REGIONAL MUNICIPALITY OF WOOD BUFFALO

Council Meeting

Jubilee Centre Council Chamber
9909 Franklin Avenue, Fort McMurray

Tuesday, April 24, 2012
6:00 p.m.

Agenda

Call To Order

Opening Prayer

Adoption of Agenda

Minutes of Previous Meetings

1. Regular Meeting - April 10, 2012

Delegations

Those individuals in attendance at the meeting will be provided with an opportunity to address Council regarding an item on the agenda, with the exception of those items for which a Public Hearing is required or has been held. Consistent with all delegations, each presentation will be allowed a maximum of five minutes.

Public Hearings and Related Reports

2. Fort McMurray Regional Airport Area Structure Plan
   - Bylaw No. 12/009 - Fort McMurray Regional Airport ASP
   - Bylaw No. 12/010 - Highway 69/Clearwater River Valley ASP Amendment
   - Bylaw No. 12/011 - Land Use Bylaw Amendment
     - Public Hearing
     - 2nd and 3rd readings

3. Bylaw No. 12/012 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Downtown Major Redevelopment Zone
   - Public Hearing
   - 2nd and 3rd readings

4. Bylaw No. 12/013 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone
   - Public Hearing
   - 2nd and 3rd readings

Bylaws

5. Bylaw No. 12/008 – Roads and Transportation Bylaw Amendment
   - 2nd and 3rd readings

6. Bylaw No. 12/014– 2012 Property Tax Rate Bylaw
   - 1st reading

Reporting - Boards and Committees

Adjournment

Unapproved Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chamber at the Municipal Offices in Fort McMurray, Alberta, on Tuesday, April 10, 2012, commencing at 6:00 p.m.

Present:	S. Germain, Deputy Mayor D. Blair, Councillor L. Flett, Councillor D. Kirschner, Councillor P. Meagher, Councillor J. Stroud, Councillor R. Thomas, Councillor A. Vinni, Councillor
Absent:	M. Blake, Mayor M. Allen, Councillor D. Scott, Councillor
Administration:	G. Laubenstein, Chief Administrative Officer S. Kanzig, Chief Legislative Officer L. Kotyk, Recorder/Legislative Assistant

Call To Order

Deputy Mayor Germain called the meeting to order at 6:00 p.m.

Opening Prayer

Deputy Mayor Germain invited those so inclined to join him in prayer.

Adoption of Agenda

Moved by Councillor P. Meagher that the agenda be adopted as presented.

CARRIED UANIMOUSLY

Minutes of Previous Meetings

1. Regular Meeting - March 27, 2012

Moved by Councillor R. Thomas that the minutes of the Council Meeting held on March 27, 2012 be approved as presented.

CARRIED UNANIMOUSLY

Delegations

2. Sean Graham, Resident re: Bylaw No. 12/007 - Single-Use Shopping Bag Bylaw *(teleconference)*

Sean Graham, resident, made a presentation to Council via teleconference regarding Bylaw No. 12/007, the Single-Use Shopping Bag Bylaw. Mr. Graham spoke against the proposed amendments, explaining that these amendments will reduce the effectiveness and intent of the bylaw.

Moved by Councillor J. Stroud that the presentation made by Sean Graham regarding Bylaw No. 12/007, be received as information.

CARRIED UNANIMOUSLY

3. Bryan Lutes, Wood Buffalo Housing and Development Corporation re: Siltstone Ridge, Stone Creek Subdivision, Parcel 'F' Project

Bryan Lutes, President, Wood Buffalo Housing and Development Corporation made a presentation to Council regarding the proposed Siltstone Ridge, Stone Creek Subdivision, Parcel 'F' Project.

Moved by Councillor R. Thomas that the presentation made by Bryan Lutes, President, Wood Buffalo Housing and Development Corporation, regarding the Siltstone Ridge, Stone Creek Subdivision, Parcel 'F' Project, be received as information.

CARRIED UNANIMOUSLY

Business Arising from Delegation

4. Wood Buffalo Housing and Development Corporation - Siltstone Ridge, Stone Creek Subdivision, Parcel 'F' Project

Moved by Councillor R. Thomas:

- THAT the Wood Buffalo Housing and Development Corporation be authorized to enter into a construction and long-term take out mortgage for Siltstone Ridge, as detailed in Attachment 1 (Briefing Note to Board of Directors, dated February 22, 2012); and

- THAT the financial information contained in Attachment 1 remain confidential, pursuant to section 16 of the Freedom of Information and Protection of Privacy Act, until such time as the business risk is removed.

CARRIED UNANIMOUSLY

Bylaws

5. Bylaw No. 12/007 – Single-Use Shopping Bag Bylaw

Kevin Scoble, Director, Environmental Services and Darcy Dragonetti, Manager, Solid Waste and Landfill, Environmental Services, provided an introduction to Bylaw No. 12/007 – Single-Use Shopping Bag Bylaw, and overview of the amendments being proposed.

Moved by Councillor P. Meagher that Bylaw No. 12/007, being the Single-Use Shopping Bag Bylaw, be read a second time.

CARRIED UNANIMOUSLY

Discussion took place regarding Bylaw No. 12/007 – Single-Use Shopping Bag Bylaw, and Councillor Blair put forward the following referral motion, 'that Bylaw No. 12/007 be referred back to Administration to receive clarification regarding the exemption section in the proposed bylaw'. After further discussion and with the consent of Council, the referral motion was withdrawn by Councillor Blair.

Moved by Councillor R. Thomas that Bylaw No. 12/007, be read a third and final time.

CARRIED UNANIMOUSLY

6. Bylaw No. 12/008 – Roads and Transportation Bylaw Amendment

Moved by Councillor J. Stroud that Bylaw No. 12/008, being an amendment to the Roads and Transportation Bylaw, be read a first time.

CARRIED UNANIMOUSLY

7. Fort McMurray Regional Airport Area Structure Plan
- Bylaw No. 12/009 – Fort McMurray Regional Airport Area Structure Plan
- Bylaw No. 12/010 – Highway 69/Clearwater River Valley Area Structure Plan Amendment
- Bylaw No. 12/011 – Land Use Bylaw Amendment

Moved by Councillor R. Thomas that Bylaw No. 12/009, being the Fort McMurray Regional Airport Area Structure Plan, be read a first time.

CARRIED UNANIMOUSLY

Moved by Councillor P. Meagher that Bylaw No. 12/010, being an amendment to the Highway 69/Clearwater River Valley Area Structure Plan, be read a first time.

CARRIED UNANIMOUSLY

Moved by Councillor R. Thomas that Bylaw No. 12/011, being an amendment to the Land Use Bylaw, be read a first time.

CARRIED UNANIMOUSLY

Deputy Mayor Germain asked members of Council to identify whether they have a potential pecuniary interest in relation to Bylaw No. 12/012 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Downtown Major Redevelopment Zone. Councillors D. Kirschner and P. Meagher declared a potential pecuniary interest regarding Bylaw No. 12/012, and were excused from the meeting.

Exit

Councillors D. Kirschner and P. Meagher exited the meeting.

8. Bylaw No. 12/012 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Downtown Major Redevelopment Zone

Moved by Councillor R. Thomas that Bylaw No. 12/012, being an amendment to the Land Use Bylaw specific to the Downtown Major Redevelopment Zone and the general regulations as outlined in the City Centre Area Redevelopment Plan, be read a first time.

CARRIED UNANIMOUSLY

Return

Councillors D. Kirschner and P. Meagher returned to the meeting.

Deputy Mayor Germain asked members of Council to identify whether they have a pecuniary interest regarding Bylaw No. 12/013 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone. Councillor R. Thomas declared a potential pecuniary interest regarding Bylaw No. 12/013, and was excused from the meeting.

Exit

Councillor R. Thomas exited the meeting.

9. Bylaw No. 12/013 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone

Moved by Councillor J. Stroud that Bylaw No. 12/013, being an amendment to the Land Use Bylaw specific to the

Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone, and Recreation Zone as outlined in the City Centre Area Redevelopment Plan, be read a first time.

CARRIED UNANIMOUSLY

Return

Councillor R. Thomas returned to the meeting.

Reports

10. 2012 Municipal Police Service Agreement

Moved by Councillor R. Thomas that the Regional Municipality of Wood Buffalo enter into a 20-year agreement with the Government of Canada for the provision of policing services.

CARRIED UNANIMOUSLY

11. Composite Assessment Review Boards – Appointment of Alternate Board Member

Moved by Councillor P. Meagher:

- THAT David Thomas from Lamont County be appointed to and authorized to serve as an alternate on the Regional Municipality of Wood Buffalo Composite Assessment Review Boards, for the specific purpose of hearing complaints related to files 10-004 and 11-090; and

- THAT the term of appointment for David Thomas will expire when all matters related to files 10-004 and 11-090 have been concluded.

CARRIED UNANIMOUSLY

Reporting - Boards and Committees

- Poetry in Motion Program and Dolly Parton's Imagination Library (Councillor P. Meagher)

- Leadership Wood Buffalo and Tedx Fort McMurray (Councillor R. Thomas)

- Communities in Bloom Committee (Councillor J. Stroud)

- MacDonald Island Park Corporation (Deputy Mayor S. Germain)

Adjournment

Moved by Councillor P. Meagher that the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:02 p.m.

_____
Mayor

_____
Chief Legislative Officer

2. Public Hearing re: Fort McMurray Regional Airport Area Structure Plan
- Bylaw No. 12/009 – Fort McMurray Regional Airport Area – Structure Plan
- Bylaw No. 12/010 – Highway 69/Clearwater River Valley Area Structure Plan Amendment
- Bylaw No. 12/011 – Land Use Bylaw Amendment

A. Introduction

- Peter Apostolakos, Planning and Development Department

Opening Statement

- Scott Clements, CEO, Fort McMurray Airport Authority
- Bruce Ferguson, Principal, Stantec
- Pankaj Nalavde, Consultant, ParioPlan
- Armin A. Preiksaitis, Consultant, ParioPlan

B. Written Presentations

- None received

C. Verbal Presentations

- John Hersey, resident

D. Other Verbal Presentations (Time Permitting and with Consent of Council)

E. Questions of Council

F. Closing Statement

Fort McMurray Regional Airport Area Structure Plan (ASP)

Bylaw No. 12/009

Public Hearing, April 24, 2012

FMA
FORT McMURRAY AIRPORT

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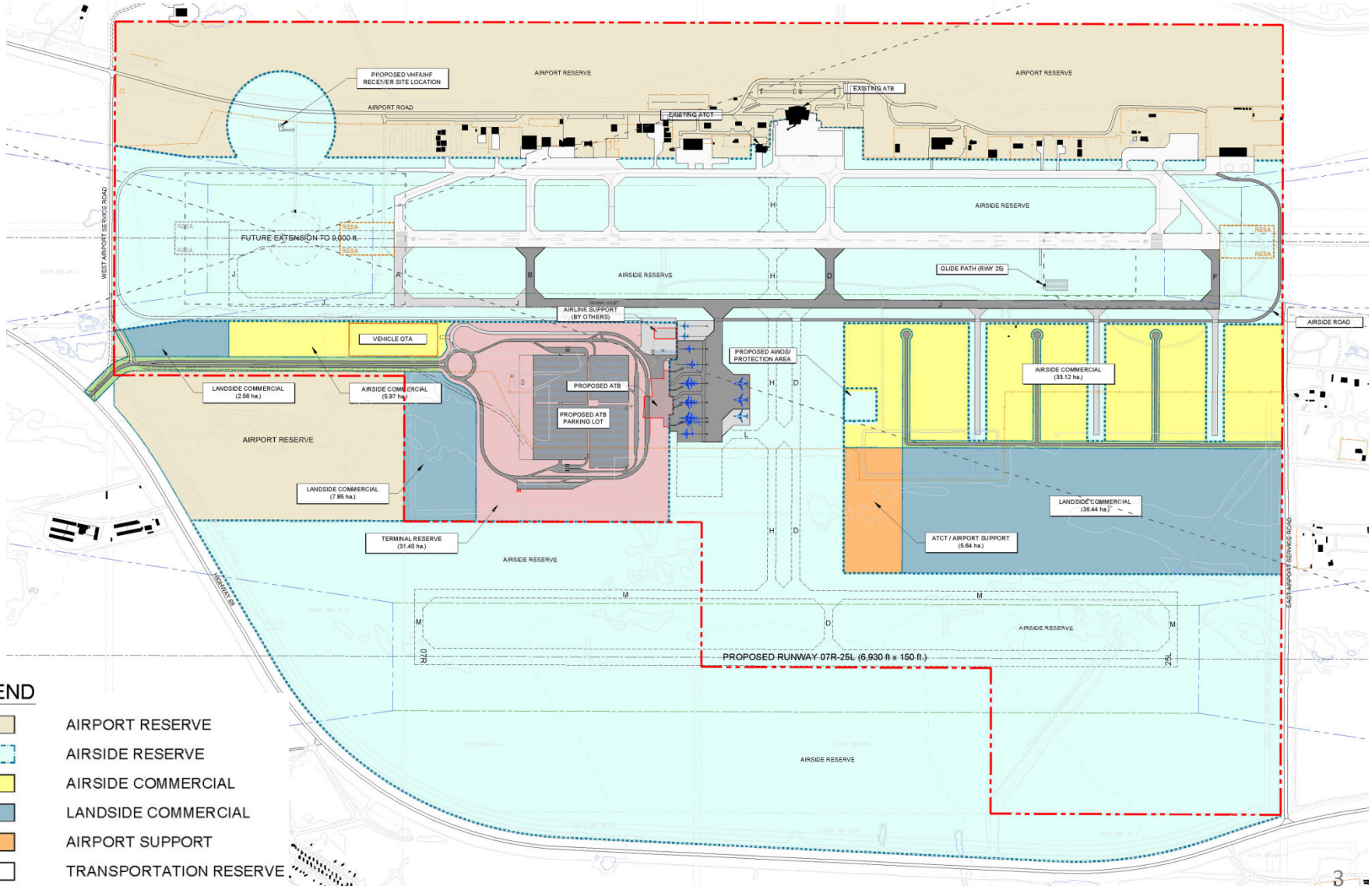
Purpose of Bylaw No. 12/009

- Support the *"expansion and economic development in the Airport Area" (MDP Strategy U.1.6)*
- Encourage the *"transformation of the Fort McMurray Regional Airport into a premier international airport" (MDP Strategy U.1.6)*
- Provide policy framework for a wide range of compatible airside and landside business industrial uses
- Ensure consistency with other statutory plans to reflect expansion of airport boundaries and measures to mitigate land use conflicts
- Establish the role of the RMWB and Fort McMurray Airport Authority in plan implementation

Airport Development Concept

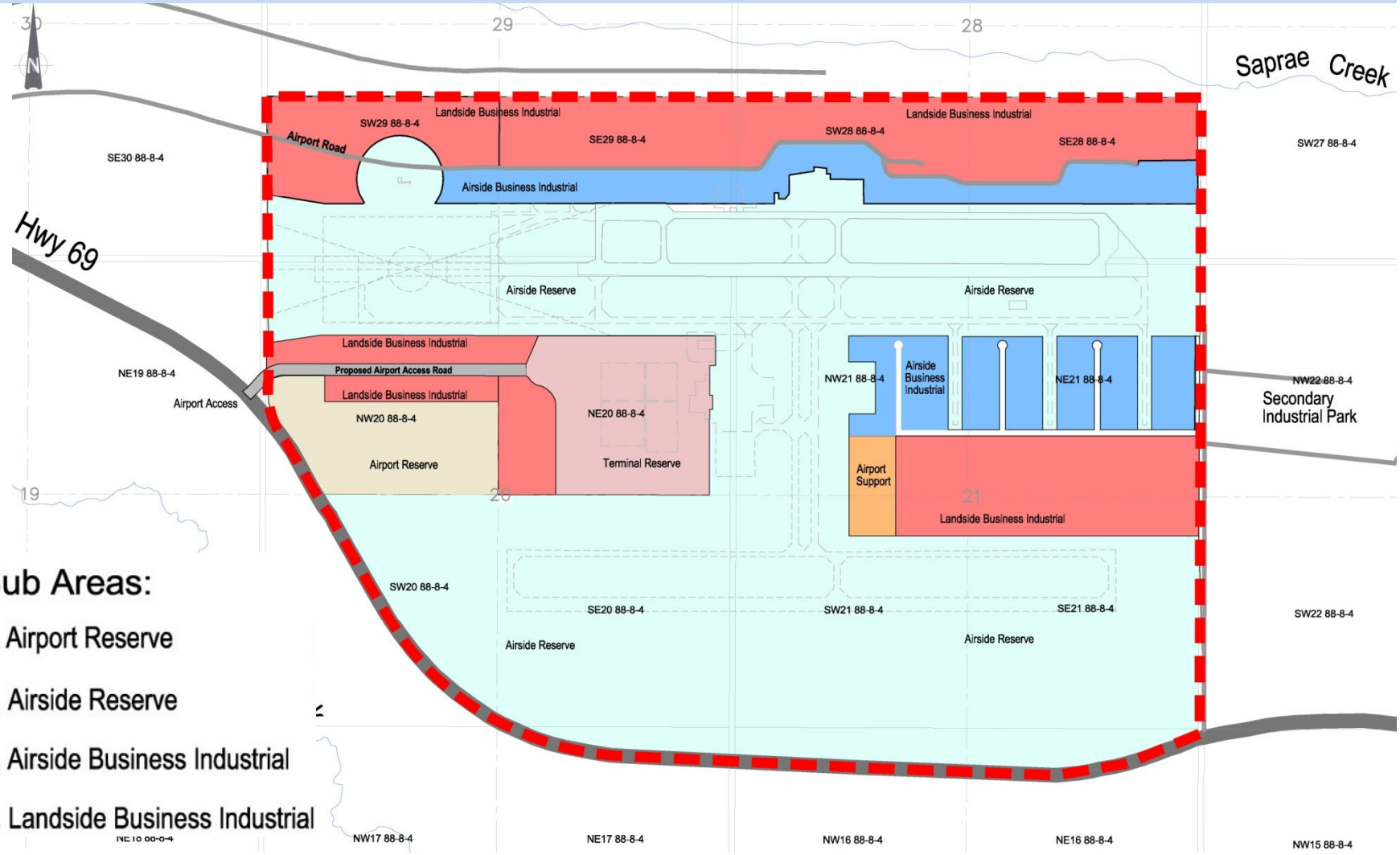


Airport Development Concept

Proposed Changes

- New Air Terminal Building (ATB)
- Potential extension of existing Runway 07-025 from 7,500 feet to 9,000 feet if required
- Future second Runway 07R-25L and protection of land for the second runway
- Expanded taxiway network
- New access road to the ATB and parking facilities
- Supporting service infrastructure; and
- Development of airport lands for additional airport support functions and commercial development

Land Use Concept



Airport Sub Areas:

1. Airport Reserve
2. Airside Reserve
3. Airside Business Industrial
4. Landside Business Industrial
5. Airport Support
6. Terminal Reserve

Development Control

Airport Sub - Areas	Authority Responsible for Development Permits
1. Airport Reserve:	Airport Authority
2. Airside Reserve:	Airport Authority
3. Airside Business Industrial:	Airport Authority
4. Landside Business Industrial:	RMWB
5. Airport Support:	Airport Authority
6. Terminal Reserve:	Airport Authority

