some amendments on it from the previously approved ASP.

What I am thinking is that we can do the LUBA map and proposed Area Structure Plan map ALL IN ONE. If you would show the rezoning changes as noted on the Map No. 17 onto the Proposed Area Structure Plan map, we can kill two birds with one stone.

Can this be done?

Could I possibly have this by Tuesday, July 13, 1999.

Thanks Tony.

SANDRA LADWIG
City Clerk's Department

COST OF MAP PREPARATION:

\$.....

BYLAW NO. 3156/V-99

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

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

- 1 The "Use District Map J5" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 17/99 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

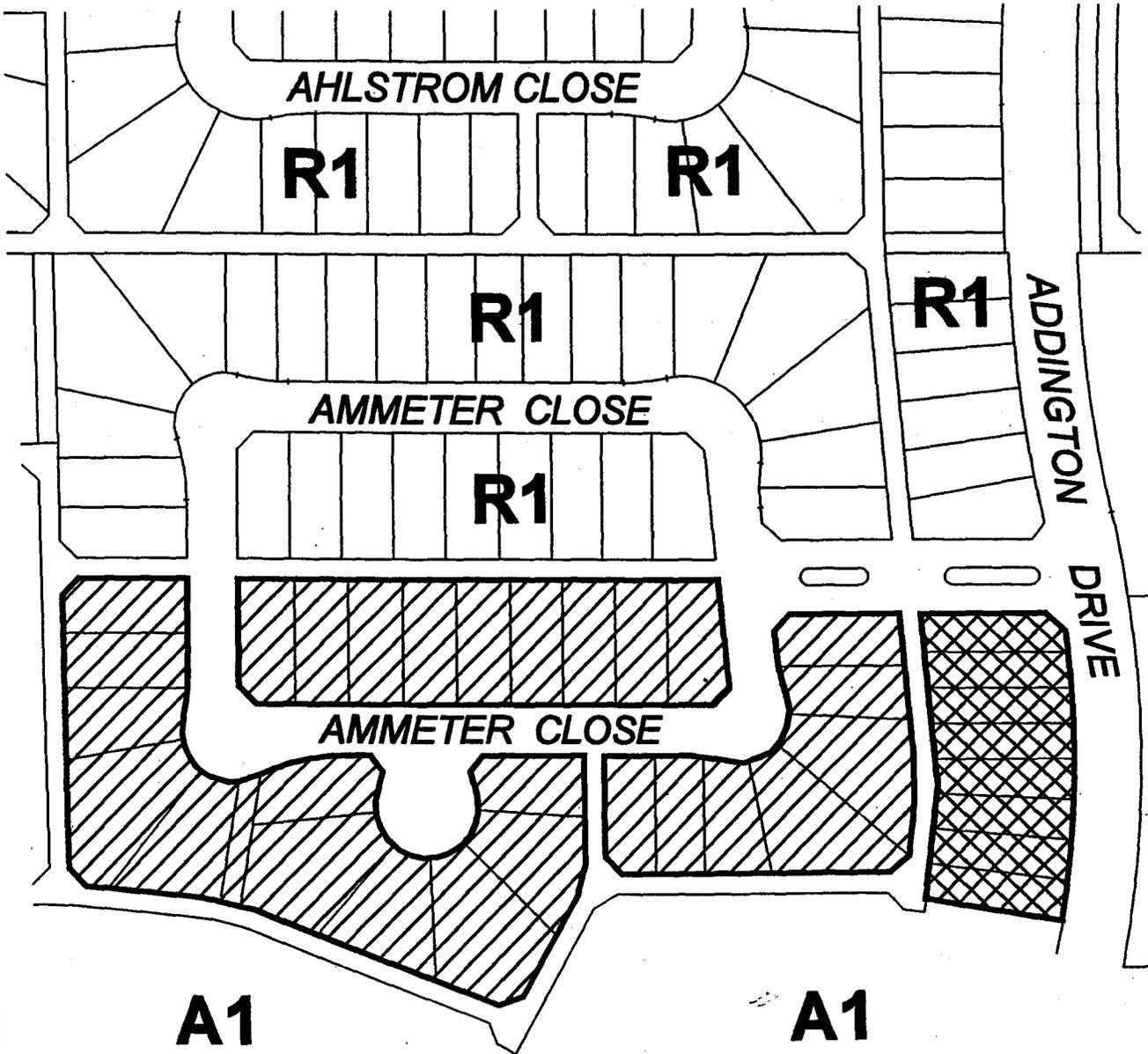
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi - Detached Dwelling)
- R1N - Residential (Narrow Lot)

Change from:

- A1 to R1 
- R1A to R1N 

MAP No. 17 / 99

BYLAW No. 3156 / V - 99

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: City Clerk
RE: Land Use Bylaw Amendment No. 3156/V-99 / NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd.

Reference Report: Deputy City Clerk dated July 6, 1999

Bylaw Readings:

Land Use Bylaw Amendment No. 3156/V-99 was given second and third readings following the Public Hearing. A copy is attached.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment No. 3156/V-99 provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation accommodates the development of 27 single family lots, eight narrow single family lots and one public utility lot. **Please note that the passing of this bylaw was subject to the Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99 being passed. Bylaw No. 3217/A-99 was also given 2nd and 3rd readings following the respective Public Hearing.**

This office will now update the consolidated copy of the Land Use Bylaw and distribute same in due course.

Jeff Grayes
Deputy City Clerk

/clr
attchs.

c Director of Community Services S. Ladwig, Administrative Assistant
Engineering Services Manager C. Rausch, City Clerk's Office
E. L. & P. Manager
Fire Chief/Manager Emergency Services
City Assessor
Land and Economic Development Manager
Public Works Manager
Doug Kutinsky, Graphics Designer

FILE

Office of the City Clerk

August 4, 1999

Mr. Guy Pelletier, c/o
Melcor Developments Ltd.
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Faxed To: 343-7510

Dear Sir:

Re: Land Use Bylaw Amendment No. 3156/V-99, NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Phase 3, Melcor Developments Ltd.
(Neighbourhood Area Structure Plan Bylaw Amendment No. 3217/A-99, Refers)

At the City of Red Deer's Council Meeting held Tuesday, August 3, 1999, second and third readings were given to Land Use Bylaw Amendment 3156/V-99, a copy of which is attached.

Land Use Bylaw Amendment No. 3156/V-99 provides for the redesignation of part of the NE ¼ 3-38-27-4 in Anders Southeast (Aspen Ridge). The redesignation relates to 2.63 ha (6.5 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District and part of Phase 2 from R1A Residential (semi-detached dwelling) District to R1N Residential (narrow lot) District. The redesignation is to accommodate the development of 27 single family lots, eight narrow single family lots and one public utility lot.

Please do not hesitate to contact me should you have any questions or require further clarification.

Sincerely,



Jeff Graves
Deputy City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Item No. 6

DATE: July 7, 1999

TO: City Council

FROM: Deputy City Clerk

RE: *Disposal of Municipal Reserve - Riverside Light Industrial*

A Public Hearing will be held Tuesday, August 3, 1999 for the Disposal of Municipal Reserve as shown on the attached map.

Property owners adjacent to a rail right-of-way formerly used by CN Rail have requested they be allowed to purchase the noted land as it is no longer used for rail activities. If Council agrees to the Disposal of Municipal Reserve as noted above, the right-of-way would be divided equally, sold and consolidated with the adjacent properties. The CN Rail no longer uses the portion of right-of-way under consideration and they have provided The City with written approval of the disposal. Both property owners have agreed to purchase one-half of the right-of-way at market value.

In addition, the property owner to the north has expressed interest in acquiring a small portion of the municipal reserve located to the west in order to provide physical access to the new rear yard.

Recommendation

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

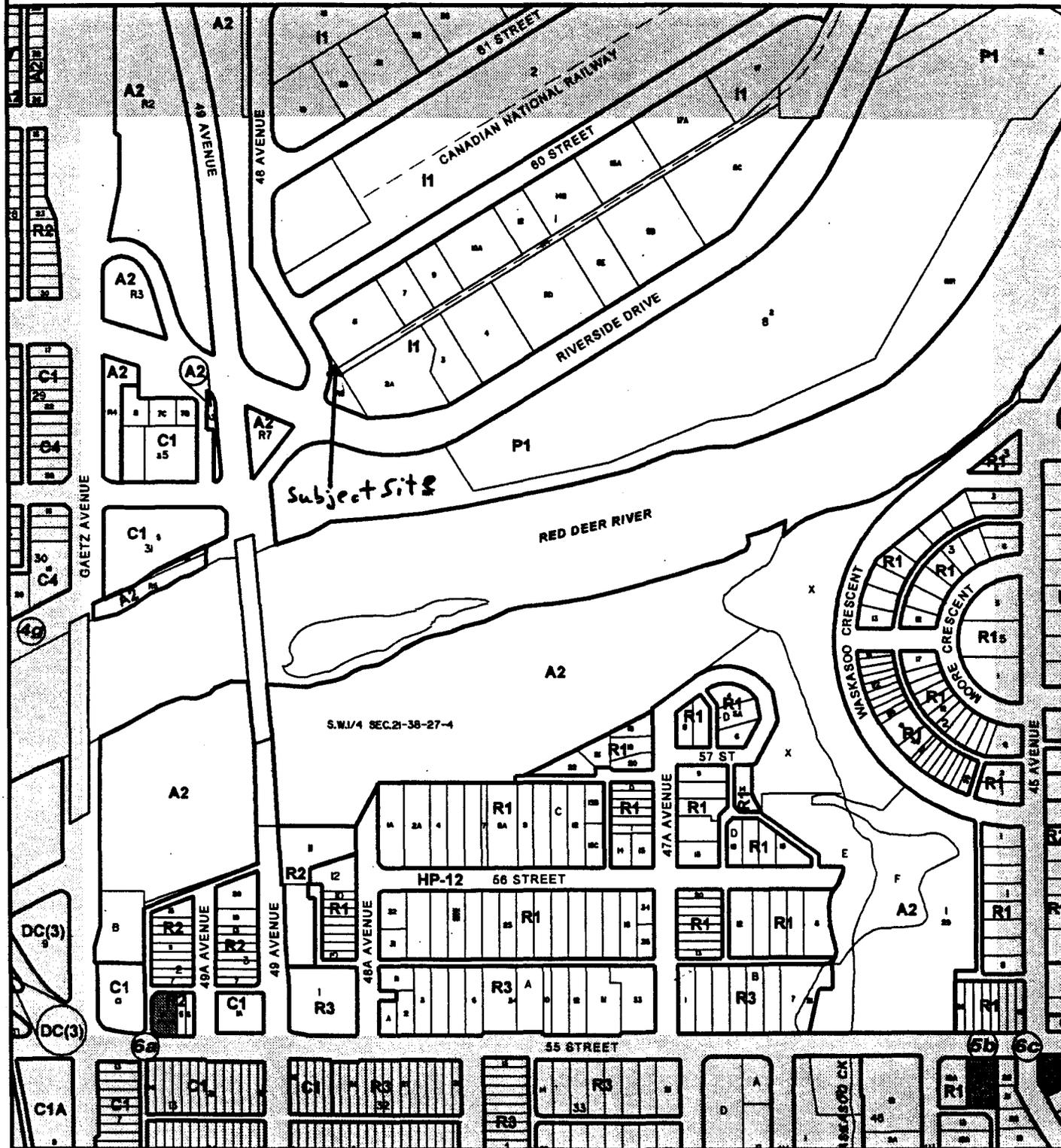


Jeff Graves
Deputy City Clerk

/clr
attchs.

THE CITY OF RED DEER AND USE BYLAW LAND USE DISTRICTS

G10



S.W.1/4 SEC.21-38-27-4

BYLAW NUMBER - 3156/96

AMENDMENTS:

SEE SECTION SIX FOR
LANDUSE DISTRICT DEFINITIONS

| | | |
|-----|-----|-----|
| F11 | G11 | H11 |
| F10 | G10 | H10 |
| F9 | G9 | H9 |



SCALE 1:5000
29-APR-1996

S.W.1/4 -21-38-27-4

Revised 37

60th STREET

48th AVENUE

LOT 8
PLAN 3595 M.C.

LOT 19
(0.380 ha.)

PLAN 2181 M.C.

1

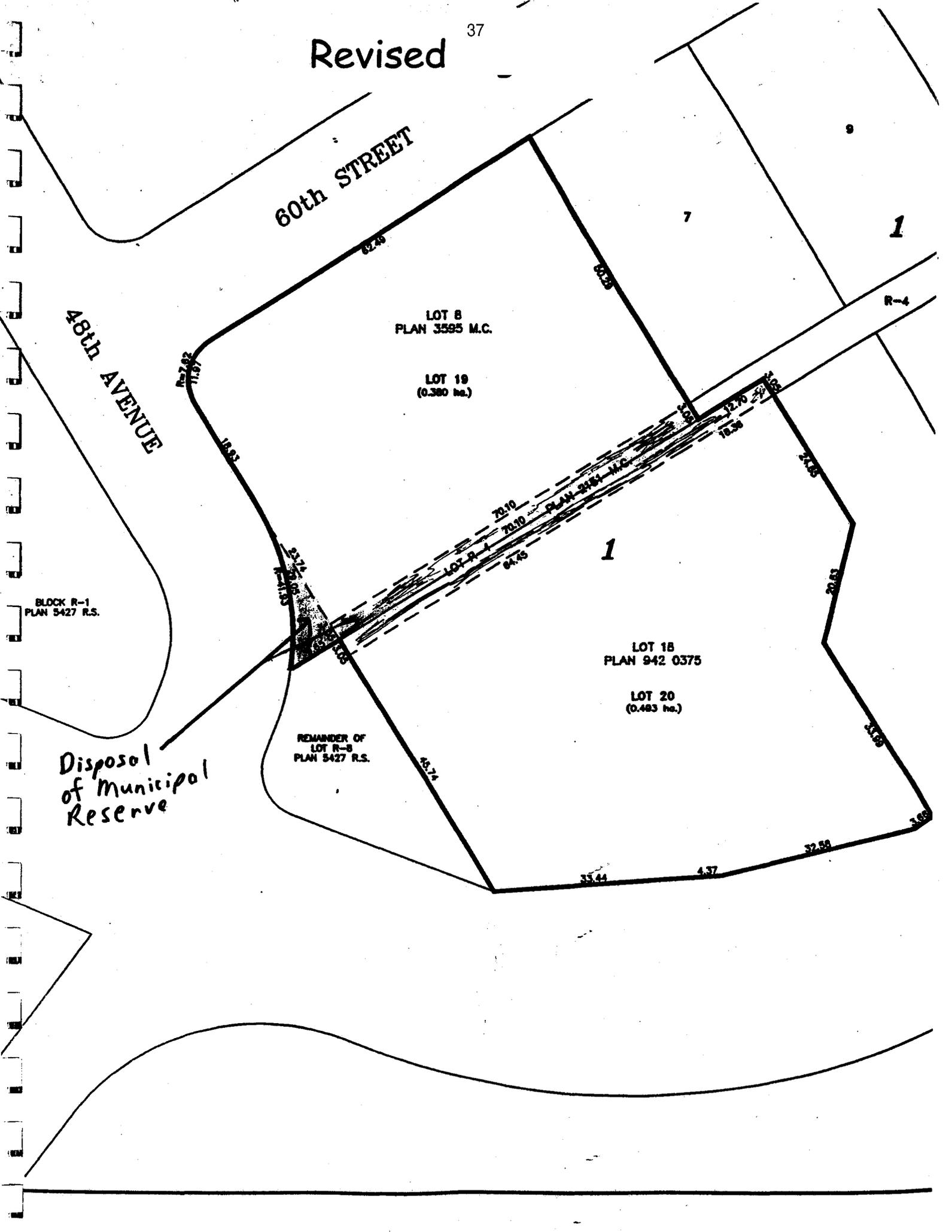
LOT 18
PLAN 942 0375

LOT 20
(0.483 ha.)

REMAINDER OF
LOT R-8
PLAN 5427 R.S.

Disposal
of Municipal
Reserve

BLOCK R-1
PLAN 5427 R.S.



DISPOSAL OF MUNICIPAL RESERVE

DESCRIPTION: Sale of CN-R of rd to Hillman
Holdings + My-Jax Holdings (Trifty Rentals)

COUNCIL INTENTION TO DISPOSAL OF MR: July 5

DATE OF FIRST PUBLICATION: July 16

DATE OF SECOND PUBLICATION: July 23

POSTING OF SITE: _____

PUBLIC HEARING: Aug. 3/99

LETTERS REQUIRED TO PROPERTY OWNERS: YES ~~_____~~ NO ✓
200/200

DEPOSIT REQUIRED: NO _____ YES ✓ AMOUNT \$ _____

ACTUAL COST OF ADVERTISING: \$ 252.52

ACTUAL COST OF ADVERTISING: \$ 252.52

MAP PREPARATION: \$ 30.40

TOTAL \$ 535.44

REFUND _____ INVOICE ✓ 1/2 to each
\$ _____
Hillman paid \$ 200.00

COMPLETED

Office of the City Clerk

July 22, 1999

Mr. Gordon Hillman
Hillman Holdings Inc.
6201 - 46 Avenue
Red Deer, AB T4N 6Z1

Hi-Jan Holdings Ltd.
c/o Thrifty Rentals
5205 - 54 Avenue
Red Deer, AB T4N 5K5

Dear Sirs:

Re: Disposal of Municipal Reserve - Riverside Light Industrial Area - Land Sale Lot R4, Block 1, Plan 2151 MC and Lot R8, Block 1, Plan 5427 RS

Disposal of the above Municipal Reserver lands to accommodate sale of same to you was advertised in our local newspaper on July 16th and July 23rd, 1999. The sites were posted on Friday, July 16th.

The City Clerk requested a \$200.00 deposit from each of you toward the actual costs of advertising. I did receive a cheque in the amount of \$200.00 from Hillman Holdings and acknowledge receipt of same. As of this date I have not received the \$200.00 deposit from Hi-Jan Holdings Ltd.

The actual costs of advertising are as follows:

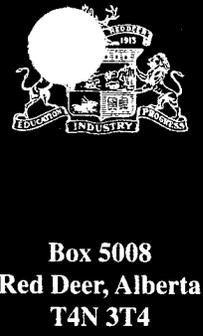
| | | |
|---|----------|--------------|
| July 16 th Advertising charged by the Advocate | - | \$252.52 |
| July 23 rd Advertising charged by the Advocate | - | \$252.52 |
| Map Preparation | - | <u>30.40</u> |
| | | \$535.44 |
| One half owing by Hillman Holdings is | \$267.72 | |
| Paid by Hillman Holdings | \$200.00 | |
| Balance owing by Hillman Holdings | | \$ 67.72 |
| One half owing by Hi-Jan Holdings is | | \$267.72 |

I enclose herewith an Invoice to each of you in the amounts owing. If you have any questions, please do not hesitate to contact me at 342-8135.

Yours truly,

Sandra Ladwig

SANDRA LADWIG
Administrative Assistant
Advertising
City Clerk's Department



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer



THE CITY OF RED DEER RECEIPT

RECEIVED FROM HILLMAN HOLDINGS \$200.00

99/07/13
YY MM DD

THE SUM OF TWO HUNDRED /xx Dollars

DESCRIPTION DISPOSAL OF MUNICIPAL RESERVE - RIVERSIDE INDUSTRIAL

LIGHT

A

| | Account Number (Cost Centre.Object.Subsidiary) | Subledger | T | Asset ID No. | Amount |
|-----------|---|-----------|---|--------------|--------|
| G.L. DIST | 59.5901 | | | | 200.00 |
| G.L. DIST | | | | | |
| G.L. DIST | | | | | |
| G.L. DIST | | | | | |
| G.L. DIST | | | | | |
| G.L. DIST | | | | | |
| G.S.T. | 2.3210 | | | | |

GST Registration #R119311785

For Deposit Only to
City of Red Deer

JUL 13 1999

Bank of Montreal
Main Br. Red Deer, AB
001-55519-1065-001

Not Valid Unless Machine Printed

Office of the City Clerk

July 7, 1999

Mr. Gordon Hillman, President
Hillman Holdings Inc.
6201 - 46 Avenue
Red Deer, AB T4N 6Z1

Dear Sir:

Re: Disposal of Municipal Reserve - Riverside Light Industrial

At The City of Red Deer's Council meeting held Monday, July 5, 1999, Council passed a resolution agreeing to consider the Disposal of Municipal Reserve, as noted above, at their meeting to be held Tuesday, August 3, 1999.

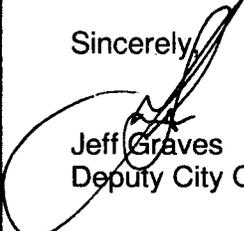
If Council agrees to the Disposal of Municipal Reserve as noted above, the right-of-way would be divided equally, sold and consolidated with the adjacent properties. The CN Rail no longer uses the portion of right-of-way under consideration.

This office will now proceed with the advertising for a Public Hearing to be held on Tuesday, August 3, 1999 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

As discussed with the Land and Economic Development Department, you will be responsible for half of the advertising costs regarding the Disposal of Municipal Reserve. The other half will be charged to the other purchaser. Please deposit with the City Clerk, prior to public advertising, an amount equal to half the estimated cost of advertising, which in this instance is \$400. Your portion will be \$200.00. We require this deposit by no later than 10:00 a.m., Wednesday, July 14, 1999 in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

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

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Land and Economic Development Manager
Principal Planner
Administrative Assistant, S. Ladwig

ADVERTISING

CHEQUE IS
BEING MAILED
TODAY
JUL 12/99

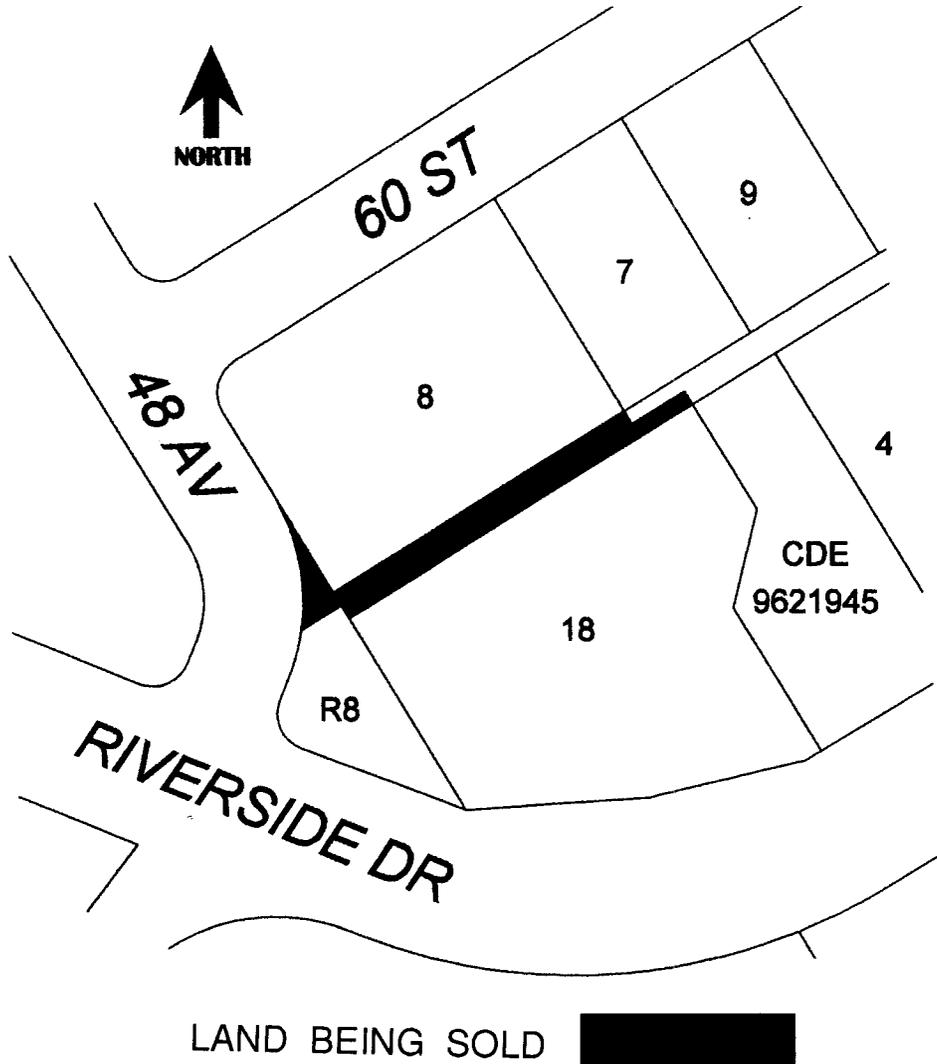
The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4





THE CITY OF RED DEER
BOX 5008 or 4814 - 48 AVENUE
RED DEER, AB T4N 3T4



DISPOSAL OF MUNICIPAL RESERVE
RIVERSIDE LIGHT INDUSTRIAL

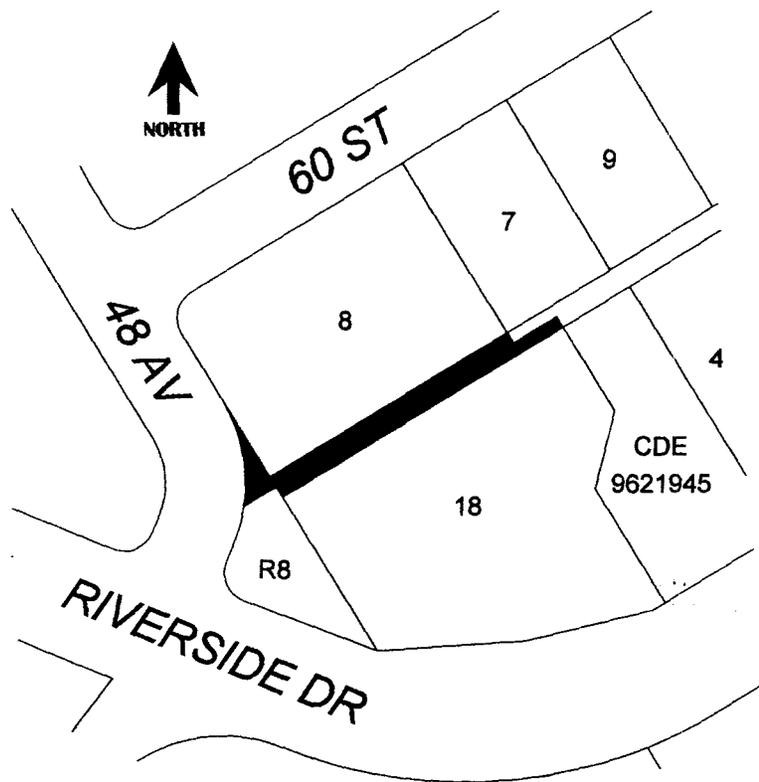
Council of The City of Red Deer, at its meeting of July 5, 1999, passed a resolution indicating its intention to dispose of the Municipal Reserve lands as outlined in the above-noted map. Property owners adjacent to the railway right-of-way, formerly used by CN Rail, have requested that they be allowed to purchase the land at market value. The properties are described as:

"All that portion of Lot R-4, Block 1, Plan 2151 MC lying within Plan 992-____ containing 0.047 ha more or less, and

All that portion of Lot R-8, Block 1, Plan 5427 RS lying within Plan 992-____, containing 0.008 hectares more or less."

The Council of The City of Red Deer will hold a Public Hearing in the Council Chambers of City Hall, Red Deer, on **Tuesday, August 3, 1999, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions are also acceptable if received by the City Clerk no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing.

KELLY KLOSS
 CITY CLERK



LAND FOR SALE 

(“MAP”)

**DISPOSAL OF MUNICIPAL RESERVE
RIVERSIDE LIGHT INDUSTRIAL**

Council of The City of Red Deer, at its meeting of July 5, 1999, passed a resolution indicating its intention to dispose of the Municipal Reserve lands as outlined in the above-noted map. Property owners adjacent to the railway right-of-way, formerly used by CN Rail, have requested that they be allowed to purchase the land at market value. The properties are described as:

“All that portion of Lot R-4, Block 1, Plan 2151 MC lying within Plan 992-____ containing 0.047 ha more or less, and

All that portion of Lot R-8, Block 1, Plan 5427 RS lying within Plan 992-____, containing 0.008 hectares more or less.”

The Council of The City of Red Deer will hold a Public Hearing in the Council Chambers of City Hall, Red Deer, on **Tuesday, August 3, 1999, at 7:00 p.m.**, for the purpose of hearing any person claiming to be affected. Letters or petitions are also acceptable if received by the City Clerk no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing.

KELLY KLOSS
CITY CLERK

(Publication Dates: July 16th and July 23rd, 1999.)

60th STREET

48th AVENUE

LOT 8
PLAN 3595 M.C.

LOT 19
(0.380 ha.)

LOT 18
PLAN 942 0375

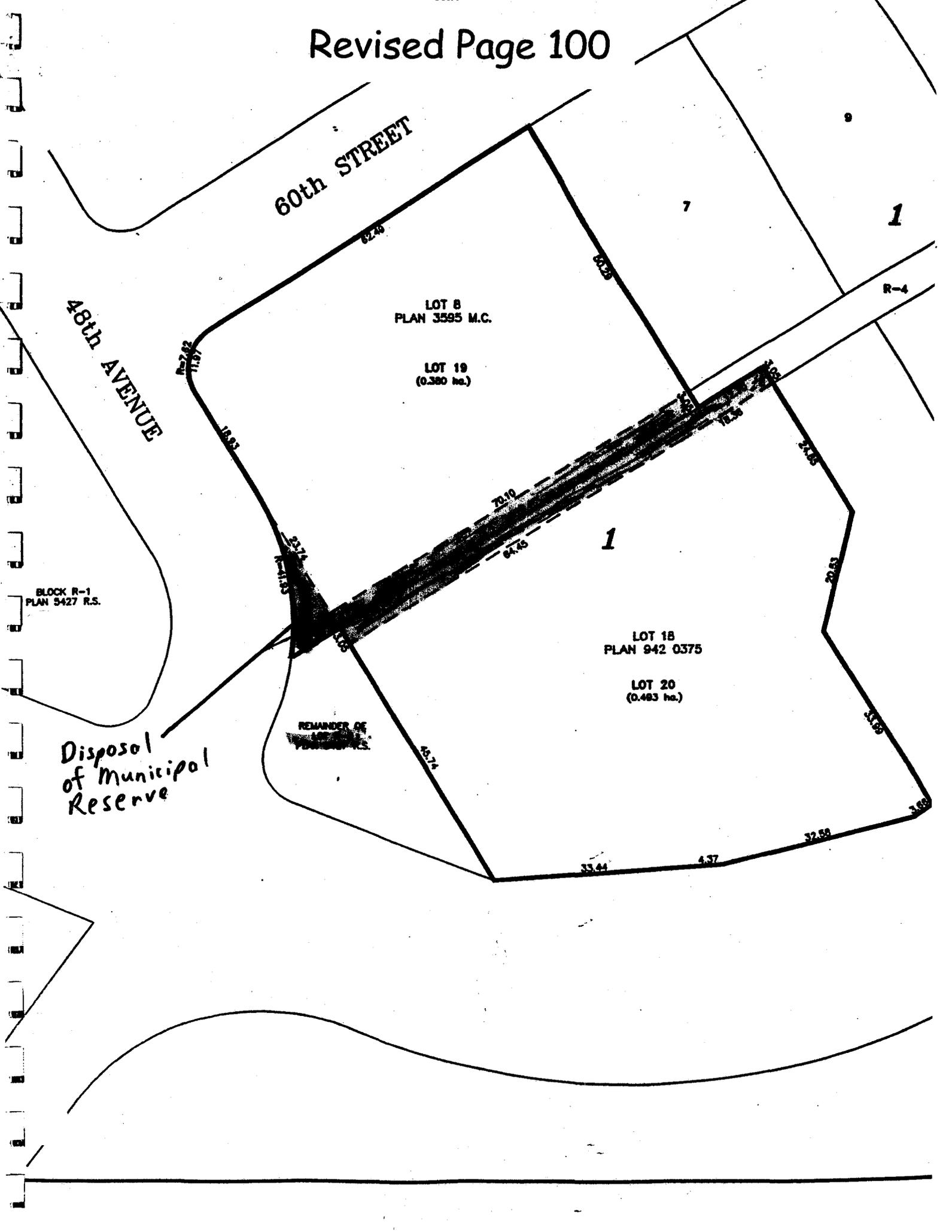
LOT 20
(0.483 ha.)