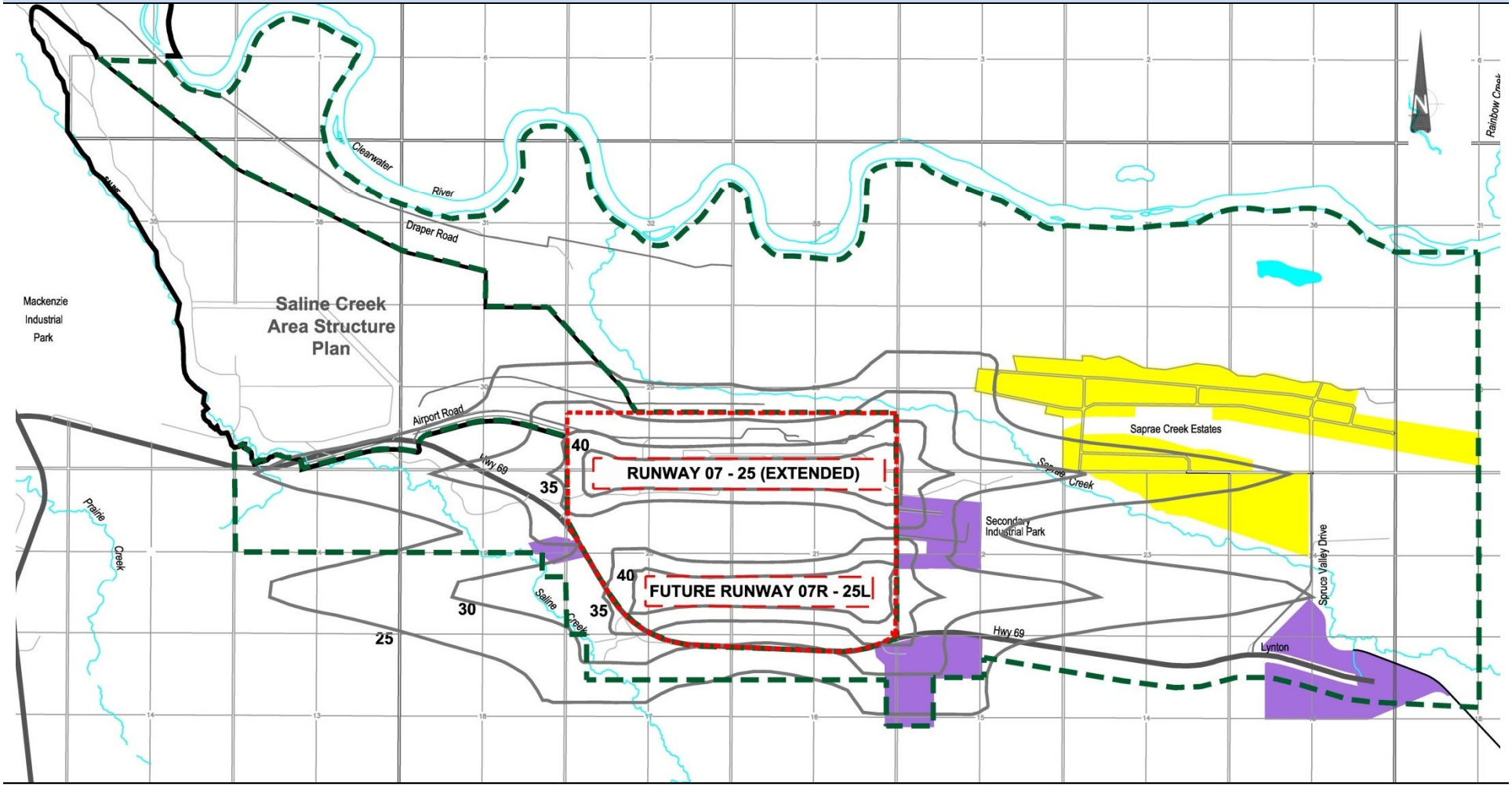
Airport Authority – Fort McMurray Airport Authority
RMWB – Regional Municipality of Wood Buffalo

Noise Exposure Forecast Contours

Noise Exposure Forecast (NEF) Contours

- Developed to mitigate land use conflict between airports and neighboring uses
- Based on Transport Canada guidelines
- Recommend safe distances for uses that may be negatively impact the safe operation of airports
- Fort McMurray Regional Airport ASP recommends that "***all future residential development in the vicinity is limited to areas falling outside the NEF 25"*** (Policy 5.2.2 Noise Exposure Forecast Contours)

Noise Exposure Forecast Contours



Fort McMurray Regional Airport ASP Boundary

Hwy 69 Clearwater River Valley ASP Boundary

Airport Runway

Highway

Water Course

Noise Exposure Forecast (NEF) Contours

Existing Suburban Estate Residential

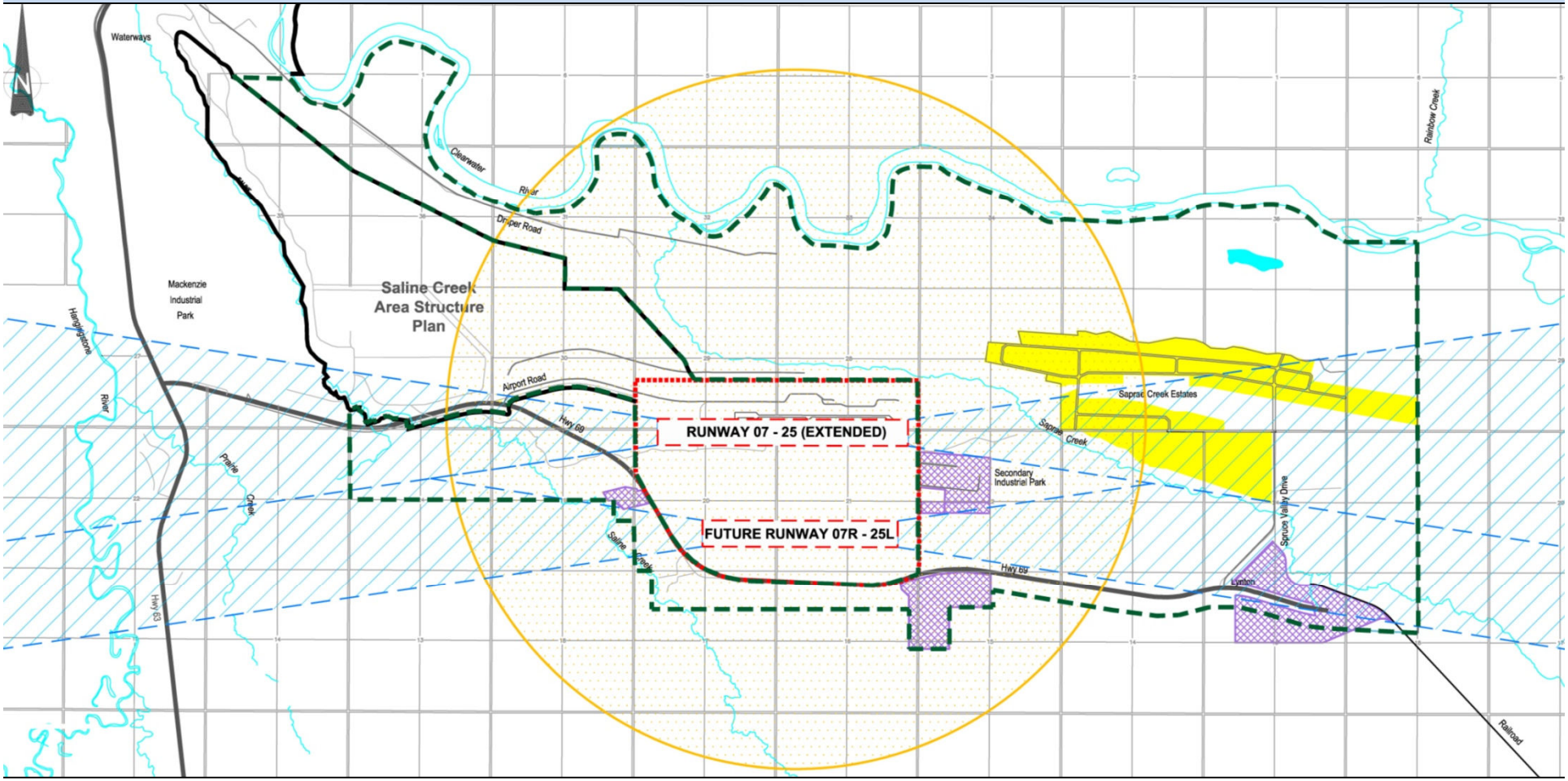
Proposed Business Industrial

Obstacle Limitation Surface Zoning

Obstacle Limitation Surface (OLS) Zoning

- OLS Zoning establishes the limits to which objects may project into the airspace associated with an airport, such that airport operations are conducted safely
  - OLS surfaces include approach surfaces, takeoff surfaces, transitional surfaces and an outer surface.
- Based on federal regulation – *"Fort McMurray Airport Zoning Regulation, C.R.C.,c.82"*
- Forms the basis of the **"Airport Vicinity Area"** reflected in the amendment to the Land Use Bylaw

Obstacle Limitation Surface Zoning



Legend

- Fort McMurray Regional Airport ASP Boundary
- Highway 69 / Clearwater Valley ASP Boundary
- Outer Surface Area
- Take-off and Approach Surface
- Existing Suburban Estate Residential
- Proposed Business Industrial

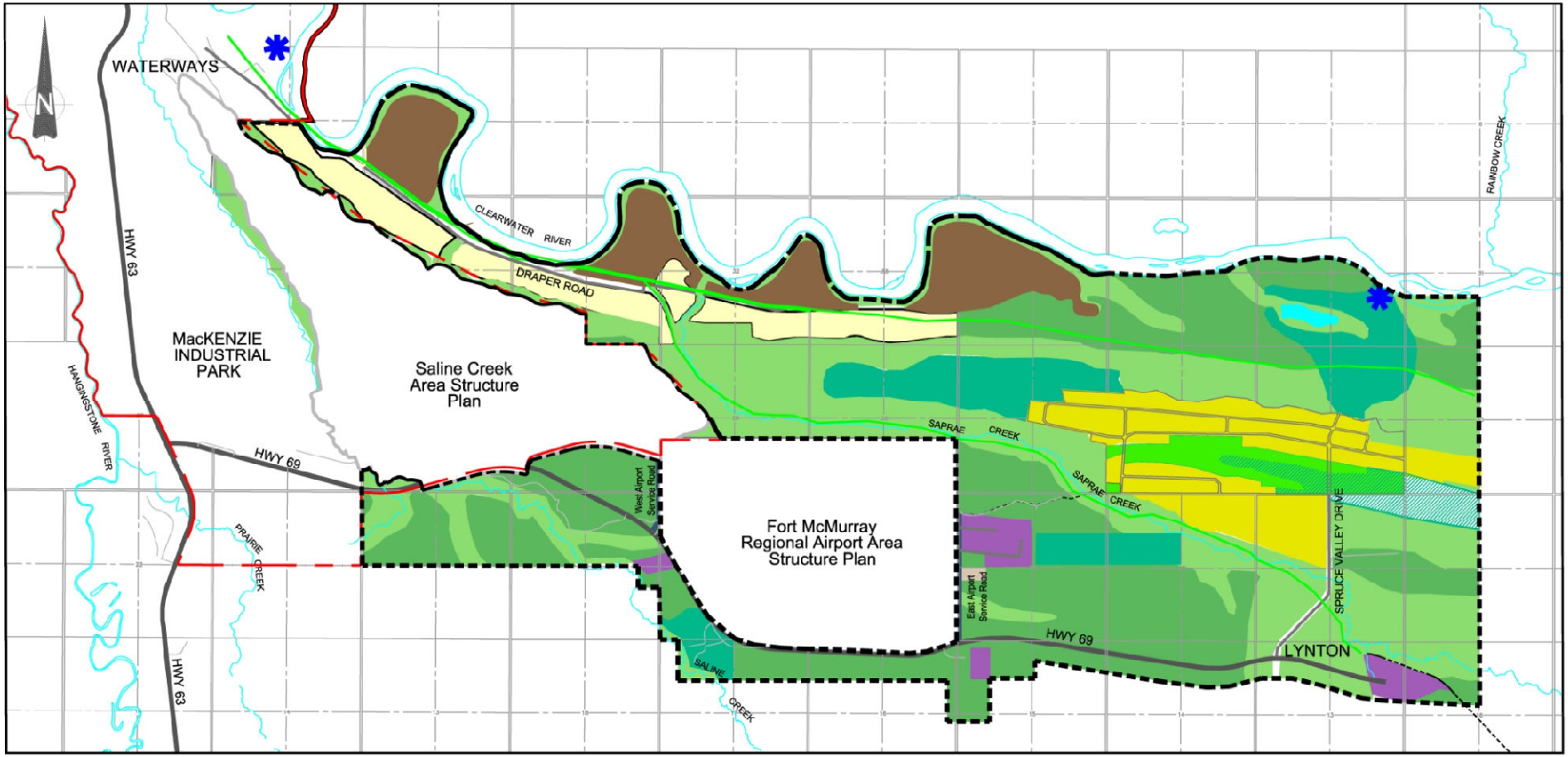
Bylaw No. 12/010
Highway 69 / Clearwater River Valley Area Structure Plan Amendment

Purpose of Bylaw No. 12/010

- To reflect changes in the Fort McMurray Regional Airport ASP such as expansion of airport boundaries and delete any overlapping areas
- Reflect policy changes affecting those lands falling within the NEF 25 as identified in the Fort McMurray Regional Airport ASP, which is

  "***all future residential development in the vicinity is limited to areas falling outside the NEF 25"***

Proposed ASP Boundaries



Legend

- Highway 69 /Clearwater River Valley ASP Boundary
- Urban Service Area Boundary
- Surrounding ASP Boundaries
- Potential Trail Development
- Possible Boat Launch
- Existing Suburban Estate Residential
- Business Industrial
- Open Space
- Existing Parks and Recreation
- Proposed Parks and Recreation
- Environmentally Sensitive Areas
- Existing Country Residential
- Existing Small Holdings
- Rural District

0 1500 3000m

NOTE: Areas have been generalized and are only approximate. All information should be verified.

Districting is based on Land Uses shown in the Land Use Bylaw current at the time that this ASP was amended, in January 2012.

ARMIN A. PREIKSAITIS & ASSOCIATES LTD.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

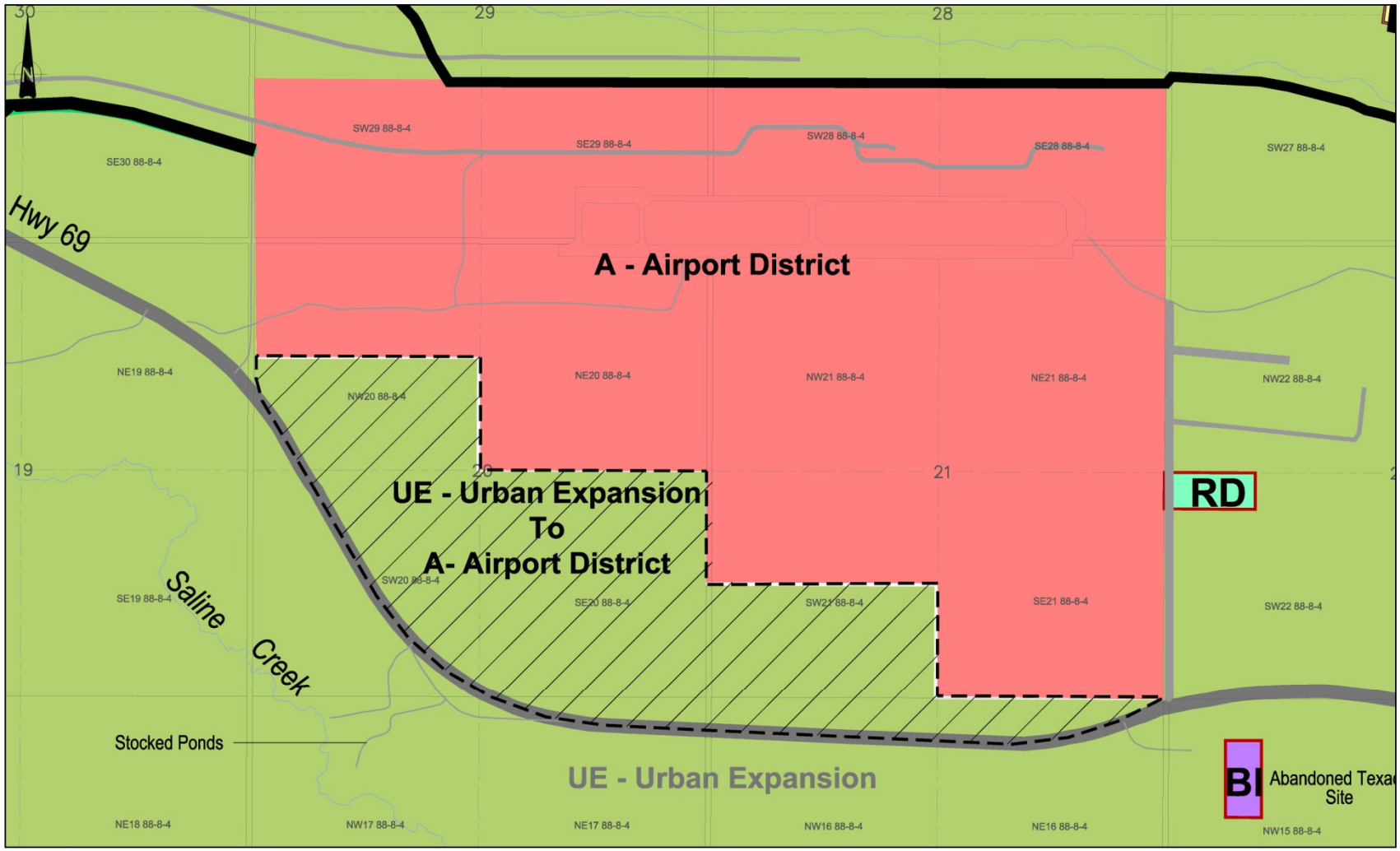
Map 6
Development Concept
Highway 69 / Clearwater River Valley Area Structure Plan BYLAW 99/058

Bylaw No. 12/011
Land Use Bylaw Amendment

Purpose of Bylaw 12/011

- To increase the number of permitted and discretionary uses considered for development within the A – Airport District
- To include new definitions and specific regulation related to airport development
- To amend the boundaries of the A – Airport District based on the Fort McMurray Regional Airport Area Structure Plan.

Proposed A- Airport District



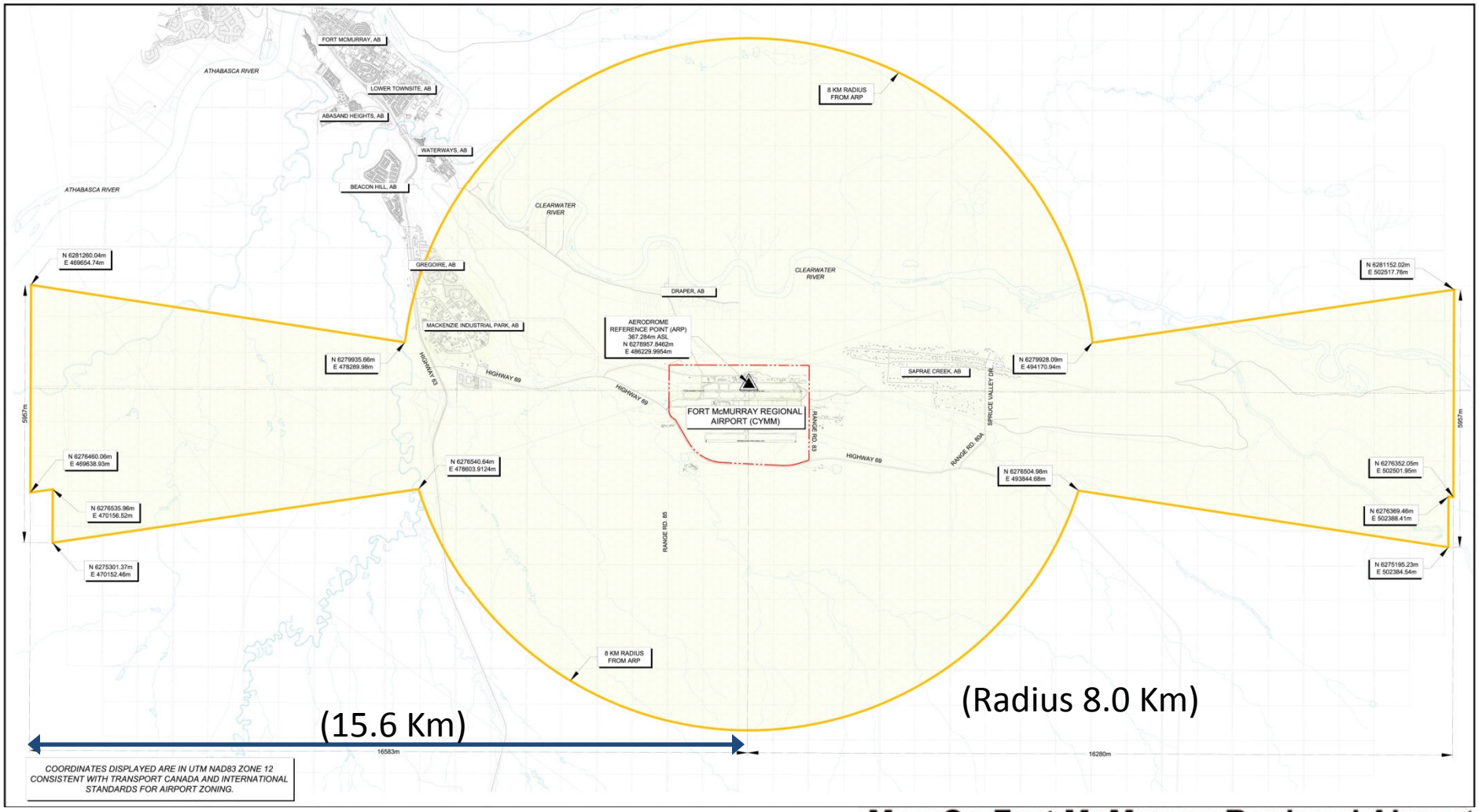
Legend

Existing A - Airport District

Proposed Amendment Area
Rezone From
UE - Urban Expansion
to
A - Airport District

Map A: Proposed Amendment Area
Amendment to the
Regional Municipality of Wood Buffalo
Land Use Bylaw 99/059 , A- Airport District

Airport Vicinity Area



Map C : Fort McMurray Regional Airport
Airport Vicinity Boundary

Airport Vicinity Regulations

Section 64.(2).(a) to read as

"all new proposed uses and development applications proposed to locate within the Fort McMurray Regional Airport, Airport Vicinity Boundary as shown on Map C – Fort McMurray Regional Airport, Airport Vicinity Boundary, ***shall be circulated to the Fort McMurray Airport Authority for comment*** *and to ensure that such developments shall not interfere with the safe and efficient operation of the Fort McMurray Regional Airport."*

Summation

- Request the Council to give Second and Third Reading to the proposed Bylaw No. 12/009, 12/010 and 12/011.
- The proposed ASP and amendments comply with other statutory plans of the RMWB and the requirements of the *Municipal Government Act*
- The amendment to the Land Use Bylaw allow for a wide range of uses that provide amenities for passengers, as well as business industrial uses that would benefit from locating close to the airport
- Allow for continued implementation of the airport expansion.