REMAINDER OF
PLAN 942 0375

*Disposal
of Municipal
Reserve*

BLOCK R-1
PLAN 5427 R.S.

R-4



Memo

DATE: June 25, 1999

TO: Kelly Kloss, City Clerk

FROM: Alan Scott, Land & Economic Development Manager

RE: **SALE OF MUNICIPAL RESERVE AND FORMER RAIL RIGHT-OF-WAY
RIVERSIDE LIGHT INDUSTRIAL**

Property owners adjacent to a rail right-of-way, formerly used by CN Rail, have requested they be allowed to purchase the land, as it is no longer used for rail activities. Should Council agree, the right-of-way would be divided equally, sold and consolidated with the adjacent properties. The right-of-way is zoned Municipal Reserve and, as such, requires Council approval for the sale. The portion of right-of-way under consideration is no longer in use by CN Rail, and they have provided us with written approval of the disposal. Both property owners have agreed to purchase one-half of the right-of-way at market value.

In addition, the property owner to the north has expressed his interest in acquiring a small portion of the municipal reserve located to the west, in order to provide physical access to the new rear yard. Attached correspondence from the Recreation, Parks & Culture Manager supports the sale, with the proceeds to be credited to the Public Reserve Trust Fund.

Recommendation

The Land and Economic Development Department recommends that Council pass Bylaws for the disposal of Municipal Reserve as follows:

"All that portion of Lot R-4, Block 1, Plan 2151 MC lying within Plan 992-_____,
containing 0.047 hectares, more or less, excepting thereout all mines and minerals.

and

All that portion of Lot R-8, Block 1, Plan 5427 RS lying within Plan 992-_____,
containing 0.008 hectares, more or less, excepting thereout all mines and minerals."

Conditions of the sale are:

1. Purchasers purchasing the land at market value and being responsible for all costs associated with the subdivision and consolidation.
2. Proceeds from the sale of the Municipal Reserve to be credited to the Public Reserve Trust Fund.
3. An agreement satisfactory to the City Solicitor.

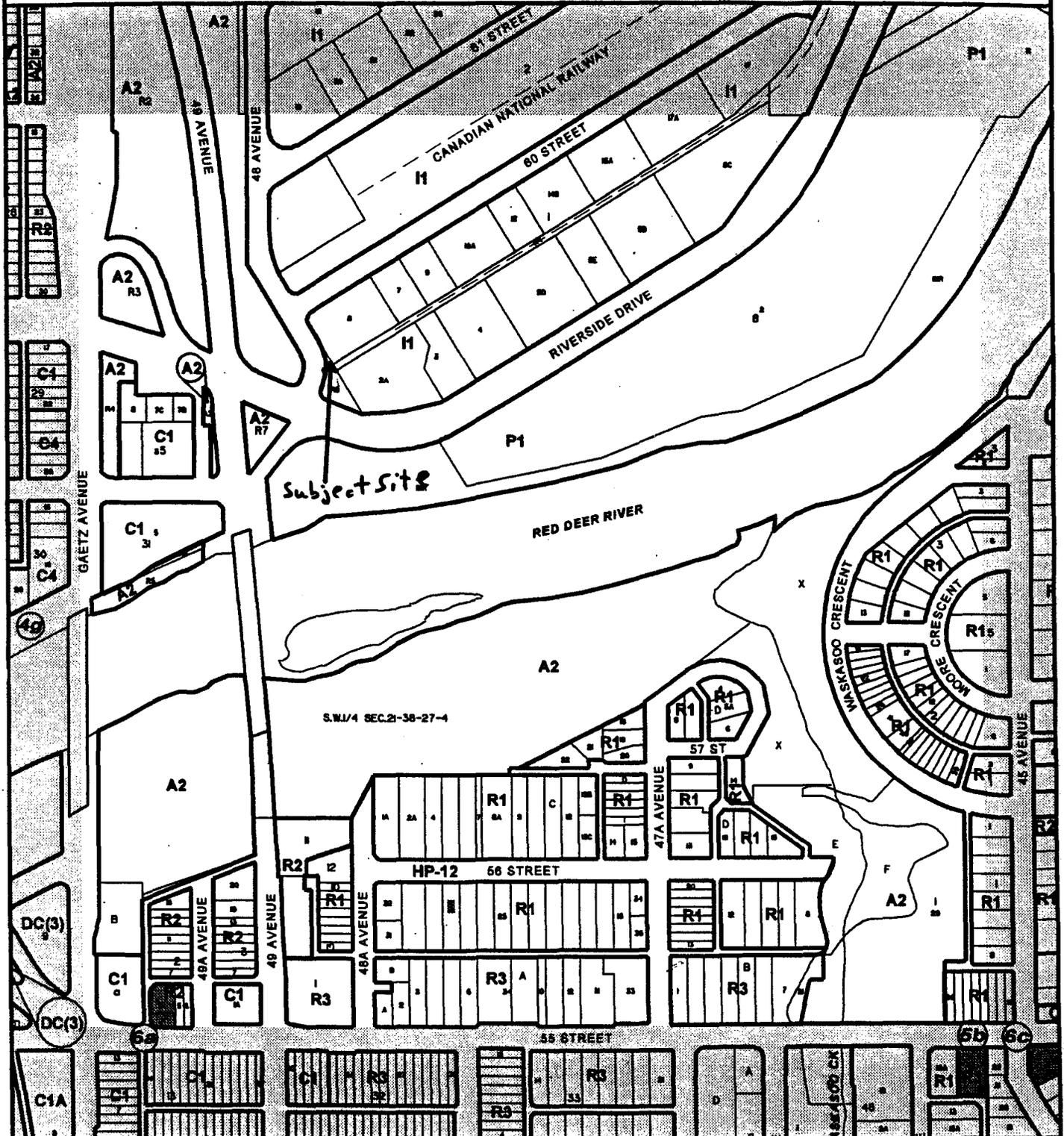
Respectfully submitted,



Alan V. Scott
mm
Att.

THE CITY OF RED DEER AND USE BYLAW LAND USE DISTRICTS

G10



BYLAW NUMBER - 3156/96

AMENDMENTS:

SEE SECTION SIX FOR
LANDUSE DISTRICT DEFINITIONS

| | | |
|-----|-----|-----|
| F11 | G11 | H11 |
| F10 | G10 | H10 |
| F9 | G9 | H9 |



SCALE 1:5000
29-APR-1996

S.W. 1/4 -21-38-27-4

DATE: JULY 6, 1999
TO: TONY WOODS, DRAFTING
FROM: SANDRA LADWIG, CITY CLERKS
RE: DISPOSAL OF MUNICIPAL RESERVE LANDS
LOT R4, BLOCK 1, PLAN 2151 MC
LOT R8, BLOCK 1, PLAN 5427 RS

JUL - 8 1999

Tony

At the Council meeting of July 5, 1999, Council agreed to disposal of:

"All that portion of Lot R-4, Block 1, Plan 2151 MC lying within Plan 992-
_____ containing 0.047 ha more or less, and

All that portion of Lot R-8, Block 1, Plan 5427 RS lying within Plan 992-
_____, containing 0.008 hectares more or less."

which is the area I have highlighted in pink on the attached map. I enclose the material that was included in the Council Agenda.

Would you please do up a map for advertising purposes in the newspaper and for Posting of the sites.

I require this map by Tuesday, July 13, 1999. Thanks Tony.

Sandra
SANDRA LADWIG
Advertising

MAP PREPARATION

\$ 30.40

[Signature]

July 7/99.



Office of the City Clerk

July 7, 1999

Hy-Jan Holdings Ltd.
c/o Thrifty Rentals
5205 - 54 Avenue
Red Deer, AB T4N 5K5

Dear Sir:

Re: Disposal of Municipal Reserve - Riverside Light Industrial

At The City of Red Deer's Council meeting held Monday, July 5, 1999, Council passed a resolution agreeing to consider the Disposal of Municipal Reserve, as noted above, at their meeting to be held Tuesday, August 3, 1999.

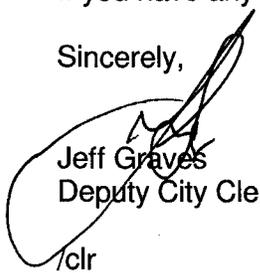
If Council agrees to the Disposal of Municipal Reserve as noted above, the right-of-way would be divided equally, sold and consolidated with the adjacent properties. The CN Rail no longer uses the portion of right-of-way under consideration.

This office will now proceed with the advertising for a Public Hearing to be held on Tuesday, August 3, 1999 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

As discussed with the Land and Economic Development Department, you will be responsible for half of the advertising costs regarding the Disposal of Municipal Reserve. The other half will be charged to the other purchaser. Please deposit with the City Clerk, prior to public advertising, an amount equal to half the estimated cost of advertising, which in this instance is \$400. Your portion will be \$200.00. We require this deposit by no later than 10:00 a.m., Wednesday, July 14, 1999 in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

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

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Land and Economic Development Manager
Principal Planner

~~Red Deer, Alberta, Canada~~

The City of Red Deer

Land and Economic Development Department

May 10, 1999

Hy-Jan Holdings Ltd.
c/o Thrifty Rentals
5205 - 54 Avenue
Red Deer, AB T4N 5K5

Dear Sirs:

RE: RAILWAY RIGHT-OF-WAY EASEMENT

We wish to confirm our telephone discussions, in which we indicated a willingness to sell a portion of the railway right-of-way easement situated adjacent to your property. The easement is 20 feet in width, and we have been advised by CN Rail that they would support the sale of the western most portion of the easement, which consists of approximately 230 feet in length.

In order to proceed with the sale, we must obtain City Council approval for the disposal, advertise our intentions, and complete a legal survey and subdivision consolidating the easement with your property. As both property owners are interested in acquiring a portion of the right-of-way, it would be divided equally into ten foot widths.

We have established a value of 80 cents per square foot on the land. In addition, you would be responsible for your portion of the advertising and subdivision costs, which we estimate at approximately \$1750.

We require a written confirmation of your willingness to purchase this land, in order to proceed with steps necessary to complete the transaction. Please indicate your willingness by signing the original copy of this letter and returning it to my attention.

If you have any questions, please do not hesitate to contact me at 342-8105.

Sincerely,


Alan V. Scott
Land and Economic Development Manager

AVS/mm

RECEIVED
MAY 18 1999
CITY OF RED DEER

- I agree to acquire one-half of the CN Rail right-of-way easement adjacent to my property.
- I agree to purchase the land in question at 80 cents per sq. ft. and assume responsibility for costs associated with advertising the sale and plan of subdivision.

Per: 

Date: 05/12/99

The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4





Office of the City Clerk

July 7, 1999

Mr. Gordon Hillman, President
Hillman Holdings Inc.
6201 - 46 Avenue
Red Deer, AB T4N 6Z1

Dear Sir:

Re: Disposal of Municipal Reserve - Riverside Light Industrial

At The City of Red Deer's Council meeting held Monday, July 5, 1999, Council passed a resolution agreeing to consider the Disposal of Municipal Reserve, as noted above, at their meeting to be held Tuesday, August 3, 1999.

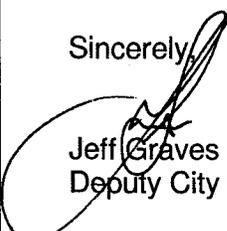
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If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

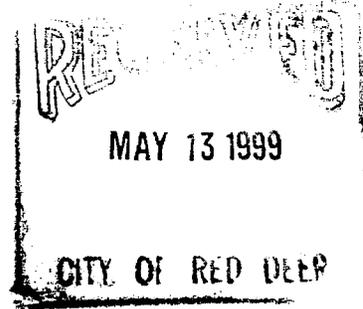
c Land and Economic Development Manager
Principal Planner
Administrative Assistant, S. Ladwig

The City of Red Deer



Land and Economic Development Department

May 10, 1999



Mr. Gordon Hillman, President
Hillman Holdings Inc.
6201 - 46 Avenue
Red Deer, AB T4N 6Z1

Dear Mr. Hillman:

RE: RAILWAY RIGHT-OF-WAY EASEMENT

We wish to confirm our telephone discussions, in which we indicated a willingness to sell a portion of the railway right-of-way easement situated adjacent to your property. The easement is 20 feet in width, and we have been advised by CN Rail that they would support the sale of the western most portion of the easement, which consists of approximately 230 feet in length.

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We have established a value of 80 cents per square foot on the land. In addition, you would be responsible for your portion of the advertising and subdivision costs, which we estimate at approximately \$1750.

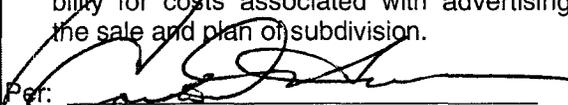
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Sincerely,

Alan V. Scott
Land and Economic Development Manager

AVS/mm

| |
|---|
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| Per:  |
| Date: <u>May 11/99</u> |

The City of Red Deer

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Land and Economic Development Manager
FROM: City Clerk
RE: Disposal of Municipal Reserve - Riverside Light Industrial

Reference Report: Deputy City Clerk dated July 7, 1999

Resolution:

Resolved that Council of The City of Red Deer, having considered report from the Land & Economic Development Manager re: Sale of Municipal Reserve - Riverside Light Industrial, agrees to the disposal of municipal reserve lands described as:

“All that portion of Lot R-4, Block 1, Plan 2151 MC within Plan 992- _____, containing 0.047 hectares, more or less. Excepting thereout all mines and minerals

and

All that portion of Lot R-8, Block 1, Plan 5427 RS, lying within Plan 992- _____, containing 0.008 hectares, more or less. Excepting thereout all mines and minerals. “

Report Back to Council Required: No

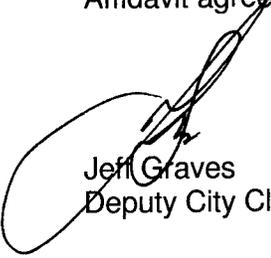
Comments/Further Action:

The CN Rail no longer uses this portion of right-of-way. They have provided The City with written approval of the disposal. Both property owners have agreed to purchase one-half of the right-of-way at market value.

In addition, the property owner to the north has expressed interest in acquiring a small portion of the municipal reserve located to the west in order to provide physical access to the new rear yard.

Land and Economic Development Manager
August 4, 1999
Page 2

I have attached copies of the letters forwarded to both Hillman Holdings Inc. and Hy-Jan Holdings Ltd. advising them of Council's decision. Also attached for your information is an Affidavit agreeing to the disposal of the noted municipal reserve.



Jeff Graves
Deputy City Clerk

/clr
attchs.

- c Director of Community Services
- Director of Development Services
- E. L. & P. Manager
- Emergency Services Manager
- City Assessor
- Principal Planner
- Public Works Manager
- Administrative Assistant, S. Ladwig

| | | |
|---------------------|---|------------------------------|
| CANADA |) | |
| |) | IN THE MATTER OF SECTION 674 |
| PROVINCE OF ALBERTA |) | |
| |) | OF THE MUNICIPAL GOVERNMENT |
| TO WIT: |) | |
| |) | ACT, 1994, CHAPTER M-26.1 |

I, Jeff Graves, of the City of Red Deer, in the Province of Alberta, DO SOLEMNLY DECLARE:

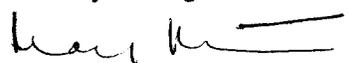
1. THAT I am the duly appointed Deputy City Clerk of The City of Red Deer and its proper designated officer in this behalf.
2. THAT the Council of The City of Red Deer wishes to dispose of a municipal reserve.
3. THAT The City of Red Deer has complied with the provisions of Section 674 of the Municipal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

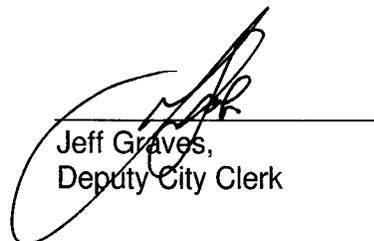
Resolved that Council of The City of Red Deer, having considered report from the Land & Economic Development Manager re: Sale of Municipal Reserve - Riverside Light Industrial, agrees to the disposal of municipal reserve lands described as:

“All that portion of Lot R-4, Block 1, Plan 2151 MC within Plan 992- _____, containing 0.047 hectares, more or less. Excepting thereout all mines and minerals
and
All that portion of Lot R-8, Block 1, Plan 5427 RS, lying within Plan 992- _____, containing 0.008 hectares, 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 4th day of August, A.D. 1999.




Jeff Graves,
Deputy City Clerk

A COMMISSIONER FOR OATHS IN AND FOR THE PROVINCE OF ALBERTA

May Mitchell, Commissioner for Oaths in and for the Province of Alberta. My Commission Expires the 23 day of May, 2000

FILE

Office of the City Clerk

August 4, 1999

Mr. Gordon Hillman, President
Hillman Holdings Inc.
6201 - 46 Avenue
Red Deer, AB T4N 6Z1

Dear Sir:

Re: Disposal of Municipal Reserve - Riverside Light Industrial

At The City of Red Deer's Council meeting held Tuesday, August 3, 1999, Council passed the following resolution agreeing to the Disposal of Municipal Reserve:

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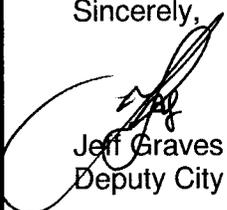
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and

All that portion of Lot R-8, Block 1, Plan 5427 RS, lying within Plan 992- _____, containing 0.008 hectares, more or less. Excepting thereout all mines and minerals. "

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

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Land and Economic Development Manager
Principal Planner
Administrative Assistant, S. Ladwig

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer



FILE

Office of the City Clerk

August 4, 1999

Hy-Jan Holdings Ltd.
c/o Thrifty Rentals
5205 - 54 Avenue
Red Deer, AB T4N 5K5

Dear Sir:

Re: Disposal of Municipal Reserve - Riverside Light Industrial

At The City of Red Deer's Council meeting held Monday, July 5, 1999, Council passed the following resolution agreeing to the Disposal of Municipal Reserve, as noted above:

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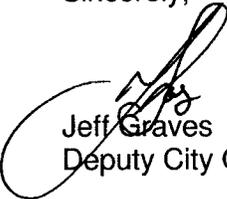
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If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Land and Economic Development Manager
Principal Planner
Administrative Assistant, S. Ladwig

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer



DATE: July 26, 1999

TO: City Clerk

FROM: Engineering Services Manager

**RE: LOCAL IMPROVEMENT - CONSTRUCT WATER AND SANITARY
SEWER MAINS, INCLUDING ROADWAY PAVING ON GOLDEN WEST
AVENUE SOUTH OF 67 STREET Local Improvement Bylaw 3241/99**

History

In March 1999, the Engineering Services Department was contacted by Superior Emergency Equipment and Robust Industries requesting information regarding the cost of constructing water and sanitary sewer mains to service their properties. Information was provided to each property owner. Both Superior Emergency Equipment and Robust Industries sent in letters in support of this work being completed as a Local Improvement. Hayalta Farm Equipment Ltd. indicated that they were not in favour of the Local Improvement costs. This indication involved two of the six parcels.

On April 20, 1999, The City received an Offer to Purchase from Leasak Construction Ltd. for The City of Red Deer parcel of land. A condition of the offer is that the site be serviced with water and sanitary sewer. The purchaser has agreed to purchase the land at market value for serviced land, which would include that parcel's share of the Local Improvement cost.

Current Situation

Based on our report (copy attached) submitted to Council at the May 25, 1999 Council meeting, instruction was given for the Administration to prepare a local improvement plan.

An Engineering Consultant was engaged to complete the design and prepare an estimate of the total project cost. We have determined the costs applicable to the properties benefiting from the local improvement in accordance with the procedures contained in the Municipal Government Act.

Based on financing information received from the Director of Corporate Services, we have calculated the local improvement rates applicable to each of the properties. On June 1, 1999, Notices of Intent to Construct a Local Improvement were mailed to the affected property owners.

The Notice of Intent advised that the property owners had 30 days to submit a petition against the project. A copy of the notification sent to the property owners is appended for your information. At the expiration of the 30 day petition period, it was noted that one property owner (who owns Lots 16 and 17, Plan 962-1732) has responded in writing, objecting to the local improvement. This is the same property owner that indicated that he was not in favour of this project at the initiation stage. Copies of the recent letters of objections from Hayalta Farm Equipment are attached.

City Clerk
Page 2
July 26, 1999

The following table summarizes the preceding comments:

| Property Owner | Legal Description | No Objection to Project Received | | Objections to Project Received | |
|---|--------------------------------|----------------------------------|-----------|--------------------------------|-----------|
| | | Number | Area (ha) | Number | Area (ha) |
| HayAlta Farm Equipment Ltd. | Lot 16, Plan 962-1732 | | | 1 | 0.599 |
| HayAlta Farm Equipment Ltd. | Lot 17, Plan 962-1732 | | | 1 | 0.564 |
| Robust Investments Ltd. | Lot 6, Plan 6150 MC | 1 | 1.214 | | |
| Superior Emergency Vehicles Ltd. | Lot 14, Plan 862-1342 | 1 | 0.735 | | |
| Superior Emergency Vehicles Ltd. | Lot 15 Plan 862-1342 | 1 | 1.288 | | |
| City of Red Deer (Leasak Construction Ltd. Offer to Purchase) | Lot 24, Block 2, Plan 982-3721 | N/A | N/A | N/A | N/A |
| Total Number of Owners/Areas | | 3 | 3.237 | 2 | 1.163 |
| | | 60% | 74% | 40% | 26% |

The Municipal Government Act states as follows:

Article 392 (2): A petition is not a sufficient petition unless:

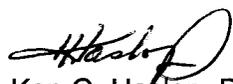
- a. it is signed by 67% of the owners who would be liable to pay the local improvement tax, and
- b. the owners who sign the petition represent at least 50% of the value of the assessments prepared under part 9 for the parcels of land in respect of which the tax will be imposed.

Note: For this project, an area assessment was used which is based on the parcel size only. This is typical of past procedures in industrial areas.

Article 392 (4): land owned by a municipality is not to be counted to determine the validity of a petition.

RECOMMENDATION

Based on the administrative interpretation of the Municipal Government Act and objections received, we believe that the local improvement is still desired by the majority and would recommend that Council approve the local improvement for the construction of sanitary sewers, water mains and paved roadway.

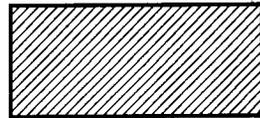


Ken G. Haslop, P. Eng.
Engineering Services Manager

SS/emr

Att.

- c. Director of Corporate Services
- c. Tax Coordinator



OBJECTION TO PROJECT



Subsidiary of Emergency One, Inc.

May 12, 1999

Sybren Spyksma
Subdivision Administrator
Engineering Department
City of Red Deer
Box 5008
Red Deer, Alberta
T4N 3T4
By Fax: 342-8211

Dear Sir:

Further to our recent telephone conversations, this is to confirm that local management for Superior Emergency Vehicles Ltd. is willing to pay for our share of the installation of city sewer and water services on Golden West Ave. Such a capital expenditure would have to be approved by our head office, however, we do not anticipate any difficulty in obtaining such approval.

Should you have any questions, please call.

Yours truly,

Paul Sim
General Manager

**ROBUST INVESTMENTS LTD
6450 GOLDEN WEST AVENUE
RED DEER, AB T4P 1A6
403-340-9825**

April 23, 1999

The City of Red Deer
Box 5008
Red Deer, AB T4N 3T4

Attention: Sybren Spyksma

Dear Sir

RE: Water and Sanitation Services

We confirm that we are willing to proceed with the construction of the water and sanitation main in the Southern Golden West Avenue Area as a local improvement project to service our property at 6450 Golden West Avenue.

If you have any questions please contact the writer or Ken Embury at our office.

Yours Truly
ROBUST INVESTMENTS LTD.



Dan Jefferies C.A.

Mr Allan Scott, Manager
Land and Economic Development Department
City of Red Deer

April 26th, 1999

Re: Lot 24; Block 2; Plan 982 3721

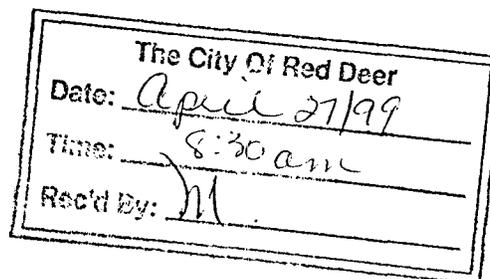
Please accept this letter as our agreement to a Local Improvement for the installation of services on Golden West Avenue South and along the frontage of the above lot.

Our portion of the above costs to be paid by the City of Red Deer which was included in the purchase price of the above Lot.

L. Leasak Construction Ltd.



Larry Leasak, President



July 27, 1999

To: City Clerk

From: Director of Financial Services

**RE: LOCAL IMPROVEMENT BYLAW 3241/99
CONSTRUCT WATER AND SANITARY SEWER MAINS, INCLUDING
ROADWAY PAVING ON GOLDEN WEST AVENUE SOUTH OF 67TH
STREET AS A LOCAL IMPROVEMENT**

Council approval is requested for the above. The location is on Golden West Avenue from 67 Street Service Road south.

The financing for this local improvement will be from the Tax Stabilization Reserve rather than debenture borrowing. The property owners will repay the local improvement over 20 years at 5.50% interest.

Subject to approval of all members of Council, the bylaw can receive three readings at one meeting.

Requested Action

Approval of Bylaw No. 3241/99 is requested.



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

Att.

c.c. Engineering Services Manager

DATE: May 17, 1999

TO: City Clerk

FROM: Engineering Department Manager

RE: **Local Improvement - Construct Water and Sanitary Sewer Mains, Including Roadway Paving On Golden West Avenue South of 67 Street**

The properties in the Golden West Industrial Park, including those fronting onto Golden West Avenue south of 67 Street were subdivided in the 1960's when water and sanitary sewer mains were not available to service this area. The six parcels of land on Golden West Avenue South (outlined on the attached drawing) are the only properties that have not been serviced.

The two properties fronting onto the 67 Street Service Road (cross-hatched on the attached drawing) received a relaxation as to when they are required to connect to the existing mains and to pay their Local Improvement contributions as shown in the attached correspondence to Allstar Excavating Ltd. (Twin Tractor) and HayAlta Farm Equipment Ltd.

In March 1999, the Engineering Department was contacted by Superior Emergency Equipment and Robust Industries requesting information regarding the cost of constructing water and sanitary sewer mains to service their properties. The requested information was provided to each property owner. Both Superior Emergency Equipment and Robust Industries have sent in letters in support of the Local Improvement project (see attached letters). Hayalta Farm Equipment Ltd. indicated that they were not in favor of the Local Improvement costs.

On April 20, 1999, the City received an Offer to Purchase from Leasak Construction Ltd. for The City of Red Deer parcel of land. A condition of the offer is that the site be serviced with water and sanitary sewer. The purchaser has agreed to purchase the land at market value for serviced land, which would include that parcel's share of the Local Improvement cost (see attached letter).

The following table summarizes the preceding comments:

| Property Owner | Legal Description | In Favour of Project | | Not In Favour of Project | |
|--|--------------------------------|----------------------|-------|--------------------------|-------|
| | | | | | |
| HayAlta Farm Equipment Ltd. | Lot 16, Plan 962-1732 | | | 1 | 0.599 |
| HayAlta Farm Equipment Ltd. | Lot 17, Plan 962-1732 | | | 1 | 0.564 |
| Robust Investments Ltd. | Lot 6, Plan 6150 MC | 1 | 1.214 | | |
| Superior Emergency Vehicles Ltd. | Lot 14, Plan 862-1342 | 1 | 0.735 | | |
| Superior Emergency Vehicles Ltd. | Lot 15 Plan 862-1342 | 1 | 1.288 | | |
| Leasak Construction Ltd. Offer to Purchase City Land | Lot 24, Block 2, Plan 982-3721 | 1 | 1.833 | | |
| Total Number of Owners/Areas | | 4 | 5.070 | 2 | 1.163 |
| | | 67% | 81% | 33% | 19% |

City Clerk
 May 14, 1999
 Page 2

Construction of the water main, sanitary sewer main, and paving of the roadway is estimated to cost approximately \$303,500. Recoveries would be as follows:

- | | | |
|----|---|-----------|
| 1. | From the benefiting properties on Golden West Avenue | \$177,500 |
| 2. | From the two parcels fronting onto the 67 Street Service Road when they connect to the existing water and sanitary sewer main (see attached resolutions of Council) | \$79,000 |
| 3. | From the Subdivision Development Reserve Account | \$47,000 |

The method of calculating the recoveries and financing of the outstanding balance has been reviewed and approved by the Director of Finance.

RECOMMENDATION

We respectfully recommend that:

1. A Local Improvement for constructing the water and sanitary sewer main, including paving of the roadway be initiated for Golden West Avenue south of 67 Street.
2. Council approve a budget of \$47,000 from the Subdivision Development Reserve Account to cover the outstanding balance.