April 17th, 2012

John Hersey

Fort McMurray, AB

Surekha Kanzig
Chief Legislative Officer
Regional Municipality of Wood Buffalo
Fort McMurray, AB T9H 2K4

Dear Ms Kanzig:

I would like to express a concern at the hearing on April 24th regarding the proposed amendments to the area structure plan for the airport lands.

My specific concern is that the amendments will allow development of the airport lands beyond those developments specifically relevant to an airport.

One such possible use of that land is the site for a SAG-D Oil Production facility.

I note that the drawings provided make no reference to the proposed Alberta Oilsands Inc Clearwater project presently before the ERCB. The Alberta Oilsands Inc. website shows the plant located on Airport land. This is a SAG-D Oil production facility within a very short distance of Saprae Creek Estates and right on Highway 69. Alberta Oilsands Inc has a sketch on their website that shows the proposed plant bordering Highway 69 at the south east corner of the airport land. It is conspicuously missing from the material as presented from the airport authority.

Your initial response to my request to speak was to refuse on the grounds this amendment is a request to develop the airport not a SAG-D facility. I want assurance from council and the Airport Authority that these amendments or the area plan do not include an Oil production facility.

Residents have informed the ERCB of our concerns as well as expressing our dismay to the mayor and members of council. To build a hazardous facility so close to families is beyond comprehension and would violate the spirit of the "Envision Fort McMurray" work done a few years ago. There are many available locations to build SAG-D facilities that are not next to family homes. I note a comment in the documentation for the amendments that "the municipality has limited jurisdiction over the uses and developments occurring within the airport boundary" after this amendment. The airport authority stands to gain significant financial benefit from locating the plant on their land and I doubt we as residents will be a factor at all in their decision. **Therefore we as**

residents need council to retain the final decision on any request to build any oil or processing plant on that land.

I request the opportunity to speak at the hearing on April 24th

Thank you,

John Hersey

A UNIQUE SAGD OPPORTUNITY
CLEARWATER PROJECT
KEY FACTS ON THE CLEARWATER PROJECT
DEVELOPMENT STRATEGY
PHASE I
PHASE II – COMMERCIAL PROJECT
TECHNICAL MODEL FOR THE CLEARWATER PROJECT
OTHER OIL SANDS PROPERTIES
UNDERSTANDING THE OIL SANDS
TECHNICAL PRESENTATIONS AND PAPERS
FREQUENTLY ASKED QUESTIONS

Key Facts on the Clearwater Project

+ | –

Project type – SAGD, low-pressure recovery model, enhanced with solvent co-injection

Reservoir – McMurray Formation sands, 45 metres' average thickness

Lease – Approximately 32 sections (20,480 hectares) of oil sands leases (100 percent working interest) of which 6 sections are believed to be currently accessible

Resource delineation – 60 core holes, extensively delineated to date, plus 8 km of 2D seismic and 1.6 km^2 of 3D seismic

GLJ has assessed contingent resources of 373 million barrels in the best estimate case. The assessment reaffirms the magnitude and quality of the bitumen resources attributed to the Clearwater property and updates and supersedes all previous reports assigning probable reserves and contingent resources to the Company's Clearwater Property.

Reservoir quality –

- Bitumen pay thickness – 20-55 metres net
- Porosity – Average 35 percent
- Bitumen saturation – Average 80 percent
- Shale cap – Continuous mudstone
- Bitumen viscosity – 7-10° API

Phase I project footprint – 10.3 hectares

Phase I main facilities – One steam boiler, one diluent fractionator, six SAGD well-pairs, observation wells, water source wells and pipelines, bitumen/diluent blending, temporary bitumen storage tanks, electricity and natural gas service, office/control room building, vapour recovery system, extensive tiltmeter network, various monitoring and observation sensors and systems. Central processing facility capable of generating 1,113 m^3/d of steam and processing 4,350 bpd of bitumen production.

Planned peak production –

- Phase I – 4,350 bpd with 10-15-year operating life
- Phase II – 15,000-25,000 bpd with 25-30-year operating life

Capital spending -

- Through regulatory approval – Approx. $50 million
- Phase I capital requirement – Approx. $150 million
- Phase II capital requirement – Approx. $1 billion for 25,000 bpd

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A UNIQUE SAGD OPPORTUNITY
CLEARWATER PROJECT
KEY FACTS ON THE CLEARWATER PROJECT
DEVELOPMENT STRATEGY
PHASE I
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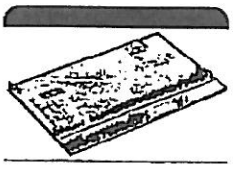
Phase I

+|–



Click to Enlarge

Phase I will consist of an initial six SLP-SAGD well-pairs (injectors and producers), drilled from a common pad adjoining the surface facilities. The wells have planned horizontal legs of 600 metres' length and lateral spacing of 75 metres between wellbores.

Facilities will consist of one steam boiler, one diluent fractionator, six SLP-SAGD well-pairs, observation wells, water source wells and lines, bitumen/diluent blending, temporary bitumen storage tanks, electricity and natural gas service, office/control room building, vapour recovery system, extensive tiltmeter array, and various other monitoring and observation systems.

The plant site and well pads will have a very small surface footprint. They will cover a fenced area of only 10.32 hectares, a tiny fraction of the Clearwater lease area of 8,288 hectares. Of this small fenced area, the majority will remain undeveloped.

Phase I will include solvent co-injection, which will facilitate low-pressure SAGD operations, creating a process AOS calls solvent-low-pressure or SLP-SAGD. This process will improve productivity and reduce the SOR to maximize operating efficiencies and minimize the project's physical and environmental footprint.

Phase I will have a planned production rate of 4,350 bpd of bitumen (approximately 725 bpd per producing well). The project has an expected capital requirement of $150 million, including facilities, horizontal wells and other project costs. This represents a capital cost of only $40,000 per installed barrel of daily production capacity at 4,350 bpd.

Please click here for key facts on the Clearwater Project.

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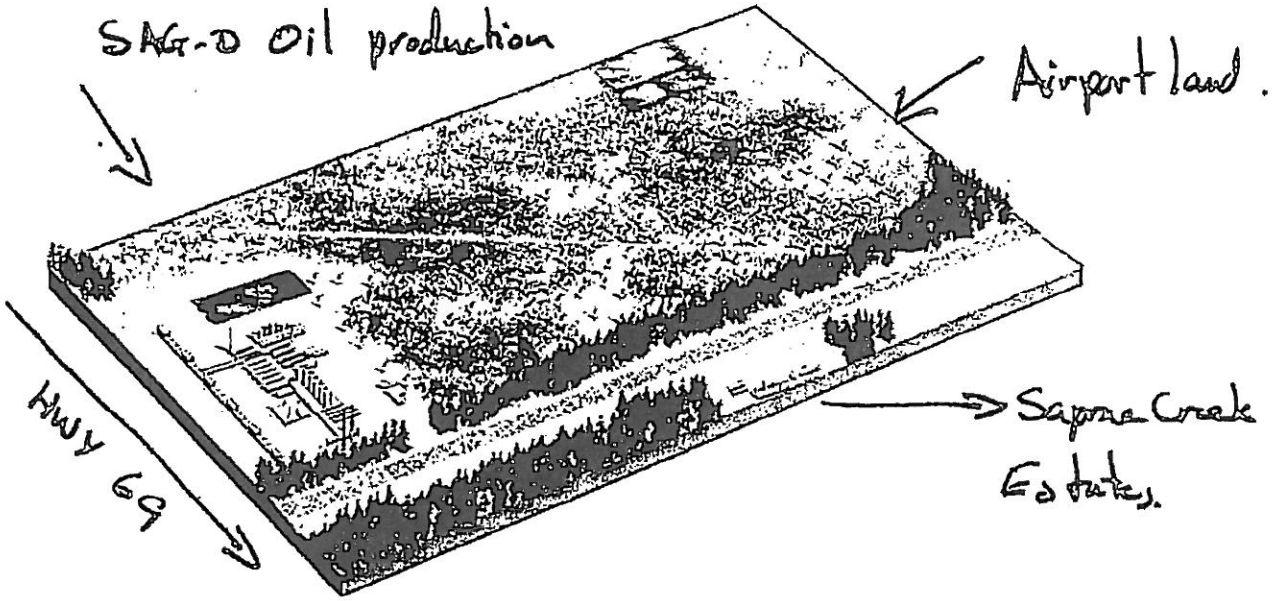

From Alberta Oilsands Inc Website

REGIONAL MUNICIPALITY OF WOOD BUFFALO

COUNCIL REPORT

Meeting Date: April 24, 2012

Subject:	**Fort McMurray Regional Airport Area Structure Plan** **Bylaw No. 12/009 – Fort McMurray Regional Airport Area Structure Plan** **Bylaw No. 12/010 – Highway 69/Clearwater River Valley Area Structure Plan Amendment** **Bylaw No. 12/011 – Land Use Bylaw Amendment**
APPROVALS:	Glen Laubenstein, Chief Administrative Officer Carol Theberge, Executive Director Samuel Alatorre, Director

Administrative Recommendation:

1. THAT Bylaw No. 12/009, being the Fort McMurray Regional Airport Area Structure Plan, be read a second time.

2. THAT Bylaw No. 12/009, be read a third and final time.

3. THAT Bylaw No. 12/010, being an amendment to the Highway 69/Clearwater River Valley Area Structure Plan, be read a second time.

4. THAT Bylaw No. 12/010, be read a third and final time.

5. THAT Bylaw No. 12/011, being an amendment to the Land Use Bylaw, be read a second time.

6. THAT Bylaw No. 12/011, be read a third and final time.

Summary:

With a high demand in passenger activity outpacing improvements to the terminal building, the Fort McMurray Airport Authority has determined that long-term growth can only be accommodated through the provision of new infrastructure and expansion of the Fort McMurray Regional Airport. The current Fort McMurray Municipal Airport Area Structure Plan requires an update to reflect the proposed expansion plans, and the proposed plans for the airport also require amendments to the Highway 69/Clearwater River Valley Area Structure Plan (Attachments 2) and the Land Use Bylaw (Attachments 3).

The proposed new Area Structure Plan (Attachment 1) provides the regulatory framework for the management of land uses on the airport lands, and will replace Bylaw No. 03/061. Because the Highway 69/Clearwater River Valley Area Structure Plan is closely related to the plan for the Fort McMurray Regional Airport, these amendments have been brought forward together for clarity. The authority to adopt an area structure plan, and amend an area structure plan and the Land Use Bylaw is vested with Council under the Municipal Government Act.

Author: Peter Apostolakos
Department: Planning and Development

Background:

On January 13, 2004, Council adopted the Fort McMurray Municipal Airport Area Structure Plan, Bylaw No. 03/061. Since that time, there has been significant development of the Athabasca Oil Sands and expansion in the natural gas industry. This has stimulated unprecedented economic growth and development in the region, and has resulted in dramatic increases in passenger activity at Fort McMurray Regional Airport. From 1998 to 2008, the number of annual passengers at the airport has increased by over 600%, and in 2011 there was an estimated total of 724,000 passengers served by the existing airport.

Rationale for Recommendation(s):

Section 638 of the Municipal Government Act reads that "all statutory plans adopted by a municipality must be consistent with each other." Since the adoption of the Fort McMurray Municipal Airport Area Structure Plan in 2004, a new Municipal Development Plan (MDP) and Envision Wood Buffalo have been adopted; therefore, the Airport Area Structure Plan needs to be updated and brought into alignment.

In 2010, Council adopted Envision Wood Buffalo to reflect the Municipality's commitment to sustainability in regional transportation, as well as enhancing regional tourism, and improving employee recruitment and retention. Population and employment demand projections for the municipality have been updated to reflect increased growth expectations in the coming decades, and the recently adopted MDP includes strategies that support expansion and economic development in the airport area.

Specifically, MDP Strategy U.1.6 "Support expansion and economic development in Airport Area" reads that the "Municipality will support the expansion of the Fort McMurray Airport, encouraging its transformation from a premier regional airport into an international airport. The Airport Area will become a major employment centre, transportation hub, and centre for economic development."

The proposed Area Structure Plan also supports the priorities set out in the Strategic Plan 2012 - 2016, which identifies ten priority areas for implementation of the MDP. In particular, the second priority of the Strategic Plan is to "Develop sustainable mobility choices," and includes the following priority actions: "Support Airport Expansion," "Develop active transportation and transportation alternatives," and "Invest in Capital Infrastructure Network Development."

The new Fort McMurray Regional Airport Area Structure Plan proposes the expansion of the Airport boundary as well as the Land Use Bylaw's Airport District boundary. It is proposed that the boundary be extended to the south to meet with Highway 69, which will form the new southern boundary (Attachments 4 and 5). This expansion of airport lands will present an increased opportunity to develop land support functions, additional airside for additional airport commercial developments and landside commercial and light industrial developments.

Long-term growth can only be accommodated through the provision of new infrastructure which includes the addition of airport reserve land for a second runway, should it be required in the future, an expanded taxiway network, a new air terminal building, a new terminal access road and parking, and supporting service infrastructure.

The proposed Fort McMurray Regional Airport Area Structure Plan aligns with Envision Wood Buffalo and the Municipal Development Plan. Administration supports the proposed new Area Structure Plan and bylaw amendments.

Attachments:

1. Bylaw No. 12/009 – Fort McMurray Regional Airport Area Structure Plan
2. Bylaw No. 12/010 – Highway 69/Clearwater River Valley Area Structure Plan Amendment
3. Bylaw No. 12/011 – Land Use Bylaw Amendment
4. Outline of Area Structure Plan Boundaries
5. Outline of Land Use Bylaw Boundaries

Attachment 1

BYLAW NO. 12/009

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO ADOPT THE FORT MCMURRAY AIRPORT AREA STRUCTURE PLAN

WHEREAS Section 633 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting an Area Structure Plan.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, hereby enacts as follows:

1. Bylaw No. 12/009, being the Fort McMurray Regional Airport Area Structure Plan as set out in Schedule A, is hereby adopted.

2. Bylaw No. 03/061 and all amendments thereto is hereby repealed.

3. This bylaw shall be passed and become effective when it receives third reading and being signed by the Mayor and Chief Legislative Officer.

READ a first time this 10th day of April, A.D. 2012.

READ a second time this _____ day of _____, A.D. 2012.

READ a third and final time this _____ day of _____, A.D. 2012.

SIGNED and PASSED this _____ day of _____, A.D. 2012.

_____
Mayor

_____
Chief Legislative Officer

Schedule A

FORT MCMURRAY REGIONAL AIRPORT AREA STRUCTURE PLAN BYLAW NO. 12/009

Submitted to

REGIONAL MUNICIPALITY OF WOOD BUFFALO

On behalf of the

FORT MCMURRAY AIRPORT AUTHORITY

Prepared by

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February 21, 2012

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1.0 INTRODUCTION

1.1 Purpose

With a high demand in passenger activity outpacing any improvements to the terminal building, the Fort McMurray Airport Authority has determined that long term growth can only be accommodated through the provision of new infrastructure and expansion of the Fort McMurray Regional Airport (Airport). The current Fort McMurray Municipal Airport Area Structure Plan requires an update to reflect the proposed expansion plans for the Airport. The Fort McMurray Regional Airport is no longer municipally owned and the new area structure plan for the airport is to be called the "Fort McMurray Regional Airport Area Structure Plan (ASP)".

The Fort McMurray Regional Airport Area Structure Plan will replace the current Fort McMurray Municipal Airport Area Structure Plan 2003/061.

This proposed ASP is prepared to reflect the new Airport Development Plan (see Appendix A) for the airport which proposes:

- a potential extension of the length of existing Runway 07-25 from 7,500 ft to 9,000 ft;
- a future second Runway 07R- 25L, should it be required in the future and protection of land for the second runway;
- expanded taxiway network;
- a new air terminal building;
- new air terminal access road and parking;
- supporting service infrastructure; and
- development of airport lands for additional airport support functions and commercial development.

This proposed ASP addresses the implications on surrounding lands and existing and future adjacent uses as a result of the expansion plans for the airport.

1.2 Background

Fort McMurray is located 435 km northeast of Edmonton within the Regional Municipality of Wood Buffalo (Municipality), as shown in *Map 1: Location*, and has become a thriving area serving the resource industry. The Fort McMurray Regional Airport is located approximately 10 km south of the city centre adjacent to the Hamlet of Saprae Creek, see *Map 2: Area Structure Plan Boundary*.

The Fort McMurray Regional Airport was transferred to the Municipality on March 31, 1999. In February 1999, the Fort McMurray Airport Commission was formed to operate the airport under agreement with the Municipality.

On December 1, 2009 the new Fort McMurray Airport Authority (Airport Authority) was formed by an Order in Council of the Province of Alberta to take over the governance of operations of the Fort McMurray Regional Airport from the Fort McMurray Regional Airport Commission. Since January 1, 2010, the Fort McMurray

Regional Airport is owned and operated by the Fort McMurray Airport Authority.

The airport currently provides service as a regional airport from both a passenger and cargo perspective. Presently, scheduled airlines utilizing the airport include Air Canada, Air Canada Jazz, McMurray Aviation, Northwestern Air, Connect Air and WestJet. The airport also serves as an important hub for general aviation, helicopter services, pilot training and fire-fighting efforts.

1.3 Purpose of ASP

The Fort McMurray Regional Airport is an essential public service and an exceedingly important economic tool for the Municipality. This plan recognizes the importance of planning for the future of the airport and regulating land uses in the vicinity of the airport. This ASP provides the regulatory framework for the control and management of land uses on the airport lands based on the updated Development Plans for the airport.

As a statutory plan, the ASP complies with Sections 633, 636, 638 and 692 of the Municipal Government Act (The Act). In accordance with *The Act,* the ASP must describe the following:

- *"the sequence of development proposed for the area;*
- *the land uses proposed for the area, either generally or with respect to specific parts of the area;*
- *the density of population proposed for the area either generally or with respect to specific parts of the area; and*
- *the general location of major transportation routes and public utilities."*

When adopting a statutory plan such as an ASP, *The Act* stipulates the following:

- *"property owners, businesses, interested members of the public and school boards must be given the opportunity to provide input in the planning process;*
- *an ASP must be adopted by bylaw, which requires a public hearing; and*
- *an ASP must conform to the municipality's Municipal Development Plan."*

Increasing airport services demand from years of high local population and economic growth, fuelled by a strong resource industry, have prompted the need for independent management and master planning of the airport lands and airport operations to be overseen by the Fort McMurray Airport Authority and the Municipality. This ASP addresses the much needed development of the airport and its supportive services. This will help the area's burgeoning population and economy to prosper and take full advantage of the opportunities for growth presented to the Municipality.