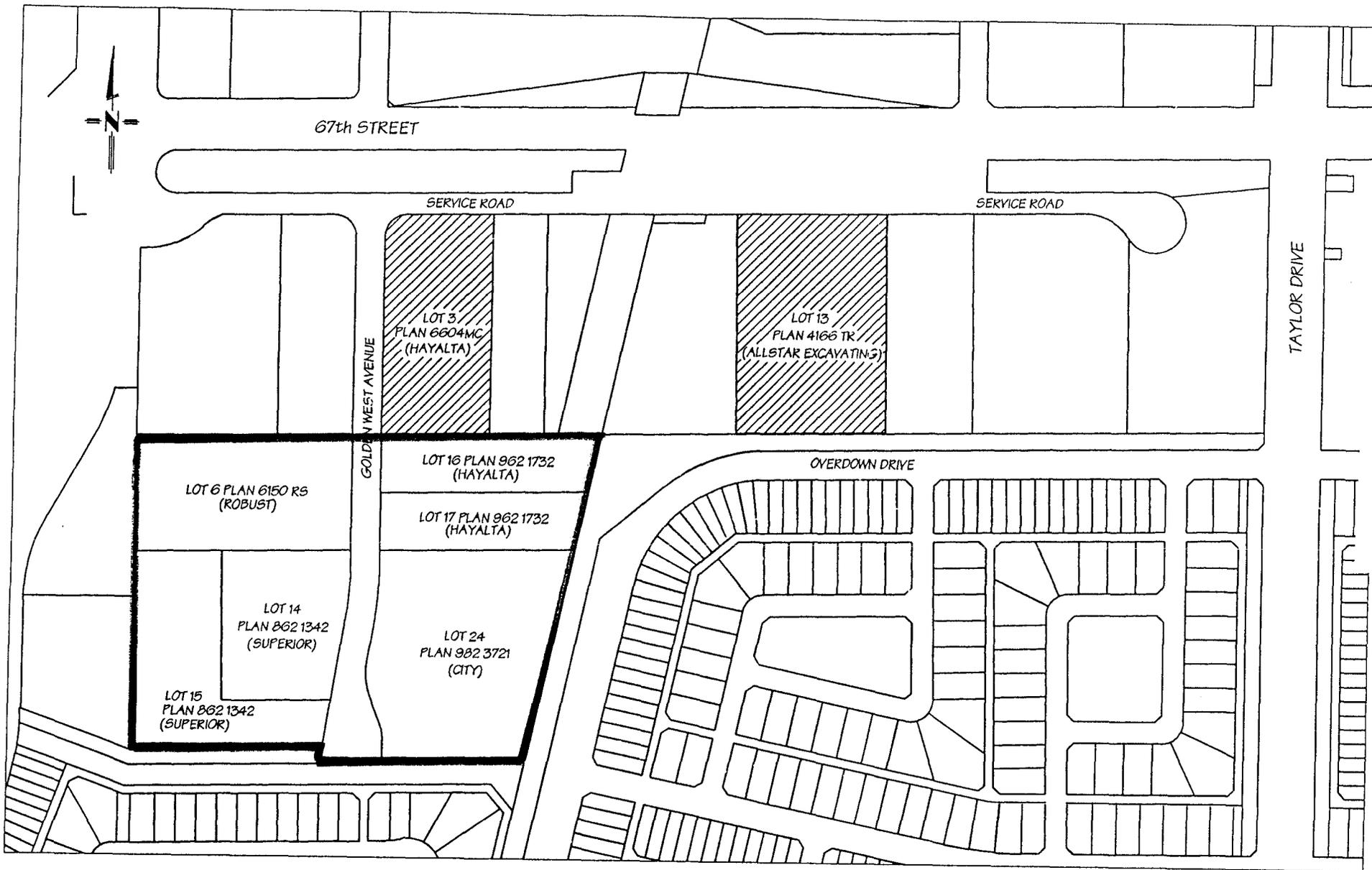


Ken G. Haslop, P. Eng.
 Engineering Services Manager

SS/ccs

Atts.

- c. Director of Financial Services
- c. City Assessor
- c. Land and Economic Development Manager





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

February 1, 1994

FEB 03 1994

Twin Tractor Ltd.
3555-46 Avenue, S.E.
Calgary, Alberta
T2B 3B3

Att: John Monteith, President

Dear Sir:

RE: CONNECTION OF SERVICES (6511-67 STREET)
LOT 13, PLAN 4166 T.R.

At the Council Meeting of the City of Red Deer held on Monday, January 31, 1994, consideration was given to your letter dated January 5, 1994 concerning relaxation to connection of City services. At this meeting, the following motion was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Twin Tractor Ltd. dated January 5, 1994, re: Request for Relaxation of Connection of Services/6511-67 Street/Lot 13, Plan 4166 T.R., hereby approves a relaxation to Twin Tractor Ltd. regarding the requirement to connect to City sewer and water and payment of applicable offsite levies, at the above noted property, subject to the condition that if there is ever an expansion or alteration to the said property, that the water and sewer connections and applicable payments must be made at that time, and as presented to Council January 31, 1994."

... / 2



RED DEER

*a delight
to discover!*

110-003

FILE No.



THE CITY OF RED DEER

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

FAX: (403) 346-6195

City Clerk's Department 342-8132

July 8, 1992

Hayalta Farm Equipment Ltd.
6525 - 67 Street
RED DEER, Alberta
T4P 1A3

Attention: Robert Thrun
General Manager

Dear Sir:

RE: RELAXATION OF SERVICE CONNECTIONS AT 6525 - 67 STREET

At The City of Red Deer Council meeting held on Monday, July 6, 1992, consideration was given to your letter dated June 15, 1992 concerning the above topic and at which meeting the following motion was passed.

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Hayalta Farm Equipment Ltd. dated June 15, 1992 re: Request for Relaxation of Service Connections at 6525 - 67 Street, hereby approves a relaxation of the Utility Bylaw for service connections at 6525 - 67 Street, in this instance, subject to the condition that if there is ever an expansion or alteration to said property, that the water and sewer connections must be made at that time, and as recommended to Council July 6, 1992."

The decision of Council in this instance is submitted for your information. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

KELLY KLOSS
Assistant City Clerk

KK/jt

c.c. Director of Engineering Services

Director of Financial Services



1.0.1992 1

June 1, 1999

Name
Address

Dear Sir:

**RE: CONSTRUCTION OF WATER AND SANITARY SEWER MAINS, INCLUDING
RECONSTRUCTION OF THE EXISTING ROADWAY ON GOLDEN WEST
AVENUE SOUTH OF 67 STREET**

A. LOCAL IMPROVEMENT PROJECT

At the May 25, 1999 Council Meeting, Council approved the initiation of a Local Improvement for the construction of the above noted work. Attached is a Notice of Intention to Construct a Local Improvement that provides information on the charges applicable to your property based on a 20 year payment period or a "one-time" payment.

If you wish to object to this local improvement, please send a petition or letter to the **City Clerk** at The City of Red Deer. Your letter must clearly indicate that you do not want the local improvement to proceed. Please provide your name, signature, and the description of the property you represent. **Any response against the improvement must be received within 30 days of the date of this notice.**

In the event that an insufficient number of objections have been received opposing the proposed By-law as outlined in the attached Notice, Council will consider approval of this By-law on July 19, 1999.

B. SERVICE CONNECTIONS FROM MAIN TO PROPERTY LINE

Each property owner will be responsible for the cost of constructing the water and sanitary sewer service from the new mains to the property line of your parcel of land. A City representative will be contacting you in June to determine your property's service requirements (size, location, depth, etc.) and to provide you with the estimated cost for the service. The proposed service connections will be installed to the property line at the same time that the mains are constructed. Each property will be invoiced for the actual cost of installing the service to the property line.

Page 2
June 1, 1999

If the Local Improvement By-law is approved, you will be requested to sign the Service Application which will confirm the estimated cost of the service connection and other requirements. On signing the Service Application, the property owner must prepay 50% of the estimated cost of the service connection. Following substantial completion of the work, The City of Red Deer will invoice the property owner for the actual cost of construction, plus a 10% Engineering Fee, less the amount paid on signing of the Service Application.

C. SERVICE CONNECTIONS FROM PROPERTY LINE TO BUILDING

Each property owner will be responsible to construct the water and sanitary sewer service connections from the property line of their parcel of land to each building or existing connection point. You may undertake this work yourself or hire a plumbing firm to complete this work. Any existing water wells should be abandoned in accordance with Alberta Environment regulations. A Plumbing Permit, issued by The City of Red Deer Inspections Department, is required before any on-site work can be undertaken.

If you have any questions, please call Tom Warder or Sybren Spyksma at 342-8158.

Yours truly,

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

SS/emr
Att.

- c. Director of Corporate Services
- c. City Clerk
- c. Tax Coordinator

NOTICE**INTENTION TO CONSTRUCT A LOCAL IMPROVEMENT
IN THE CITY OF RED DEER**

Notice is hereby given that the Council of The City of Red Deer intends to undertake the construction of water and sanitary sewer mains, including reconstruction of the existing roadway on Golden West Avenue, south of 67 Street, as a Local Improvement in accordance with the provisions of Section 396 (1) of the Municipal Government Act, R.S.A., 1994, as amended.

1. The cost of the noted Local Improvement is \$303,500, of which the amount of \$47,000 is to be paid by The City, the amount of \$177,500 is to be paid by the benefiting property owners on Golden West Avenue, and the amount of \$79,000 is to be recovered from the two properties on 67 Street Service Road as per resolutions of Council passed July 6, 1992 and January 31, 1994. In addition, the applicable Water and Sanitary Off-site amount for each property will be charged. The Local Improvement and Off-site Levy amounts are to be paid by the benefiting property owners by special assessment as follows:
 - a. The cost of the local improvement will be repayable at an annual rate of \$2,382.99 per hectare of assessable area and the off-site levy will be repayable at an annual rate of \$948.51 per hectare of assessable area for a total assessment of \$3,331.50 per hectare of assessable area for a period of 20 years at a rate of interest not exceeding 5.5% per annum.
 - b. Alternately, the cost of the local improvement may be paid as a one-time payment at a rate of \$28,477.66 per hectare of assessable area and the off-site levy may be paid as a one-time payment at a rate of \$11,335 per hectare of assessable area for a total one-time payment of \$39,812.66 per hectare of assessable area.

The noted rates may be revised prior to the first payment for this project being due.

2. The following information and costs are applicable to your property, described as
 - a. The Legal Description of your property is <Field 4>.
 - b. The Civic Address of your property is <Field 3>.
 - c. The assessable area for your property is <Field 5> hectares.
 - d. The annual payment for each year of the 20 year payment period for your property would be <Field 7>.

Notice
Intention to Construct a Local Improvement
Page 2

- e. The one-time payment for your property would be **<Field 9>** and must be received prior to “Date of Notice plus one year”.
3. Where the property owner(s) proposes to make annual payments for the designated payment period, the owner(s) may pay the outstanding balance at any time, including any interest and penalties less any previously amount paid.
4. Council **will not** proceed with this local improvement project if the property owners submit a joint petition or individual letters to Council against the proposed local improvement project. For the objections to be considered valid, the following conditions must be met:
 - a. If a petition is submitted, it must be signed by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and the owners who sign the petition must represent at least 50% of the value of the assessment included in the local improvement area.
 - b. If individual letters are submitted, they must be submitted by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and must represent at least 50% of the value of the assessment included in the local improvement area.
 - c. If a municipality, school, or hospital is the owner of any lands affected by the local improvement and, as such, is entitled to sign the petition, its name and assessment are not to be counted in determining the validity of a petition.
 - d. If a parcel of land is owned by more than one owner (e.g. Business Partnership, Condominium Association), the owners are considered as one owner for the purpose of determining the validity of a petition.
 - e. In the case of a Condominium Association, the petition should be signed by the President and Secretary of the Association and a copy of the minutes authorizing the President and Secretary to sign the petition should be attached to the petition.
5. If no petition or an insufficient petition has been received by Council against the local improvement within the time limited specified, the local improvement may be undertaken and the cost of it assessed to the property owners by the system of assessment referred to in this Notice.
6. Council may undertake to construct the proposed local improvement at any time within three years of the giving of this Notice.

Dated at The City of Red Deer this **“Insert Date”**.



NEW HOLLAND

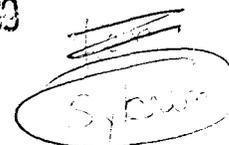
Hayalta

FARM EQUIPMENT LTD.

6525 - 67 STREET, RED DEER, ALBERTA T4P 1A3 PHONE (403) 343-3390 Fax (403) 341-5940
E-mail: hayalta1@telusplanet.net Web Site: www.hayalta.com

June 16, 1999

JUN 17 1999



City Clerk
City of Red Deer
Box 5008
Red Deer, AB
T4N 3T4

RE: LOCAL IMPROVEMENT PROJECT
GOLDEN WEST AVE, SOUTH 67 ST

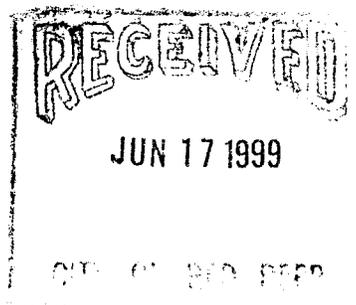
Dear Sir or Madam:

As owners of property 6459 Golden West Ave, legal description Lot 16, Plan 962 - 1732, we object to the water and sanitary sewer mains local improvement project as the above property is used only for equipment storage and as such does not require servicing.

Yours truly,

Robert J. Thrun
General Manager

RJT/emg



Comments:

We recommend that Council agree to proceed with the local improvement. The response of the property owners in question meets the requirements with respect to the amount of assessable property in favor of the bylaw, although it does not technically meet the number of owners. However, it is clear from the position taken by the prospective purchaser of the City lot, that the majority will be in favor of the improvement once the actual transfer of the title from the City takes place. It appears to be an appropriate time to proceed with the improvement.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

June 1, 1999

The City of Red Deer
Land and Economic Development Department
Box 5008
Red Deer, Alberta T4N 3T4

Dear Sir:

**RE: CONSTRUCTION OF WATER AND SANITARY SEWER MAINS, INCLUDING
RECONSTRUCTION OF THE EXISTING ROADWAY ON GOLDEN WEST
AVENUE SOUTH OF 67 STREET
PARCEL OPTIONED BY L. LEASAK CONSTRUCTION LTD.**

A. LOCAL IMPROVEMENT PROJECT

At the May 25, 1999 Council Meeting, Council approved the initiation of a Local Improvement for the construction of the above noted work. Attached is a Notice of Intention to Construct a Local Improvement that provides information on the charges applicable to your property based on a 20 year payment period or an "one-time" payment.

If you wish to object to this local improvement, please send a petition or letter to the **City Clerk** at The City of Red Deer. Your letter must clearly indicate that you do not want the local improvement to proceed. Please provide your name, signature, and the description of the property you represent. **Any response against the improvement must be received within 30 days of the date of this notice.**

In the event that an insufficient number of objections have been received opposing the proposed By-law as outlined in the attached Notice, Council will consider approval of this By-law on July 19, 1999.

B. SERVICE CONNECTIONS FROM MAIN TO PROPERTY LINE

Each property owner will be responsible for the cost of constructing the water and sanitary sewer service from the new mains to the property line of your parcel of land. A City representative will be contacting you in June to determine your property's service requirements (size, location, depth, etc.) and to provide you with the estimated cost for the service. The proposed service connections will be installed to the property line at the same time that the mains are constructed. Each property will be invoiced for the actual cost of installing the service to the property line.

If the Local Improvement By-law is approved, you will be requested to sign the Service Application which will confirm the estimated cost of the service connection and other requirements. On signing the Service Application, the property owner must prepay 50% of the estimated cost of the service connection. Following substantial completion of the work, The City of Red Deer will invoice the property owner for the actual cost of construction, plus a 10% Engineering Fee, less the amount paid on signing of the Service Application.

C. SERVICE CONNECTIONS FROM PROPERTY LINE TO BUILDING

Each property owner will be responsible to construct the water and sanitary sewer service connections from the property line of their parcel of land to each building or existing connection point. You may undertake this work yourself or hire a plumbing firm to complete this work. Any existing water wells should be abandoned in accordance with Alberta Environment regulations. A Plumbing Permit, issued by The City of Red Deer Inspections Department, is required before any on-site work can be undertaken.

If you have any questions, please call Tom Warder or Sybren Spyksma at 342-8158.

Yours truly,



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

SS/emr
Att.

- c. Director of Corporate Services
- ~~c. City Clerk~~
- c. Tax Coordinator

NOTICE

INTENTION TO CONSTRUCT A LOCAL IMPROVEMENT IN THE CITY OF RED DEER

Notice is hereby given that the Council of The City of Red Deer intends to undertake the construction of water and sanitary sewer mains, including reconstruction of the existing roadway on Golden West Avenue, south of 67 Street, as a Local Improvement in accordance with the provisions of Section 396 (1) of the Municipal Government Act, R.S.A., 1994, as amended.

1. The cost of the noted Local Improvement is \$303,500, of which the amount of \$47,000 is to be paid by The City, the amount of \$177,500 is to be paid by the benefiting property owners on Golden West Avenue, and the amount of \$79,000 is to be recovered from the two properties on 67 Street Service Road as per resolutions of Council passed July 6, 1992 and January 31, 1994. In addition, the applicable water and sanitary off-site amount for each property will be charged. The Local Improvement and Off-site Levy amounts are to be paid by the benefiting property owners by special assessment as follows:
 - a. The cost of the local improvement will be repayable at an annual rate of \$2,382.99 per hectare of assessable area and the off-site levy will be repayable at an annual rate of \$948.51 per hectare of assessable area for a total assessment of \$3,331.50 per hectare of assessable area for a period of 20 years at a rate of interest not exceeding 5.5%, per annum.
 - b. Alternately, the cost of the local improvement may be paid as a one-time payment at a rate of \$28,477.66 per hectare of assessable area and the off-site levy may be paid as a one-time payment at a rate of \$11,335 per hectare of assessable area for a total one-time payment of \$39,812.66 per hectare of assessable area.

The noted rates may be revised prior to the first payment for this project being due.

2. The following information and costs are applicable to your property, described as
 - a. The Legal Description of your property is Lot 24, Block 2, Plan 982-3721.
 - b. The Civic Address of your property is 6415 Golden West Avenue.
 - c. The assessable area for your property is 1.833 hectares.
 - d. The annual payment for each year of the 20 year payment period for your property would be \$4,368.02.

- e. The one-time payment for your property would be \$52,199.56 and must be received prior to June 1, 2000.
3. Where the property owner(s) proposes to make annual payments for the designated payment period, the owner(s) may pay the outstanding balance at any time, including any interest and penalties less any previously amount paid.
 4. Council **will not** proceed with this local improvement project if the property owners submit a joint petition or individual letters to Council against the proposed local improvement project. For the objections to be considered valid, the following conditions must be met:
 - a. If a petition is submitted, it must be signed by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and the owners who sign the petition must represent at least 50% of the value of the assessment included in the local improvement area.
 - b. If individual letters are submitted, they must be submitted by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and must represent at least 50% of the value of the assessment included in the local improvement area.
 - c. If a municipality, school, or hospital is the owner of any lands affected by the local improvement, and as such, is entitled to sign the petition, its name and assessment are not to be counted in determining the validity of a petition.
 - d. If a parcel of land is owned by more than one owner (e.g. Business Partnership, Condominium Association), the owners are considered as one owner for the purpose of determining the validity of a petition.
 5. If no petition or an insufficient petition has been received by Council against the local improvement within the time limited specified, the local improvement may be undertaken and the cost of it assessed to the property owners by the system of assessment referred to in this Notice.
 6. Council may undertake to construct the proposed local improvement at anytime within three years of the giving of this Notice.

Dated at The City of Red Deer this June 1, 1999.

June 1, 1999

Superior Emergency Vehicles Ltd.
6430 Golden West Avenue
Red Deer, Alberta T4P 1A6

Dear Sir:

**RE: CONSTRUCTION OF WATER AND SANITARY SEWER MAINS, INCLUDING
RECONSTRUCTION OF THE EXISTING ROADWAY ON GOLDEN WEST
AVENUE SOUTH OF 67 STREET**

A. LOCAL IMPROVEMENT PROJECT

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In the event that an insufficient number of objections have been received opposing the proposed By-law as outlined in the attached Notice, Council will consider approval of this By-law on July 19, 1999.

B. SERVICE CONNECTIONS FROM MAIN TO PROPERTY LINE

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Superior Emergency Vehicles Ltd.
Page 2
June 1, 1999

If the Local Improvement By-law is approved, you will be requested to sign the Service Application which will confirm the estimated cost of the service connection and other requirements. On signing the Service Application, the property owner must prepay 50% of the estimated cost of the service connection. Following substantial completion of the work, The City of Red Deer will invoice the property owner for the actual cost of construction, plus a 10% Engineering Fee, less the amount paid on signing of the Service Application.

C. SERVICE CONNECTIONS FROM PROPERTY LINE TO BUILDING

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If you have any questions, please call Tom Warder or Sybren Spyksma at 342-8158.

Yours truly,



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

SS/emr
Att.

- c. Director of Corporate Services
- c. City Clerk
- c. Tax Coordinator

NOTICE

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1. The cost of the noted Local Improvement is \$303,500, of which the amount of \$47,000 is to be paid by The City, the amount of \$177,500 is to be paid by the benefiting property owners on Golden West Avenue, and the amount of \$79,000 is to be recovered from the two properties on 67 Street Service Road as per resolutions of Council passed July 6, 1992 and January 31, 1994. In addition, the applicable water and sanitary off-site amount for each property will be charged. The Local Improvement and Off-site Levy amounts are to be paid by the benefiting property owners by special assessment as follows:
 - a. The cost of the local improvement will be repayable at an annual rate of \$2,382.99 per hectare of assessable area and the off-site levy will be repayable at an annual rate of \$948.51 per hectare of assessable area for a total assessment of \$3,331.50 per hectare of assessable area for a period of 20 years at a rate of interest not exceeding 5.5%, per annum.
 - b. Alternately, the cost of the local improvement may be paid as a one-time payment at a rate of \$28,477.66 per hectare of assessable area and the off-site levy may be paid as a one-time payment at a rate of \$11,335 per hectare of assessable area for a total one-time payment of \$39,812.66 per hectare of assessable area.

The noted rates may be revised prior to the first payment for this project being due.

2. The following information and costs are applicable to your property, described as
 - a. The Legal Description of your property is Lot 14, Plan 862-1342.
 - b. The Civic Address of your property is 6430 Golden West Avenue.
 - c. The assessable area for your property is 0.735 hectares.
 - d. The annual payment for each year of the 20 year payment period for your property would be \$2,448.65.

- e. The one-time payment for your property would be \$29,262.31 and must be received prior to June 1, 2000.
3. Where the property owner(s) proposes to make annual payments for the designated payment period, the owner(s) may pay the outstanding balance at any time, including any interest and penalties less any previously amount paid.
4. Council **will not** proceed with this local improvement project if the property owners submit a joint petition or individual letters to Council against the proposed local improvement project. For the objections to be considered valid, the following conditions must be met:
 - a. If a petition is submitted, it must be signed by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and the owners who sign the petition must represent at least 50% of the value of the assessment included in the local improvement area.
 - b. If individual letters are submitted, they must be submitted by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and must represent at least 50% of the value of the assessment included in the local improvement area.
 - c. If a municipality, school, or hospital is the owner of any lands affected by the local improvement, and as such, is entitled to sign the petition, its name and assessment are not to be counted in determining the validity of a petition.
 - d. If a parcel of land is owned by more than one owner (e.g. Business Partnership, Condominium Association), the owners are considered as one owner for the purpose of determining the validity of a petition.
5. If no petition or an insufficient petition has been received by Council against the local improvement within the time limited specified, the local improvement may be undertaken and the cost of it assessed to the property owners by the system of assessment referred to in this Notice.
6. Council may undertake to construct the proposed local improvement at anytime within three years of the giving of this Notice.

Dated at The City of Red Deer this June 1, 1999.

June 1, 1999

Superior Emergency Vehicles Ltd.
6430 Golden West Avenue
Red Deer, Alberta T4P 1A6

Dear Sir:

**RE: CONSTRUCTION OF WATER AND SANITARY SEWER MAINS, INCLUDING
RECONSTRUCTION OF THE EXISTING ROADWAY ON GOLDEN WEST
AVENUE SOUTH OF 67 STREET**

A. LOCAL IMPROVEMENT PROJECT

At the May 25, 1999 Council Meeting, Council approved the initiation of a Local Improvement for the construction of the above noted work. Attached is a Notice of Intention to Construct a Local Improvement that provides information on the charges applicable to your property based on a 20 year payment period or an "one-time" payment.

If you wish to object to this local improvement, please send a petition or letter to the **City Clerk** at The City of Red Deer. Your letter must clearly indicate that you do not want the local improvement to proceed. Please provide your name, signature, and the description of the property you represent. **Any response against the improvement must be received within 30 days of the date of this notice.**

In the event that an insufficient number of objections have been received opposing the proposed By-law as outlined in the attached Notice, Council will consider approval of this By-law on July 19, 1999.

B. SERVICE CONNECTIONS FROM MAIN TO PROPERTY LINE

Each property owner will be responsible for the cost of constructing the water and sanitary sewer service from the new mains to the property line of your parcel of land. A City representative will be contacting you in June to determine your property's service requirements (size, location, depth, etc.) and to provide you with the estimated cost for the service. The proposed service connections will be installed to the property line at the same time that the mains are constructed. Each property will be invoiced for the actual cost of installing the service to the property line.

Superior Emergency Vehicles Ltd.
Page 2
June 1, 1999

If the Local Improvement By-law is approved, you will be requested to sign the Service Application which will confirm the estimated cost of the service connection and other requirements. On signing the Service Application, the property owner must prepay 50% of the estimated cost of the service connection. Following substantial completion of the work, The City of Red Deer will invoice the property owner for the actual cost of construction, plus a 10% Engineering Fee, less the amount paid on signing of the Service Application.

C. SERVICE CONNECTIONS FROM PROPERTY LINE TO BUILDING

Each property owner will be responsible to construct the water and sanitary sewer service connections from the property line of their parcel of land to each building or existing connection point. You may undertake this work yourself or hire a plumbing firm to complete this work. Any existing water wells should be abandoned in accordance with Alberta Environment regulations. A Plumbing Permit, issued by The City of Red Deer Inspections Department, is required before any on-site work can be undertaken.

If you have any questions, please call Tom Warder or Sybren Spyksma at 342-8158.

Yours truly,



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

SS/emr
Att.

- c. Director of Corporate Services
- c. City Clerk
- c. Tax Coordinator

NOTICE

INTENTION TO CONSTRUCT A LOCAL IMPROVEMENT IN THE CITY OF RED DEER

Notice is hereby given that the Council of The City of Red Deer intends to undertake the construction of water and sanitary sewer mains, including reconstruction of the existing roadway on Golden West Avenue, south of 67 Street, as a Local Improvement in accordance with the provisions of Section 396 (1) of the Municipal Government Act, R.S.A., 1994, as amended.

1. The cost of the noted Local Improvement is \$303,500, of which the amount of \$47,000 is to be paid by The City, the amount of \$177,500 is to be paid by the benefiting property owners on Golden West Avenue, and the amount of \$79,000 is to be recovered from the two properties on 67 Street Service Road as per resolutions of Council passed July 6, 1992 and January 31, 1994. In addition, the applicable water and sanitary off-site amount for each property will be charged. The Local Improvement and Off-site Levy amounts are to be paid by the benefiting property owners by special assessment as follows:
 - a. The cost of the local improvement will be repayable at an annual rate of \$2,382.99 per hectare of assessable area and the off-site levy will be repayable at an annual rate of \$948.51 per hectare of assessable area for a total assessment of \$3,331.50 per hectare of assessable area for a period of 20 years at a rate of interest not exceeding 5.5%, per annum.
 - b. Alternately, the cost of the local improvement may be paid as a one-time payment at a rate of \$28,477.66 per hectare of assessable area and the off-site levy may be paid as a one-time payment at a rate of \$11,335 per hectare of assessable area for a total one-time payment of \$39,812.66 per hectare of assessable area.

The noted rates may be revised prior to the first payment for this project being due.

2. The following information and costs are applicable to your property, described as
 - a. The Legal Description of your property is Lot 15, Plan 862-1342.
 - b. The Civic Address of your property is 6424 Golden West Avenue.
 - c. The assessable area for your property is 1.288 hectares.
 - d. The annual payment for each year of the 20 year payment period for your property would be \$4,290.97.

- e. The one-time payment for your property would be \$51,278.71 and must be received prior to June 1, 2000.
3. Where the property owner(s) proposes to make annual payments for the designated payment period, the owner(s) may pay the outstanding balance at any time, including any interest and penalties less any previously amount paid.
4. Council **will not** proceed with this local improvement project if the property owners submit a joint petition or individual letters to Council against the proposed local improvement project. For the objections to be considered valid, the following conditions must be met:
 - a. If a petition is submitted, it must be signed by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and the owners who sign the petition must represent at least 50% of the value of the assessment included in the local improvement area.
 - b. If individual letters are submitted, they must be submitted by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and must represent at least 50% of the value of the assessment included in the local improvement area.
 - c. If a municipality, school, or hospital is the owner of any lands affected by the local improvement, and as such, is entitled to sign the petition, its name and assessment are not to be counted in determining the validity of a petition.
 - d. If a parcel of land is owned by more than one owner (e.g. Business Partnership, Condominium Association), the owners are considered as one owner for the purpose of determining the validity of a petition.
5. If no petition or an insufficient petition has been received by Council against the local improvement within the time limited specified, the local improvement may be undertaken and the cost of it assessed to the property owners by the system of assessment referred to in this Notice.
6. Council may undertake to construct the proposed local improvement at anytime within three years of the giving of this Notice.

Dated at The City of Red Deer this June 1, 1999.

June 1, 1999

Robust Investments Ltd.
6450 Golden West Avenue
Red Deer, Alberta T4P 1A6

Dear Sir:

RE: CONSTRUCTION OF WATER AND SANITARY SEWER MAINS, INCLUDING RECONSTRUCTION OF THE EXISTING ROADWAY ON GOLDEN WEST AVENUE SOUTH OF 67 STREET

A. LOCAL IMPROVEMENT PROJECT

At the May 25, 1999 Council Meeting, Council approved the initiation of a Local Improvement for the construction of the above noted work. Attached is a Notice of Intention to Construct a Local Improvement that provides information on the charges applicable to your property based on a 20 year payment period or an "one-time" payment.

If you wish to object to this local improvement, please send a petition or letter to the **City Clerk** at The City of Red Deer. Your letter must clearly indicate that you do not want the local improvement to proceed. Please provide your name, signature, and the description of the property you represent. **Any response against the improvement must be received within 30 days of the date of this notice.**

In the event that an insufficient number of objections have been received opposing the proposed By-law as outlined in the attached Notice, Council will consider approval of this By-law on July 19, 1999.

B. SERVICE CONNECTIONS FROM MAIN TO PROPERTY LINE

Each property owner will be responsible for the cost of constructing the water and sanitary sewer service from the new mains to the property line of your parcel of land. A City representative will be contacting you in June to determine your property's service requirements (size, location, depth, etc.) and to provide you with the estimated cost for the service. The proposed service connections will be installed to the property line at the same time that the mains are constructed. Each property will be invoiced for the actual cost of installing the service to the property line.

Robust Investments Ltd.

Page 2

June 1, 1999

If the Local Improvement By-law is approved, you will be requested to sign the Service Application which will confirm the estimated cost of the service connection and other requirements. On signing the Service Application, the property owner must prepay 50% of the estimated cost of the service connection. Following substantial completion of the work, The City of Red Deer will invoice the property owner for the actual cost of construction, plus a 10% Engineering Fee, less the amount paid on signing of the Service Application.

C. SERVICE CONNECTIONS FROM PROPERTY LINE TO BUILDING

Each property owner will be responsible to construct the water and sanitary sewer service connections from the property line of their parcel of land to each building or existing connection point. You may undertake this work yourself or hire a plumbing firm to complete this work. Any existing water wells should be abandoned in accordance with Alberta Environment regulations. A Plumbing Permit, issued by The City of Red Deer Inspections Department, is required before any on-site work can be undertaken.

If you have any questions, please call Tom Warder or Sybren Spyksma at 342-8158.

Yours truly,



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

SS/emr
Att.