1.4 Process

The Municipality and the Fort McMurray Airport Authority both identified a need for a long range planning document for the airport to clarify the land use on the airport and development approval process, to ensure the long term viability of the area and to promote the airport to aviation businesses and the travelling public.
Since the airport is now owned and operated by the Fort McMurray Airport Authority, the Municipality has limited jurisdiction on the development of airport lands and especially airside uses that are directly related to

aviation.

The Fort McMurray Airport Authority and the Municipality have created a *Memorandum of Understanding* (see Appendix B) to describe the mutual expectations of the Municipality and the Airport Authority, their roles, responsibilities and obligations with respect to the provision of municipal services and utilities to the Airport and airport lands and future operations and developments occurring in the airport.

When adopted as bylaw by the Municipality under the Municipal Government Act, this ASP will provide the planning framework for the development of airside and landside uses within the plan area based on the Memorandum of Understanding between the Municipality and the Airport Authority. This ASP will also provide the Municipality the authority for enforcement and a method for review and public input on the development of lands that fall within the jurisdiction of the Municipality, i.e. Landside Business Industrial Area (see Landside Business Industrial Area on *Map 8: Development Concept*).

The lands surrounding the airport lie within the Highway 69 / Clearwater River Valley Area Structure Plan Bylaw No 99/058 which was originally adopted on January 28, 2000 and subsequently amended to delete the areas that fell under the Saline Creek Area Structure Plan, Bylaw No 07/058.

The expansion of the airport lands has also triggered an amendment to the Highway 69 / Clearwater River Valley ASP to remove the airport lands from within its boundaries. The ASP reflects the new Noise Exposure Forecast Contours proposed by the airport which extend beyond the boundaries of the Fort McMurray Regional Airport ASP into the plan area of the Highway 69/Clearwater River Valley ASP.

Concurrent to the preparation of this ASP, the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059 is also proposed to undergo an amendment to revise the boundaries of the A-Airport District (see *Map 3: Existing Zoning*) to reflect the expansion of airport lands and to include a comprehensive list of permitted and discretionary uses that may be considered in the Landside Business Industrial Area within the airport lands.

Armin A. Preiksaitis and Associates was retained in May 2008 to undertake the necessary amendments to both the Highway 69 / Clearwater Area Structure Plan, Bylaw No 99/058 and the Fort McMurray Municipal Airport Area Structure Plan, Bylaw No 03/062) and the Land Use Bylaw 99/059 as required by the Municipality to facilitate the expansion and redevelopment of the Fort McMurray Regional Airport.

A glossary of terms used in this ASP is attached as Appendix C.

2.0 PUBLIC CONSULTATION

Since this plan is adopted as an Area Structure Plan, the requirements of the Municipal Government Act must be met. The Act states:

"636 (1) While preparing a statutory plan, a municipality must provide a means for any person who may be affected by it to make suggestions and representations, notify the public of the plan preparation process and of the means to make suggestions and representations referred to in clause (a)."

Therefore, in order to ensure that the airport meets the needs of the community and the community has the opportunity to provide their comments, several opportunities for public input were provided in the plan preparation process.

2.1 Consultation

This ASP is based on the updated Airport Development Plan included as Appendix A, which has been developed in consultation between the Municipality and the Fort McMurray Airport Authority. The concept for the Airport Development Plan was first publicly released in May 2010, during the Airport Open House hosted by the Airport Authority. Since May 2010, the Airport Development Plan concepts and updates have been posted on the Fort McMurray Airport Website.

In accordance with the Municipality's requirements for public consultation outlined in the Municipality's Engaging Residents: Guidelines for Public Participation, a Public Meeting was held on May 13, 2011, at the MacDonald Island Park in Fort McMurray to provide the public and stakeholders with an opportunity to review and comment on the draft ASP and amendment applications. A newspaper advertisement including a link to the Airport Authority's website, where the draft ASP and amendment report was available for viewing and download, was posted in the Fort McMurray Today newspaper on April 29, 2011.

The notification for the Public Meeting was also posted on the Fort McMurray Airport's website (www.flyfortmac.ca/postings) and the Municipality's website, (http://www.woodbuffalo.ab.ca/living_2227/Events.htm) two weeks prior to the meeting. In addition to the newspaper advertisement, eighteen (18) letters were mailed out to key stakeholders and affected parties including public agencies, Saprae Creek Residents Society and the Rotary Club of Fort McMurray.

While a large number of attendees visited the presentation boards, fifteen (15) attendees signed in and one of the attendees submitted a completed exit survey. The attendee who submitted the exit survey was generally in agreement with the proposed changes and did not raise any concerns regarding the proposed ASP and the proposed amendments.

Generally, the attendees were curious to find out more information regarding the timing and development of the new terminal building and potential for more business development opportunities and hangar spaces for airside business development opportunities.

3.0 REGULATORY AND LEGISLATIVE PARAMETERS

3.1 Municipal

Since January 1, 2010 the Fort McMurray Regional Airport is owned and operated by the Fort McMurray Airport Authority. The Airport Authority shall be responsible for approving developments occurring within the airport lands, especially airside related uses. The Municipality will be responsible for approving developments locating within the landside business industrial areas. The Municipality will also circulate all developments applications located in the vicinity of the airport (See *Map 9: Airport Vicinity Boundary*) to the Airport Authority for comments to ensure that such developments do not interfere with the safe operation of the airport.

3.1.1 Development Control

Based on the *Memorandum of Understanding between the Airport Authority and the Regional Municipality of Wood Buffalo* (included as Appendix B), new 'airside' developments for aviation related uses do not require a development permit. In the case of developments locating in the landside business industrial areas, the tenants of those developments shall be the applicants for development permits, upon receiving approval from the Airport Authority.

However, all developments for which the Municipality has already granted development or building permits shall require municipal approval for changes, including the expansion of such developments. Similarly all developments within the airport shall be required to comply with the building and safety code regulations and shall be required to obtain building permits, in order for the Municipality to provide fire suppression services to the developments on the airport.

Airside firefighting shall be the responsibility of the Airport Authority. Policing, structural fire response and ambulance shall be responsibility of the Municipality and the safety codes shall be in accordance with the National Building Code.

The Airport Authority is responsible for all 'airside' developments located within the boundaries of the airport, ensuring that developments conform to the primary aviation focus of the airport and will not negatively impact the operation of the airport and other adjacent uses.

The airport lands are divided into the following six (6) sub-areas as shown in *Map 8: Development Concept*:

1. Airport Reserve (including Transportation Reserve)
2. Airside Reserve
3. Airside Business Industrial
4. Landside Business Industrial
5. Airside Support
6. Terminal Reserve

A brief description of each sub area and list of intended uses and developments within each sub area is discussed under *Section 5.1 Proposed Land Use on Airport*. The Municipality shall be responsible for issuing development permits to uses and developments located in the Landside Business Industrial area only.

Developments in the Vicinity of the Airport

Developments located within the Airport Vicinity Boundary as shown in *Map 9: Airport Vicinity Boundary*, fall under the jurisdiction of the Municipality. All uses and developments in the Airport vicinity boundary shall be circulated to the Airport Authority for review and recommendation to the Development Authority as to whether the proposed development should be approved with or without conditions, to ensure compatibility and safety with existing and future airport operations and regulations.

The policies within the following documents are pertinent to the Fort McMurray Regional Airport:

3.1.2 Municipal Development Plan, Bylaw No 11/027

The Municipal Development Plan (MDP) is the long range planning document for the Municipality. It deals with all aspects of growth and development at a broader level in order to provide strategic direction to the entire Municipality.

The current MDP was adopted in October 2011. The following Direction provided in the MDP is directly relevant to the planning and development of the Fort McMurray Regional Airport:

Urban Growth Management - Direction U.1.6

"Support expansion and economic development in Airport Area.

As the region grows, air traffic in Fort McMurray will increase. The Municipality will support the expansion of the Fort McMurray Regional Airport, encouraging its transformation from a premier regional airport into an international airport. The Airport Area will become a major employment centre, transportation hub, and centre for economic development. A variety of airside and non-airside uses will be developed in this area to leverage the Airport's ready access to transportation services."

Regional Growth Management – Direction R.2

"Integrated Multi-Modal Mobility Systems

Airport expansion, private airstrips, rail service, water transportation, and new road networks are also important elements of this multi-modal system."

3.1.3 Highway 69 / Clearwater River Valley ASP, Bylaw # 99/058

One of the main objectives of the Highway 69/Clearwater River Valley Area Structure Plan to promote land uses in the vicinity of the airport in a manner that does not inhibit the present and future operations of the Fort McMurray Regional Airport.

The impact of the Fort McMurray Regional Airport on the Clearwater Valley / Highway 69 ASP is primarily related to three items:

- Height restrictions in the vicinity of the airport;
- Conflicting land uses, such as those that create smoke, steam and dust; attract birds; and create electronic interference; and
- Aircraft noise.

The amended Highway 69/Clearwater River Valley Area Structure Plan also restricts any future residential development that falls within the Noise Exposure Forecast Contour (NEF) 25.

In any instance, all developments within the boundaries of the Highway 69/Clearwater River Valley Area Structure Plan must comply with any applicable federal airport zoning as well as municipal land use plans including but not limited to:

- Obstacle Limitation Surfaces as defined in the Fort McMurray Regional Airport ASP;
- The Fort McMurray Airport Zoning Regulations; and
- Noise Exposure Forecast Contours and associated land use restrictions as identified in the Fort McMurray Regional Airport ASP.

3.1.4 Land Use Bylaw No 99/059

Under the Land Use Bylaw 99/059 the airport lands are zoned A – Airport District. The purpose for this district is *"to provide for the continued operation of an airport and to allow development on airport property that will provide for economic and financial viability for the airport."* The Airport District has limited jurisdiction over the entire airport lands.

Most "airside" uses which are developments related to the airport and aviation related uses shall not require a development permit from the Municipality but are required to meet the safety code regulations. For any new "groundside" (or landside) uses which are not aviation related, the Airport Authority or its tenants are required to secure a development permit from the Municipality. Section 129 A - Airport District of the Land Use Bylaw identifies a number of permitted and discretionary uses that may be considered for development on the "Landside Business Industrial" area within the airport lands.

Lands identified as part of the development concept located between the current southern boundary of the airport lands and Highway 69 (Refer to Proposed Airport District in *Map 3 Existing Zoning*) are zoned UE – Urban Expansion. The purpose of this district is "*to protect land in the Rural Service Area suited for future urban and hamlet expansion from premature subdivision and development*." The limited nature of allowable development within this area would therefore require rezoning from the Municipality before development would be allowed to occur.

3.2 Provincial

Provincial legislation does not regulate the operation of airports, but does affect many of the issues surrounding the airport, such as the environment (particularly water quality, quantity and wildlife), provincial highways and access and impacts on adjacent public lands. Under Provincial legislation land use controls can be implemented by a Municipality in the vicinity of an airport to mitigate conflicts arising from noise from airport operations.

In the 1970's and 1980's, Transport Canada prepared Airport Vicinity Protection Area (AVPA) plans for over 30 airports in the Province including Fort McMurray Regional Airport, which have since been rescinded by the province. The Airport Protection Vicinity Area is no longer in effect.

On December 1, 2009 a new Fort McMurray Airport Authority was formed by an Order in Council of the Province of Alberta to take over the governance of operations of the Fort McMurray Regional Airport from the Fort McMurray Regional Airport Commission.

The Fort McMurray Regional Airport is surrounded by Crown land. For this reason, any land use or development proposal for the airport and its vicinity shall be circulated to the appropriate provincial agency by the Municipality to obtain comments. To accommodate development proposed under the Airport Development Plan (See Appendix A), portions of these lands will have to be acquired (leased or purchased) by the Airport Authority from the Province. At the time of preparation of this ASP, the process for acquisition of lands was ongoing.

3.3 Federal

While a Municipality is regulated by the Province through the Municipal Government Act, an airport is regulated by the Federal Government through Transport Canada and the Aeronautics Act. Under the Aeronautics Act, the *Fort McMurray Airport Zoning Regulations C.R.C.,c.82* was created, which regulates the development of buildings, structures or objects that may lie in the path of the 'approach surfaces', 'the outer surface' and 'transitional surfaces' as described within the Airport Zoning Regulations, see Appendix D.

3.3.1 Transport Canada

Transport Canada and the Aeronautical Act regulate air space and the safe operation of airports. They conduct audits and review traffic volumes. The airport is currently operating under TP 312 4th edition regulations last revised March 2005.

3.3.2 CATSA

In 2002 the new Canadian Air Transport Security Authority (CATSA) organization was formed in response to the security issues that arose after the September 11, 2001 terrorist attack. This organization provides funding, through the collection of a security fee on every airline ticket, to expand and enhance passenger and baggage security screening- facilities at the airport to meet the new security requirements.

3.3.3 NAV CANADA

In 1996, navigational and traffic control activities were separated from the Federal Government and are now provided by a private organization. Any new navigational aids, lighting requirements and development on airport land will be circulated to NAV Canada to ensure that they do not interfere with the safe operation of the airport

4.0 PLAN AREA

The Fort McMurray Regional Airport ASP area consists of the existing Airport lands themselves as well as Crown lands that lie between the southern boundary of the airport lands and Highway 69. To the east, the ASP boundary follows the eastern boundary of the airport lands south until Highway 69. The ASP area follows the northern boundary of the Airport Lands. On the western side, the ASP boundary similarly follows the westernmost boundary of the airport lands south until the centerline of Highway 69. This ASP Plan Area is indicated in *Map 2: Area Structure Plan Boundary*.

There are Crown lands beyond the airport boundary, where tree cutting would be required to accommodate approach/transition surfaces for the future second runway. The Airport Authority is in discussion with Sustainable Resource Development (SRD) to acquire long term leases on these lands to ensure these lands are protected from development.

The following sections outline the physical attributes of the airport and adjacent lands.

4.1 Ownership

The Fort McMurray Regional Airport was transferred to the Municipality on March 31, 1999. In February 1999, the Fort McMurray Airport Commission was formed to operate the airport under agreement with the Municipality.

As of January 1, 2010, the Fort McMurray Regional Airport is owned and operated by the Fort McMurray Airport Authority. The Airport Authority retains the rights to lease parcels of airport land to tenants.

The Fort McMurray Regional Airport is planned to be financially self-sufficient and therefore, it is critical that the airport be allowed to lease and develop airport lands to generate revenue, and self sustain the airport's operations.

4.2 Natural Features

When considering new developments, the Municipality reviews the natural features for purposes of determining hazardous lands that should not be developed, identifying those lands that may be suitable for environmental reserve and other lands that may be suitable for recreation / parks / open space. This is not the case on the airport development. Airport lands are generally selected due to the flat topography and lack of special features. An airport will try and clear or at least cut the height of the trees on lands adjacent to, or in the path of runways to minimize potential height conflicts and to reduce habitat for wildlife. Wildlife and airports are generally not a good mix as wildlife can create serious safety hazards for an airport.

There are two areas of topographic significance on airport land. The first are low-lying areas in the southeast portion of the airport lands. These sites currently do not create a hazard but they may be limited in their ability to be developed if it is deemed uneconomical to fill and are designated as Airport Reserve as shown in *Map 8: Development Concept*.

The second area of significant natural feature is the escarpment on the north side of the airport lands. This land slopes into the Clearwater River Valley and has proven to be unstable in certain areas. Land along the northern edge of the airport boundary, along the top of the escarpment has been identified for development potential. Any development proposed in this area will be required to conduct geotechnical assessments and

any development design will be required to be approved by a certified geotechnical engineer.

4.3 Existing Development

Currently at the airport there is significant hangar line development, along with the current airport terminal building and airport maintenance structures. Aviation related uses that require airside access are the prime tenants for the airport and include many companies which lease space, construct buildings and run their businesses out of the airport.

Other major uses include an aerial tanker base and a number of non-aviation businesses. A new hotel is also located north of the Airport Road. The Fort McMurray Regional Airport also has structures for equipment storage and maintenance.

4.4 Adjacent Land Use

The adjacent land uses are controlled through the Highway 69 / Clearwater River Valley ASP, the Saline Creek ASP as shown in *Map 7: Adjacent Land Use*. The undeveloped crown lands in surrounding area are generally heavily treed whose growth could pose an obstruction at some point in the future. If these trees are on municipal or crown property, the "topping" or cutting down of these trees will likely not be an issue, but will require land acquisition through lease or purchase by the Airport Authority in order to cut the trees.

Currently, these land uses do not appear to conflict with the operation of the airport. However, there are some houses on the southwest side of Saprae Creek that are located within the 2016 Composite Noise Exposure Forecast (NEF) Contour 25. While this is not recommended for future residential development, the existing situation is recognized.

Saprae Creek West Residential Development

Furthermore, during the preparation of this ASP, plans for expansion of residential development in the Saprae Creek Area Structure Plan were submitted to the Municipality and circulated to the Airport Authority for review and comments. As shown on *Map6A: Areas Affected by NEF Contours* portions of the proposed residential developments are located within the proposed NEF 25 contour.

After a review of the proposed development, the Airport Authority has provided its approval supporting the development with conditions acknowledging the presence of noise from the operation of the airport. The proposed residential development in Saprae Creek West ASP is also shown in *Map 7: Adjacent Land Use* as proposed suburban estate residential development.

4.5 Vegetation and Wildlife

Vegetation at the airport is primarily grass and forested areas. Areas of the airport lands continue to be cleared for future development or to remove obstructions. Birds and other wildlife pose a distinct threat to the safe operation of any airport. The goal should be to minimize wildlife and one of the most effective ways of doing this is to reduce habitat in the vicinity.

4.6 Access

The Airport is serviced by Airport Road off of Highway 69. The access is a two lane paved road which is currently in good condition. According to Alberta Transportation, 2002 traffic volumes were 1,530 AADT

(Average Annual Daily Traffic Volume). The road has the capacity for over 5,000 vehicles per day. This road will therefore meet the requirements of the airport until the primary airport terminal is relocated as determined in the Airport Development Plan. Future airport roads and service roads will be constructed to the standards of the Municipality to accommodate future industrial and commercial traffic.

According to the Airport Development Plan, a new road from Highway 69 will provide access to the new terminal building and southern side of the airport property. As a provincial highway, Alberta Transportation is the authority and has jurisdiction for the road access to the highway. Under provincial legislation, Alberta Transportation will review ASPs and any development within 800 m of the centre of the roadway. Should the airport develop land on the south side of the airport, all proposed plans will be circulated to the department to discuss access locations and standards.

The Municipality will, in cooperation with the Airport Authority and key stakeholders evaluate and consider options for traffic assessments to study the implications on Highway 69 of development occurring on Airport lands.

4.7 Noise Exposure Forecast and Planning Contours

In the 1980s, when the Province of Alberta was preparing Airport Vicinity Protection Plans, Noise Exposure Contours were first prepared for the Fort McMurray Regional Airport. The Canadian Noise Exposure Forecast (NEF) has been developed to encourage compatible land use planning in the vicinity of airports. NEFs are official contours and supported by Transport Canada.

The existing noise contours prepared by EBA Engineering Consultants in 2003 represent the year 2020 and assume approximately 70,000 annual movements with a planning peak day of 289 movements. The mix of aircraft included in the analysis included B737-700, DHC6 Twin Otter, DHC7 Dash 7, and C130 Hercules. The contours assumed 75% of arrivals would be on Runway 25, and 25% on Runway 07, and that the day / night split in traffic is 66% / 34%. It should be noted that this percentage of night traffic is considerably higher than what is currently experienced at the Airport.

The proposed 2016 Composite Noise Exposure Forecast as shown in *Map 6: NEF Contours* , prepared in 2010 by Pryde Schropp McComb Inc., is based on Jacobs forecast (see Table 1: Forecasted Aircraft Movements - Medium Growth Scenario) which predicts that aircraft movement at Fort McMurray Regional Airport will peak in the year 2016. As such, the 2016 Noise Exposure Forecast represents the forecast year for the highest total annual traffic movements at the airport until 2030. This maximum scenario is a reasonable planning tool since it is forecasted to occur by 2016.

As shown in *Map 6: NEF Contours*, the proposed 2016 Composite Noise Exposure Forecast contours consist of graphically combining the 2016 Noise Exposure Forecast Contour for the extended runway configuration as well the new second runway into a single comprehensive contour. The resulting contour represents the worst case planning scenario for the airport, and represents the maximum noise exposure forecast for the forecast period.