- c. Director of Corporate Services
- c. ~~City Clerk~~
- c. Tax Coordinator

NOTICE

INTENTION TO CONSTRUCT A LOCAL IMPROVEMENT IN THE CITY OF RED DEER

Notice is hereby given that the Council of The City of Red Deer intends to undertake the construction of water and sanitary sewer mains, including reconstruction of the existing roadway on Golden West Avenue, south of 67 Street, as a Local Improvement in accordance with the provisions of Section 396 (1) of the Municipal Government Act, R.S.A., 1994, as amended.

1. The cost of the noted Local Improvement is \$303,500, of which the amount of \$47,000 is to be paid by The City, the amount of \$177,500 is to be paid by the benefiting property owners on Golden West Avenue, and the amount of \$79,000 is to be recovered from the two properties on 67 Street Service Road as per resolutions of Council passed July 6, 1992 and January 31, 1994. In addition, the applicable water and sanitary off-site amount for each property will be charged. The Local Improvement and Off-site Levy amounts are to be paid by the benefiting property owners by special assessment as follows:
 - a. The cost of the local improvement will be repayable at an annual rate of \$2,382.99 per hectare of assessable area and the off-site levy will be repayable at an annual rate of \$948.51 per hectare of assessable area for a total assessment of \$3,331.50 per hectare of assessable area for a period of 20 years at a rate of interest not exceeding 5.5%, per annum.
 - b. Alternately, the cost of the local improvement may be paid as a one-time payment at a rate of \$28,477.66 per hectare of assessable area and the off-site levy may be paid as a one-time payment at a rate of \$11,335 per hectare of assessable area for a total one-time payment of \$39,812.66 per hectare of assessable area.

The noted rates may be revised prior to the first payment for this project being due.

2. The following information and costs are applicable to your property, described as
 - a. The Legal Description of your property is Lot 6, Plan 6150 MC.
 - b. The Civic Address of your property is 6454 Golden West Avenue.
 - c. The assessable area for your property is 1.214 hectares.
 - d. The annual payment for each year of the 20 year payment period for your property would be \$4,044.44.

- e. The one-time payment for your property would be \$48,332.57 and must be received prior to June 1, 2000.
3. Where the property owner(s) proposes to make annual payments for the designated payment period, the owner(s) may pay the outstanding balance at any time, including any interest and penalties less any previously amount paid.
4. Council **will not** proceed with this local improvement project if the property owners submit a joint petition or individual letters to Council against the proposed local improvement project. For the objections to be considered valid, the following conditions must be met:
 - a. If a petition is submitted, it must be signed by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and the owners who sign the petition must represent at least 50% of the value of the assessment included in the local improvement area.
 - b. If individual letters are submitted, they must be submitted by at least two-thirds (67%) of the property owners who would be liable to pay the local improvement tax and must represent at least 50% of the value of the assessment included in the local improvement area.
 - c. If a municipality, school, or hospital is the owner of any lands affected by the local improvement, and as such, is entitled to sign the petition, its name and assessment are not to be counted in determining the validity of a petition.
 - d. If a parcel of land is owned by more than one owner (e.g. Business Partnership, Condominium Association), the owners are considered as one owner for the purpose of determining the validity of a petition.
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6. Council may undertake to construct the proposed local improvement at anytime within three years of the giving of this Notice.

Dated at The City of Red Deer this June 1, 1999.

June 1, 1999

HayAlta Farm Equipment Ltd.
6525-67 Street
Red Deer, Alberta T4P 1A3

Dear Sir:

**RE: CONSTRUCTION OF WATER AND SANITARY SEWER MAINS, INCLUDING
RECONSTRUCTION OF THE EXISTING ROADWAY ON GOLDEN WEST
AVENUE SOUTH OF 67 STREET**

A. LOCAL IMPROVEMENT PROJECT

At the May 25, 1999 Council Meeting, Council approved the initiation of a Local Improvement for the construction of the above noted work. Attached is a Notice of Intention to Construct a Local Improvement that provides information on the charges applicable to your property based on a 20 year payment period or an "one-time" payment.

If you wish to object to this local improvement, please send a petition or letter to the **City Clerk** at The City of Red Deer. Your letter must clearly indicate that you do not want the local improvement to proceed. Please provide your name, signature, and the description of the property you represent. **Any response against the improvement must be received within 30 days of the date of this notice.**

In the event that an insufficient number of objections have been received opposing the proposed By-law as outlined in the attached Notice, Council will consider approval of this By-law on July 19, 1999.

B. SERVICE CONNECTIONS FROM MAIN TO PROPERTY LINE

Each property owner will be responsible for the cost of constructing the water and sanitary sewer service from the new mains to the property line of your parcel of land. A City representative will be contacting you in June to determine your property's service requirements (size, location, depth, etc.) and to provide you with the estimated cost for the service. The proposed service connections will be installed to the property line at the same time that the mains are constructed. Each property will be invoiced for the actual cost of installing the service to the property line.

HayAlta Farm Equipment Ltd.

Page 2

June 1, 1999

If the Local Improvement By-law is approved, you will be requested to sign the Service Application which will confirm the estimated cost of the service connection and other requirements. On signing the Service Application, the property owner must prepay 50% of the estimated cost of the service connection. Following substantial completion of the work, The City of Red Deer will invoice the property owner for the actual cost of construction, plus a 10% Engineering Fee, less the amount paid on signing of the Service Application.

C. SERVICE CONNECTIONS FROM PROPERTY LINE TO BUILDING

Each property owner will be responsible to construct the water and sanitary sewer service connections from the property line of their parcel of land to each building or existing connection point. You may undertake this work yourself or hire a plumbing firm to complete this work. Any existing water wells should be abandoned in accordance with Alberta Environment regulations. A Plumbing Permit, issued by The City of Red Deer Inspections Department, is required before any on-site work can be undertaken.

If you have any questions, please call Tom Warder or Sybren Spyksma at 342-8158.

Yours truly,



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

SS/emr
Att.

- c. Director of Corporate Services
- c. City Clerk
- c. Tax Coordinator

NOTICE

INTENTION TO CONSTRUCT A LOCAL IMPROVEMENT IN THE CITY OF RED DEER

Notice is hereby given that the Council of The City of Red Deer intends to undertake the construction of water and sanitary sewer mains, including reconstruction of the existing roadway on Golden West Avenue, south of 67 Street, as a Local Improvement in accordance with the provisions of Section 396 (1) of the Municipal Government Act, R.S.A., 1994, as amended.

1. The cost of the noted Local Improvement is \$303,500, of which the amount of \$47,000 is to be paid by The City, the amount of \$177,500 is to be paid by the benefiting property owners on Golden West Avenue, and the amount of \$79,000 is to be recovered from the two properties on 67 Street Service Road as per resolutions of Council passed July 6, 1992 and January 31, 1994. In addition, the applicable water and sanitary off-site amount for each property will be charged. The Local Improvement and Off-site Levy amounts are to be paid by the benefiting property owners by special assessment as follows:
 - a. The cost of the local improvement will be repayable at an annual rate of \$2,382.99 per hectare of assessable area and the off-site levy will be repayable at an annual rate of \$948.51 per hectare of assessable area for a total assessment of \$3,331.50 per hectare of assessable area for a period of 20 years at a rate of interest not exceeding 5.5%, per annum.
 - b. Alternately, the cost of the local improvement may be paid as a one-time payment at a rate of \$28,477.66 per hectare of assessable area and the off-site levy may be paid as a one-time payment at a rate of \$11,335 per hectare of assessable area for a total one-time payment of \$39,812.66 per hectare of assessable area.

The noted rates may be revised prior to the first payment for this project being due.

2. The following information and costs are applicable to your property, described as
 - a. The Legal Description of your property is Lot 16, Plan 962-1732.
 - b. The Civic Address of your property is 6459 Golden West Avenue.
 - c. The assessable area for your property is 0.599 hectares.
 - d. The annual payment for each year of the 20 year payment period for your property would be \$1,995.57.

- e. The one-time payment for your property would be \$23,847.79 and must be received prior to June 1, 2000.
3. Where the property owner(s) proposes to make annual payments for the designated payment period, the owner(s) may pay the outstanding balance at any time, including any interest and penalties less any previously amount paid.
4. Council **will not** proceed with this local improvement project if the property owners submit a joint petition or individual letters to Council against the proposed local improvement project. For the objections to be considered valid, the following conditions must be met:
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 - c. If a municipality, school, or hospital is the owner of any lands affected by the local improvement, and as such, is entitled to sign the petition, its name and assessment are not to be counted in determining the validity of a petition.
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Dated at The City of Red Deer this June 1, 1999.

June 1, 1999

HayAlta Farm Equipment Ltd.
6525-67 Street
Red Deer, Alberta T4P 1A3

Dear Sir:

**RE: CONSTRUCTION OF WATER AND SANITARY SEWER MAINS, INCLUDING
RECONSTRUCTION OF THE EXISTING ROADWAY ON GOLDEN WEST
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HayAlta Farm Equipment Ltd.

Page 2

June 1, 1999

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If you have any questions, please call Tom Warder or Sybren Spyksma at 342-8158.

Yours truly,



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

SS/emr
Att.

- c. Director of Corporate Services
- c. City Clerk
- c. Tax Coordinator

NOTICE

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The noted rates may be revised prior to the first payment for this project being due.

2. The following information and costs are applicable to your property, described as
 - a. The Legal Description of your property is Lot 17, Plan 962-1732.
 - b. The Civic Address of your property is 6449 Golden West Avenue.
 - c. The assessable area for your property is 0.564 hectares.
 - d. The annual payment for each year of the 20 year payment period for your property would be \$1,878.96.

- e. The one-time payment for your property would be \$22,454.34 and must be received prior to June 1, 2000.
3. Where the property owner(s) proposes to make annual payments for the designated payment period, the owner(s) may pay the outstanding balance at any time, including any interest and penalties less any previously amount paid.
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6. Council may undertake to construct the proposed local improvement at anytime within three years of the giving of this Notice.

Dated at The City of Red Deer this June 1, 1999.



NEW HOLLAND

Hayalta

FARM EQUIPMENT LTD.

6525 - 67 STREET, RED DEER, ALBERTA T4P 1A3 PHONE (403) 343-3390 Fax (403) 341-5940
E-mail: hayalta1@telusplanet.net Web Site: www.hayalta.com

June 16, 1999

City Clerk
City of Red Deer
Box 5008
Red Deer, AB
T4N 3T4

RE: LOCAL IMPROVEMENT PROJECT
GOLDEN WEST AVE, SOUTH 67 ST

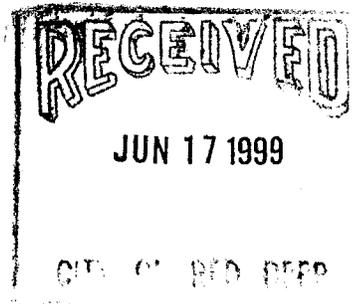
Dear Sir or Madam:

As owners of property 6459 Golden West Ave, legal description Lot 16, Plan 962 - 1732, we object to the water and sanitary sewer mains local improvement project as the above property is used only for equipment storage and as such does not require servicing.

Yours truly,

Robert J. Thrun
General Manager

RJT/emg





NEW HOLLAND

Hayalta

FARM EQUIPMENT LTD.

6525 - 67 STREET, RED DEER, ALBERTA T4P 1A3 PHONE (403) 343-3390 Fax (403) 341-5940
E-mail: hayalta1@telusplanet.net Web Site: www.hayalta.com

June 16, 1999

City Clerk
City of Red Deer
Box 5008
Red Deer, AB
T4N 3T4

RE: LOCAL IMPROVEMENT PROJECT
GOLDEN WEST AVE, SOUTH 67 ST

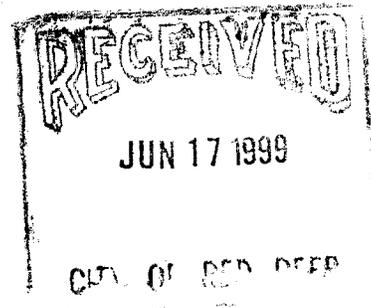
Dear Sir or Madam:

As owners of property 6449 Golden West Ave, legal description Lot 17, Plan 962 - 1732, we object to the water and sanitary sewer mains local improvement project as the above property is used only for equipment storage and as such does not require servicing.

Yours truly,

Robert J. Thrun
General Manager

RJT/emg



BOURGAULT

M MORRIS
Industries Ltd.

HIGHLINE

Council BACK-UP
R.

FILE

Council Decision - May 25, 1999 Meeting

DATE: May 27, 1999
TO: Engineering Services Manager
FROM: Deputy City Clerk
RE: *Local Improvement - Construct Water and Sanitary Sewer Mains, Including Roadway Paving on Golden West Avenue South of 67 Street*

Reference Report: Engineering Services Manager, dated
May 17, 1999

Resolution:

Resolved that Council of the City of Red Deer, having considered report from the Engineering Services Manager dated May 17, 1999 re: Local Improvement - Construct Water and Sanitary Mains Including Roadway Paving on Golden West Avenue South of 67 Street:

1. directs the administration to prepare a *local improvement plan* for the construction of a water and sanitary sewer main, including paving of the roadway for Golden West Avenue south of 67 Street;
2. approves a budget of \$47,000.00 from the Subdivision Development Reserve Account to cover the outstanding balance.

Report Back to Council Required: Yes

Comments/Further Action:

As authorized by Council, it would now be appropriate to proceed with the preparation of a local improvement plan, and in due course, the preparation of a local improvement bylaw.

Jeff Graves
Deputy City Clerk

/clr

c Director of Corporate Services
City Assessor
Land and Economic Development Manager

FILE

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Engineering Services Manager
FROM: Deputy City Clerk
RE: *Local Improvement Bylaw No. 3241/99 - Construct Water and Sanitary Sewer Mains, Including Roadway Paving on Golden West Avenue South of 67 Street*

Reference Report: Engineering Services Manager dated July 26, 1999

Bylaw Readings:

Local Improvement Bylaw No. 3214/99 was given three readings, a copy is attached.

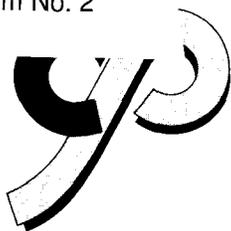
Report Back to Council Required: No

Comments/Further Action:


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Director of Community Services
Director of Corporate Services
E. L. & P. Manager
Emergency Services Manager
City Assessor
Principal Planner
Public Works Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: July 27, 1999
To: Kelly Kloss, City Clerk
From: Frank Wong, Planning Assistant
Re: Land Use Bylaw Amendment 3156/Z-99
Lot 3, Plan 962 4094
NE ¼ Sec. 30-38-27-4
Johnstone Park - Phase 1
819000 Alberta Ltd.

Beta Surveys Limited, on behalf of 819000 Alberta Ltd., is requesting the redesignation of part of part of Lot 3, Plan 962 4094 in the NE ¼ Sec. 30-38-27-4 in developing Phase 1 of the Johnstone Park Subdivision. The proposal redesignates 8.71 ha (21.52 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District, R1N Residential Narrow Lot District, R2 Residential (Medium Density) District, PS Public Service District, and P1 Parks and Recreation District. Phase 1 will accommodate the development of 35 single family lots, 35 narrow single family lots, 1 multiple family lot, 2 municipal reserve lots, 2 public utility lots and an easement for an area to accommodate a storm detention pond.

The proposed amendment complies with the Johnstone Park Neighbourhood Area Structure Plan that is being processed and will precede the bylaw amendment.

Staff Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/Z-99.

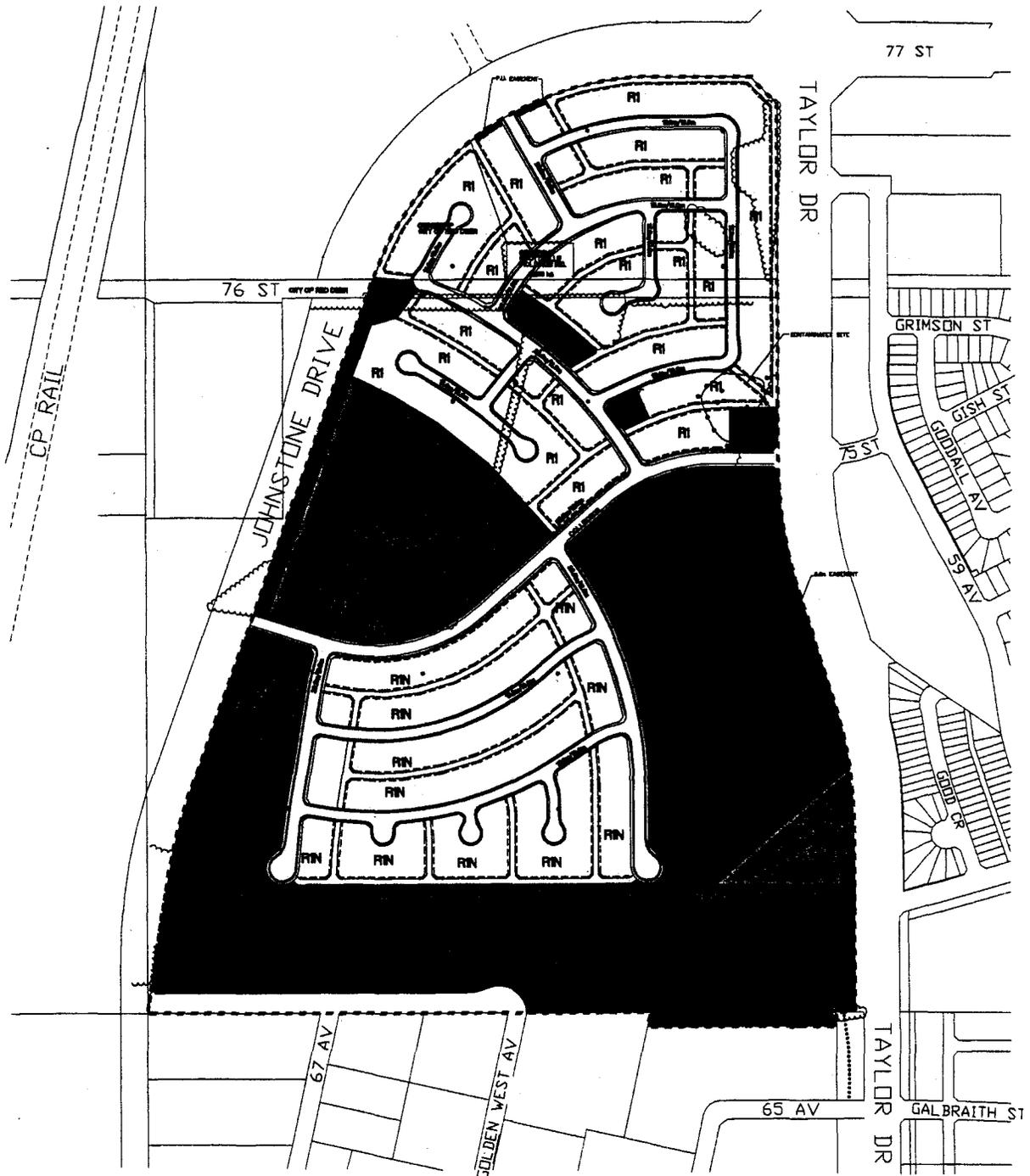
Sincerely,

A handwritten signature in black ink that reads "Frank Wong". The signature is written in a cursive, flowing style.

Frank Wong,
Planning Assistant

Attachment

GENCAN DEVELOPMENT LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



LEGEND:

-  OUTLINE BOUNDARY
-  PEDESTRIAN WALKWAY

PREPARED BY:
IBI GROUP

SCALE: N.T.S.
PREPARED JUNE 99

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

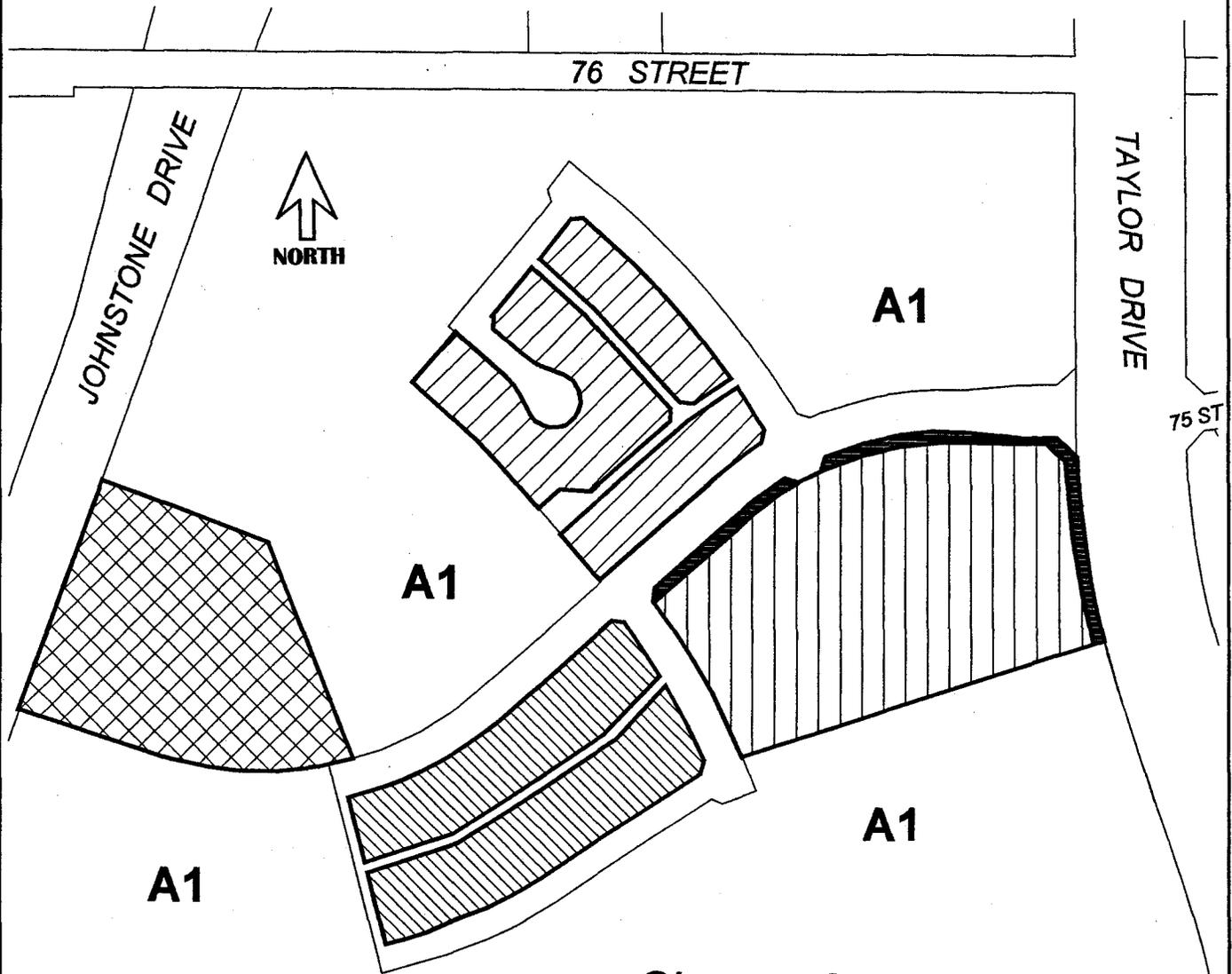
Johnstone Park

Bylaw 3239/99

**FIGURE 3
DEVELOPMENT
PLAN**

The City of Red Deer

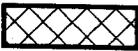
PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1N - Residential (Narrow Lot)
- R2 - Residential (Medium Density)
- PS - Public Service (Institutional or Government)
- P1 - Parks & Recreational

Change from:

- A1 to R1 
- A1 to R1N 
- A1 to PS 
- A1 to R2 
- A1 to P1 

MAP No. 21 / 99
 BYLAW No. 3156 / Z - 99

Comments:

We recommend that Council proceed with first reading of the bylaw. A Public Hearing will be held on Monday, August 30, 1999.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Land Use Bylaw Amendment No. 3156/Z-99 / Lot 3, Plan 962-4094, NE ¼ 30-38-27-4 / Johnstone Park - Phase 1 (Beta Surveys Ltd. on behalf of 819000 Alberta Ltd.)*

Reference Report: Planning Assistant, Parkland Community Planning Services, dated July 27, 1999

Bylaw Readings:

This bylaw received first reading, a copy is attached

Report Back to Council Required:

Yes. A Public Hearing is scheduled for Monday, August 30, 1999 at 7:00 p.m., in the Council Chambers

Comments/Further Action:

Land Use Bylaw Amendment 3156/Z-99 provides for the redesignation of Part of Lot 3, Plan 962-4094 in the NE ¼ 30-38-27-4 in Phase 1 of Johnstone Park. The proposal is for the redesignation of 8.71 ha (21.52 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District, R1N Residential Narrow Lot District, R2 Residential (Medium Density) District, PS Public Service District and P1 Parks and Recreation District. Phase 1 will accommodate the development of 35 single family lots, 35 narrow single family lots, one multiple family lot, two municipal reserve lots, two public utility lots and an easement for an area to accommodate a storm detention pond. *This proposed amendment complies with the Johnstone Park Neighbourhood Area Structure Plan that is being processed and will precede the bylaw amendment.*

Principal Planner
August 4, 1999
Page 2

This office will now proceed with the advertising for a Public Hearing. Our office has advised Beta Surveys Ltd., who is acting on behalf of 819000 Alberta Ltd., via letter, that they will be responsible for the advertising costs.



Jeff Graves
Deputy City Clerk

/clr
attchs.

- c Director of Community Services
- Engineering Services Manager
- E. L. & P. Manager
- Emergency Services Manager
- City Assessor
- Land and Economic Development Manager
- Public Works Manager
- Administrative Assistant, S. Ladwig

Office of the City Clerk

FILE

August 4, 1999

Beta Surveys Limited
4605B - 63 Street
Red Deer, AB T4N 7A6

Faxed To: 342-5334

Dear Sir:

Re: Land Use Bylaw Amendment No. 3156/Z-99 / Lot 3, Plan 962-4094, NE ¼ 30-38-27-4, Johnstone Park - Phase 1 (Beta Surveys Ltd. on behalf of 819000 Alberta Ltd.)

At the City of Red Deer's Council meeting held Tuesday, August 3, 1999, first reading was given to Land Use Bylaw Amendment 3156/Z-99, a copy of which is attached.

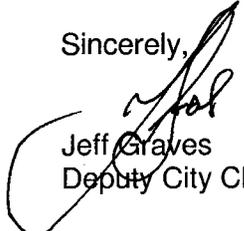
Land Use Bylaw Amendment 3156/Z-99 provides for the redesignation of Part of Lot 3, Plan 962-4094 in the NE ¼ 30-38-27-4 in Phase 1 of Johnstone Park. The proposal is for the redesignation of 8.71 ha (21.52 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District, R1N Residential Narrow Lot District, R2 Residential (Medium Density) District, PS Public Service District and P1 Parks and Recreation District. Phase 1 will accommodate the development of 35 single family lots, 35 narrow single family lots, one multiple family lot, two municipal reserve lots, two public utility lots and an easement for an area to accommodate a storm detention pond. This proposed amendment complies with the Johnstone Park Neighbourhood Area Structure Plan that is being processed and will precede the bylaw amendment.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, August 30, 1999 at 7:00 p.m. in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$500. We require this deposit by no later than 10:00 a.m., Wednesday, August 11, 1999, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

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

Sincerely,


Jeff Graves
Deputy City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

*** TX REPORT ***

FILE

TRANSMISSION OK

TX/RX NO 3243
CONNECTION TEL 3425334
SUB-ADDRESS
CONNECTION ID
ST. TIME 08/05 09:27
USAGE T 01'39
PGS. 3
RESULT OK



Office of the City Clerk

August 4, 1999

Beta Surveys Limited
4605B - 63 Street
Red Deer, AB T4N 7A6

Faxed To: 342-5334

Dear Sir:

Re: Land Use Bylaw Amendment No. 3156/Z-99 / Lot 3, Plan 962-4094, NE ¼ 30-38-27-4, Johnstone Park - Phase 1 (Beta Surveys Ltd. on behalf of 819000 Alberta Ltd.)

At the City of Red Deer's Council meeting held Tuesday, August 3, 1999, first reading was given to Land Use Bylaw Amendment 3156/Z-99, a copy of which is attached.

Land Use Bylaw Amendment 3156/Z-99 provides for the redesignation of Part of Lot 3, Plan 962-4094 in the NE ¼ 30-38-27-4 in Phase 1 of Johnstone Park. The proposal is for the redesignation of 8.71 ha (21.52 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District, R1N Residential Narrow Lot District, R2 Residential (Medium Density) District, PS Public Service District and P1 Parks and Recreation District. Phase 1 will accommodate the development of 35 single family lots, 35 narrow single family lots, one multiple family lot, two municipal reserve lots, two public utility lots and an easement for an area to accommodate a storm detention pond. This proposed amendment complies with the Johnstone Park Neighbourhood Area Structure Plan that is being processed and will precede the bylaw amendment.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, August 30, 1999 at 7:00 p.m. in the Council Chambers of City Hall.

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

Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

| | |
|----------|------------|
| RECEIVED | |
| TIME | 11:55 A.M. |
| DATE | June 28/99 |
| BY | OK |

JUNE 28/99

TO: CITY COUNSEL (RED DEER)
ATTENTION JASON UOCK

From: JACQUES PAQUETTE (342-2842)
109 RUTLEDGE CRESCENT
RED DEER ALTA
TYP - 3K1.

AS A CONCERNED CITIZEN OF RED DEER, I WOULD LIKE TO HAVE A BYLAW FOR VEHICLES USING ENGINE BRAKE RETARDERS, ALSO FOR NOISE OF VEHICLES + LOUD RADIOS OVER AN APPROVED DECIBEL LEVEL, I AM MOSTLY CONCERNED WITH THE HIGHWAY #11 GOING TO JOFFRE, AS I AM LOCATED WITH MY BACK YARD ^{NOISY} FACING THAT EXTRAORDINARILY BUSY ROAD IT STARTS AT 4:00 AM & GOES TO 11 PM & LATER, I WOULD APPRECIATE IMMEDIATE ACTION ON THIS MATTER & HAVE IT STRICTLY ENFORCED WITH A MINIMUM OF \$250.00 FINE FOR VIOLATORS, LIKE OTHER CITIES, I HAVE A HARD TIME BELIEVING A CITY OF THIS SIZE WITH SO MUCH TRAFFIC ESPECIALLY ON THIS ROAD, DOES NOT HAVE SUCH A BYLAW IN FORCE ALREADY, I WOULD ALSO LIKE TO SEE A HUMONGOUS SIGN ^{OF BYLAW ENFORCEMENT} POSTED AT CITY LIMITS ON HWY #11 EST. TO JOFFRE

YOUTRUCI 

DATE: July 22, 1999
TO: City Clerk
FROM: Engineering Services Manager

RE: USE OF ENGINE RETARDER BRAKES WITHIN CITY LIMITS

Mr. Paquette is requesting The City to prohibit the use of loud radios and engine retarder brakes by instituting a By-law and installing a large sign on Highway 11 at the east City limit.

Comments relative to enforcement of the The City of Red Deer Noise By-law will be more appropriately made by the City RCMP.