In order to maximize protection to the airport and minimize land use conflict, it is recommended that new residential development in the vicinity be limited to areas falling outside the NEF 25 as shown in the 2016 Composite Planning Contour. By planning for compatible land uses in the vicinity of the airport, both the Airport Authority and the Municipality can ensure the safe operation of the airport and that no new residential development is negatively impacted by the airport operations.

4.8 Aviation Needs

The Fort McMurray Regional Airport was originally designed to handle up to 300,000 passengers annually. However, recent local economic growth has brought actual volumes above 700,000 annual passengers (in 2008) with 62,200 aircraft movements each year (in 2009). This makes the airport the single busiest airport of any small or medium-sized municipality in Canada.

Further, Jacobs Consultancy was hired to prepare a Fort McMurray Regional Airport Aviation Activity Forecast as shown in Table 1 below. The forecast predicts that aircraft movements at the Fort McMurray Regional Airport will peak in the year 2016.

In light of the current level of activity and the forecasted growth, a major expansion is underway to quadruple the size of the current airport terminal building, provide additional taxiways and terminal apron, increase parking capacity, and provide a new access road, expanded utilities and services.

Additional improvements including a potential second runway would be addressed as demand and development pressures increase.

Table 1: Forecasted Aircraft Movements - Medium Growth Scenario

Year	Air Carrier		Other Comm.	Private	Gov. + Military	Total Itinerant	Local	Total
	Level I-III	Level IV+						
2008	34,885	15,776	4,623	6,453	570	62,307	8,138	70,445
2009	32,304	12,958	4,244	6,328	545	56,379	9,449	65,827
2010	33,057	13,722	4,880	6,410	540	58,609	9,638	68,247
2011	35,440	14,995	5,662	6,539	534	63,171	9,830	73,002
2012	39,001	16,934	6,853	6,735	529	70,052	10,027	80,078
2013	40,116	17,133	6,976	6,756	524	71,504	10,227	81,731
2014	41,936	18,323	7,706	6,876	518	75,360	10,330	85,690
2015	41,862	17,935	7,468	6,837	513	74,615	10,433	85,048
2016	43,385	18,356	7,727	6,880	508	76,856	10,537	87,393
2017	42,780	17,606	7,266	6,803	503	74,959	10,643	85,601
2018	41,321	16,384	6,515	6,680	498	71,397	10,749	82,146
2019	42,027	16,483	6,576	6,690	498	72,274	10,857	83,131
2020	42,639	16,334	6,484	6,675	498	72,630	10,965	83,596
2021	42,684	16,063	6,318	6,647	498	72,210	11,075	83,285
2022	41,884	15,251	5,819	6,565	498	70,017	11,186	81,203
2023	42,487	15,155	5,760	6,555	498	70,455	11,297	81,753
2024	42,565	14,722	5,494	6,511	498	69,791	11,410	81,201
2025	42,809	14,611	5,426	6,500	498	69,843	11,525	81,367
2026	42,733	14,248	5,203	6,463	498	69,145	11,640	80,785
2027	42,716	13,956	5,024	6,434	498	68,628	11,756	80,384
2028	42,064	13,489	4,737	6,386	498	67,175	11,874	79,048
2029	42,330	13,418	4,693	6,379	498	67,317	11,992	79,310
2030	42,937	13,489	4,737	6,386	498	68,047	12,112	80,159

Source: Fort McMurray Aviation Activity Forecast, Jacobs Consultancy, 2009

5.0 DEVELOPMENT CONCEPT

The Fort McMurray Airport Authority is responsible for approving all development on airport property. In so being, the Airport Authority or its tenants will be responsible for acquiring development permits from the Municipality for uses on Landside Business Industrial on airport property upon receiving approval from the authority.

Off airport land uses and development are the responsibility of the Municipality to approve, except where a land use or development permit interferes with the obstacle limitation surfaces of the airport, at which time federal regulations come into play. The Airport Authority shall have the ability to comment on any proposed development that is off airport lands and located within the Airport Vicinity Boundary as shown in *Map 9: Airport Vicinity Boundary*, so as to ensure compatibility with airport operations. On airport land uses are controlled by the Airport Authority. The following section outlines the various land uses and controls.

5.1 Proposed Land Uses on Airport

The land uses of the airport are controlled by the Airport Development Plan (ADP), see Appendix A, which has been prepared considering developable land, and the future infrastructure demands of the airport.

A new Airport Master Plan is currently being prepared. The master plan will ultimately replace the current Airport Development Plan. The most up to date Development Concept from the ADP is illustrated under *Map 8: Development Concept*. The ADP as approved and controlled by the Airport Authority should be used to guide future development of the airport lands, in conjunction with regulations contained within this Area Structure Plan.

As shown on *Map 8: Development Concept*, the airport lands have been divided into the following six (6) sub-areas described below. With the exception of sub-area Landside Business Industrial, the remaining sub-areas are all aviation related airside uses. The following is a description of the six sub-areas and appropriate uses for each sub area:

5.1.1 Airport Reserve

Airport Reserve area means lands within the airport not currently identified for a specific use but protected for future as a reserve. This may include lands which have no development potential due to terrain or water courses etc. The Airport Reserve lands as shown on *Map 8: Development Concept* have limited development potential due to geotechnical issues.

5.1.2 Airside

Airside Reserve area means lands within the airport reserved for aircraft maneuvering and associated utilities and includes uses such as:

- runways
- taxiways
- aprons
- meteorological Installations
- electronic navigation /communication equipment, and
- associated utilities

5.1.3 Airside Business Industrial

Airside Business Industrial area means lands reserved for commercial / light industrial development purposed which require direct access to the airport airside, including runways and taxiways. Airside Business Industrial uses include the following:

- regularly scheduled and charter airlines
- cargo operators
- fixed base operators
- hangar development
- light aircraft manufacturing
- flying club
- aircraft storage
- air ambulance
- aircraft service and maintenance
- aircraft repair and sales
- flight training schools
- couriers
- aircraft fuel operators
- aerial tanker base
- fuel storage
- rotary wing operators, and
- airport support facilities

Occupants of Airside Business Industrial lands must conform to airside safety and security measures to ensure their activities do not jeopardize or threaten the security of the airport. Airside Business Industrial uses will not be required to obtain a development permit from the Municipality. However, existing airside developments for which the Municipality has already granted development permit shall seek municipal approval for any changes, including expansion of such development.

All Airside Business Industrial uses shall be required to obtain a building permit from the Municipality to ensure conformance with safety code regulation and for the purposes of the Municipality providing fire suppression services to these uses.

5.1.4 Landside Business Industrial

Landside Business Industrial area means lands within the airport reserved for commercial and light industrial development purposes which does not require access to the airside. The intent of the Landside Business Industrial area is to promote commercial retail, business and light industrial uses that are complimentary to the functioning of the airport. Landside Business Industrial uses may include the following:

- businesses servicing the air industry
- offices
- gas stations
- car washes
- car rental facilities
- hotel/motel
- food and beverage
- light manufacturing
- museums

- outdoor storage
- retail sales (concession, souvenirs, gift shops, etc.)
- distribution centres
- warehouses
- transportation services and facilities, and
- public utilities

Uses locating within Landside Business Industrial lands may or may not have an aviation focus and are not connected directly to airside access. For any new Landside Business Industrial uses, the Airport Authority shall secure development permits from the Municipality ensuring that such uses will not interfere with the safe and efficient operation of the airport.

All Landside Business Industrial uses shall be required to obtain a building permit from the Municipality or its appointed agency to ensure conformance with safety code regulation. The Municipality shall require all uses to conform to safety code regulations for the purposes of the Municipality providing fire suppression services to uses located on airport lands.

5.1.5 Terminal Reserve

Terminal Reserve area means lands reserved for the Airport Terminal Building and associated infrastructure including:

- terminal building
- terminal reserve
- parking structures
- parking lots
- ground transportation functions
- future transit bus stops
- accessory uses, and
- terminal related infrastructure

As shown in Map 8 – Development Concept, the Airport Authority has identified a potential Transit bus stop in proximity to the location of the new Airport Terminal Building (ATB). The Airport Authority will work with the Municipality to identify the exact size and location of the Transit bus stop at the implementation stage.

The provision of transit bus stop is consistent with the policies outlined in the new Municipal Development Plan which will ensure a high level of multi-modal connectivity from the airport to the various neighbourhoods in the City.

5.1.6 Airport Support

Airport Support area means lands reserved for functions including:

- maintenance structures
- equipment storage sheds
- sand sheds
- fire halls
- air traffic control towers, and
- other airport related supporting functions

5.2 Off Airport Land Use Implications

No land uses on or near airport property will create smoke or steam, penetrate the take-off and approach and transition areas, attract birds or wildlife nor create any electrical interference. In addition, land uses sensitive to noise are also required to be controlled or restricted in the vicinity of the airport to avoid land use conflict.

If developments proposed in the vicinity of the airport create smoke or steam or create any electrical interference, they would have to demonstrate to the Airport Authority that such developments will not interfere with the safe operation of the airport.

The Airport Vicinity area is shown in *Map 9: Airport Vicinity Boundary*, which includes all areas falling under the airport's Obstacle Limitation Surface Zoning. One of the important considerations for this area is to ensure uses that may attract bird hazard, such as a landfill sites are not located within the vicinity of the airport.

As indicated previously, all developments or uses proposed within the airport's vicinity shall be circulated to the Airport Authority for review and approval.

5.2.1 Obstacle Limitation Surface Zoning

Federal Regulation TP312 4th Edition Aerodrome Standards and Recommended Practices outline federal zoning for airports. Chapter 4 of TP312 discusses obstacle restriction and removal. It is the responsibility of the airport operator to adhere to these regulations. Airport Authority can enforce TP312 requirements on airport lands only.

The purpose of these regulations is to:

"define the airspace around aerodromes to be maintained free from obstacles in order to minimize the dangers presented by obstacles to an aircraft, either during an entirely visual approach or during the visual segment of an instrument approach and to prevent the aerodrome from becoming unusable by the growth of obstacles around the aerodrome."

The federal Obstacle Limitation Surface (OLS) zoning regulations establish the limits to which objects may project into the airspace associated with an airport, such that aircraft operations may be conducted safely. OLS surfaces include approach surfaces, takeoff surfaces, transitional surfaces and an outer surface.

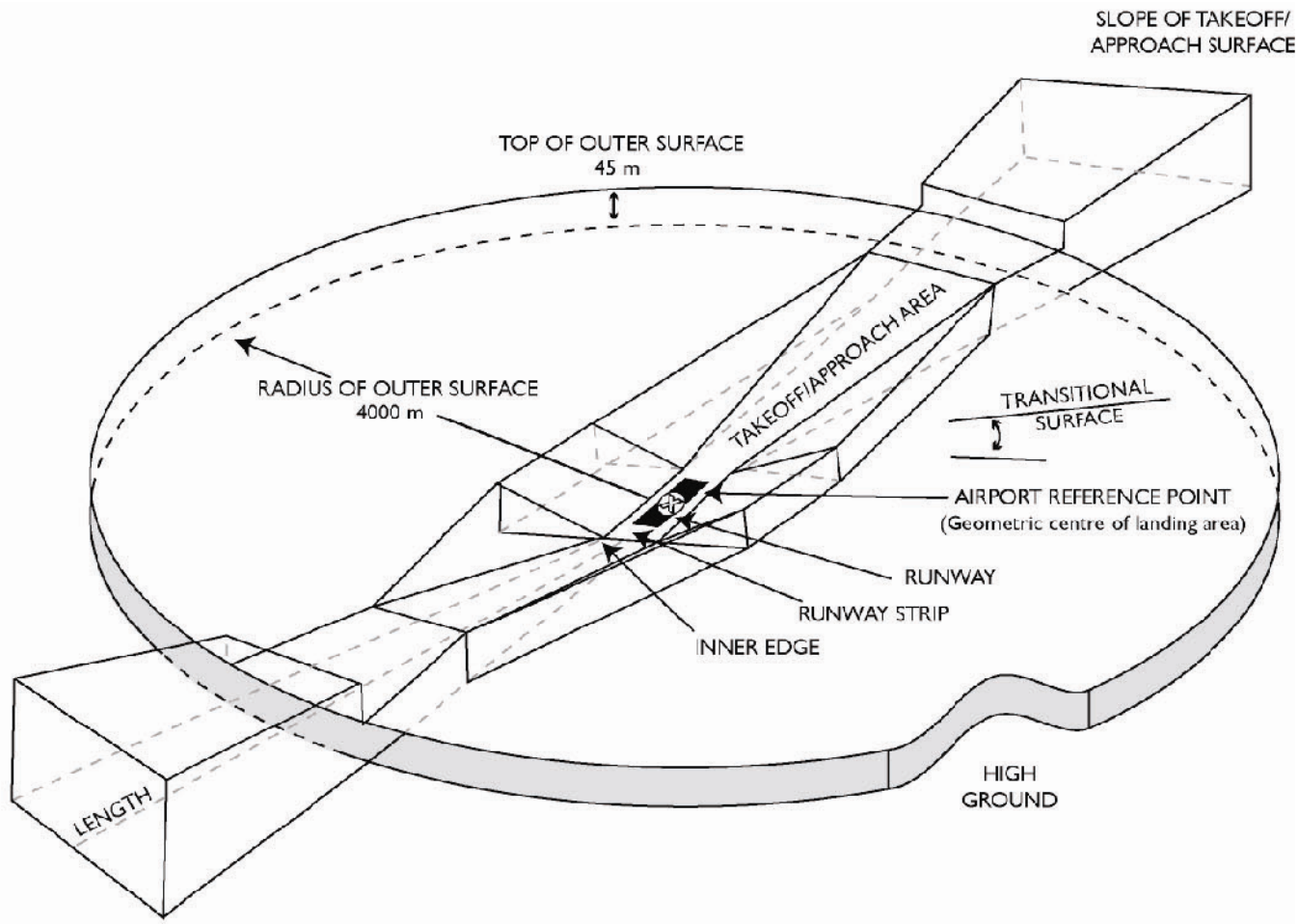
OLS surfaces within the airport property boundary are generally controlled by the airport and protected through appropriate planning and development controls. Beyond the airport property, the protection of the OLS surfaces becomes more tenuous as it involves the support and participation of the local Municipality and/or other levels of government to enforce height restrictions. The primary enforcement tool is the federal Airport Zoning Regulation (AZR), included as Appendix D, which is currently in effect for the Fort McMurray Regional Airport.

As shown in Figure 1 on the following page, there are three obstacle areas of concern that must be protected under the OLS regulation:

1. The Outer Surface (as shown on *Map 5: Obstacle Limitation Surface Zoning*) which comprises a common plane established at a constant elevation of 45 m above the assigned elevation of the aerodrome reference point and extending over a horizontal distance of a minimum of 4,000 m in every direction;

2. The Take-off and Approach Surface. This includes areas off both ends of the runway originating at the elevation of the runway and beginning at the of the end of the Runway strip raising in a vertical plane until it meets the 45 m outer surface limit;
3. The Transitional Surface that follows the edge of the Runway strip and the take off and approach measuring height distance from the elevation point to its intersection with the outer surface.

Figure 1: Obstacle Limitation Surfaces (Source: TP 1247E Land Use In The Vicinity Of Airports, Transport Canada)



There are presently two (2) methods of protecting an airport's Obstacle Limitation Surfaces. The primary method of ensuring the protection of the Obstacle Limitation Surfaces from obstructions is through federal Airport Zoning Regulations (AZRs) (see Appendix D), enacted through Part I, Section 5.4(1) and Sections 5.5 to 5.81 of the *Aeronautics Act*. Under the AZRs, any proposed land uses by the municipalities must give way to the requirements of the regulation. The other method of protection is to purchase land or secure a long term lease. Airports often purchase easements on adjacent lands which allow them the means of trimming or removing vegetation which penetrates the OLS.

At present, the control of off-airport obstructions at Fort McMurray Regional Airport is regulated by a Federal AZR that was implemented by Transport Canada in 1972. At that time, the length of the Runway 07-25 was 6,000 ft (1,828m). However, the registered AZR provided for a future extension of the runway to 7,000 ft. (2,133m) with a total runway strip length of 7,400 ft (2,255m).

In 2007, the existing runway was extended to 7,500 ft. (2,286m), thereby creating 500 ft. (152 m) of runway which is currently unprotected by the AZR. To accommodate unprotected area, a displaced threshold of 500' is provided at the end of Runway 25. The current AZR also does not contain any clauses for regulating electronic zoning, vegetation or bird avoidance.

At present, there does not appear to be any man-made structures which would impact the OLS zoning required for either the existing runway and its proposed extension to 9,000 feet, or the proposed future second runway, even though there are extensive areas of vegetation which would have to be removed in order to accommodate OLS zoning for the existing runway extension and the future parallel runway.

Map 5: Obstacle Limitation Surface Zoning illustrates the zoning for the future development of the airport infrastructure and developments in the vicinity of the airport. These restrictive areas extend off airport property. For this reason, these areas should be included in the municipal referral process to ensure that any future development does not conflict with the height restrictions under the zoning regulations.

It is recommended that the Airport Authority give consideration to amend the Registered AZR to incorporate protection for both the existing runway, proposed extensions and proposed future parallel runway.

5.2.2 Noise Exposure Forecast Contours

As discussed previously in Section 4.7 Noise Exposure Forecast and Planning Contours, the proposed 2016 Composite Noise Exposure Forecast as shown in *Map 6: NEF Contours* is based on the 2009 Jacobs forecast which predicts that aircraft movement at Fort McMurray Regional Airport will peak in the year 2016. As such the 2016 Composite Noise Exposure Forecast represents the forecast year for the highest total annual traffic movements at the airport until 2030.

It is recommended that in order to maximize protection to the airport and minimize conflict, residential development in the vicinity is limited to areas falling outside the NEF 25 (as shown on *Map 6: NEF Contours*) which is based on the 2016 Composite Planning Contours for the Fort McMurray Regional Airport.

By planning for compatible land use in the vicinity of the Airport, both the Airport Authority and the Municipality can ensure the safe operation of the airport and that no new residential development is negatively impacted by the airport operations.

5.2.3 Height Restrictions in the Vicinity of the Airport

Height of structures and buildings in the vicinity of the airport are restricted to ensure that they do not exceed the elevation of the approach surfaces, the outer surface, or the transitional surface. Due to the changing topography and the elevations of the three surfaces, there are no standardized heights for developments in the vicinity of the airport.

Development applications for new uses and developments shall be circulated to the Airport Authority to ensure the proposed building height does not interfere with the three surfaces and thereby does not interfere with the safe operation of the airport.

A detailed description of the each surface is included in the Airport Zoning Regulation, attached as Appendix

D. The Airport Zoning Regulations should be reviewed when evaluating developments proposed in the vicinity of the airport.

5.2.4 Other Uses in the Vicinity of the Airport

Uses such as landfill sites and stormwater management ponds are considered to be hazardous uses as they attract migratory birds. Such uses are discouraged from locating within close proximity of the airport.

Stormwater management ponds should be located in safe areas and should be modified so as not to attract hazardous birds. Public access to stormwater management ponds must be restricted and feeding of birds by the general public must be prohibited.

The size and location of a stormwater management pond will help determine the amount of mitigation required for it to be acceptable. Large ponds near a flight path represent a greater risk to aviation and, in addition to proper design characteristics, must use proactive techniques to prevent birds from landing.

New developments in the vicinity of the airport proposing stormwater management ponds should be circulated to the Airport Authority as part of the Technical Circulation for comments and recommendations.

6.0 SERVICING AND UTILITIES

Both current and future development will be dependent on services available at the airport, many of which are currently provided on the airport site. As development expands in the future, services will consequently have to be expanded to serve new development. Costs of this infrastructure can be covered in a number of ways. The Airport Authority can act as the primary developer and service the land, recouping the costs through lease payments or airport access fees. The provision of municipal services to the airport lands will be in accordance with the Memorandum of Understanding between the Municipality and the Fort McMurray Airport Authority (See Appendix B)

6.1 Existing Servicing

6.1.1 Sanitary Servicing

In the early 1980's Transport Canada installed a sanitary sewer system, including sanitary sewer collection system, sewage pumping station and sewage lagoon.

With the transfer of the Airport to the Municipality in 1999, the Municipality continued to operate and maintain the sewage system. No major expansion of the sewage system or upgrading has been undertaken since the original work completed by Transport Canada in the early 1980's. The existing sewage lagoon is near capacity and cannot accommodate demands imposed by future developments.

6.1.2 Water Supply and Distribution

Transport Canada and the Municipality extended a water supply line from Fort McMurray to the Airport in the early 1980's. This water supply line was connected to a reservoir/pumping station located northwest of the existing Airport Terminal Building.

The water pumping station/reservoir provides a potable water supply/fire protection to the North Field of the Airport. The water distribution system consists of 300 mm Ø watermain with fire hydrants.

Each of the tenants on the North Field have individual water service connections and are metered on an individual basis by the Municipality. The water supply and distribution system is owned, operated and maintained by the Municipality.

In 2010, the Municipality upgraded the water supply line to the Airport. The upgraded water distribution supply line will result in the elimination of the Airport pumping station/reservoir. Decommissioning of the pumping station is currently underway.

6.1.3 Electrical

Electrical supply to the Airport is provided by ATCO Electric. The majority of the electrical power supply is by overhead power lines.

6.1.4 Communications

Telecommunication service to the Airport is provided by Telus. These utilities shall be extended as

development occurs at the airport as part of the development requirements of the tenants or developers in consultation with the utility companies.

6.1.5 Gas

ATCO is the supplier of the natural gas to the Airport. These utilities shall be extended as development occurs at the airport as part of the development requirements of the tenants or developers in consultation with the utility companies.

6.1.6 Solid Waste Management

Presently, solid waste from the airport is handled as commercial waste and is picked up by a commercial hauler and taken to the Fort McMurray landfill. The airport may contract these services to a local commercial hauler and any other airport business would have the same solid waste practice. Should arrangements with commercial pick-up procedures change, a revised solid waste management plan may be required.

6.2 Proposed Servicing

6.2.1 Sanitary

Negotiations are presently underway between the Airport Authority and the Municipality for the provision of a regional sanitary sewer system extending from Fort McMurray through the Saline Creek area to the Airport. Also involved in the discussions were other developers that would receive benefit from this regional sanitary sewer system, as it extends to, and beyond, the Airport.

Plans are to have the regional sanitary sewer system constructed and in operation in the spring of 2013.

6.2.2 Water Supply and Distribution

The Municipality is in the planning/design stage for the extension of the 400 mm diameter watermain that was constructed in 2010. The watermain will extend from its present termination point at Highway 69 and the West Airport Service Road, along Highway 69 to the East Airport Service Road and then northerly to interconnect to the southeast pumping station/reservoir *(See Map 10: Municipal Servicing)*.

This large diameter trunk water distribution system will not only service the existing and proposed development at the Airport, but other surrounding lands proposed for development.

7.0 ENVIRONMENT

When considering the environment of an airport, both on and off airport issues are taken into account. This section provides a summary of the environmental issues at the Fort McMurray Regional Airport. On-airport environmental issues include surface drainage, bird and wildlife control, chemical and fuel control and noise.

Saline Creek runs through the airport property and into the Clearwater River. This eco-system must be protected from any contaminants. The Fort McMurray Airport Authority has an Environmental Management Plan to ensure all environmental issues are adequately addressed. Individual tenants are responsible for any spills and clean up on their lease area. The Airport Authority shall continue to monitor and enforce its environmental policies.

7.1 Noise

Airport-related noise can often cause conflict between airport operators and their neighbors. The best way to mitigate this conflict is to develop Airport Noise Exposure Forecasts and to ensure that local planning authorities take them into consideration when approving adjacent land uses. The Canadian Noise Exposure Forecast (NEF) has been developed to encourage compatible land use planning in the vicinity of airports.

A NEF is calculated by using a Transport Canada noise exposure model that factors in the volume of air traffic, types and sizes of planes, hours of operation, wind direction and other aviation factors. While noise contours are primarily developed for guidance, Transport Canada does not allow any new residential development within the NEF 30 for existing airport. In addition Transport Canada also recommends that residential development not be located within the NEF25 for new airports because at this level, the noise may interfere with many residential activities.

This ASP recommends that new residential development be limited to areas outside the new proposed NEF 25. There are portions of Saprae Creek ASP that are located within the NEF 25. It is expected that these residences may be affected by aircraft noise at certain times of the day and evening, particularly in the summer months when windows are open and people are likely to be spending more time outside.

7.2 Bird and Wildlife Control

The presence of birds and wildlife on an airport property poses a significant safety hazard. Airport managers invoke a program to discourage birds and wildlife by fencing the property, removing habitat or other attractors (such as prey) and using "scare" tactics (such as pyrotechnics). These activities are included in the Airport Operating Manual and are monitored and implemented regularly. The Airport Authority shall continue to apply the Airport Operating Manual guidance in that regard.

7.3 Vegetation

The main characteristics in the area are the steep river valley for the Clearwater River with slopes up to 12.4° and a depth of 117 m, and boggy areas surrounding the airport (including on-airport property). The airport is outside of the 1:100 year flood plain (defined as 250 m above sea level). The predominant vegetation includes aspen, black spruce, larch, willow and birch. Tree height off-airport property could become an issue in future. While federal zoning restricts the height of the trees, the Municipality does not have the authority or jurisdiction to actually force private landowners to cut or top their trees. Several municipalities are

investigating a tripartite agreement that would authorize a Municipality to enforce federal regulations by acting on behalf of the Crown. The Municipality will monitor the success of these agreements to determine if such an arrangement would be suitable for the Municipality.

8.0 POLICIES

These policies have been developed based on review of existing plans, policies and consultation with the Airport Authority, the Municipality and the public to ensure that development at the airport is financially viable, environmentally responsible, and ensures the ongoing operation of the Fort McMurray Regional Airport.

8.1 Municipal Responsibility

8.1.1 The Land Use Bylaw shall be amended to reflect the airport related uses and provide certainty of use for those uses identified under Section 5.1 Proposed Land Uses on Airport.

8.1.2 The Highway 69 /Clearwater River Valley ASP shall be amended to reflect the requirements of the airport and restrictions imposed by the future infrastructure developments.

8.1.3 A developer or tenant authorized by the Airport Authority will provide, as part of the development permit application, the following information: (should components of the checklist not be completed to the satisfaction of the Municipality, the development permit approval shall not be recommended):

- a site map, illustrating the general locations of all proposed buildings or structures;
- a description of the proposed uses and the corresponding area required for each use;
- a description of the nature of the uses and the number of proposed parking spaces;
- a description of heights above sea level of all buildings and structure proposed;
- a description of any proposed emissions including smoke and vapour plumes;
- an environmental audit for the site, and a mitigation or mediation plan for any issues found on the site, if deemed necessary by the Airport Authority;
- an environmental management plan describing how any emergencies, spills or other environmental issues will be dealt with;
- architectural drawings for the proposed buildings and structures including proposed building materials;
- a report prepared by a qualified engineer demonstrating how the development will be tied into the piped water and sewer system and the airport; and
- individual access to the internal airport roads will be constructed to the satisfaction of the Municipality.

8.1.4 The Municipality will not allow any development on lands adjacent to the airport that may impact on the existing or future operation of the airport. All proposed developments located within the Airport Vicinity Boundary as shown in *Map 9: Airport Vicinity Boundary,* shall be circulated to the Airport Authority for comments and to ensure that such developments shall not interfere with the safe and efficient operation of the Airport.

8.1.5 The Municipality will not allow any future residential development on lands adjacent to the airport that fall within the Noise Exposure Forecast 25 for the airport. Existing and planned residential developments to the east of the airport falling within the NEF 25 at the time of adoption of this ASP may continue to exist as approved.

8.1.6 The Municipality shall be responsible for the provision of water supply and sanitary services to the Airport Lands in accordance with the Memorandum of Understanding between the Airport Authority

and the Municipality (See Appendix B – Memorandum of Understanding).

8.1.7 The Municipality shall continue to provide fire protection and suppression services to the Airport Land for structural fires only and the Municipality shall continue to maintain and operate the hydrants on the Airport Lands.

8.2 Airport Authority's Responsibility

8.2.1 The Airport Authority shall be solely responsible for electric power, natural gas and telephone service to the Airport Lands and will deal directly with the provider of those services.

8.2.2 The Airport Authority shall be solely responsible for the maintenance and operation of any roads on Airport Lands except for those roads within the boundaries of the Airport Lands that are contained in a registered road plan or road allowance, which shall continue to be the responsibility of the Municipality to maintain and operate.

8.2.3 The Airport Authority, unless otherwise agreed to by the Municipality, shall be solely responsible for the maintenance and operation of that portion of the Water Supply System that distributes water to tenants on the Airport Lands, being that portion of the Water Supply System past the curb stop in the Water Supply System.

8.2.4 The Airport Authority shall be solely responsible for the maintenance, operation and upkeep of the Storm Water Drainage System unless otherwise agreed to by the Municipality.

8.2.5 The Airport Authority and its tenants shall continue to pay for municipal services and utilities at rates established by the Municipality by by-law, resolution or policy from time-to-time.

8.2.6 With respect to any portion of the Water Supply System that, as a result of the construction by the Municipality of a new water main or facilities, becomes used solely for the purpose of supplying the Airport Lands with water service, the Airport Authority shall become responsible for the ownership, maintenance and operation of such portions, unless otherwise agreed to by the Municipality. The Municipality shall continue to operate those mains and facilities within the Airport Lands that provide water service not only to the Airport Lands but to other customers and lands outside of the Airport Lands. The Airport Authority shall cooperate with the Municipality to facilitate and allow for the construction of any additions to the Water Supply System on the Airport Lands necessary for this purpose.

8.2.7 The Airport Authority, unless otherwise agreed to by the Municipality, shall be solely responsible for any upgrades or development of the Sanitary Sewage System on Airport Lands. In the event of any expansion or development of the Airport, the Authority also shall be solely responsible to construct, own, operate and maintain the Sanitary Sewage System to service that new development in compliance with all applicable legislation and regulations, unless otherwise agreed to by the Municipality in writing. Once the Sanitary Sewage System is connected to the Municipality's sewage system, the ownership, operation and management of the Sanitary Sewage System shall become the sole responsibility of the Authority.

8.3 Mutual Responsibility of the Airport Authority and Regional Municipality of Wood Buffalo

8.3.1 The Municipality and the Airport Authority shall work together following the Effective Date of adoption of this ASP, to define in more detail their respective obligations and responsibilities for the supply of municipal services and utilities to the Authority for the benefit of the occupants of the Airport Lands and the residents of the Municipality.

8.3.2 The Municipality and the Airport Authority shall work towards the development and execution of a Servicing Agreement for the Airport Lands to provide for the future supply of municipal services and utilities to the Airport Lands that may or may not include operations and maintenance of Authority-owned roads, operations and maintenance of the Water Supply System, operations and maintenance of the Storm Water Drainage System, and municipal bus service, all on terms and conditions to be mutually agreed to by the Municipality and the Authority.

8.3.1 Any new development on the Airport Lands by the Authority shall require a development agreement with Municipality that shall set out the Authority's and Municipality's respective responsibilities for the delivery of services to the new development. The Authority shall secure development permits from the Municipality for any new 'groundside' developments not directly related to aviation. New 'airside' developments for aviation-related purposes shall not require development permits. However, existing airside developments for which the Municipality has already granted development or building permits shall require the Municipality's approval for any changes, including the expansion of such developments. All buildings on the Airport Lands, whether or not there is a requirement to obtain permits from the Municipality, shall comply with building and safety code regulations for the purpose of the Municipality providing fire suppression services. The Authority may engage Superior Safety Codes Inc., or a successor agency to provide permitting and inspection services to the Municipality for the purpose of obtaining approvals or inspections for fifty percent (50%) of the normal building permit fee.

8.4 Environmental Management

8.4.1 The Airport Authority shall complete a storm water management plan, at the time that a second runway is constructed, that will focus on off-airport impact and will consider the full build out of the infrastructure.

8.4.2 The Airport Authority shall prepare an environmental management system and implement a system of regular audit requirements for the Airport and tenants.

8.4.3 At such time as there is interest in the development of the land north of the terminal building, the developer shall be responsible for full geotechnical, slope stability and soil suitability testing, completed by a qualified professional engineer to determine construction standards for any structures proposed, to the satisfaction of the Municipality.

9.0 IMPLEMENTATION

9.1 Land Availability

While there are over 680.00 ha (1,680.00 ac) of land managed by the Airport Authority, not all of these lands are considered developable. Restrictions on development include:

- lands already developed;
- lands within take off and approach and transition restrictions;
- lands unsuited to development due to topography or drainage; and
- lands protected for future aviation infrastructure expansion.

Based on the Airport Development Plan included as Appendix A, lands availability for airside and groundside commercial and light industrial development is distributed as follows:

Table 2: Land Availability for Development at Fort McMurray Regional Airport

	Airport Sub Areas	Area (hectares / acres)
1.	Terminal Reserve	31.40 ha (77.6 ac)
2.	Airside Business Industrial	62.49 ha (154.4 ac)
3.	Landside Business Industrial	139.59 ha (344.9 ac)
4.	Airport Support Functions	5.64 ha (13.9 ac)
5.	Airside Reserve	413.2 ha (1021.0 ac)
6.	Airport Reserve	24.02 ha (59.35 ac)
7.	Transportation Reserve	4.0 ha (9.88 ac)
Total		680.34 ha (1681.2 ac)

These lands could, when fully developed and leased, provide significant revenue to the airport for future operating and capital reserve. The development concept for the airport lands is controlled separately by the Airport Development Plan (Appendix A), which will eventually be replaced by the Airport's Master Plan currently being prepared by the Airport Authority.

This area structure plan provides the generalized land uses for the airport which will remain consistent with the Master Plan. This ASP may not necessarily require an amendment once the Airport Master Plan is adopted, if the two documents are consistent.

9.2 Capital Plan

Capital costs for an airport are generally significant. For this reason, the Airport Authority has prepared a long term 30 year Capital Plan. The Airport Authority operates on the basis of a five year Business Plan which is based on the 30 year Capital Plan.

In future, the Airport Authority may apply for funding for specific projects. Projects may be funded through a variety of methods including Airport Capital Reserve, partnerships with private developers, airport

improvement fees, the Municipality and other sources that become available.

9.3 Amending and Reviewing the ASP

A long range planning document requires two components to be successful:

- day to day use and implementation; and
- a review process to ensure the document remains current and effective.

This is achieved by commitment of the Airport Authority and the Municipality to use and enforce this document and a process for reviewing and amending the document.

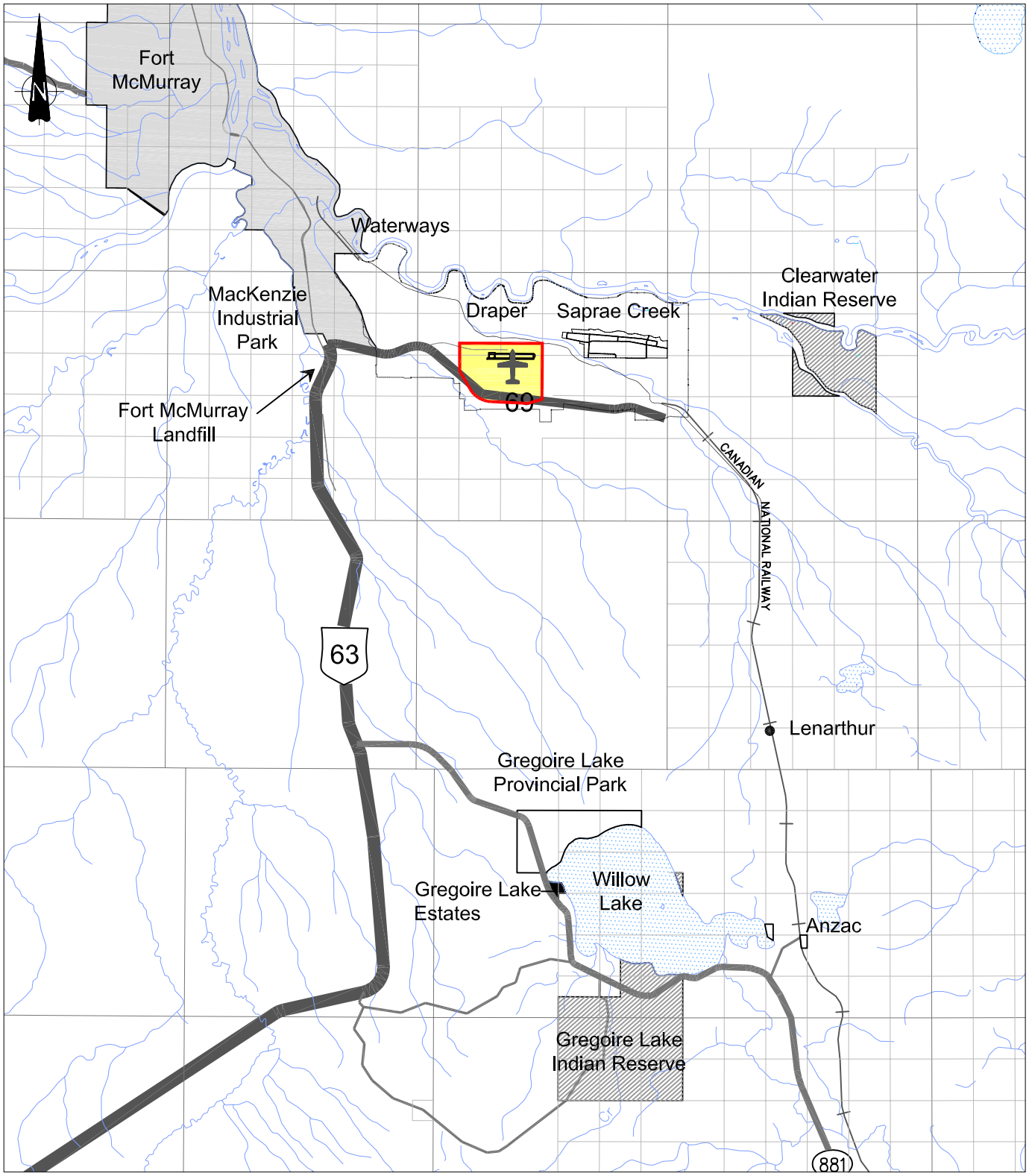
For this reason, the Airport Authority will periodically review ongoing developments on airport lands and identify any issues with the ASP or the Land Use Bylaw. After this review, the Airport Authority will present an update report to Council. If the update report includes recommendations for amendments, the Airport Authority will work with the Municipality to implement these changes to ensure that the ASP and Airport District regulations in the Land Use Bylaw are current and effective. If these documents are still current and effective, amendments shall not be required.

The Airport Authority shall undertake a full ASP review every five years. This review shall re-evaluate the vision and the activities on the airport and the projections to determine if the report still reflects the direction of the airport and the Airport Authority.