With respect to the use of engine retarder brakes on large trucks, in 1983 Council agreed to install six signs near City limits requesting drivers not to use engine retarder brakes. To our knowledge, no By-law provided support for the signs; therefore, they were more informational than regulatory. In 1989 The City received complaints about sign proliferation at City entrances. Council subsequently directed the removal of the non-essential signs at City entrances as determined by the Administration. The engine retarder brake sign was one of many signs that were deemed to be non-essential. Other than Mr. Paquette's current complaint, we have not received complaints about this issue since the engine retarder brake signs were removed.

Currently, both Edmonton and Calgary prohibit the use of engine retarder brakes through City By-laws and signs. Therefore, we believe that an appropriate By-law could be considered and, if successful, signs installed. The cost for installing eight signs at the eight main entrances to the City is about \$8,000.

RECOMMENDATION

It is apparent from the lack of complaints, that this matter is not of high priority to the general public. If, however, Council wishes to initiate some control over retarder brake use, we would respectfully recommend that Council consider this matter during the Year 2000 Budget process.



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

CYL/emr
c. Public Works Manager

DATE: 12 JUL 99

TO: City Clerk

FROM: OIC Red Deer City Detachment

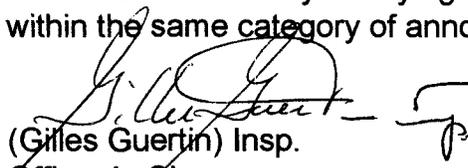
RE: JACOBS ENGINE BRAKES

The following is being submitted in response to Mr. Jacques Paquette's concern regarding the use of engine brake retarders within the City limits of Red Deer.

The Jacobs Engine Brake converts a power generating engine into a power absorbing compressor by opening the engine exhaust valves and when activated, emits loud noise to be heard from quite a distance. It is electronically controlled, hydraulically activated and mechanically operated. This braking system is supplemental to the tractor unit and was designed for use in mountainous areas. It is not a standard requirement, but an added feature by the owners of the trucks.

It would appear that in Alberta, Medicine Hat and Calgary have chosen to put in place a bylaw which forbids the use of engine brakes within the City limits. In Calgary, the fine is \$250.00 and there are posted signs at the entrances to both cities, stating that the use of "Jake Brakes" is forbidden and also given the fine amount.

We certainly support Mr. Paquette's claim and would agree that the use of engine brake retarders is not needed in Red Deer city limits. It is extremely unpleasant to citizens and can become extremely annoying. Mr. Paquette's complaint regarding the loud radio falls within the same category of annoyances and is covered under the Highway Traffic Act.


(Gilles Guertin) Insp.
Officer In Charge
Red Deer City Detachment

Comments:

As the Administration has pointed out, we receive relatively few complaints regarding engine retarder brakes. However, in the past there have been occasional complaints related to the use of the brakes on Taylor Drive, particularly as it impacts on residences in the Highland Green area. We are conscious of the fact that the growth of our residential areas directly adjacent Highway 11 may increase the annoyance factor as the community continues to grow. As a result, it may be time to at least consider the installation of courtesy signs at the entry ways requesting truckers not to use retarder brakes within city limits.

We recommend that Council give serious consideration to this expenditure during the 2000 Budget debate. At this point, given the number of complaints, we believe a bylaw may not be necessary with courtesy signs being used as an interim measure to determine if there is an enforcement problem.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

DATE: July 5, 1999
TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
X ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF/MANAGER EMERGENCY SERVICES
INFORMATION TECHNOLOGY SERVICES MANAGER
INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
X R.C.M.P. INSPECTOR - c/o Lori Loney
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

FILE

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK
RE: Jacques Paquette - Engine Brake Retarders

Please respond to this office by July 12th so we may respond back to Mr. Paquette.

“Kelly Kloss”
City Clerk

FILE

Office of the City Clerk

August 4, 1999

Mr. Jacques Paquette
109 Rutledge Crescent
Red Deer, AB T4P 3K1

Dear Sir:

Re: Restrict Use of Engine Retarder Brakes within City Limits

At the City of Red Deer's Council meeting held Tuesday, August 3, 1999, consideration was given to your correspondence dated June 28, 1999. At that meeting, Council passed the following resolution:

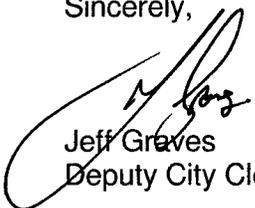
Resolved that Council of The City of Red Deer, having considered correspondence from Jacques Paquette dated June 28, 1999 re: Restrict Use of Engine Retarder Brakes, hereby agrees to draft a bylaw to restrict the use of engine retarder brakes and that enforcement of the bylaw is to be concurrent with the erection of signage advising drivers that the use of engine retarder brakes (jake brakes) are not permitted within Red Deer's city limits.

Once the Administration has prepared a proposed bylaw and submitted it to this office, it will be forwarded to Council for their consideration.

I understand you spoke to a staff member at City Clerk's today and expressed an interest in being informed of the date the proposed bylaw will be presented to Council. Once that date has been determined, this office will contact you at 342-2842 to advise you of the date and time Council will be dealing with this item.

Thank you for taking the time to express your concerns to Council and for your interest in keeping our community a pleasant, enjoyable environment for all citizens to enjoy.

Sincerely,



Jeff Graves
Deputy City Clerk

c Engineering Services Manager
 Public Works Manager
 OIC Red Deer City Detachment



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Engineering Services Manager
FROM: Deputy City Clerk
RE: Restrict Use of Engine Retarder Brakes within City Limits

Reference Report:

Correspondence from Mr. Jacques Paquette dated June 28, 1999

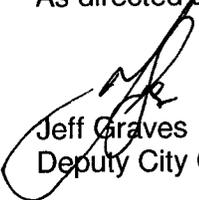
Resolution:

Resolved that Council of The City of Red Deer, having considered correspondence from Jacques Paquette dated June 28, 1999 re: Restrict Use of Engine Retarder Brakes, hereby agrees to draft a bylaw to restrict the use of engine retarder brakes and that enforcement of the bylaw is to be concurrent with the erection of signage advising drivers that the use of engine retarder brakes (jake brakes) are not permitted within Red Deer's city limits.

Report Back to Council Required: Yes

Comments/Further Action:

As directed above, please prepare a bylaw for Council's consideration.


Jeff Graves
Deputy City Clerk

/clr

c Director of Development Services
OIC Red Deer City Detachment

PROPERTY TEAM INC.

Group Real Estate Investment Services



Head Office
6725 - 40 Avenue
Red Deer, Alberta
T4N 3M4

July 13, 1999

Mayor & City Council
The City Of Red Deer
P.O. Box 5008
Red Deer, AB T4N 3T4

Dear Mayor & City Council:

SUBJECT: RE-DESIGNATION OF PROPERTY

We wish to increase the Density Zoning of properties 104 Boyce Street, Red Deer, AB (Lot 22, Block 2, Plan #782/1624) currently Zoned R3 Density 216 to R3 Density 270 and 86 Bell Street, Red Deer, AB (Lot 4, Block 5, Plan #782/1624) currently Zoned R3 Density 200 to R3 Density 270. Consequently facilitating future development of a 24 suite rental apartment building on the 0.19 hectare of vacant land on the west of the sites, accordingly easing the discernable rental housing shortage in Red Deer. Please see the attached diagrams for site details.

Sincerely,

Kevin N. Parel
Property Team Inc.

Att.

PRISM PROPERTIES INC.

c/o #6725 – 40 Avenue

Red Deer, Alberta

T4N 3M4

July 13, 1999

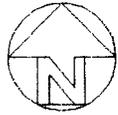
Dear Sir or Madam:

I Bryce Chapman authorize Kevin N. Parel to act on behalf of Prism Properties Inc. concerning the re-designation of property affecting, 104 Boyce Street Red Deer, (Lot 22, Block 2) and 86 Bell Street Red Deer, (Lot 4, Block 5)

Sincerely,

A handwritten signature in black ink, appearing to read 'Bryce Chapman', with a long horizontal flourish extending to the right.

Bryce Chapman
President, Prism Properties Inc.



LANE

Property Line

124.97
410.0

15.24
50.0

16 parking stalls

Parking lot
28,050 Sq. feet
102 Stalls (8'x16')

Driveway

12 parking stalls

U-4
57.91
190.0

6.0

19.7

Proposed Building

29.26
96.0

17.37
57.0

10 parking stalls

7.6
24.9

Driveway

Existing Building

16.8
55.1

Existing Building

56.39
185.0

BAKER AVENUE

99

139.68
455.0

Driveway

6.46
21.21

Property Line

Approx. Area to be Affected
0.46 Acre (0.18 Ha)

BOYCE STREET

38 New Parking Stalls

Block 2
Lot 22
Plan 782 / 1624
0.87 Ha (2.14 Acs)

Ref.#
B-101-99

104 Boyce Street, Red Deer, AB

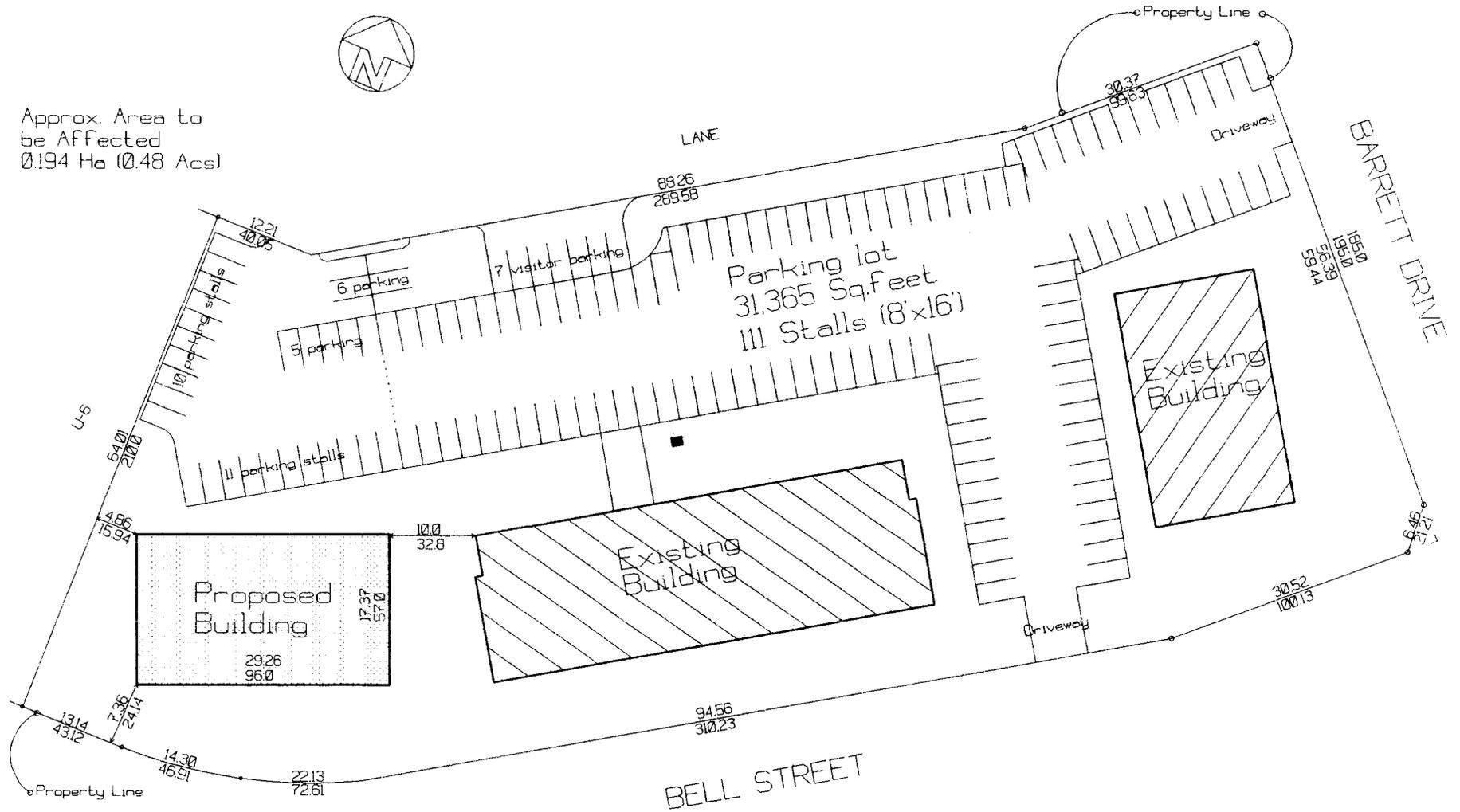
Proposed New Building

Property Team Inc.

Scale: NTS
Date: 13. July 1999



Approx. Area to
be Affected
0.194 Ha (0.48 Acs)



39 New Parking Stall

Block 5
Lot 4
Plan 782 / 1624
0.95 Ha (2.34 Acs)

| | | | | |
|-------------------|-----------------------------------|-----------------------|--------------------|------------------------------------|
| Ref # B-102-99 | 86 Bell Street, Red Deer, Alberta | Proposed New Building | Property Team Inc. | Scale : NTS Date: 13. July 1999 |
|-------------------|-----------------------------------|-----------------------|--------------------|------------------------------------|

MEMO

DATE: July 26, 1999

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER, Manager
Inspections & Licensing Department

RE: REZONING - 104 BOYCE STREET & 86 BELL STREET

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

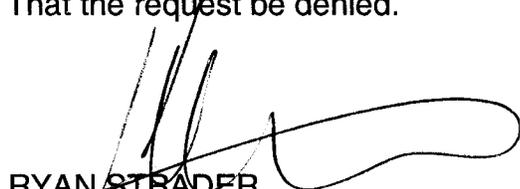
Both sites have been added to since the original land sale. A 24-suite apartment was added on each site. In 1987, Council approved these additions and amended the Land Use Bylaw to the present density. The present owner is requesting approval to add an additional 24-suite building on each site. The present designation of the land would not allow any further development.

A preliminary review for compliance of the Land Use Bylaw indicates that both developments would require relaxations for compliance with the Land Use Bylaw. We would require a site plan drawn to scale in order to do a complete compliance check.

The re-development of these sites will reduce green areas and add to the overall density of the area as well as increase traffic. For these reasons we do not support the application.

RECOMMENDATION:

That the request be denied.



RYAN STRADER
Inspections & Licensing Manager
INSPECTIONS & LICENSING DEPARTMENT

RS:kb

Date: July 26, 1999
To: Kelly Kloss, City Clerk
From: Frank Wong, Planning Assistant
Re: Proposed Land Use Bylaw Amendment
Lot 4, Block 5, Plan 782 1624 (86 Bell Street) and
Lot 22, Block 2, Plan 782 1624 (104 Boyce Street)
Bower Subdivision
NW ¼ Sec. 4-38-27-4
Property Team Inc./Prism Properties Inc.

Property Team Inc., on behalf of Prism Properties Inc., is requesting amendments to the Bylaw to increase the maximum allowable densities on two existing multiple family developments. The request is to increase the density on the 0.86 ha Boyce Street site from R3-D216 (multiple family development with a maximum density of 216 persons per hectare) to R3-D270 (multiple family development with a maximum density of 270 persons per hectare) and the 0.94 ha Bell Street site from R3-D200 to R3-D270. The proposed increase in density is to accommodate an additional apartment building on each site.

Background

Both the Bell Street and Boyce Street sites were originally City owned. In 1979, the City of Red Deer entertained submissions for development for the two subject sites. The sites were sold having a Land Use Bylaw zoning of R3B Multiple Family District and with a maximum density of 20 units per acre. The successful purchasers developed the 2.14 acre Boyce Street site with a 43 unit apartment and the 2.34 Bell Street site with a 46 unit apartment. As the purchasers had satisfied their obligations, the City discharged the caveats controlling various conditions of development including the allowable density.

On March 30, 1987, the owners submitted plans to the Municipal Planning Commission for the development of an additional 24 unit apartment on each of the sites. As there was no caveat specifying the maximum density restriction in place any longer, the Municipal Planning Commission considered and conditionally approved the application for the additional buildings. Area residents adjacent to the Boyce Street development were opposed to the additional apartment buildings and a petition of 50 names was submitted. Planning staff also did not support the additional units at the time. The issue was then referred to City Council for review as the additional apartment units increased the density beyond the 20 units per acre requirement of the original sales agreement.

On April 6, 1987, City Council considered the matter and passed a resolution to place a maximum density limit on the sites; the density restriction included the additional 24 unit

apartment buildings on each site. The 0.94 ha Bell Street site was rezoned from R3 to R3-D197 Residential Multiple Family District with a density of 197 persons per hectare. The 0.86 ha Boyce Street site was rezoned from R3 to R3-D216 Residential Multiple Family District with a density of 216 persons per hectare. This new density restriction meant that no additional units would be permitted.

Proposal

Bell Street Site - 0.94 ha (2.34 ac) – R3-D200

Existing allowable density – 0.94 ha x 200 persons = 189 persons

Existing development:

| | |
|--|--------------|
| 22 (one bedroom units) x 2.4 persons = | 52.8 persons |
| 45 (two bedroom units) x 3.0 persons = | 135 persons |
| total = | 188 persons |

Existing parking requirement:

| | |
|--|------------|
| 22 (one bedroom units) x 1 stall = | 22 stalls |
| 45 (two bedroom units) x 1.5 stalls = | 68 stalls |
| visitor parking (1 per 5 units) 67/5 = | 14 stalls |
| total = | 104 stalls |

Provided = 107 stalls

Proposed density increase to R3-D270

Proposed allowable density – 0.94 ha x 270 persons = 254 persons
(increase of 65 people)

Potential additional units (mixture of 1 and 2 bedrooms) 65/2.7 = 24 units

Additional parking required (1x12 +1.5x12) +5 visitors stalls = 35 stalls

Boyce Street Site – 0.86 ha (2.14 ac) – R3-D216

Existing allowable density – 0.86 ha x 216 persons = 187 persons

Existing development:

| | |
|--|--------------|
| 22 (one bedroom units) x 2.4 persons = | 52.8 persons |
| 45 (two bedroom units) x 3.0 persons = | 135 persons |
| total = | 188 persons |

Existing parking requirement:

| | |
|--|------------|
| 22 (one bedroom units) x 1 stall = | 22 stalls |
| 45 (two bedroom units) x 1.5 stalls = | 68 stalls |
| visitor parking (1 per 5 units) 67/5 = | 14 stalls |
| total = | 104 stalls |

Provided = 106 stalls

Proposed density increase to R3-D270

Proposed allowable density – 0.86 ha x 270 persons = 232 persons (increase of 45 people)

Potential additional units (mixture of 1 and 2 bedrooms) $45/2.7 = 17$ units

Additional parking required (1x8 + 1.5x9) +4 visitors stalls = 26 stalls

Planning Comments

The attached Bell Street site plan of 1987 indicates the location of the buildings and the 107 stall parking lot. The applicants' (not to scale) plan shows the proposed location of the third building as well as 111 substandard parking stalls of 8 feet by 16 feet (a deficiency of 21 stalls). When the City's minimum standard for parking stalls of 8.5 feet by 18 feet is applied, the deficiency would be 30 to 35 stalls or in other words there will be no new parking provided for the new 24 unit apartment.

The attached Boyce Street site plan of 1987 also indicates the location of the buildings and the 106 parking stalls (meets the requirements of the land use bylaw). The applicants' (not to scale) plan shows the proposed location of the third building as well as 140 substandard parking stalls of 8 feet by 16 feet. Applying the City's standard of 8.5 feet by 18 feet stalls would decrease the total by approximately 10 stalls leaving a deficiency of 9 stalls.

Both the proposed buildings would be developed on existing landscaped area thereby reducing the site landscaping. As there are no architectural drawings available at this time, it is not possible to calculate whether the site meets the requirements of the land use bylaw.

Planning staff have the following comments:

- the proposals appear to represent an over-development of the sites with the consequence of inadequate parking and reduced landscaping.
- The proposed density of this site will be one of the highest in the City outside of the downtown.
- Neighbours have expressed strong opposition to the previous proposal which increased the number of apartment units on the site. In order to limit any further expansion, Council put a density restriction on the site. Any proposal to lift this density restriction should be preceded by consultation with the Bower neighbourhood.
- Density restrictions have been placed on a number of sites throughout the City. They are intended to provide an upper limit to the amount of development that can occur. Surrounding residents who buy in the area often check the zoning to assure them that no further multiple family expansion would be allowed.
- By revising this density restriction, Council may trigger applications to enlarge apartments in other existing neighbourhoods. Most owners have viewed the density restriction as an upper limit to development.

Staff Recommendation

Planning staff do not support the increase in density as requested by the applicant. If Council wishes to consider an increase in density, it is recommended that a public meeting be held with the adjacent landowners as well as the Bower Community Association to ascertain their views before City Council proceeds with a Land Use Bylaw Amendment.

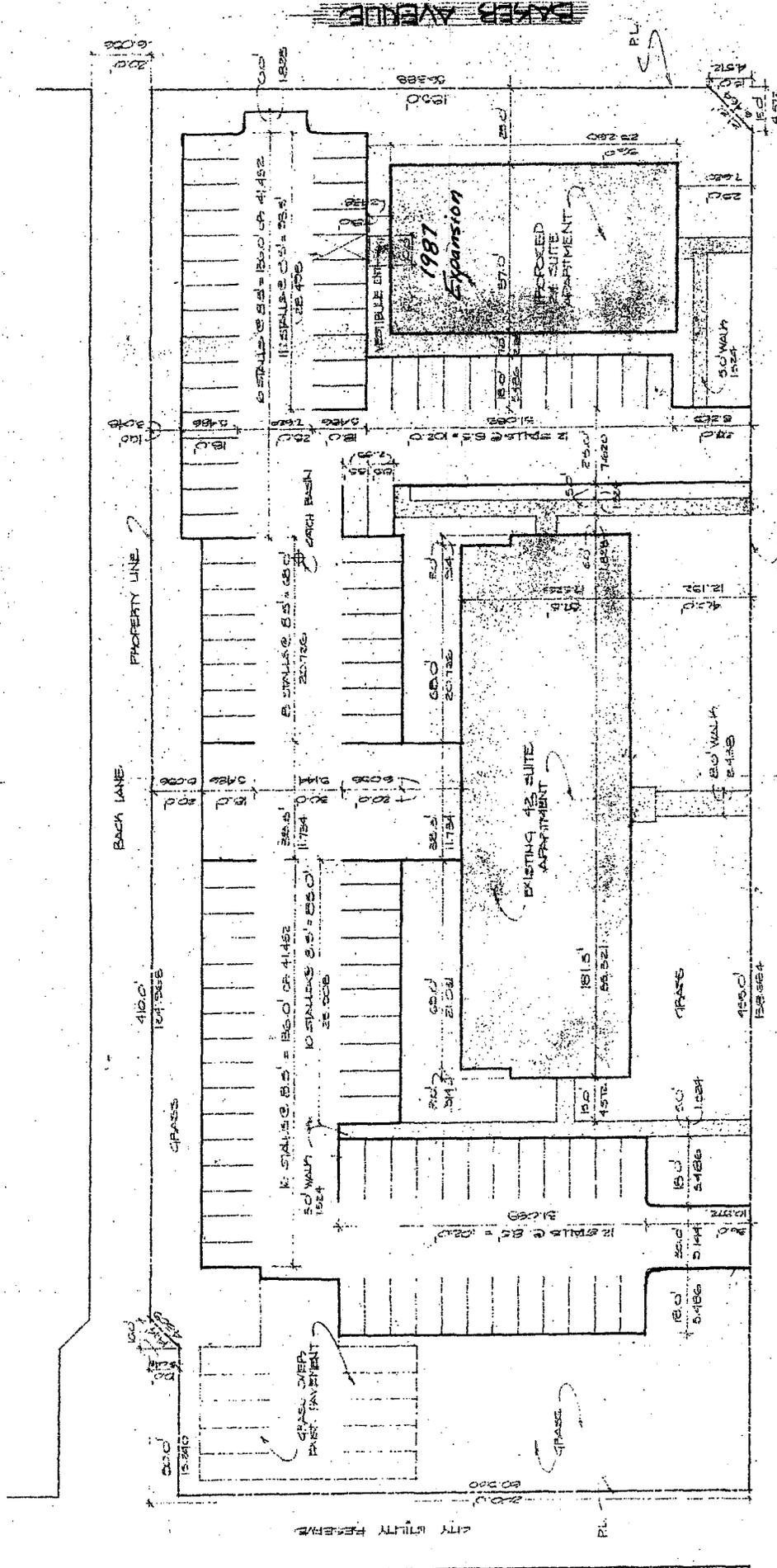
Sincerely,


Frank Wong,
Planning Assistant

cc Lowell Hodgson

Attachment

ATTACHMENT "A"



DEVELOPMENT PERMIT
 NO. 4900
 DATED April 21/87
 REFERS. to 999 S. 21st St. Mpls. Minn. 55407
 Signed *[Signature]*
 DEVELOPMENT OFFICER
 CITY OF RED DEER

BOYCE STREET

CIVIC ADDRESS
 104 BOYCE ST. RED DEER, ALTA.

PARKING
 425 SUITE APARTMENT - 21-1-25R - 21
 22-2-25R - 23
 24 SUITE APARTMENT - 1-1-25R - 1
 23-2-25R - 23

SITE PLAN
 SCALE: 1/8" = 1'-0"
 (COURTESY DIMENSIONED)

LEGAL DESCRIPTION
 LOTT: 24
 BLOCK: 782
 PLAN: 782
 ZONED: R-2
 2.14 ACRES



ATTACHMENT "B"

As residents adjacent to 104 Boyce Street, Lot 22, Block 2, Plan 782-1624,
we are opposed to the additional development of a 24 suite apartment building on
this parcel of land.

Before purchasing our homes in this area, some of us were assured that Council had limited development of the site to the one 43 suite apartment building, and that further development of the site could not take place.

It is our concern that additional development on this property will lead to increased traffic and parking congestion as is evidenced on Boyce Street in the vicinity of the existing 43 suite apartment.

In addition, with the development and increasing useage of the sportsfield and Bower Place Community Hall to the southeast of this site, parking on Boyce Street and part of Baker Avenue is already at a premium and the development of an additional apartment structure will compound this problem.

The undersigned petition Council NOT to allow additional development on this site.

| NAME (printed) | ADDRESS | SIGNATURE |
|-----------------|------------------------|--------------------|
| WAYNE RUMOHR | 24 Broughton Cr | <i>[Signature]</i> |
| LAURA RUMOHR | 24 Broughton Cres. | <i>[Signature]</i> |
| RON BLAIR | 20 Broughton Cres. | <i>[Signature]</i> |
| Lucinda Blair | 20 Broughton Cres | <i>[Signature]</i> |
| S.A. SCOTT | 16 Broughton Cres | <i>[Signature]</i> |
| J. Scott | 16 Broughton Cres | <i>[Signature]</i> |
| Bryan Wolfe | 8 - Broughton Crescent | <i>[Signature]</i> |
| A.R. Cornelius | #4 - Broughton Cres. | <i>[Signature]</i> |
| Lucie Cornelius | #4 - Broughton Cres | <i>[Signature]</i> |
| Marg Sagan | 72 Broughton Cres | <i>[Signature]</i> |
| Anna Hall | 11 Baker Ave | <i>[Signature]</i> |
| Angela Bilal | 11 BAKER AVE | <i>[Signature]</i> |

THE CITY OF RED DEER
 CLERK'S DEPARTMENT

| | |
|----------|--------------------|
| RECEIVED | |
| TIME | 8:55 am |
| DATE | April 187 |
| BY | <i>[Signature]</i> |

As residents adjacent to 104 Boyce Street, Lot 22, Block 2, Plan 782-1624,
we are opposed to the additional development of a 24 suite apartment building on
this parcel of land.

Before purchasing our homes in this area, some of us were assured that Council had limited development of the site to the one 43 suite apartment building, and that further development of the site could not take place.

It is our concern that additional development on this property will lead to increased traffic and parking congestion as is evidenced on Boyce Street in the vicinity of the existing 43 suite apartment.

In addition, with the development and increasing useage of the sportsfield and Bower Place Community Hall to the southeast of this site, parking on Boyce Street and part of Baker Avenue is already at a premium and the development of an additional apartment structure will compound this problem.

The undersigned petition Council NOT to allow additional development on this site.

| NAME (printed) | ADDRESS | SIGNATURE |
|---------------------------------------|------------------|--------------------|
| CHERYL WHITMAN | 19 BAKER AVE. | C Whitman |
| H. HOLLOWAY | 23 BAKER AVE | H Holloway |
| Chas F Meadows | 31 BAKER AVE | Chas F. Meadows. |
| Muriel C. Meadows | 31 Baker Ave. | M. C. Meadows. |
| CECILE CECILE MACDONALD | 64 BROUGHTON CR. | Cecile MacDonald |
| ROD MACDONALD | 64 BROUGHTON CR. | R. MacDonald |
| OWEN P. SMITH | 60 BROUGHTON CR. | O P Smith |
| MARJORIE R. WALK | 60 BROUGHTON CR. | M. Walk |
| Connel E. O'DONNELL | 56 BROUGHTON CR | Connel |
| JENNETTE O'DONNELL | 56 BROUGHTON CR. | Jennette O'Donnell |
| CHERYL RILEY | 52 BROUGHTON CR. | Cheryl J Riley |
| ELDON RILEY | 52 BROUGHTON CR | Eldon Riley |
| JANET PEACOCK | 48 BROUGHTON CR. | Janet Peacock |
| BURNS PEACOCK | 48 BROUGHTON CR | Burns Peacock |
| RANDY DYCK | 44 BROUGHTON CR. | Randy Dyck |
| SUZANNE DYCK | 44 BROUGHTON CR. | Suzanne Dyck |
| KELLEY LUND | 40 BROUGHTON CR. | Kelley Lund |
| Tom Lund | 40 Broughton Cr | Tom Lund |

As residents adjacent to 104 Boyce Street, Lot 22, Block 2, Plan 782-1624,
we are opposed to the additional development of a 24 suite apartment building on
this parcel of land.

Before purchasing our homes in this area, some of us were assured that Council had limited development of the site to the one 43 suite apartment building, and that further development of the site could not take place.

It is our concern that additional development on this property will lead to increased traffic and parking congestion as is evidenced on Boyce Street in the vicinity of the existing 43 suite apartment.

In addition, with the development and increasing useage of the sportsfield and Bower Place Community Hall to the southeast of this site, parking on Boyce Street and part of Baker Avenue is already at a premium and the development of an additional apartment structure will compound this problem.

The undersigned petition Council NOT to allow additional development on this site.

| NAME (printed) | ADDRESS | SIGNATURE |
|-------------------|---------------|-------------------|
| KATHLEEN OSCROFT | 7 Baker Ave. | Kathleen Oscroft |
| ROBERT OSCROFT | 7 Baker Ave | Robert Oscroft |
| Lydia Hartwig | 94 Boyce St | Lydia Hartwig |
| Paul Hartwig | 94 Boyce St | Paul Hartwig |
| Aileen Carpenter | 86 Boyce St. | Aileen Carpenter |
| RON CARPENTER | 86 BOYCE ST | Ron Carpenter |
| BRIAN VARONKO | 82 BOYCE ST | Brian Varonko |
| Madys-Lyle Fuller | 84 Boyce St | Madys-Lyle Fuller |
| LILLIAN THACKERAY | 113 Boyce St | Lillian Thackeray |
| LOYD THACKERAY | 113 Boyce St | Lloyd Thackeray |
| HARRY DUNKLE | 109 Boyce ST | Harry Dunkle |
| MERVYN JOYNT | 105 BOYCE ST | Mervyn JoynT |
| MARGUERITE JOYNT | 105 Boyce St. | Marguerite JoynT |
| JULIE SEMENIUK | 101 BOYCE ST | Julie Semeniuk |
| ROSA RANIERI | 97 Boyce ST | Rosa Ranieri |
| GARY SEMENIUK | 101 BOYCE ST | Gary Semeniuk |
| Frieda Boukall | 15 Baker Ave. | F. Boukall |
| Ross Boukall | 15 Baker Ave. | Ross Boukall |

DATE: July 27, 1999
TO: City Clerk
FROM: Engineering Services Manager
RE: **PROPERTY TEAM INC./REZONING
104 BOYCE STREET AND 86 BELL STREET**

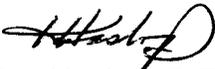
The Engineering Services Department has reviewed the request from servicing and traffic generation points of view. Both locations can be adequately serviced with sanitary and water. The Developer will be required to provide additional storm system capacity.

Traffic flow on Boyce Street was reviewed due to the close proximity of the Boyce Street site to the heavily loaded intersection of Boyce Street with the East Gaetz Avenue Service Road and the Gaetz Avenue traffic signal.

From the initial diagram, the Boyce Street site appears to have a new entrance further east from the two intersections we are concerned about. This should provide a more distributed traffic pattern from this site and should not have a detrimental effect on the traffic flow on Boyce Street.

RECOMMENDATION

Based on the above information, we would have no objections to the proposed density increase for either site.



Ken Haslop, P.Eng
Engineering Services Manager

KGH/emr

DATE: July 22, 1999
TO: City Clerk
FROM: Emergency Services
RE: Property Team Inc./Rezoning - 104 Boyce St. and 86 Bell St.

The Emergency Services Department has reviewed the proposed rezoning of 104 Boyce Street and 86 Bell Street to allow for the construction of additional apartment buildings. Both of these locations are beyond the five minute target response time of our department for both fire and ambulance. Many of the residents of this area now are seniors. There would likely be a high percentage of seniors in the additional apartments. Council should be aware that we will not be able to respond to these facilities within the five minute target.

Both sites have good access for emergency vehicles.

Recommendation:

It is respectfully recommended to Council that the Emergency Services Department has no objection to the proposed rezoning for the construction of additional apartment buildings.



Gordon Stewart, P. Eng.
Fire Chief/Manager

GS/dd

c: Director of Community Services
Director of Development Services
E.L. & P. Manager
Inspections and Licensing Manager
Public Works Manager
Recreation, Parks & Culture Manager
Principal Planner
City Solicitor

DATE: July 22, 1999
TO: City Clerk
FROM: Greg Scott
Community Development & Planning Coordinator
RE: Property Team Inc./Rezoning - 104 Boyce Street / 86 Bell Street

The Recreation, Parks and Culture Department has received the request from Property Team In. to increase the density zoning of properties at 104 Boyce Street and 86 Bell Street and has no comments as to its completion. The areas identified for the new construction have no implicating factors relating to the neighborhood park areas or their use.

If you require any further information, please contact myself at 342-8340.



Greg Scott
Community Development Planning Coordinator

:lo

Comments:

We agree with the recommendations of Parkland Community Planning Services that this proposal constitutes an overdevelopment of this site, particularly with respect to the availability of adequate parking and landscaping. In addition, this is redevelopment within an existing neighbourhood, which has to some degree counted on existing zoning to determine the nature of neighbourhood in which they are making their investment. We recommend that Council not grant the request to reduce the density limitation on the properties.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

DATE: July 19, 1999

TO: X DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
X DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
X E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
X FIRE CHIEF/MANAGER EMERGENCY SERVICES
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
X PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR - c/o Lori Loney
X RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
X CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK

RE: Property Team Inc. / Rezoning – 104 Boyce Street and 86 Bell Street

Please submit comments on the attached to this office by Monday, July 26, 1999 for the Council Agenda of Tuesday, August 3, 1999.

“Kelly Kloss”
City Clerk



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

July 19, 1999

Property Team Inc.
6725 – 40 Avenue
Red Deer, AB T4N 3M4

Attention: Kevin N. Parel

Dear Sir:

I am in receipt of your letter dated July 13, 1999 re: Redesignation of Property. Your letter will be placed on the Red Deer City Council Agenda of Tuesday, August 3, 1999.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, July 30, 1999.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, July 30th and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Kelly Kloss
City Clerk

KK/fm

FILE

**BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL**



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

August 4, 1999

Mr. Kevin N. Parel, c/o
Property Team Inc.
6725 - 40 Avenue
Red Deer, AB T4N 3M4

Faxed To: 346-9133
Phone: 346-9077

Dear Sir:

Re: Property Team Inc. - Request for Redesignation of Property / 104 Boyce Street and 86 Bell Street

At the City of Red Deer's Council meeting held Tuesday, August 3, 1999, consideration was given to your correspondence dated July 13, 1999. At that meeting, Council passed the following resolution:

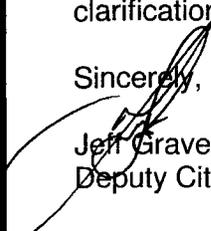
Resolved that Council of The City of Red Deer, having considered report from Property Team Inc. dated July 13, 1999 re: Request for Redesignation of Property / 104 Boyce Street (Lot 22, Block 2, Plan 782-1624) and 86 Bell Street (Lot 4, Block 5, Plan 782-1624), hereby approves said request subject to the following:

1. the passage of an appropriate Land Use Bylaw amendment allowing an increase in density on the said sites to provide for the development of one 24 unit rental complex per site;
2. the developer to hold a public meeting with the residents of Bower Place community, in conjunction with the staff of Parkland Community Planning Services, for the purpose of providing the community with an opportunity to view the scaled drawings, site plans and elevations and to provide input into the proposed developments.

Please contact Mr. Paul Meyette, Principal Planner, Parkland Community Planning Services at 343-3394 regarding the public information process. The Administration is preparing a Land Use Bylaw Amendment for consideration of Council. Once a date has been determined for that bylaw to be presented to Council, you will be contacted by this office.

Please do not hesitate to contact me should you require any further information or clarification.

Sincerely,


Jeff Graves
Deputy City Clerk

/clr

attchs.

c Principal Planner

FILE

 *** TX REPORT ***

TRANSMISSION OK

| | |
|----------------|---------------|
| TX/RX NO | 3244 |
| CONNECTION TEL | 3469133 |
| SUB-ADDRESS | |
| CONNECTION ID | PROPERTY TEAM |
| ST. TIME | 08/05 09:50 |
| USAGE T | 00'38 |
| PGS. | 1 |
| RESULT | OK |

Office of the City Clerk

August 4, 1999

Mr. Kevin N. Parel, c/o
 Property Team Inc.
 6725 - 40 Avenue
 Red Deer, AB T4N 3M4

Faxed To: 346-9133
 Phone: 346-9077

Dear Sir:

Re: Property Team Inc. - Request for Redesignation of Property / 104 Boyce Street and 86 Bell Street

At the City of Red Deer's Council meeting held Tuesday, August 3, 1999, consideration was given to your correspondence dated July 13, 1999. At that meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer, having considered report from Property Team Inc. dated July 13, 1999 re: Request for Redesignation of Property / 104 Boyce Street (Lot 22, Block 2, Plan 782-1624) and 86 Bell Street (Lot 4, Block 5, Plan 782-1624), hereby approves said request subject to the following:

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Please do not hesitate to contact me should you require any further information or



Box 5008
 Red Deer, Alberta
 T4N 3T4

The City of Red Deer

Council Decision – August 3, 1999 Meeting

DATE: August 4, 1999
TO: Principal Planner
FROM: Deputy City Clerk
RE: *Property Team Inc. - Request for Redesignation of Property / 104 Boyce Street (Lot 22, Block 2, Plan 782-1624) and 86 Bell Street (Lot 4, Block 5, Plan 782-1624)*

Reference Report:

Correspondence from Property Team Inc. dated July 13, 1999

Resolution:

Resolved that Council of The City of Red Deer, having considered report from Property Team Inc. dated July 13, 1999 re: Request for Redesignation of Property / 104 Boyce Street (Lot 22, Block 2, Plan 782-1624) and 86 Bell Street (Lot 4, Block 5, Plan 782-1624), hereby approves said request subject to the following:

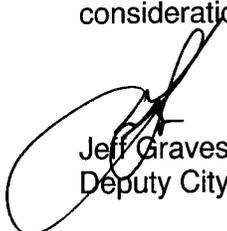
1. the passage of an appropriate Land Use Bylaw amendment allowing an increase in density on the said sites to provide for the development of one 24 unit rental complex per site;
2. the developer to hold a public meeting with the residents of Bower Place community, in conjunction with the staff of Parkland Community Planning Services, for the purpose of providing the community with an opportunity to view the scaled drawings, site plans and elevations and to provide input into the proposed developments.

Report Back to Council Required: Yes

Principal Planner
August 4, 1999
Page 2

Comments/Further Action:

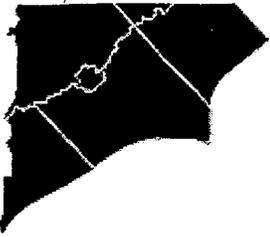
As directed above, please prepare the appropriate Land Use Bylaw Amendment for Council's consideration.



Jeff Graves
Deputy City Clerk

/clr
attchs.

- c Director of Community Services
- Director of Development Services
- Inspections & Licensing Manager
- E. L. & P. Manager
- Public Works Manager
- Recreation, Parks and Culture Manager
- Community Development & Planning Coordinator
- City Solicitor

**MUNICIPALITY OF CHATHAM-KENT****LEGAL SERVICES DEPARTMENT**

Item No. 3

CIVIC CENTRE • P.O. BOX 640 • CHATHAM, ONTARIO • N7M 5K8
TELEPHONE: (519) 360-1998 FAX: (519) 436-3237

May 20, 1999

Kelly Kloss, Clerk
Municipality of Red Deer
P.O. Box 5008
Red Deer, AB T4N 3T4

Dear Ms. Kloss:

RE: Federal Government Policies On Establishment Of and Addition to Reserves Within Canada

Chatham-Kent Council recently considered a report from its appointed Municipal Task Force relating to the proposed creation of a reserve within our community. A copy of the Interim Report to Council and a Resolution passed by Council is attached for your information.

The Resolution objects to the current Federal Government Policy which excludes Municipal Governments from participation in negotiations leading to unilateral decisions to create or add to Reserves in existing Municipalities. The Resolution also objects to the Federal Government Policy not to engage in a comprehensive policy of public consultation during such negotiations and prior to agreement in principle being reached. The Minister of Indian Affairs and Northern Development has been asked to immediately institute a process for the involvement of Municipalities and communities in any pending and future land claim settlements such that all community concerns are resolved prior to agreeing to such settlements.

We ask for your support and endorsement of this most important issue which affects many Municipalities across Canada.

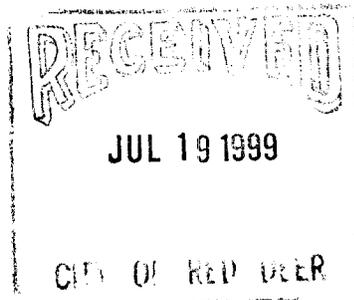
Yours very truly,

Brian W. Knott,
Director of Legal Services
e-mail: bknott@city.chatham-kent.on.ca

BWK/du

Enclosure

275.99



**MUNICIPALITY OF CHATHAM-KENT
TASK FORCE ON PROPOSED CALDWELL RESERVE
INTERIM REPORT TO COUNCIL**

May 3, 1999

1. Summary

Members of Council, your Task Force has begun its work in assessing the validity of the Caldwell First Nation specific claim; the historical context of any lawful obligation of the Crown to the Caldwell First Nation; and the issues, processes, and reasons surrounding the creation of a reserve in the Municipality of Chatham-Kent. Based on the information received to date from the federal government and various individuals and groups we have begun to develop information and strategies to assist the Municipality in dealing with these issues. In addition, we have formulated some preliminary recommendations for Council's consideration.

2. General Activities of the Task Force

Since the creation of the Task Force on the Proposed Caldwell First Nation Reserve on April 6, 1999, we have reviewed the available research in support of and in opposition to the specific claim Application of the Caldwell First Nation. Based upon that review, we have posed questions to the responsible Minister concerning the validity of this claim. We have also sought from the Minister any other relevant information supporting this claim and documentation related to prior governments' refusal of this claim. We await a response. We have been inquiring into the process undertaken by the Caldwell First Nation and the Department of Indian Affairs and Northern Development (DIAND) to arrive at the terms of the Land

Claim Settlement Agreement in Principle. At the same time, we have examined the process that will guide the federal government in approving reserve status for parcels of land accumulated by the Caldwell First Nation in its efforts to create a 4,500-acre reserve within Chatham-Kent. The process is spelled out in a DIAND policy and guideline document (additions to Reserves). In particular we examined the wording of Section 9.3.2.2, Municipal Considerations, and found what appears to be a process that could allow for the resolution of the legitimate concerns of the Municipality.

In addition, each of the members has been investigating the impact and long-term consequences of a new reserve within the boundaries of Chatham-Kent, from administrative, financial and legal perspectives.

We have also invited interested community groups, through face-to-face meetings, to help us identify and define important issues, and to recommend possible resolutions to those issues. This is a process that we will both continue and expand by giving interested groups the opportunity to meet on a scheduled basis with members of the Task Force for updates and status reports.

We have been discussing a range of strategies that will ensure the proposed Caldwell First Nation Reserve will not proceed until every legitimate concern raised by the municipality is satisfactorily resolved and can be backed up by an enforcement mechanism that is acceptable to the Municipality.

3. Dialogue with Interested Groups

We have met with five interested municipal groups, and remain open to meeting with other, including those we are unaware of, or those that might be created in response to the proposed reserve.

To date we have met and entered into a continuing dialogue with representatives of the Chatham-Kent Community Network, the Kent Federation of Agriculture, the Canada First group, the South Kent Property Development Corporation, and the Ontario Commercial Fisheries Association.

The Department of Indian Affairs of Canada made it known that it was prepared to meet with the Task Force, and we responded with a telephone call to say that a meeting was not appropriate until the Task Force received all necessary information from the government on the Claim; was better informed on DIAND's processes and policies with respect to the creation of a new reserve in a mature and productive agricultural community; and had investigated the emerging concerns with the municipality.

4. The Issues to Date

The Task Force and local interest groups have identified several serious issues with potentially very damaging consequences that will have an enormous impact on the community. Many of the issues are unique in their importance to a highly productive, highly regulated, interdependent and cooperative agricultural community such as Chatham-Kent.

At this point in time, the Task Force can summarize these issues as follows:

- (a) **Agricultural drainage** - proper and well-managed drainage is extremely important to the viability of farms throughout south Chatham-Kent. The land that appears to be targeted by the Caldwell First Nation for a proposed reserve has approximately fifty drains running through it and there are another thirty drains immediately upstream that depend on proper and constant construction,

improvement, repair and maintenance for their successful use. There is a complex system of regulation, enforcement, complaints, hearings, appeals, penalties and judicial processes to ensure that drainage issues do not affect the viability of farms and agri-business in Chatham-Kent. If a reserve is established free of current regulations and bylaws there is no system by which the farm community can ensure that this critical drainage system will function within the reserve boundaries.

- (b) **Commercial Fisheries** - the Lake Erie commercial fishery is a major component of the economy of Chatham-Kent and all of southwestern Ontario. The unregulated entry into the Lake Erie fishery by the Caldwell First Nation could have a devastating effect on the industry and upon commercial stocks of the western Lake Erie fishery.
- (c) **Municipal Services Costs** . - A large reserve or a patchwork reserve creation system could result in greater distances and therefore greater costs for standard and oversized water distribution systems and municipal roads in the absence of co-operation by the First Nation.
- (d) **Land Use Planning** - With no application of current provincial policies or municipal zoning bylaws or official plan, the municipality and the residents of Chatham-Kent will have no control or influence over land use and development of land in the proposed reserve. This uncertainty will jeopardize surrounding property values and land uses. This instability will affect personal and business decisions of neighbouring farms and business for years to come. Crop farmers operate quite co-dependently with and

rely heavily on appropriate municipal zoning and neighbourhood co-operation.

- (c) **Loss of Municipal Tax Revenues** - With the creation of a reserve, the municipality will lose significant tax revenues and this could impact the level and availability of all municipal services. It is significant that this issue has not been addressed to date by the federal government or the Caldwell First Nation.

Any one of these issues and several more must be addressed in a comprehensive manner. Creative resolutions to the issues must be found. And there must be in place a dispute-resolution and enforcement mechanism that can be relied upon by the community to result in satisfactory solutions to any disputes that might arise.

5. **Existing Federal Policy**

Some impacts of a reserve have been anticipated as municipal concerns by Indian Affairs, according to its own internal policies and guidelines, but the impacts and long-term consequences are not satisfactorily dealt with. They require resolution between the municipality and the band. No such resolution is forthcoming at present and it is the view of the Task Force that these matters must be resolved now, prior to finalization of any Settlement Agreement, and placed as a formal part of the Settlement Agreement. For example, policy 9.3.2.2. Municipal Considerations says, "A reserve will not normally be established where a municipality has requested a formalized agreement with a band but an agreement has not been reached." On other hand, "the DM (Deputy Minister) may choose to proceed" with approval of the reserve if the Department of Justice

advises there is a legal obligation to proceed, or if the municipality *"is unwilling to respond in good faith"*.

Too much is left to broad interpretation within the policies and guidelines. In effect, a determined Department of Indian Affairs could proceed despite the reassuring words that the municipality can find in the Indian Affairs procedures manual.

While the federal government, as a matter of policy, does not normally involve itself in negotiations between a municipality and a reserve, your Task Force believes that federal policy to be unrealistic, archaic and wrong. There is no reason why it should not be involved; particularly in this case, where a new reserve is being proposed within a community reliant on laws and regulations that are commonly applied in the best interest of every farm, business and resident in the community. Where cooperation is such an important element to the viability of all farms and businesses in the area, it is our view that the municipality must demand the involvement of Indian Affairs Canada in negotiations of these issues and demand satisfactory formal resolutions of these before the Land Claim Settlement Agreement is signed.

6. Recommendations

- (a) We recommend that the Municipality of Chatham-Kent continue to question the legitimacy of this Specific Claim by the Caldwell First Nation, the federal government's acceptance of the Claim, and the proposal to create a new large reserve within the Municipality. Council must demand production now by the federal government of all documentation and advice that it has in its files regarding

this Claim and the reason the federal government concluded that it had a legal obligation with respect to the application. Previous governments had rejected Caldwell claims, citing a lack of historical evidence. A letter (copy attached) was forwarded on April 23, 1999 to the federal ministry requesting documentation and has remained unanswered. Council must demand answers to all questions raised in the letter.

- (b) We recommend that Council pass a resolution objecting to the current federal policy which excludes municipal governments from participation in negotiations leading to unilateral decisions to create or add to reserves in existing municipalities, and further that this resolution also object to the federal government policy not to engage in a comprehensive policy of public consultation during such negotiations and prior to agreement in principle being reached.
- (c) We recommend that the Mayor immediately forward a letter of objection to the current situation and demand an urgent meeting with the Minister to begin a process of resolving all municipal concerns prior to ratifying or signing the Settlement Agreement or any similar or ancillary agreement. A draft of such letter is attached.
- (d) In response to requests from organized interested groups from within the Municipality, we recommend that regularly scheduled meetings between representatives of interested groups and the Task Force take place, and that updates and status reports on activities and developments be prepared for those groups.

- (e) We recommend that the work of the TASK Force continue to identify, define and communicate legitimate concerns, issues, impacts and long-term consequences to Council, the interested groups, and, through the media, to the community at large.

- (f) We recommend that the Task Force continue its work and that the Municipality oppose the reserve through political means, process, or litigation, until every legitimate concern raised by the Municipality (including the legitimacy of the Caldwell claim) is satisfactorily resolved.

Respectfully submitted,

William Day
Alan Pope
Tom Reid
Jack Wilkinson

RESOLUTION NUMBER 003.99

OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

WHEREAS the Department of Indian Affairs and Northern Development has established policies and a process for Aboriginal Claims and Treaty negotiations, including the establishment of and addition to Reserves within Canada;

AND WHEREAS such policies traditionally exclude Municipalities from such negotiations and reject community consultation prior to concluding agreements on these matters;

AND WHEREAS the Municipal and Community concerns include such important issues as land use planning, Municipal tax revenues, integration of Municipal roads and services, the applicability of Provincial laws and regulations and Municipal By-laws on Reserves and their enforcement, agricultural productivity and policy, water policies and agricultural drainage, industrial and development policy, the status of existing agencies and institutions, hunting and fishing on private and Crown lands and water, dispute resolution and intergovernmental relations;

AND WHEREAS such policies of non-involvement and non-consultation with Municipalities and the affected communities are wrong, archaic, and unrealistic and create misunderstanding, fear, and confrontation;

NOW THEREFORE BE IT RESOLVED that the Minister of Indian Affairs and Northern Development immediately institute a process for the involvement of Municipalities and Communities in any pending and future land claim settlements, such that all community concerns are resolved prior to agreeing to such settlements;

AND BE it further resolved that a copy of this resolution be forwarded to the following government agencies and other bodies and Municipalities for their support and endorsement:

Privy Council of Canada
Provincial Ministers of Indian Affairs and Native Affairs Secretariats
Federation of Canadian Municipalities
Association of Municipalities of Ontario
Municipalities across Canada with similar concerns and issues

MOVED BY _____

SECONDED BY _____

April 23, 1999

By facsimile transmission and courier

**MINISTER OF INDIAN AFFAIRS
AND NORTHERN DEVELOPMENT**

10 Wellington, 21st Floor
Hull, Quebec
K1A 0H4

ATTENTION: Hon. Jane Stewart

Dear Minister:

RE: The Caldwell First Nation

I have been retained to provide legal advice to the Municipality of Chatham-Kent and to participate in a municipal task force concerning The Caldwell First Nation (hereinafter referred to as "Caldwell") and a proposal to create a reserve within the municipal boundaries.

I have reviewed the draft Caldwell Trust Agreement, the draft Settlement Agreement, the Report by Joan Holmes & Associates Inc. (hereinafter referred to as "Holmes") prepared for the Indian Commission of Ontario in November 1994, a document entitled Additional Caldwell Questions by Holmes in July 1995, Caldwell Technical Briefing, The Caldwell First Nation Land Claim (Schwenger) of February 1999, articles by Kate Clendenning and your Questions and Answers document. *In reaching your decision on this matter if you considered or had reference to any other material or opinions, including Department of Justice opinions that a lawful obligation existed, the municipality would appreciate receiving copies of all such materials as soon as possible.*

I also note that you have indicated that the Caldwell First Nation has been designated as an Indian Band under federal law. Kindly forward any reports, opinions or material concerning this decision. Finally, previous federal governments over many decades had rejected this claim and determined that

no lawful obligation existed. May I please have a copy of the material relied upon by the federal government of the day in making those decisions.

There appear to be contradictions in historical evidence and opinion. My client requests that all parties to this process (including our federal government) address these matters. In addition, there are historical issues that do not yet appear to have been addressed and my client requests that they be now addressed.

1. It appears that very little direct, first-hand and documented history exists concerning the Caldwell "band" or family prior to 1831, when some descendents began to request land and recognition. In fact, the Holmes Report is devoid of any documented information prior to 1837. On the other hand Schwenger indicated (page 4) that William Caldwell Sr. was born in 1750 in Northern Ireland and immigrated to the present day United States in 1773 only arriving in the Detroit area in 1778. His son, Billie Caldwell, was born in 1780 and was half Mohawk, residing on the Grand River, until his father sent for him in 1789. Another son, William Caldwell Jr., was born to William Caldwell in the Amherstburg area. In fact, Schwenger concludes (on page 8) that the archives at Fort Malden Historic Park fail to refer to Caldwell at all. Are these facts correct, and if so, does this not affect the issue of *aboriginal* entitlement or the nature of the government's legal obligation? Is the government saying that there were two unrelated Caldwell families with father and son together, both sons named William, fighting for the same Generals in the same battles of the War of 1812 and that this is the source of the confusion? If this is the case, what documentation do you have of these facts?
2. The Holmes Report (pages 2-3), quotes extensively from documents which the Report itself describes as being recorded in the later half of the nineteenth century, in other words, almost one hundred years after the Treaty of 1790. For instance a local history by Thaddeus Smith, dated 1899, indicates that the Chippewas and Ottawas jointly held Pelee Island and Louis Deleany, in 1894, said that he had heard the Caldwells say that they were rightful owners of the land. Yet the Holmes Report fails to address the issue of whether Caldwell's Rangers (a.k.a. the Caldwell Band) were claiming title based on promises made to them as a result of military service in the War of 1812 (a claim later asserted) or whether the Caldwell First Nation claimed title based on ancient historic use and/or occupation of the land as aboriginals. There appears to be no evidence of occupation to the lands specifically by the Caldwell First Nation prior to 1790. Schwenger states (page 4) that there is no evidence of Chippewa occupation prior to the 1760's at which time European settlers had also moved into the area. As well, Schwenger indicates that Caldwell

attempted to get land for his associates, who were mixed Pottawatomi, Wyandotte and Ojibwa (page 5) as a reward for military service. In the Caldwell Technical Briefing, your department cited "Myths" and "Fact". On the matter of Chippewa occupation prior to the 1760's you indicate that the Chippewa moved into the area in the first half of the eighteenth century. Recognizing that European settlers had also moved into the area at the same time, there is no history of traditional use or occupation of these lands by the Chippewa prior to the arrival of the Europeans. How therefore is there either a lawful obligation or aboriginal entitlement? Does being "there at the time of the treaty" meet the test for specific claims approval? If Schwenger is incorrect, in what way is she incorrect and is there any concurrent documentation to support Chippewa aboriginal occupation? Finally, is there any independent verification of entitlement as opposed to repetition, for over a century, of unproven assertions of aboriginal entitlement by those claiming it?

3. The Caldwell association with Point Pelee is also of some note as on this matter in fact Holmes and Schwenger appear to agree. Schwenger (page 5) indicates Caldwell received land in Amherstburg in 1799 and 1801 and Holmes that Chippewa Indians associated with Amherstburg occupied Point Pelee from 1775 or 1785 and that there are first references to villages around 1768 or 1782-1786 (page 4). Is there any evidence that the Caldwell First Nation itself occupied these lands prior to the arrival of the Europeans and/or sufficient to establish aboriginal entitlement to the exclusion of others?
4. The participation of the Caldwells in the War of 1812 appears to be documented consistently by Holmes and Schwenger. Yet there are differences that are relevant to your decision. Holmes describes the participants in the War of 1812 as "Chief William Caldwell and his father Quineseas Caldwell" (page 5) whereas Schwenger describes the participants aiding the same Major General Proctor as William Caldwell Sr. ("commanded...Caldwell's Rangers") and including his son William Caldwell Jr. (page 5). The question remains, were the Caldwells Chippewa or aboriginal or were they an Irishman and his son with aboriginal associates and does issue not affect an issue of aboriginal entitlement?
5. Holmes and Schwenger both make reference to claims from the Caldwells to Point Pelee (as having been reserved to them) yet, Holmes without justification treats their occupation and claims as "Indian" i.e. aboriginal, while Schwenger and even the federal government later refers to their complaints as having not received promised land as compensation for military service in the War of 1812.

Your Questions and Answers document has evoked further questions. On what basis is the statement made in Question 2, that negotiations with a First Nation over the creation of a new reserve are part of the day to day business of the municipality when no such negotiations have ever taken place in southern Ontario before? In Question 3 will the *Drainage Act* of Ontario apply to Reserve lands? In Question 4 are there outstanding claims being asserted by Caldwell First Nation to any bodies of water or lands under bodies of water? Why did the government not settle all outstanding matters, including Pelee Island, Point Pelee, hunting, fishing and other aboriginal claim issues such as the Treaty of 1870, the Pelee Island Lease, Treaty of 1825 and the Treaty of 1827? Why was any claim against Her Majesty in any capacity not settled in the Settlement Agreement?

Minister, the purpose of my letter is to seek to resolve historical and factual questions that need to be answered in a detailed manner, in order that my client can understand clearly the reasons for your decision.

I also understand that the government is presently considering two reserve status applications of specific parcels of land (approximately 68 acres and 3 acres). I refer to your policy guideline entitled *Additions Proposal Checklist*. Could you please provide the Municipality of Chatham-Kent with information contained in the application and government proposals and/or review material concerning the following:

- a) Composite of the Off Reserve Community;
- b) Projected Social, Housing and Community needs (Section C.5);
- c) Projected costs (Section D.5);
- d) Provincial concerns (Section D.7-1);
- e) Views of Other Government Agencies (Section D.8); and
- f) Present and Proposed Use of Land (Section D.9).

Again we would appreciate receipt of all pertinent information on the above noted issues from both the application and the government review of it.

I would appreciate your early response in order that the Municipality of Chatham-Kent can review the validity of the claim and its

potential impact prior to responding further. *The municipality of Chatham-Kent requests a meeting with you to discuss your response to these questions and issues at the earliest possible opportunity. Kindly advise as to a date and place convenient to yourself.*

Yours truly,

Alan W. Pope

AWP/br

OFFICE OF THE MAYOR

William K. Erickson,
Mayor

CIVIC CENTRE • P.O. BOX 640 • CHATHAM, ONTARIO • N7M 5K8
TELEPHONE: (519) 436-3219 FAX: (519) 436-3237

May 3, 1999

The Honourable Jane Stewart
Department of Indian Affairs & Northern Development
10 Wellington, 21st Floor
Hull, Quebec
K1A 0H5

Dear Ms. Stewart:

Our counsel, Alan Pope, has previously written to you expressing our concerns over the validity of the Specific Claim Application of the Caldwell First Nation and the proposal to create an independent reserve in the middle of our municipality. Our questioning of whether a lawful obligation exists and whether such a reserve should be created is not an attack of our fellow residents and neighbours who are members of the Caldwell First Nation but rather a reaction to your Department's archaic, unrealistic and erroneous policies of excluding municipalities from participation in specific claim, treaty and aboriginal negotiations and your Department's traditional rejection of community consultation prior to concluding negotiations on these matters. The consequence of these policies are needless fear, anxiety and confrontation, seen here in Chatham-Kent and in many other areas of Canada.

At its meeting of May 3, 1999, the Council of the Municipality of Chatham-Kent, by unanimous resolution, requested your urgent response to our questions as expressed in Mr. Pope's letter of April 23, 1999. We believe that it is necessary for our residents to fully understand the basis for your decisions on this matter prior to dealing with the consequences of your decision upon us. Once we receive complete answers to our questions and prior to your signing of the Settlement Agreement, we request a meeting with yourself and the Caldwell First Nation to resolve our many concerns with the Settlement Agreement and this reserve application. As a result of this meeting, we would expect amendments and additions to the Settlement Agreement and reserve order-in-council, if they were to proceed at all.