10.0 MAPPING

List of Maps:

1) Map 1: Location
2) Map 2: Area Structure Plan Boundary
3) Map 3: Existing Zoning
4) Map 4: Future Land Use
5) Map 5: Obstacle Limitation Surface Zoning
6) Map 6: NEF Contours
7) Map 6a: Existing and Proposed Areas Affected by NEF Contours
8) Map 7: Adjacent Land Uses
9) Map 8: Development Concept
10) Map 9: Airport Vicinity Boundary
11) Map 10: Municipal Servicing



Legend

- Fort McMurray Regional Airport ASP Area
- Fort McMurray
- Indian Reserve
- Water Course
- Fort McMurrary Airport

0 1250 3750 7500m

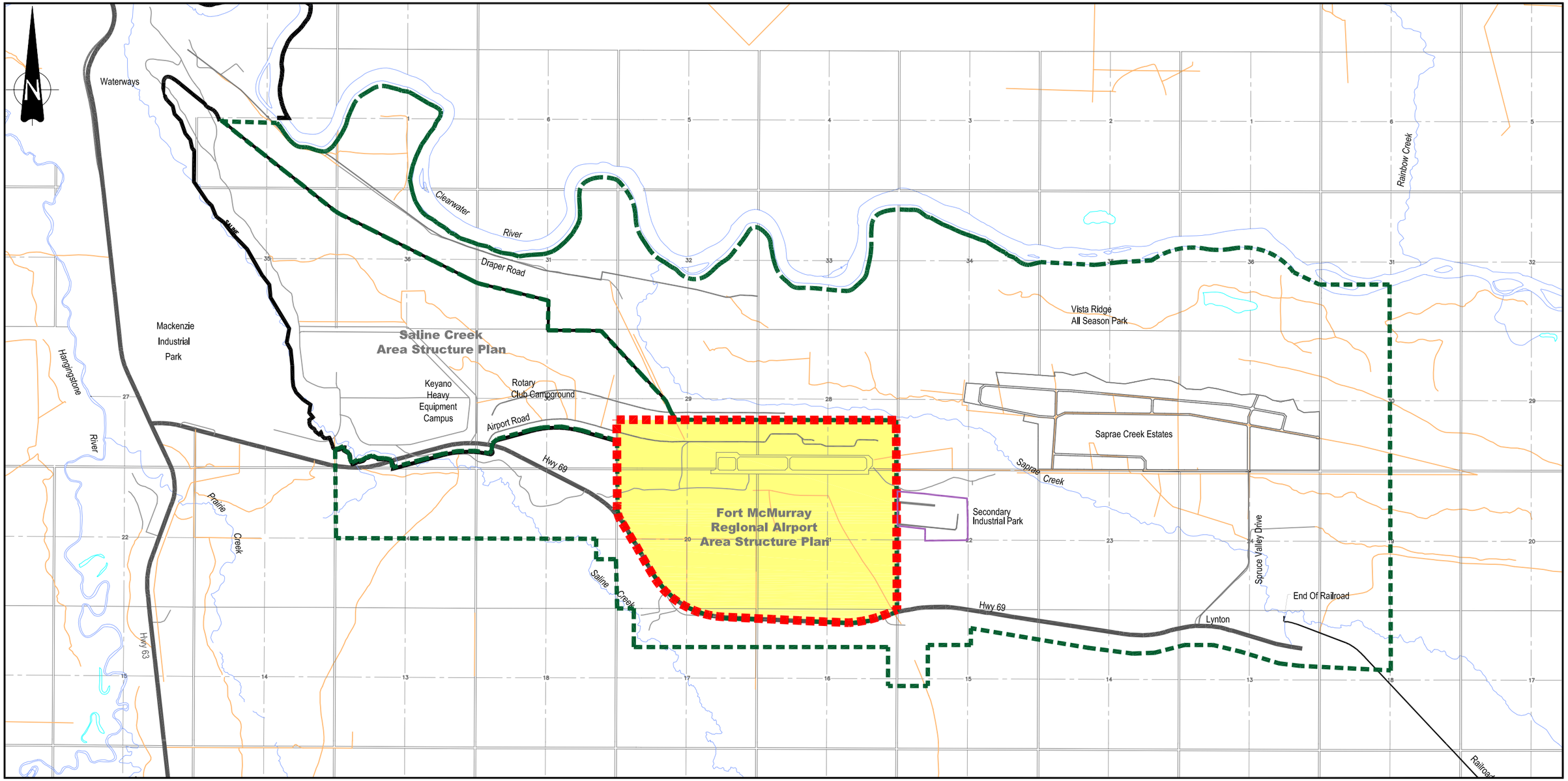
Map 1
Location

Fort McMurray Regional Airport Area Structure Plan (ASP)

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012



Legend

- Fort McMurray Regional Airport ASP Boundary
- New Boundary for Hwy 69/Clearwater River Valley ASP
- Secondary Industrial Park
- Highway
- Cutlines
- Water Course

0 375 750 1500m

NOTE: Areas have been generalized and are only approximate.
All information should be verified.

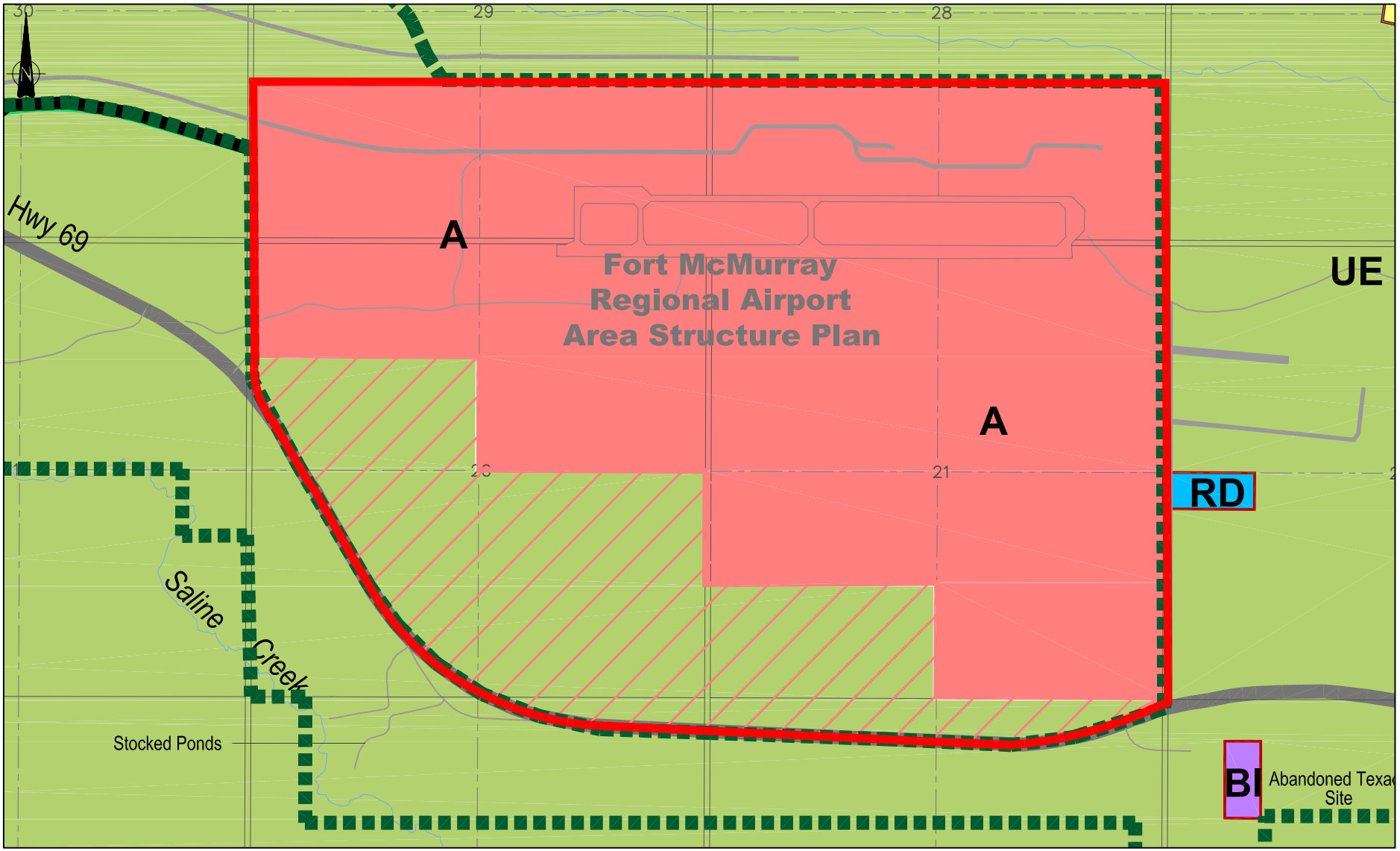
Map 2
Fort McMurray Regional Airport Area Structure Plan Boundary

Fort McMurray Regional
Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012



Legend

- Fort McMurray Regional Airport ASP Boundary
- Hwy 69/Clearwater River Valley ASP Boundary
- Water Course
- BI - Business Industrial
- UE - Urban Expansion
- RD - Rural District
- A - Airport District
- Proposed: UE - Urban Expansion to A - Airport District

0 187.5 375 750m

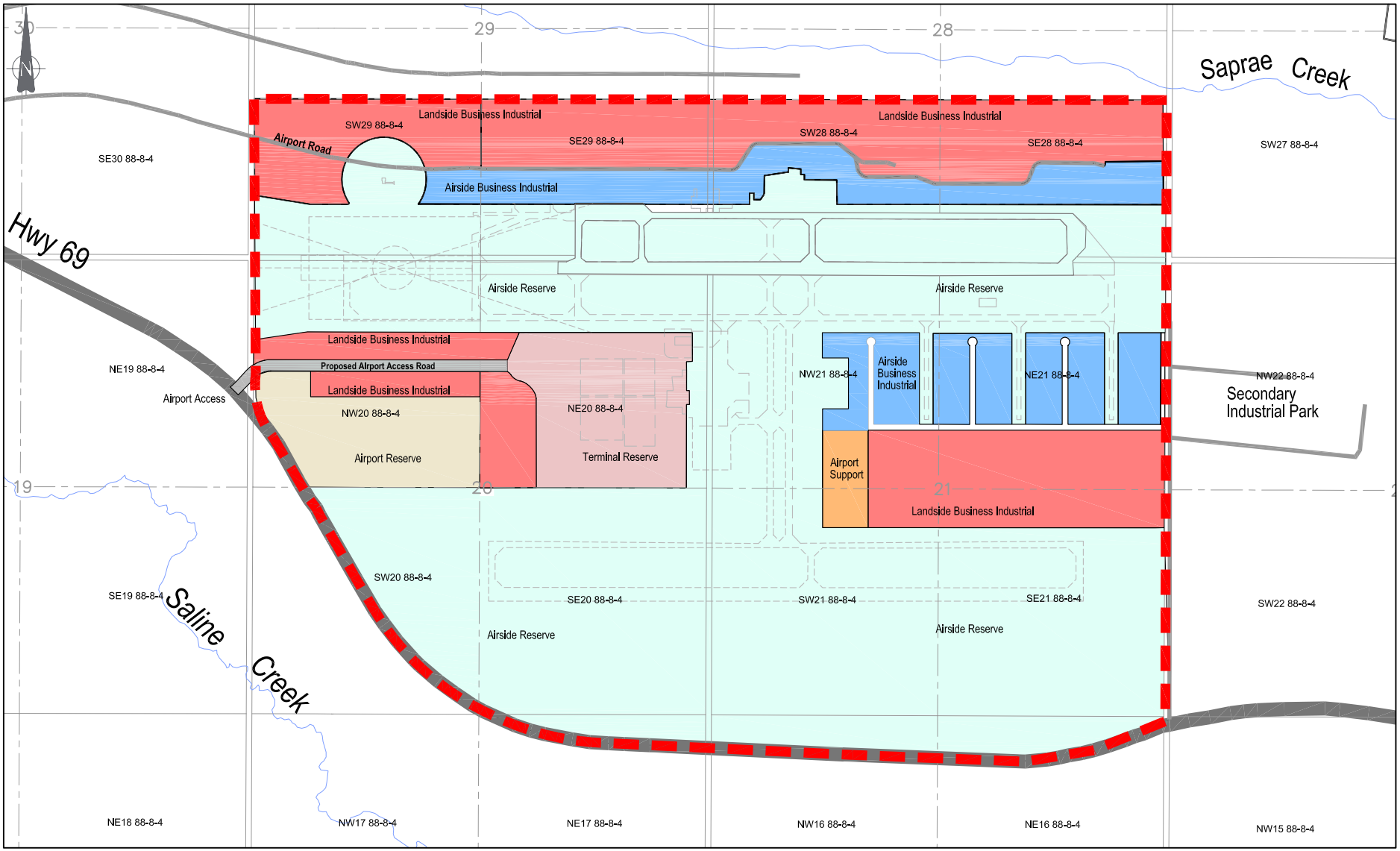
Map 3
Existing Zoning
Fort McMurray Regional Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Source: Land Use Bylaw 99/059 as amended, accessed January 2012.

Date: February 2012



Legend

Fort McMurray Regional Airport ASP Boundary

NOTE: The A - Airport District in the Land Use Bylaw 99/059 has the same boundary as the ASP boundary.

0 187.5 375 750m

Airport Sub Areas:

1. Airport Reserve
2. Airside Reserve
3. Airside Business Industrial
4. Landside Business Industrial
5. Airport Support
6. Terminal Reserve

NOTE: Areas have been generalized and are only approximate. All information should be verified.

Map 4
Future Land Use
Fort McMurray Regional Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012

Waterways

Mackenzie Industrial Park

Saline Creek Area Structure Plan

Clearwater River

Draper Road

Airport Road

Hwy 69

RUNWAY 07 - 25 (EXTENDED)

FUTURE RUNWAY 07R - 25L

Saline Creek

Saprae Creek

Saprae Creek Estates

Secondary Industrial Park

Spruce Valley Drive

Lynton

Rainbow Creek

Hangingstone River

Prairie Creek

Hwy 63

Railroad

Legend

- Fort McMurray Regional Airport ASP Boundary
- Highway 69 / Clearwater Valley ASP Boundary
- Water Course
- Runway Strip - includes 60 m beyond the end of each Runway threshold and is 150 m either side of the runway centreline.

0 375 750 1500m

Note: Obstacle Limitation Surface Zoning includes the Outer Surface Area and the Take-off and Approach Surfaces

- Outer Surface Area
- Take-off and Approach Surface
- Existing Suburban Estate Residential
- Proposed Business Industrial

Note: The proposed NEF Contours are derived from the "Fort McMurray Regional Airport Zoning Analysis Discussion Paper" included as Appendix E of the Area Structure Plan

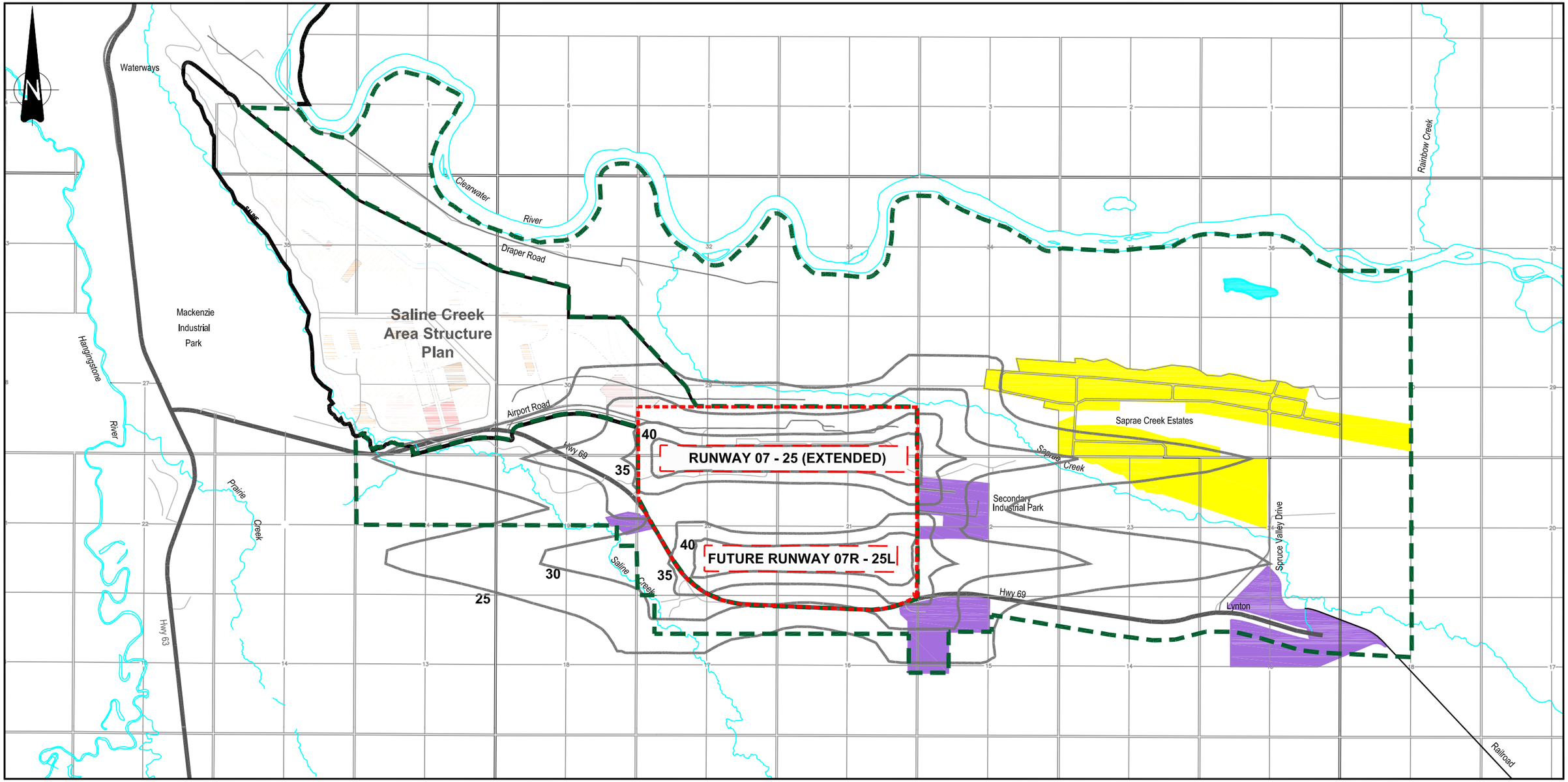
Map 5
Obstacle Limitation Surface Zoning

Fort McMurray Regional Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012



Legend

- Fort McMurray Regional Airport ASP Boundary
- Hwy 69 Clearwater River Valley ASP Boundary
- Airport Runway
- Highway
- Water Course
- Noise Exposure Forecast (NEF) Contours
- Existing Suburban Estate Residential
- Proposed Business Industrial

0 375 750 1500m

Note: The proposed NEF Contours are derived from the "Fort McMurray Regional Airport Noise Exposure Forecast Discussion Paper" included as Appendix F of the Area Structure Plan

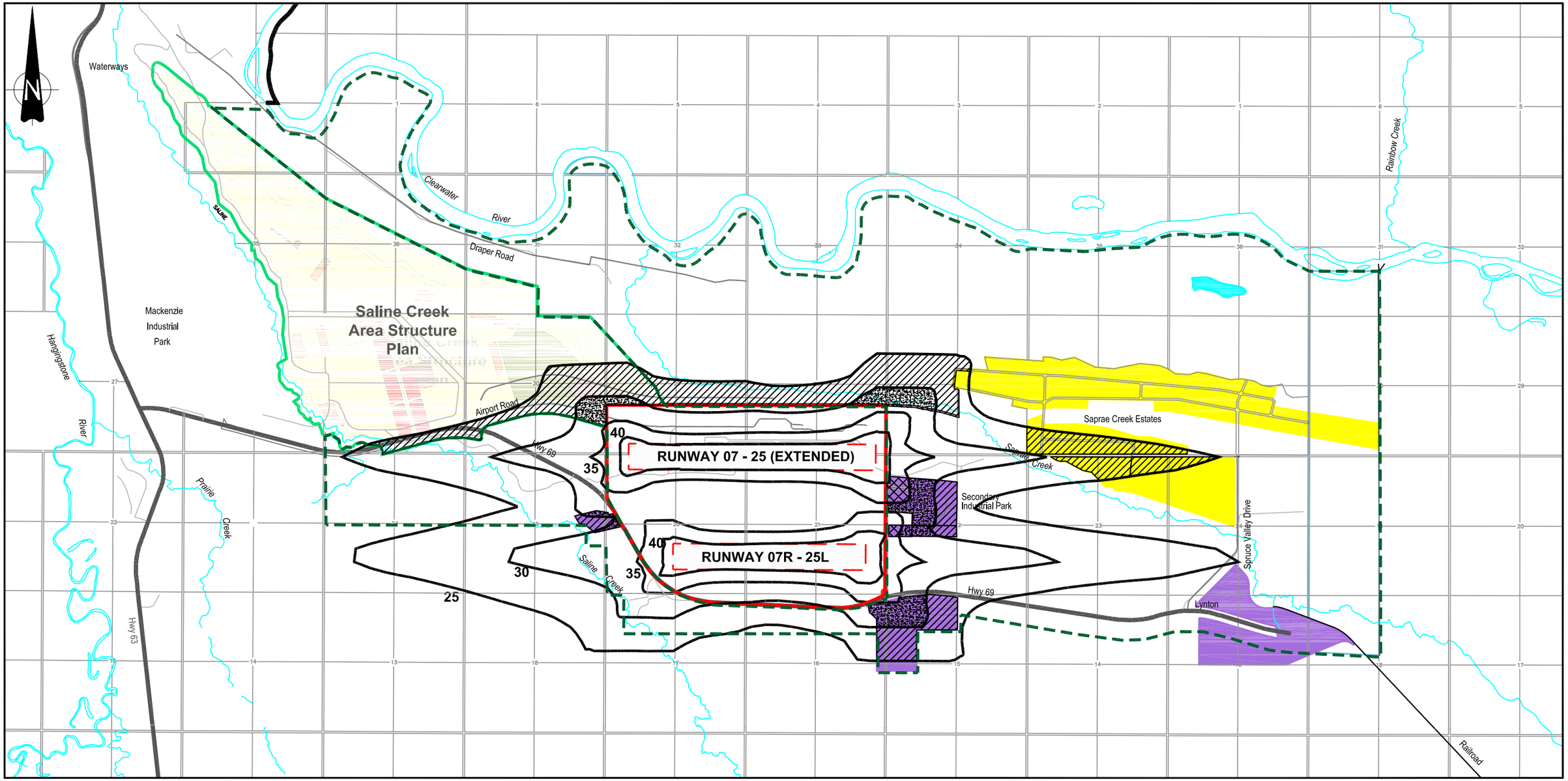
Map 6
Noise Exposure Forecast Contours

Fort McMurray Regional Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012



Legend

- Fort McMurray Regional Airport ASP Boundary
- Hwy 69 Clearwater River Valley ASP Boundary
- Surrounding ASP Boundaries
- Airport Runway
- Highway
- Major Roadway
- Water Course
- NEF Contours
- Areas Affected by NEF (25)
- Areas Affected by NEF (30)
- Areas Affected by NEF (35)
- Proposed Business Industrial
- Existing Suburban Estate Residential