The Honourable Jane Stewart
Page Two
May 3, 1999

It is the belief of the Municipality of Chatham-Kent that, at the very least, there must be an Adhesion Agreement between Canada, the Caldwell First Nation and the Municipality of Chatham-Kent and that Agreement adopted by reference in, and as part of, the Settlement Agreement. The substance of this Adhesion Agreement must be comprehensive and detailed. It must answer all of our concerns with respect to the functioning of a reserve in the municipality. If such a mechanism cannot be found or if our concerns cannot be fully accommodated immediately, then it is our position that the Government of Canada ought not to ratify or sign the Settlement Agreement nor establish a reserve.

Minister, our concerns are widespread and numerous dealing with such things as compatible land-use planning, agricultural productivity and policy, industrial and development policy, applicability of provincial laws and regulations and municipal by-laws on reserve, enforcement, the status of existing agencies and institutions, hunting and fishing on private and crown lands and waters, water policies and drainage, integration of municipal roads and services, municipal tax revenues, dispute resolution and intergovernmental relations. We are prepared to provide concrete details concerning these issues and, if given the chance, to offer our own proposals. I can advise you, Minister, that one thing that we cannot accept is a simple protocol agreement on process that does not fix the policies to be applied on the various matters for all reserve lands from the outset.

In closing, I again ask for your urgent response to Mr. Pope's letter of April 23, 1999, and ask that you please confirm an early meeting date. Also, would you please now confirm that your government will not approve or sign any Settlement Agreement until our concerns have been resolved.

Yours truly,

Mayor William K. Erickson

WKE/dk

Comments:

We recommend that Council agree to send a letter of support to Chatham-Kent and ensure that our Member of Parliament is advised of our concerns on this issue.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Office of the City Clerk

August 4, 1999

Municipality of Chatham-Kent
Legal Services Department
Civic Centre, P.O. Box 640
Chatham, ON N7M 5K8

Att: Brian W. Knott,
Director of Legal Services

Dear Sir:

Re: *Federal Government Policies on Establishment of and Addition to Reserves within Canada*

At the City of Red Deer's Council meeting held Tuesday, August 3, 1999, consideration was given to your correspondence and resolution dated May 20th requesting support for this matter. At that meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer, having considered report from the Municipality of Chatham-Kent dated May 20, 1999 re: Federal Government Policies on Establishment of and Addition to Reserves within Canada, hereby agrees to forward a letter of support to the Municipality of Chatham-Kent for the following resolution initiated by that municipality:

"Whereas the Department of Indian Affairs and Northern Development has established policies and a process for Aboriginal Claims and Treaty negotiations, including the establishment of and addition to Reserves within Canada;

And Whereas such policies traditionally exclude Municipalities from such negotiations and reject community consultation prior to concluding agreements on these matters;

And Whereas the Municipal and Community concerns include such important issues as land use planning, Municipal tax revenues, integration of municipal roads and services, the applicability of Provincial laws and regulations and municipal bylaws on Reserves and their enforcement, agricultural productivity and policy, water policies and agricultural drainage, industrial and development policy, the status of existing agencies and institutions, hunting and fishing on private and Crown lands and water, dispute resolution and intergovernmental relations;



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

And Whereas such policies of non-involvement and non-consultation with Municipalities and the affected communities are wrong, archaic, and unrealistic and create misunderstanding, fear and confrontation;

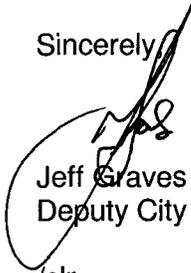
Now Therefore Be It Resolved that the Minister of Indian Affairs and Northern Development immediately institute a process for the involvement of Municipalities and Communities in any pending and future land claim settlements, such that all community concerns are resolved prior to agreeing to such settlements;

And Be It Further Resolved that a copy of this resolution be forwarded to the following government agencies and other bodies and municipalities for their support and endorsement:

Privy Council of Canada
Provincial Ministers of Indian Affairs and Native Affairs Secretariats
Federation of Canadian Municipalities
Association of Municipalities of Ontario
Municipalities across Canada with similar concerns and issues.”

Thank you for the opportunity for input. We have forwarded a copy of this correspondence to Mr. Bob Mills, our Member of Parliament.

Sincerely



Jeff Graves
Deputy City Clerk

/clr

c Director of Community Services

Mr. Bob Mills, M.P.
Reform Party
4921 - 47 Street
Red Deer, AB T4N 1R4

BYLAW NO. 3156/O-99

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

Whereas The City of Red Deer is seeking to maintain the character of older neighbourhoods; and

Whereas the City of Red Deer seeks to enforce the Bylaw by allowing inspections of properties that are suspected of contravening the Bylaw;

The Municipal Council of the City of Red Deer enacts as follows:

1 Section 31 is deleted and the following section is substituted in its place:

"ENFORCEMENT

- 31 (1) The provisions of this bylaw may be enforced by way of stop order, injunction or such other relief as may be available under the *Municipal Government Act*.
- (2) A designated officer may inspect premises in accordance with the provisions of the *Municipal Government Act* where there are reasonable grounds to believe that the premises are being used in contravention of this bylaw. Without limiting the generality of the foregoing, such reasonable grounds would include:
- (a) complaints from the public that premises are being used contrary to the bylaw;
 - (b) the observations of a bylaw officer that there is excessive traffic, parking problems, accumulated debris in a yard or other apparent breach of this bylaw.
- (3) For the purpose of inspecting premises pursuant to this bylaw and the *Municipal Government Act*, the following shall be designated officers:
- (a) a bylaw officer;
 - (b) a building inspector;
 - (c) a member of The City Inspections Department;

(d) the Development Officer or anyone designated by the Development Officer.”

2 Section 47(2) is hereby deleted.

3 The following is added to section 47(1):

“Residential

| | |
|-----------------------------|---|
| Detached Dwelling | 2.0 per unit |
| Semi-detached | 2.0 per unit |
| Multi-attached Building | 2.0 per unit |
| Multiple Family Building | 1.0 per one bedroom unit; 1.5 per two bedroom unit; 2.0 per three bedroom unit plus 1.0 space for every 5 units which must be clearly identified as guest parking |
| Lodging and Boarding Houses | 1.0 per 2 persons being accommodated |
| Senior Citizen Housing | 1.0 per 2 dwelling units “ |

4 The following section 47(2) is hereby added:

“47 (2) Notwithstanding Section 47(1), all residential development in the C1 District shall meet the residential parking standards as specified above.”

5 The following Section 165.1 is hereby added to the RESIDENTIAL LOW DENSITY DISTRICT section of the Land Use Bylaw:

“165.1 Redevelopment in Existing Neighbourhoods

Notwithstanding Section 164, in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission shall have the authority to require increased development standards for any infill or redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or along the applicable street.”

6 The following Section 170.1 is hereby added to the RESIDENTIAL (SEMI-DETACHED DWELLING) DISTRICT section of the Land Use Bylaw:

“170.1 Redevelopment in Existing Neighbourhoods

Notwithstanding Section 169, in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission shall have the authority to require increased development standards for any infill or redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or along the applicable street."

- 7 In Part One, Section 5 (1) - the listing of City of Red Deer Land Use Districts, is amended to include (listed alphabetically):

"R1N Residential Narrow Lot District

DC Direct Control District:

DC(7) Direct Control District No. 7
 DC(8) Direct Control District No. 8
 DC(9) Direct Control District No. 9"

READ A FIRST TIME IN OPEN COUNCIL this 5 day of July A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

 MAYOR

 CITY CLERK

BYLAW NO. 3156/R-99

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

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

- 1 The "Use District Map H13" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 13/99 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 5 day of July A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

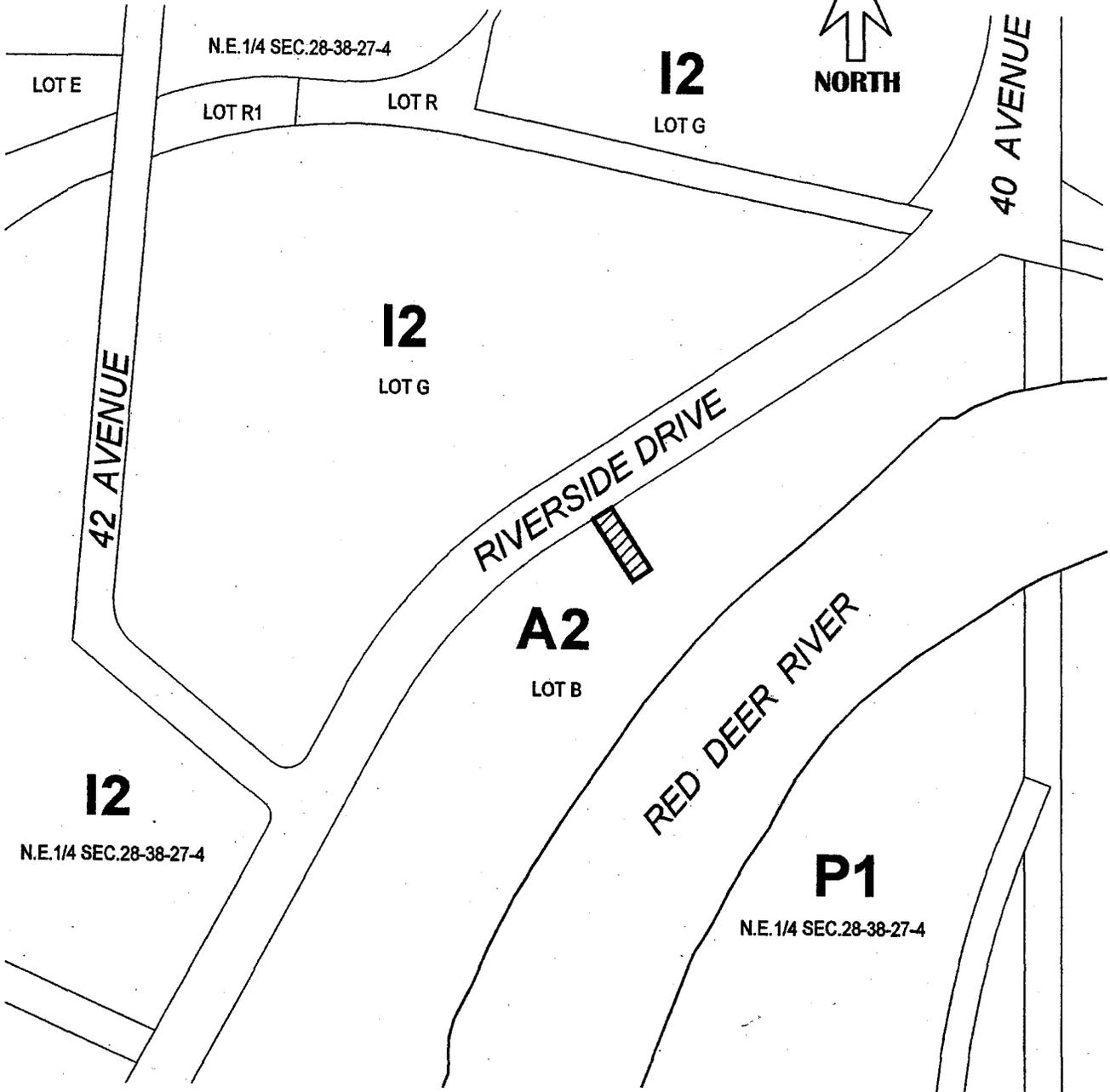
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A2 to PS 

AFFECTED DISTRICTS:

A2 - Environmental Preservation

PS - Public Service (Institutional or Governmental)

MAP No. 13 / 99

BYLAW No. 3156 / R - 99

Item No. 3

BYLAW NO. 3156/U-99

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

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

- 1 The "Use District Map F10" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 16/99 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 5 day of July A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

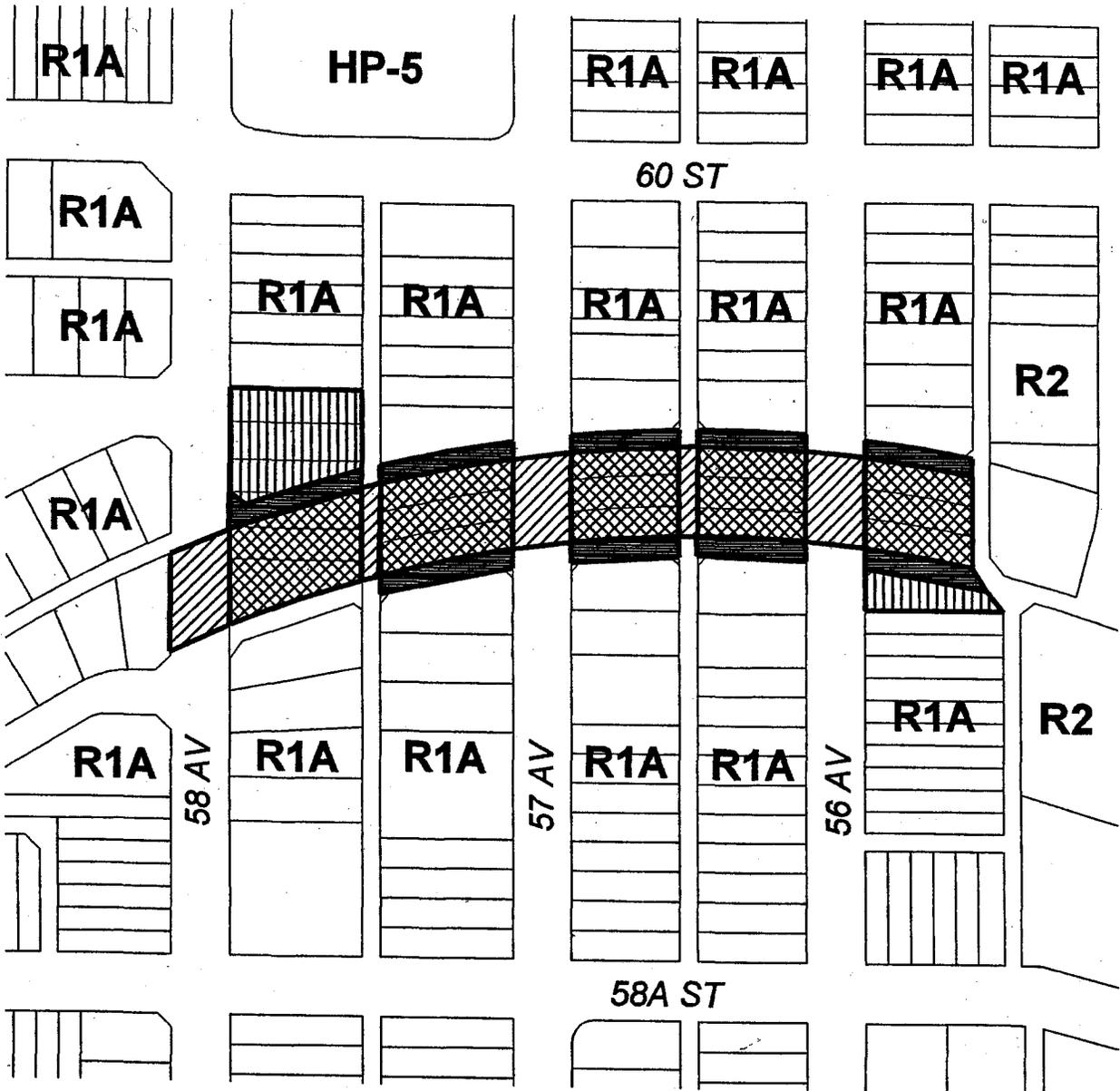
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



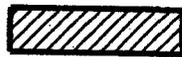
Change from:

I1 to Road or Lane

I1 to R1

Lane to R1

R1A to R1



AFFECTED DISTRICTS:

11 - Industrial (Business Service)

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

MAP No. 16 / 99

BYLAW No. 3156 / U - 99

BYLAW NO. 3156/V-99

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

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

- 1 The "Use District Map J5" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 17/99 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 5 day of July A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

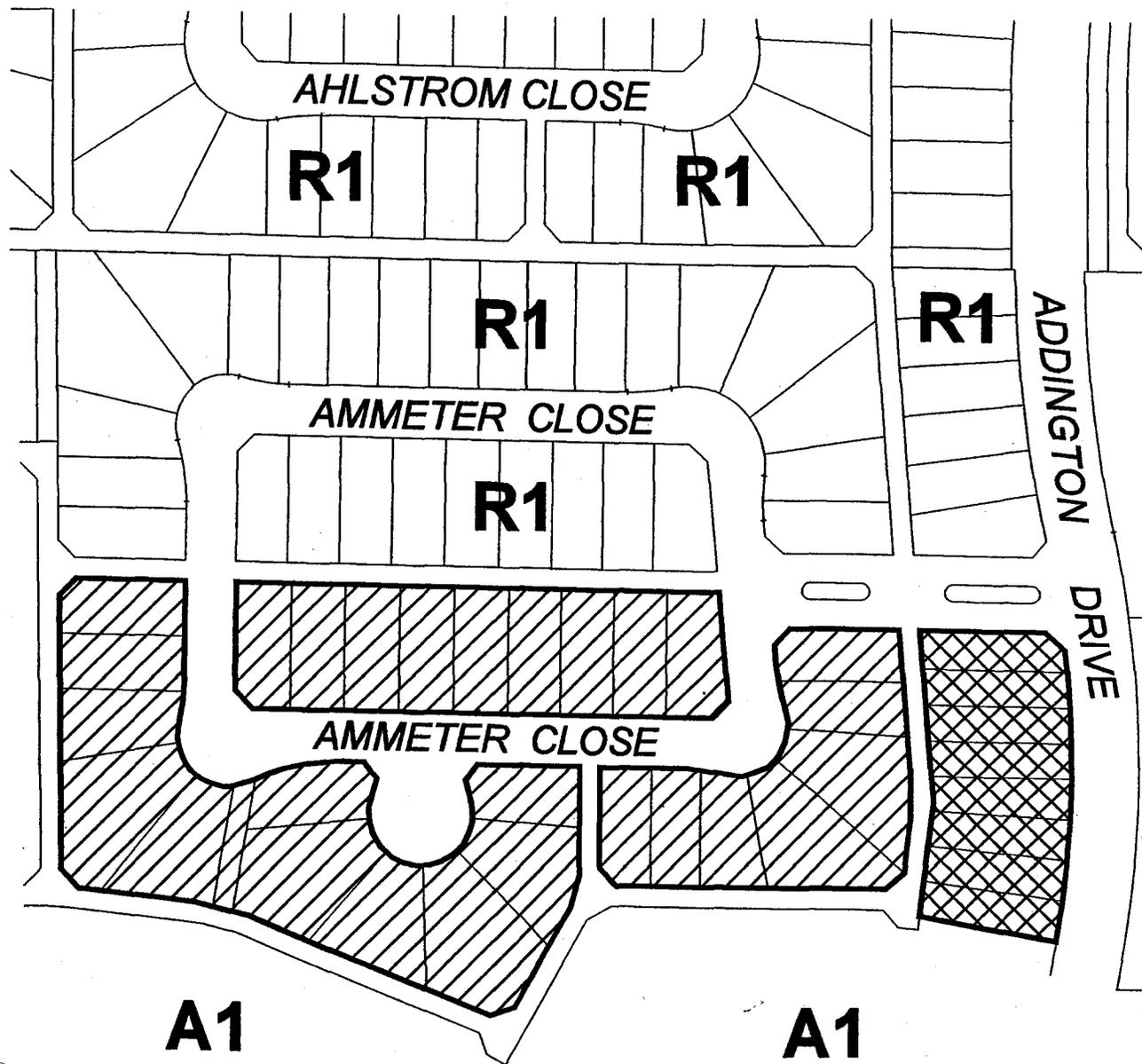
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi - Detached Dwelling)
- R1N - Residential (Narrow Lot)

Change from:

- A1 to R1 
- R1A to R1N 

MAP No. 17 / 99
 BYLAW No. 3156 / V - 99

Item No. 5

BYLAW NO. 3156/Z-99

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

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

- 1 The "Use District Map D13" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 21/99 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.

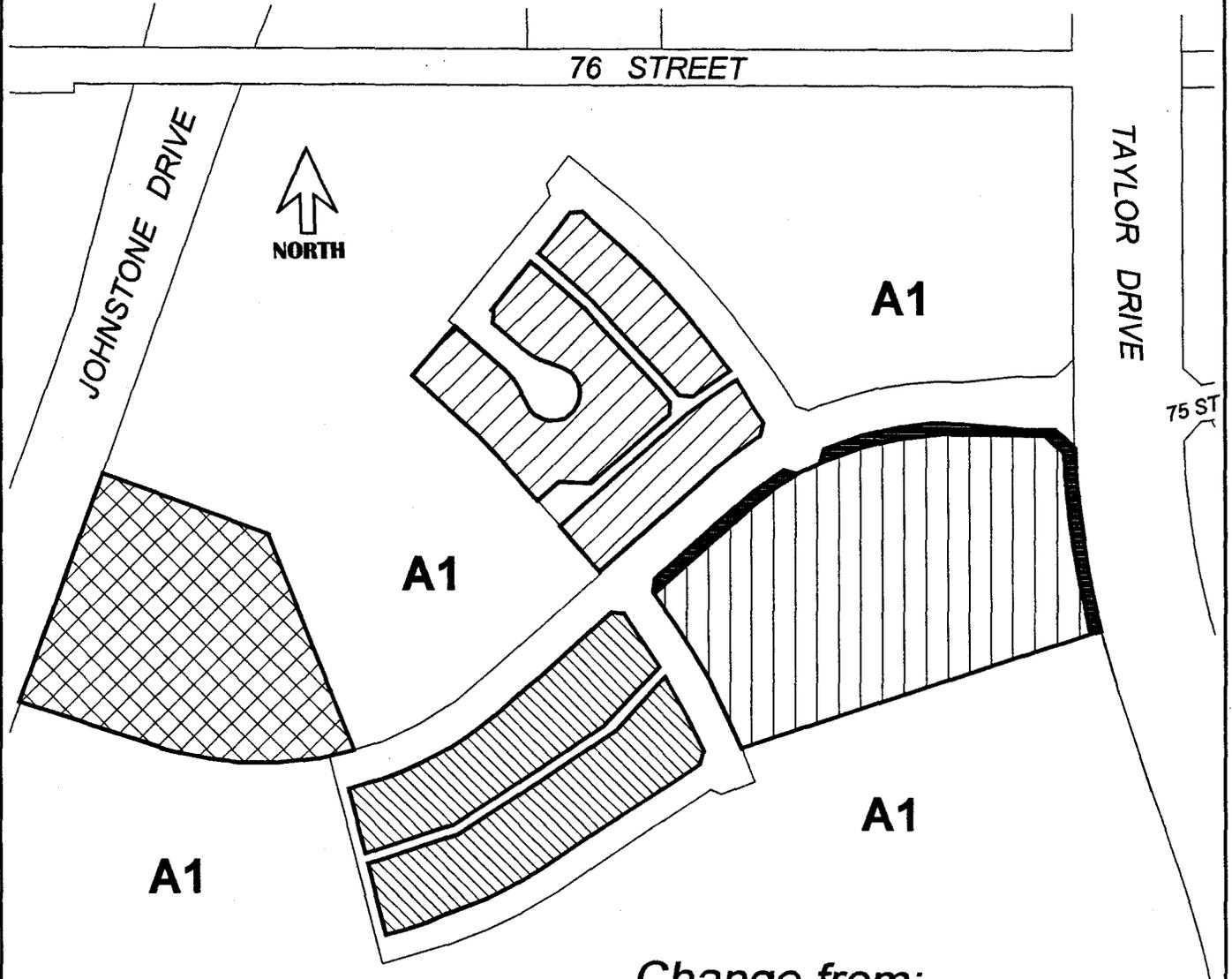
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1N - Residential (Narrow Lot)
- R2 - Residential (Medium Density)
- PS - Public Service (Institutional or Government)
- P1 - Parks & Recreational

Change from:

- A1 to R1 
- A1 to R1N 
- A1 to PS 
- A1 to R2 
- A1 to P1 

MAP No. 21 / 99
 BYLAW No. 3156 / Z - 99

Item No. 6

BYLAW NO. 3217/A-99

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

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

- 1 Bylaw 3217/98 with regard to The Anders Southeast (Aspen Ridge) Area Structure Plan, is amended by deleting therefrom Page 5, Figure 3 and Figures 5 through 9 and substituting therefor the attached Page 5, Figure 3 and Figures 5 through 9 which forms part of the Bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 5 day of July , A.D. 1999.

READ A SECOND TIME IN OPEN COUNCIL this day of , A.D. 1999.

READ A THIRD TIME IN OPEN COUNCIL this day of , A.D. 1999.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of , A.D. 1999.

MAYOR

CITY CLERK

Table 1 - Neighbourhood Area Structure Plan Statistics

| Land Use | Acres | Hectares | Percentage |
|---|---------------|---------------|---------------|
| Single Family Detached (R1) | 67.13 | 27.168 | 45.1% |
| Single Family Detached - Narrow (R1-N) | 2.68 | 1.085 | 1.8% |
| Duplex Lots (R1-A) | 8.84 | 3.578 | 5.9% |
| Residential – Multi-family (R2/R3) | 16.53 | 6.688 | 11.1% |
| Church Site (R1) | 2.00 | 0.811 | 1.3% |
| Day Care Site (R1-A) | 0.30 | 0.121 | 0.2% |
| Social Care Site (R1) | 0.30 | 0.120 | 0.2% |
| Emergency Services / Community Facility / Duplex Site (PS/R1-A) | 0.99 | 0.402 | 0.7% |
| School Site, Park & Walkways (P1) | 10.91 | 4.416 | 7.3% |
| Storm Detention Ponds (PS) | 2.51 | 1.016 | 1.7% |
| Treed along 30th Avenue (P1) | 3.98 | 1.609 | 2.7% |
| Public Utility Lots (PS) | 0.46 | 0.188 | 0.3% |
| Streets and Lanes | 32.24 | 13.048 | 21.7% |
| TOTAL DEVELOPABLE AREA | 148.88 | 60.249 | 100.0% |

Table 1 illustrates that 64.1 per cent of the Neighbourhood Area Structure Plan Area is for residential uses, 12.0 per cent for open space including a storm detention pond, 21.5 per cent for dedicated streets and lanes and the balance for other related uses.

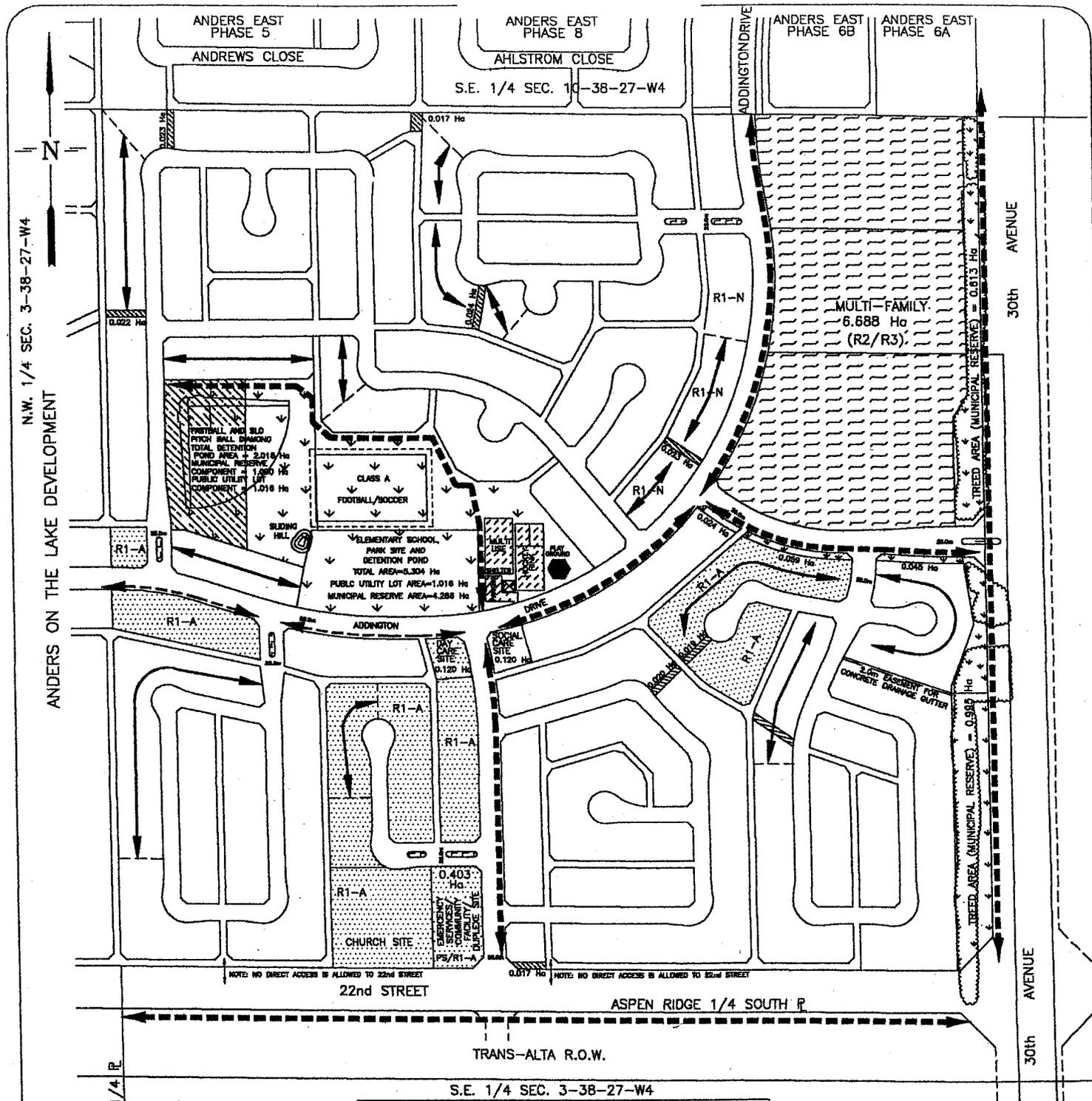
4.4 Residential

The low density residential areas are proposed for predominately R1 single detached dwellings and a portion R1-A which may accommodate semi detached dwellings as well as detached dwellings.

The residential (R2/R3) medium density area in the northeast portion of the Neighbourhood Area Structure Plan is proposed for a mix of product type. The actual mix is very much dependent upon the prevailing market conditions and will be finalized at the subdivision stage. As previously noted, a portion of the medium density area is intended as a mature adult community.

The residential density allocated for the area in the East Hill Area Structure Plan is approximately six (6) units per gross acre.

The Neighbourhood Area Structure Plan, depending upon the actual lot size and land use, is anticipated to accommodate 690 to 770 dwelling units and a population of 2070 to 2310 persons. Given this estimated unit count the overall density for the Outline Plan Area is approximately 4.3 to 4.8 units per gross acre.



NOTE: NO DIRECT ACCESS IS ALLOWED TO 22ND STREET

NOTE: NO DIRECT ACCESS IS ALLOWED TO 22ND STREET

LEGEND:

- TWO STOREY RESIDENTIAL WITH WALKOUT BASEMENTS PERMITTED
- SINGLE FAMILY
- MULTI-FAMILY
- DUPLEX
- PUBLIC UTILITY LOTS
- SCHOOL, PARKS, AND PUBLIC OPEN SPACE
- MINOR PEDESTRIAN WALKWAYS AND BIKE PATHS
- MAIN PEDESTRIAN WALKWAYS AND BIKE PATHS
- CHILDREN'S PLAYGROUND

S.E. 1/4 SEC. 3-38-27-W4

| TOTAL AREA OF ORIGINAL 1/4 SECTION | 84.876 Ha | 160.31 Ac |
|---|-----------|-----------|
| 28th STREET AND 30th AVENUE WIDENING | 4.627 Ha | 11.43 Ac |
| DEVELOPABLE AREA | 60.249 Ha | 148.86 Ac |
| SINGLE FAMILY - DETACHED (R1) | 27.168 Ha | 67.13 Ac |
| SINGLE FAMILY - NARROW (R1-N) | 1.085 Ha | 2.68 Ac |
| MULTIPLE FAMILY (R2/R3) | 6.688 Ha | 16.53 Ac |
| DUPLEX LOTS (R1-A) | 3.578 Ha | 8.84 Ac |
| EMERGENCY SERVICES/COMMUNITY FACILITY/DUPLEX SITE (PS/R1-A) | 0.402 Ha | 0.99 Ac |
| CHURCH SITE (R1-A) | 0.811 Ha | 2.00 Ac |
| DAY CARE SITE (R1-A) | 0.121 Ha | 0.30 Ac |
| SOCIAL CARE SITE (R1) | 0.120 Ha | 0.30 Ac |
| ELEMEN. SCHOOL SITE, PARK AND WALKWAYS (P1) | 4.416 Ha | 10.91 Ac |
| TREED AREA ALONG 30th AVENUE (P1) | 1.809 Ha | 3.98 Ac |
| STORM DETENTION POND (PS) | 1.016 Ha | 2.51 Ac |
| PUBLIC UTILITY LOTS (PS) | 0.188 Ha | 0.48 Ac |
| ROADS | 13.048 Ha | 32.24 Ac |
| COLLECTOR | 3.043 Ha | 7.52 Ac |
| RESIDENTIAL | 7.311 Ha | 18.07 Ac |
| LANES | 2.892 Ha | 7.15 Ac |

FIGURE 3 DEVELOPMENT CONCEPT

SCALE 1:5000
REVISED JUN 14/99

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

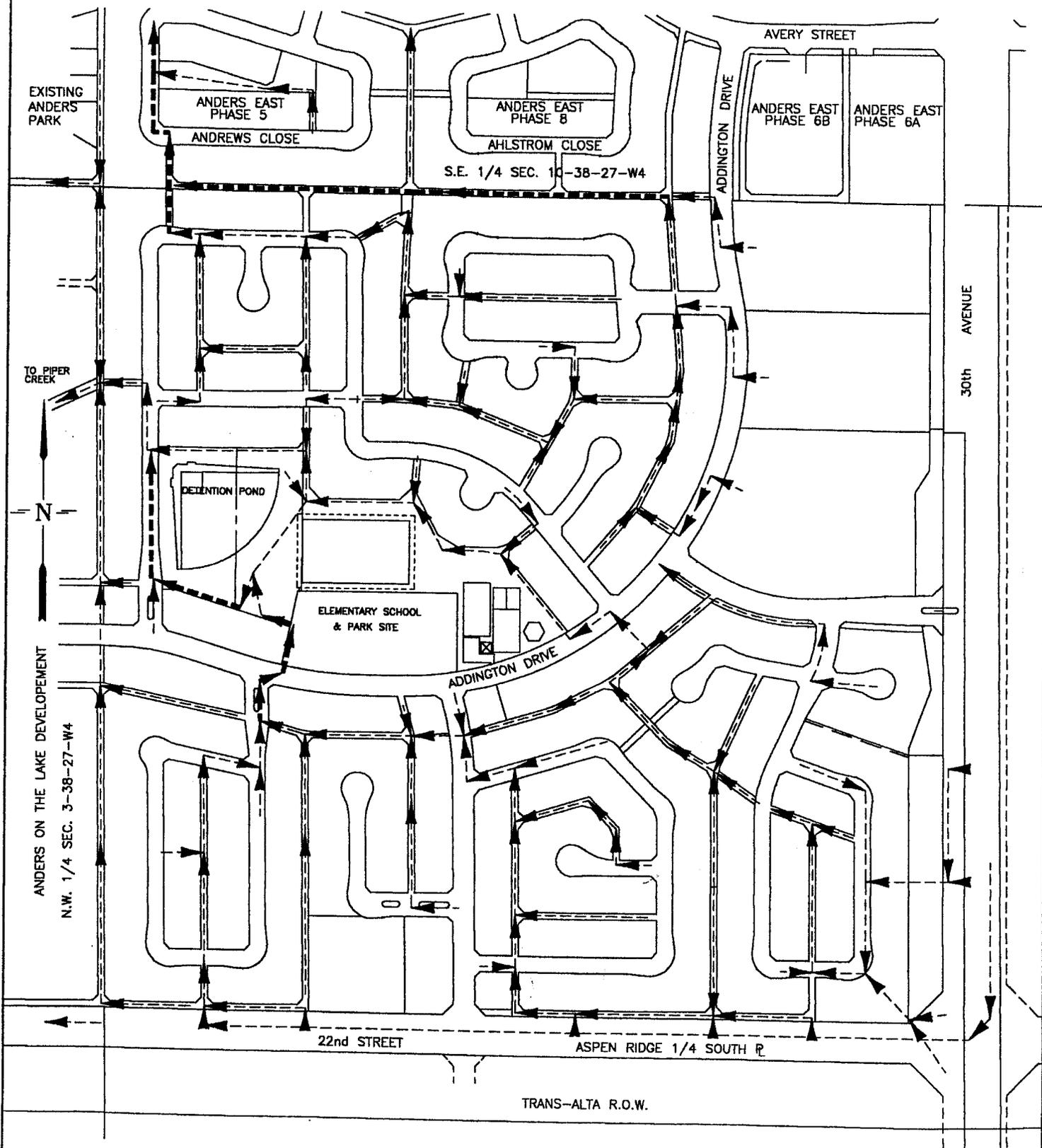


FIGURE 5 STORM SEWERS

SCALE 1:5000

S.E. 1/4 SEC. 3-38-27-W4

LEGEND:

STORM TRUNK **----->**

STORM SEWER **----->**

AL-TERRA
ENGINEERING LTD.

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

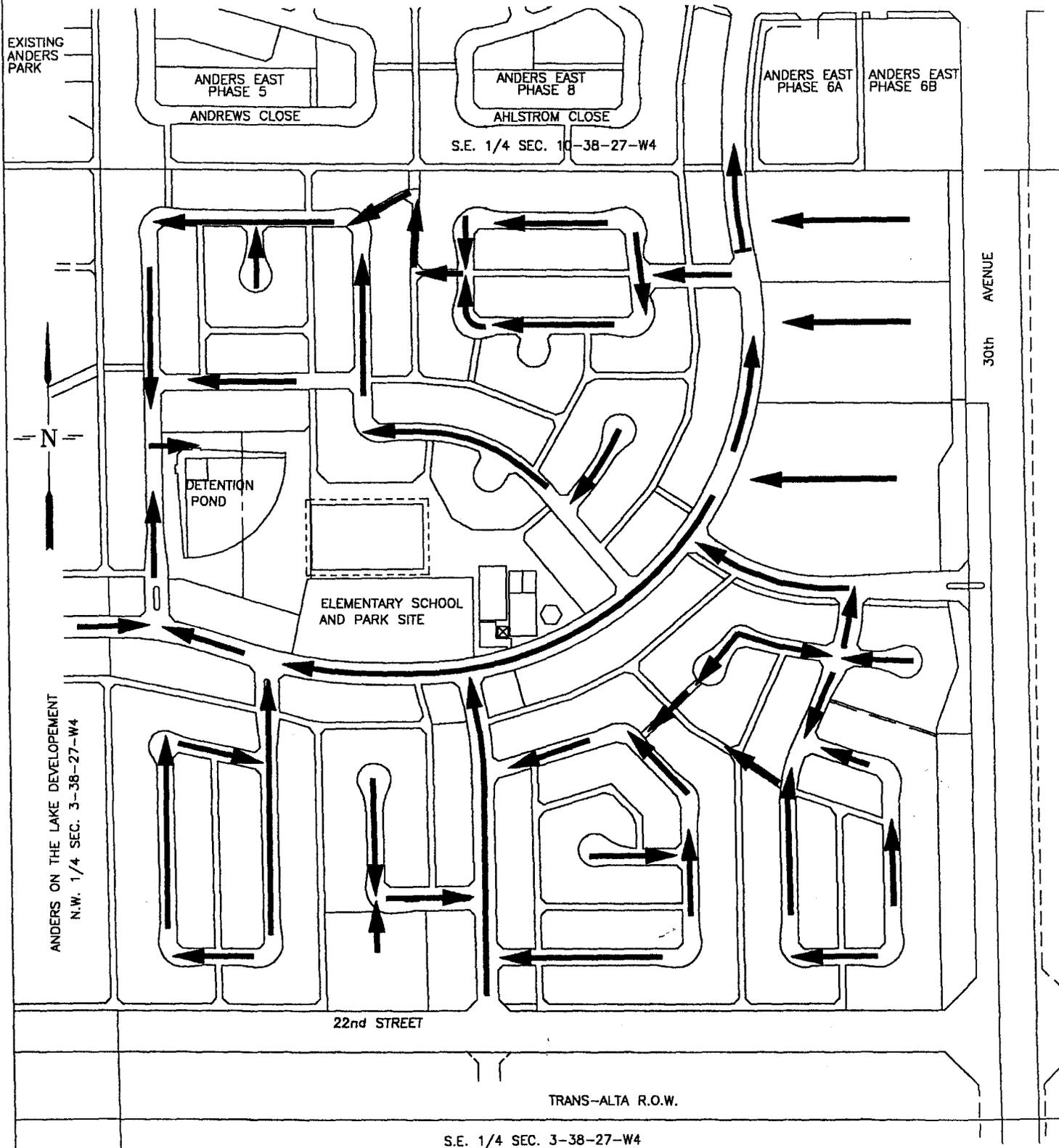


FIGURE 6
OVERLAND DRAINAGE
 GREATER THAN 1:5
 YEAR STORM EVENT

LEGEND:
 ← DIRECTION OF FLOW

SCALE 1:5000

REVISED JUNE 28, 1999

AL-TERRA
 ENGINEERING LTD.

EDMONTON

RED DEER

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

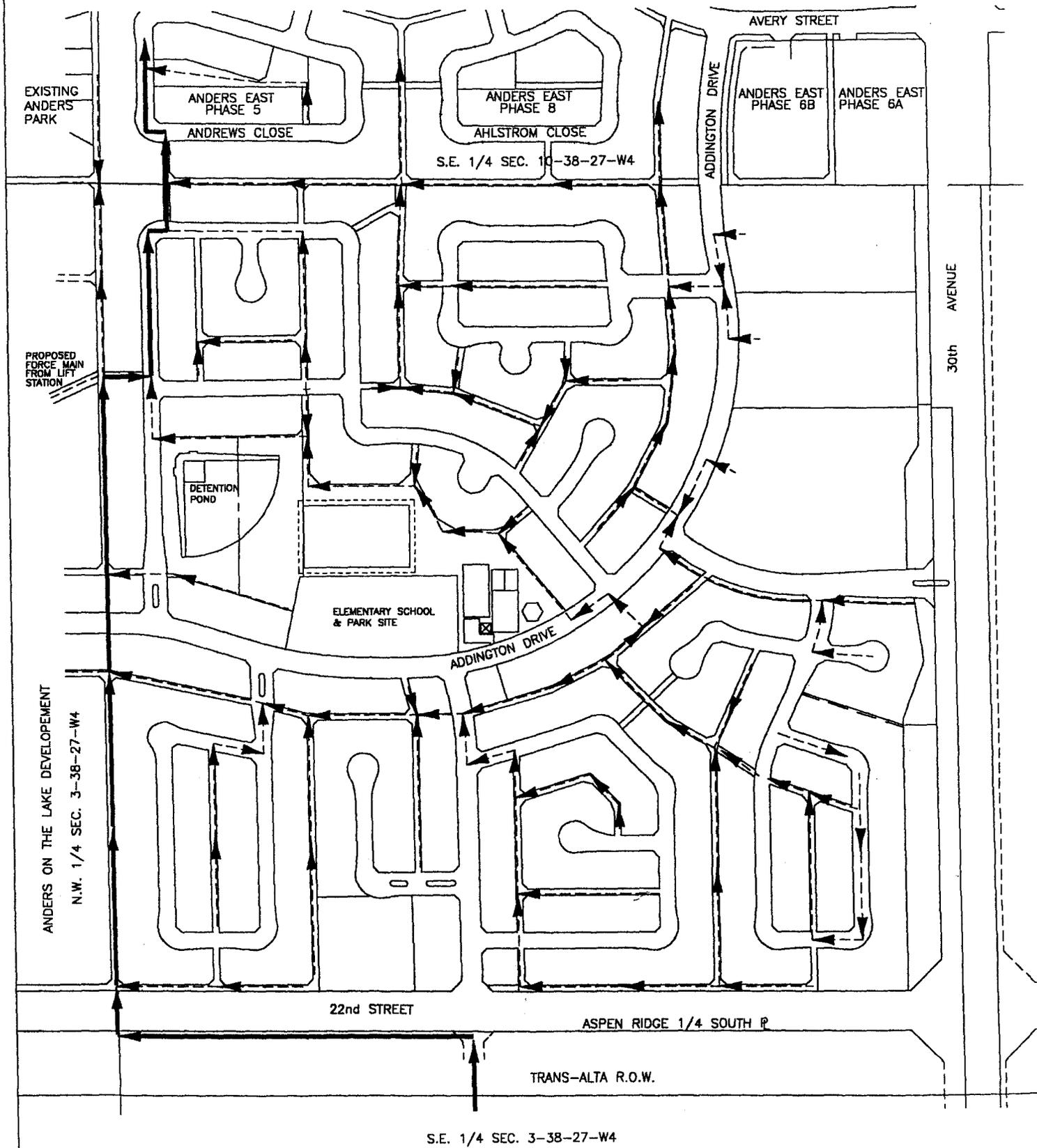


FIGURE 7 SANITARY SEWERS

SCALE 1:5000

S.E. 1/4 SEC. 3-38-27-W4

LEGEND:

SANITARY TRUNK 

200mm SANITARY 

AL-TERRA
ENGINEERING LTD.

REVISED JUNE 28, 1999

EDMONTON RED DEER

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

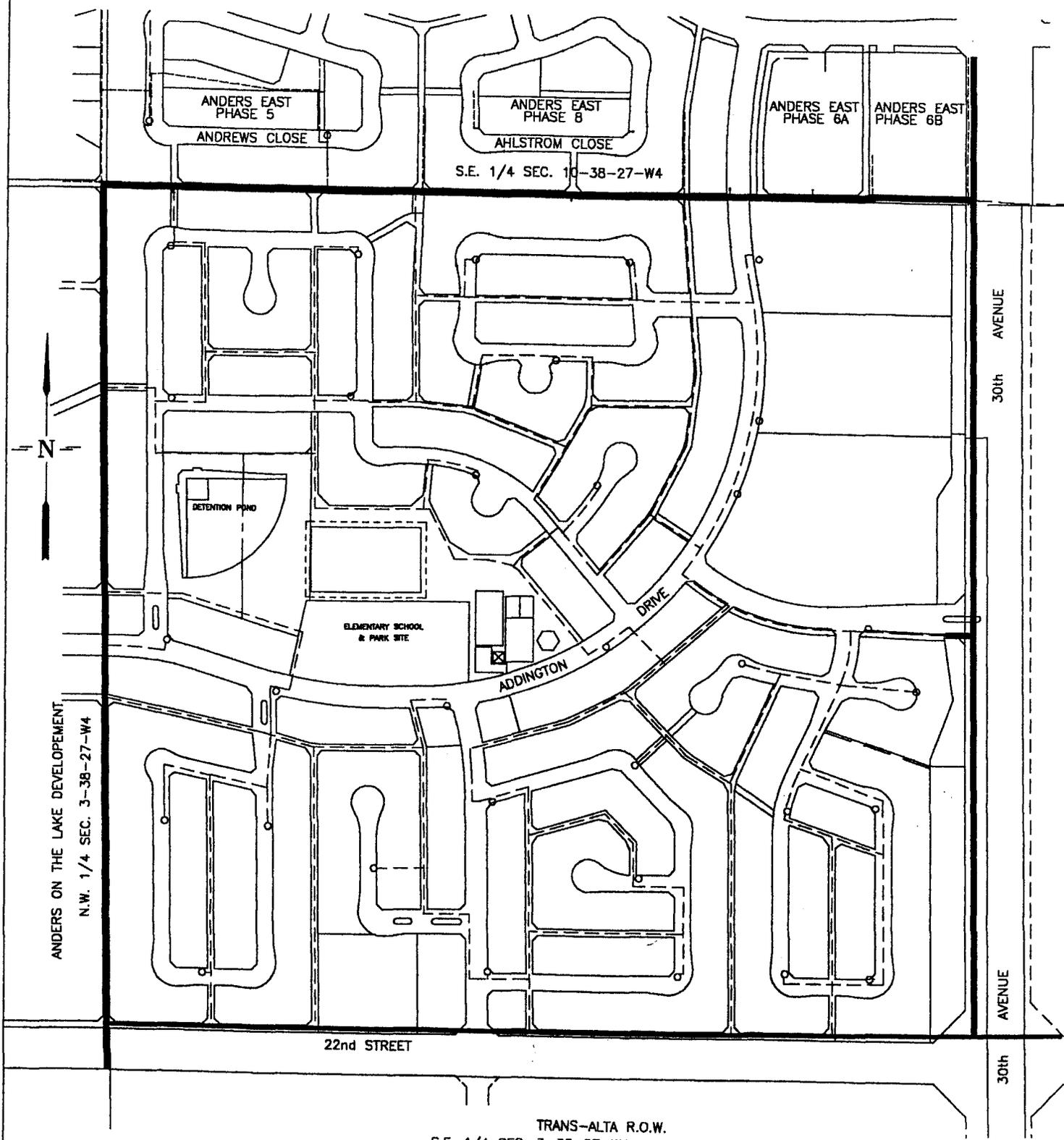


FIGURE 8 WATER DISTRIBUTION

SCALE 1:5000

REVISED JUNE 28, 1999

TRANS-ALTA R.O.W.
S.E. 1/4 SEC. 3-38-27-W4

LEGEND

- FEEDER WATER MAIN
- WATER MAIN
- HYDRANT

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EDMONTON

RED DEER

ASPEN RIDGE NEIGHBOURHOOD AREA STRUCTURE PLAN

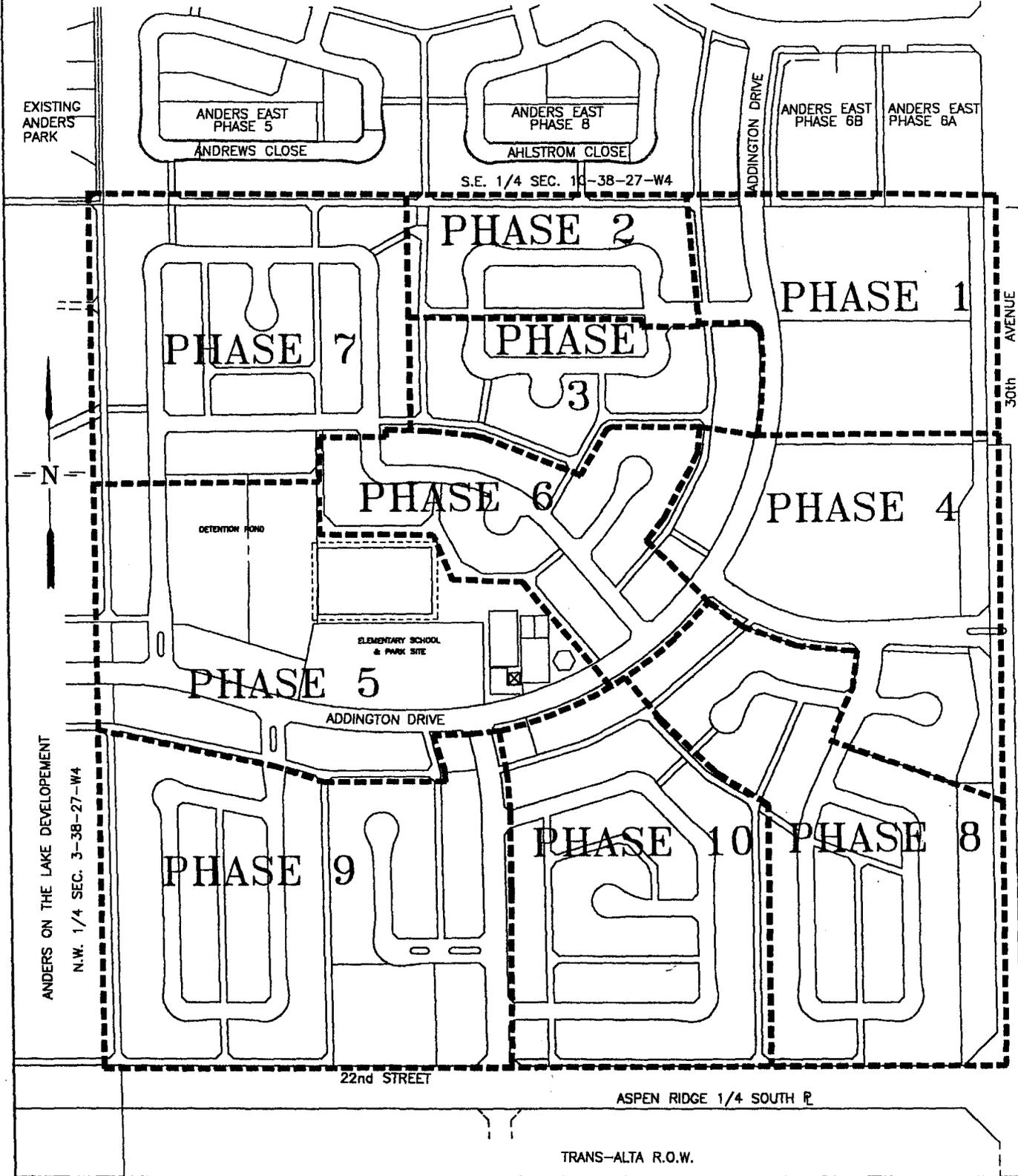


FIGURE 9 PHASING CONCEPT

LEGEND:

PHASE BOUNDARY

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ENGINEERING LTD.

SCALE 1:5000

REVISED: JUNE 28, 1999

EDMONTON

RED DEER

BYLAW NO. 3241/99

Being a bylaw to authorize the Municipal Council of The City of Red Deer to impose a special area assessment for the construction of water mains, construction of sanitary sewer mains, roadway paving, and for the payment of Trunk Water and Trunk Sanitary Sewer Off-site Levies.

WHEREAS it is deemed expedient and proper pursuant to the provisions of Section 393 (1) of the Municipal Government Act, R.S.A., 1994, as amended, that the Council shall issue a bylaw to authorize undertaking, completing and levying a special assessment for construction of water and sanitary sewer mains, including paving of the roadway and for payment of the applicable off-site levy amounts;

AND WHEREAS plans, specifications, and estimates for such work have been made by the Engineering Department Manager, whereby the total cost of the said project is \$374,151.00;

AND WHEREAS the estimated lifetime of the project is 20 years;

AND WHEREAS the proposed construction will serve about 6.233 hectares of assessable area;

AND WHEREAS pursuant to the provisions of Section 393 (1) of the Municipal Government Act, R.S.A., 1994, as amended, the Council has given proper notice of intention to undertake and complete the construction of the water and sanitary sewer mains, roadway paving, and the payment of the applicable water and sanitary sewer off-site levies, the cost or a portion of the costs thereof to be assessed against the abutting (or benefiting) properties in accordance with the attached Schedule "A", and no sufficiently signed and valid petition against the said proposal has been received by the Council.

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

- 1 The Municipal Council of The City of Red Deer is hereby empowered to enter into contracts for the purpose of constructing the water and sanitary sewer mains and paving the roadway as may be necessary.
- 2 That for the purpose aforesaid, the Tax Stabilization Reserve will loan the sum of Three hundred and seventy four thousand, one hundred and fifty one dollars (\$374,151.00) of which Three hundred and three thousand, five hundred dollars (\$303,500.00) is for the construction of the water and sanitary sewer main, including roadway paving and seventy thousand, six hundred and fifty one dollars (\$70,651.00) is for off-site levies.

- 3 The sum of \$125,998.63 is to be paid by the City at large and the sum of \$248,152.37 is to be collected by way of special assessment from the benefiting properties on Golden West Avenue as herein provided in attached Schedule "A".
- 4 During the currency of the said debentures there shall be raised annually for payment of the owner's portion of the cost and interest thereon, by special assessment under the Municipal Government Act, R.S.A., 1994, as amended, the respective sums shown as yearly payments on Schedule "A" hereby attached, and there is hereby imposed on all lands fronting or abutting on that portion of the streets or places whereon the said improvements are to be constructed, a special assessment sufficient to cover the owner's portion of the cost of the said work and the interest thereon payable at the unit rate or rates set forth in said Schedule "A". The said special assessment shall be in addition to all other rates and taxes.
- 5 Nothing in this bylaw shall prohibit the owner of the lands herein described from making payment in full of the balance of the assessment and interest accruing thereon which may be owing from time to time at any time prior to the expiration of the term of twenty years.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1999.
 READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1999.
 READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1999.
 AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1999.

 MAYOR

 CITY CLERK

Bylaw No. 3241/99
 Schedule "A"
 Special Frontage Assessment
 The City of Red Deer

Schedule "A" to Bylaw No.3241/99

LOCAL IMPROVEMENT - SPECIAL FRONTAGE ASSESSMENT FOR
 CONSTRUCTION OF WATER MAINS. SANITARY SEWER MAINS, ROADWAY
 PAVING AND APPLICABLE OFFSITE CHARGES

1. Properties to be assessed

| <u>ON</u> | <u>FROM</u> | <u>TO</u> | <u>SIDE</u> | <u>AREA</u> |
|--------------------|-----------------|--------------|-------------|-------------|
| Golden West Avenue | 67 Service Road | Street South | Both | 6.233 ha |

2. Total Area 6.233 ha

3. Total Special Assessment against all properties \$248,152.37

4. Annual Unit rate per hectare of Area to be payable for a period of twenty years calculated at 5.50% interest

| | |
|---|---|
| Water Local Improvement Assessment (including 50% of roadway cost) | \$1,261.24 per hectare per annum |
| Sanitary Sewer Local Improvement Assessment (including 50% of roadway cost) | \$1,121.75 per hectare per annum |
| Water Off-site Levy Assessment | \$674.87 per hectare per annum |
| Sanitary Off-site Levy Assessment | \$273.63 per hectare per annum |
| Total Annual Assessment | \$3,331.49 per hectare per annum |

5. Total Yearly Assessment against all the above properties \$20,765.18 per hectare per annum

6. Total One Time Payment Special Assessment per hectare

| | |
|---|------------------------------------|
| Water Local Improvement Assessment (including 50% of roadway cost) | \$15,072.30 per assessable hectare |
| Sanitary Sewer Local Improvement Assessment (including 50% of roadway cost) | \$13,405.37 per assessable hectare |
| Water Off-site Levy Assessment | \$8,065.00 per assessable hectare |
| Sanitary Off-site Levy Assessment | \$3,270.00 per assessable hectare |

Total Annual Assessment \$39,812.67 per assessable hectare

CITY OF RED DEER - ENGINEERING DEPARTMENT

GOLDEN WEST AVENUE SOUTH OF 67 STREET

| | | | | | Annual Payment Amount for 20 Year Period | | | | | Total One-time Payment Amounts | | | | |
|--|--|-------------------------|--------------------------------|-----------------------------------|--|--|-----------------------------|--------------------------------------|-----------------------------|--------------------------------------|--|-----------------------------|--------------------------------------|-----------------------------|
| Property Owner | Mailing Address | Civic Address | Legal Description | Applicable Area Local Improvement | Water, Including 50% of Roadway Cost | Sanitary Sewer, Including 50% of Roadway | Water Off-site Levy Payment | Sanitary Sewer Off-site Levy Payment | Total Annual Payment Amount | Water, Including 50% of Roadway Cost | Sanitary Sewer, Including 50% of Roadway | Water Off-site Levy Payment | Sanitary Sewer Off-site Levy Payment | Total Annual Payment Amount |
| HayAlta Farm Equipment Ltd. | 6525 67 Street, Red Deer, AB, T4P 1A3 | 6459 Golden West Avenue | Lot 16, Plan 962-1732 | 0.599 | \$755.48 | \$671.93 | \$404.25 | \$163.91 | \$1,995.57 | \$9,028.31 | \$8,029.81 | \$4,830.94 | \$1,958.73 | \$23,847.79 |
| HayAlta Farm Equipment Ltd. | 6525 67 Street, Red Deer, AB, T4P 1A3 | 6449 Golden West Avenue | Lot 17, Plan 962-1732 | 0.564 | \$711.34 | \$632.67 | \$380.63 | \$154.33 | \$1,878.96 | \$8,500.78 | \$7,560.63 | \$4,548.66 | \$1,844.28 | \$22,454.34 |
| Robust Investments Ltd. | 6450 Golden West Avenue, Red Deer, AB, T4P 1A6 | 6454 Golden West Avenue | Lot 6, Plan 6150 MC | 1.214 | \$1,531.15 | \$1,361.81 | \$819.30 | \$332.19 | \$4,044.44 | \$18,297.77 | \$16,274.12 | \$9,790.91 | \$3,969.78 | \$48,332.57 |
| Superior Emergency Vehicles Ltd | 6430 Golden West Ave, Red Deer AB, T4P 1A6 | 6430 Golden West Avenue | Lot 14, Plan 862-1342 | 0.735 | \$927.01 | \$824.49 | \$496.03 | \$201.12 | \$2,448.65 | \$11,078.14 | \$9,852.94 | \$5,927.78 | \$2,403.45 | \$29,262.31 |
| Superior Emergency Vehicles Ltd | 6430 Golden West Ave, Red Deer AB, T4P 1A6 | 6424 Golden West Avenue | Lot 15 Plan 862-1342 | 1.288 | \$1,624.48 | \$1,444.82 | \$869.24 | \$352.44 | \$4,290.97 | \$19,413.12 | \$17,266.11 | \$10,387.72 | \$4,211.76 | \$51,278.71 |
| City of Red Deer (Being Purchased by Leasak Construction Ltd.) | City Hall, Box 5008, Red Deer, AB, T4N 3T4 | 6415 Golden West Avenue | Lot 24, Block 2, Plan 982-3721 | 1.833 | \$2,311.85 | \$2,056.17 | \$1,237.04 | \$501.57 | \$6,106.63 | \$27,627.52 | \$24,572.04 | \$14,783.15 | \$5,993.91 | \$72,976.61 |
| Subtotal - Golden West Avenue South of 67 Street | | | | 6.233 | \$7,861.31 | \$6,991.88 | \$4,206.49 | \$1,705.54 | \$20,765.22 | \$93,945.63 | \$83,555.65 | \$50,269.15 | \$20,381.91 | \$248,152.34 |