0 375 750 1500m

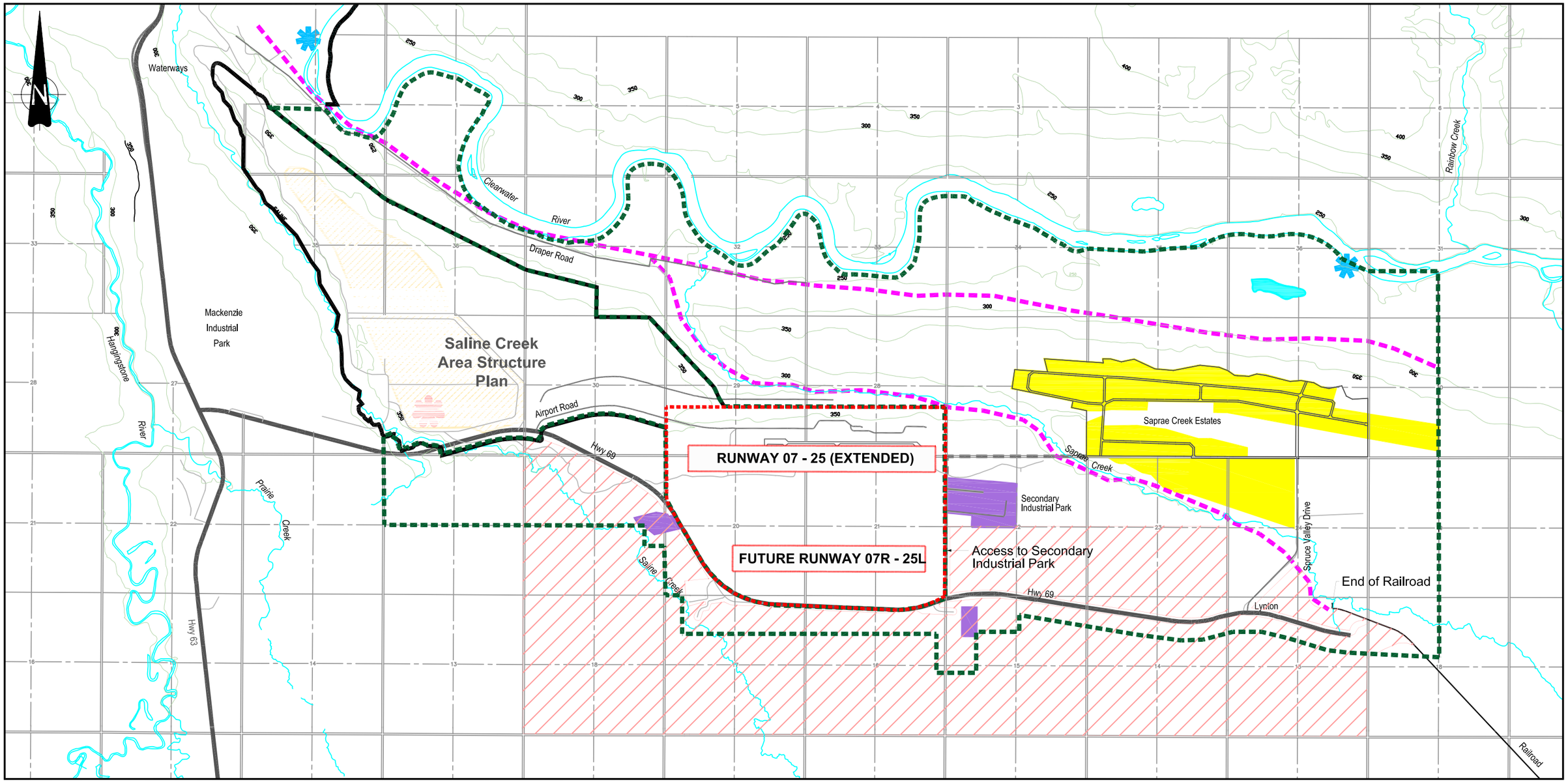
Map 6 - A
Existing and Proposed Development Areas Affected by NEF Contours

Fort McMurray Regional
Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012



Legend

- Fort McMurray Regional Airport ASP Boundary
- New Hwy 69 Clearwater River Valley ASP Boundary
- Airport Runway
- Highway
- Possible Boat Launch
- Potential Trail Development
- Water Course
- Contour Lines
- Commericial Industrial Land Use Study Area
- Existing Suburban Estate Residential
- Business Industrial

0 375 750 1500m

NOTE:Areas have been generalized and are only approximate, current as of January 2012.
All information should be verified.

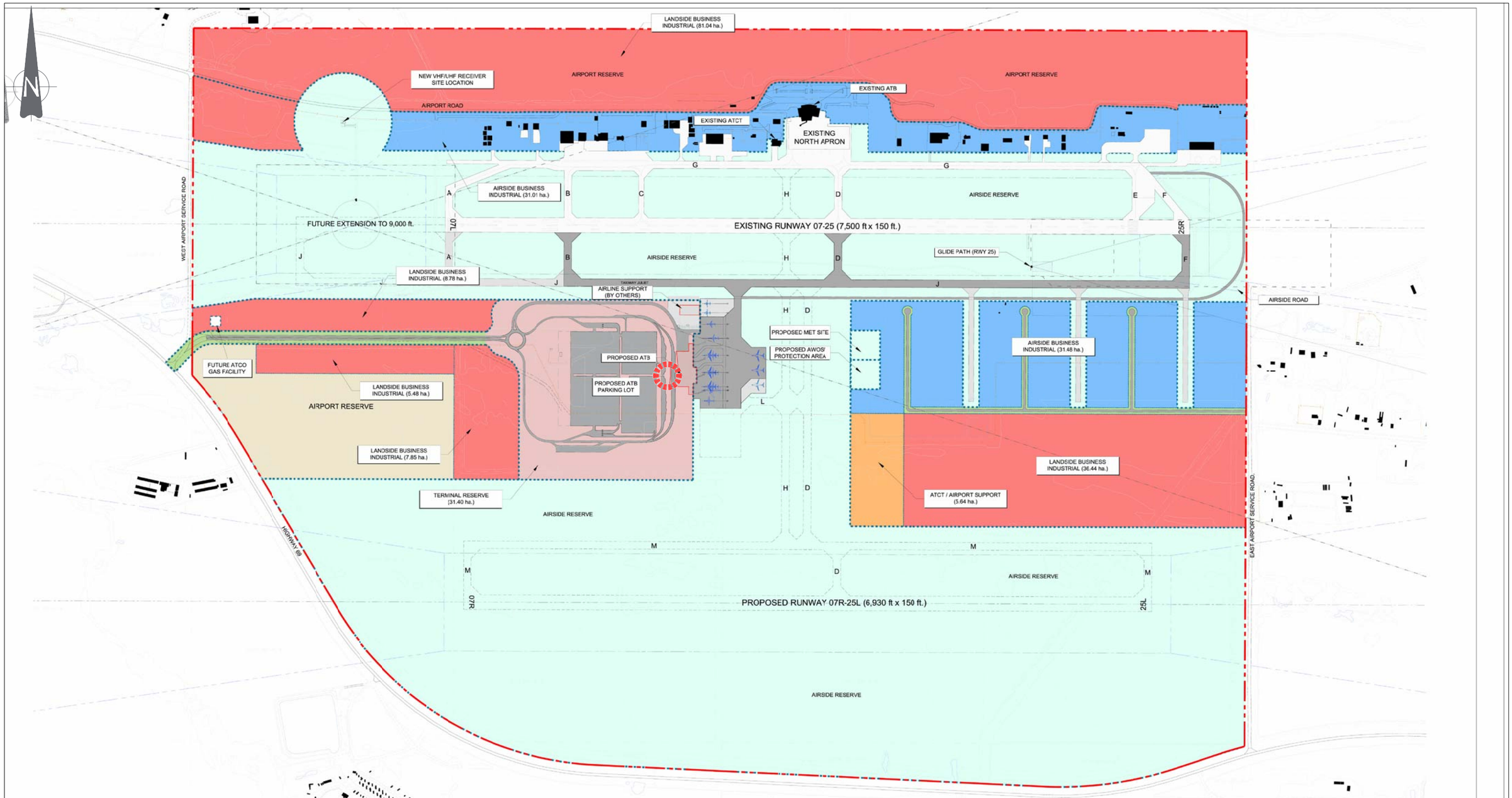
Map 7
Adjacent Land Uses

Fort McMurray Regional Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012



Legend

- FORT MCMURRY REGIONAL AIRPORT ASP BOUNDARY
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- EXISTING FENCE LINE
- EXISTING DITCH LINE
- EXISTING WATER COURSE
- EXISTING TRAIL
- EXISTING TREE LINE
- EXISTING LEGAL BOUNDARY
- EXISTING PRE-LOADING LIMITS
- ELECTRONIC PROTECTION AREA
- POTENTIAL TRANSIT / BUS STOP
- RUNWAY APPROACH SURFACE
- RUNWAY STRIP
- EXISTING AIRSIDE PAVEMENTS
- PROPOSED OPENING DAY PAVEMENTS
- PROPOSED 2019 PAVEMENTS
- PROPOSED FUTURE PAVEMENTS
- EXISTING STRUCTURES / BUILDINGS
- FUTURE STRUCTURES / BUILDINGS

Airport Sub Areas:

- AIRPORT RESERVE
- AIRSIDE RESERVE
- AIRSIDE BUSINESS INDUSTRIAL
- LANDSIDE BUSINESS INDUSTRIAL
- AIRPORT SUPPORT
- TRANSPORTATION RESERVE
- TERMINAL RESERVE

PRYDE SCHROPP McCOMB INC.
AVIATION GROUP

Map 8
Development Concept
Fort McMurray Regional
Airport Area Structure Plan

ARMIN A. PREIKSAITIS & ASSOCIATES LTD.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Date: February 2012

FORT MCMURRAY, AB
ATHABASCA RIVER
LOWER TOWNSITE, AB
ABASAND HEIGHTS, AB
WATERWAYS, AB
BEACON HILL, AB
ATHABASCA RIVER
CLEARWATER RIVER
CLEARWATER RIVER
8 KM RADIUS FROM ARP
N 6281250.04m E 469654.74m
GREGOIRE, AB
DRAPER, AB
N 6281152.02m E 502517.76m
MACKENZIE INDUSTRIAL PARK, AB
AERODROME REFERENCE POINT (ARP) 367.284m ASL N 6278957.8462m E 486229.9954m
N 6279935.66m E 478289.98m
HIGHWAY 63
HIGHWAY 69
HIGHWAY 69
SAPRAE CREEK, AB
SPRUCE VALLEY DR.
N 6279928.09m E 494170.94m
FORT McMURRAY REGIONAL AIRPORT (CYMM)
RANGE RD. 83
HIGHWAY 69
RANGE RD. 80A
5957m
5957m
N 6276460.06m E 469638.93m
N 6276540.64m E 478603.9124m
N 6276504.98m E 493844.68m
N 6276352.05m E 502501.95m
N 6276535.96m E 470156.52m
N 6276369.46m E 502388.41m
RANGE RD. 85
N 6275301.37m E 470152.46m
N 6275195.23m E 502384.54m
8 KM RADIUS FROM ARP
16583m
16280m

LEGEND

- AIRPORT BOUNDARY
- ROADWAY
- LOT FABRIC
- WATERCOURSE
- AIRPORT IMPACT PROTECTION AREA

NOTES:

1. FOR PLANNING PURPOSES ONLY.
2. DRAWING IS SHOWN IN UTM PROJECTION NAD83 ZONE 12.
3. THE AIRPORT VICINITY BOUNDARY AREA COMBINES TP312 AND TP1247 ZONING TO SIMPLIFY THE IDENTIFICATION OF PROPOSED DEVELOPMENTS THAT COULD POSE A POTENTIAL RISK TO AIRPORT OPERATIONS.
4. BUILDINGS, LOT LINES, ROAD AND CONCESSION INFORMATION PROVIDED BY THE COMMUNICATIONS TECHNOLOGY DEPARTMENTS, REGIONAL MUNICIPALITY OF WOOD BUFFALO (MAY 31, 2010).

0 750 1500 3000m

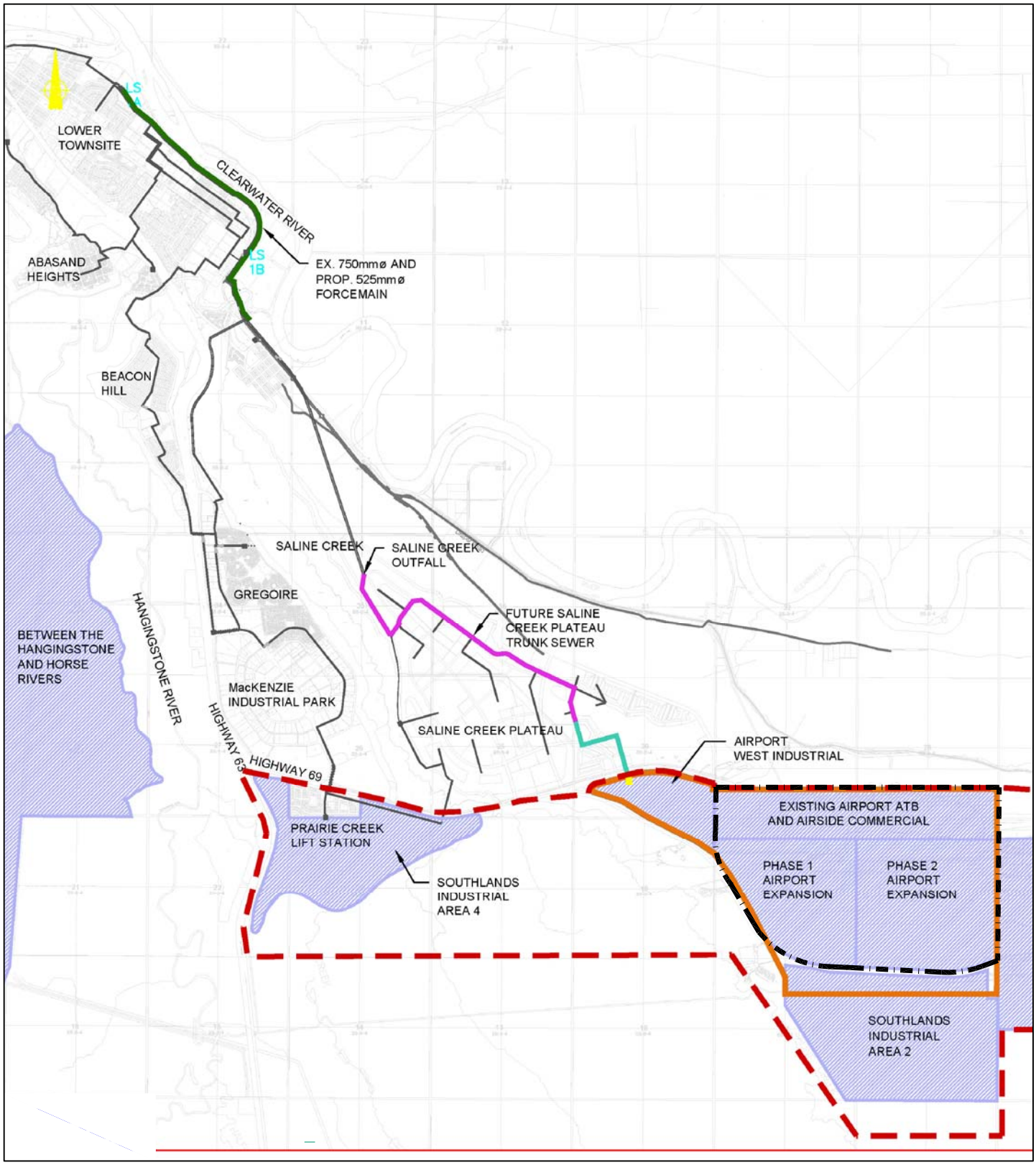
Map 9
Airport Vicinity Boundary
Fort McMurray Regional Airport Area Structure Plan

ARMIN A. PREIKSAITIS & ASSOCIATES LTD.

PRYDE SCHROPP McCOMB
A DIVISION OF GENIVAR

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Date: February 2012



Legend

- Fort McMurray Regional Airport ASP Boundary
- Existing Sanitary System
- Study Area
- Proposed Development Areas
- 400mmø Sanitary Forcemain
- Saline Creek Plateau Gravity Trunk
- Clearwater Forcemain Twinning
- Pump Station
- Serviceable Area

NOTE: Areas have been generalized and are only approximate.
All information should be verified.

0 750 1500 3000m

Source: Land Use Bylaw 99/059 as amended accessed February 2012.

Map 10
Municipal Servicing

Fort McMurray Regional
Airport Area Structure Plan

Armin A. Preiksaitis & Associates Ltd.

Regional Municipality of Wood Buffalo

Date: February 2012

APPENDIX A

FORT MCMURRAY REGIONAL AIRPORT – AIRPORT DEVELOPMENT PLAN

LANDSIDE BUSINESS INDUSTRIAL (81.04 ha.)

NEW VHF/UHF RECEIVER SITE LOCATION

AIRPORT RESERVE

AIRPORT RESERVE

EXISTING ATB

AIRPORT ROAD

EXISTING ATCT

EXISTING NORTH APRON

WEST AIRPORT SERVICE ROAD

AIRSIDE BUSINESS INDUSTRIAL (31.01 ha.)

AIRSIDE RESERVE

FUTURE EXTENSION TO 9,000 ft.

07L

EXISTING RUNWAY 07-25 (7,500 ft x 150 ft.)

25R

GLIDE PATH (RWY 25)

AIRSIDE RESERVE

TAXIWAY JULIET

AIRLINE SUPPORT (BY OTHERS)

AIRSIDE ROAD

PROPOSED MET SITE

PROPOSED AWOS/ PROTECTION AREA

AIRSIDE BUSINESS INDUSTRIAL (33.12 ha.)

FUTURE ATCO GAS FACILITY

LANDSIDE BUSINESS INDUSTRIAL (8.53 ha.)

PROPOSED ATB

PROPOSED ATB PARKING LOT

AIRPORT RESERVE

LANDSIDE BUSINESS INDUSTRIAL (7.85 ha.)

LANDSIDE BUSINESS INDUSTRIAL (36.44 ha.)

ATCT / AIRPORT SUPPORT (5.64 ha.)

TERMINAL RESERVE (31.40 ha.)

AIRSIDE RESERVE

HIGHWAY 69

EAST AIRPORT SERVICE ROAD

AIRSIDE RESERVE

07R

PROPOSED RUNWAY 07R-25L (6,930 ft x 150 ft.)

25L

AIRSIDE RESERVE

Revised: JULY 11, 2011

PRYDE SCHROPP McCOMB

A DIVISION OF GENIVAR

AVIATION GROUP

OTTAWA	TORONTO	CALGARY	KITCHENER	PORT ELGIN
TEL: (613) 233-1566	TEL: (905) 678-8582	TEL: (403) 270-0777	TEL: (519) 571-3255	TEL: (519) 389-4343
FAX: (613) 233-2364	FAX: (905) 678-8582	FAX: (403) 270-0133	FAX: (519) 571-3255	FAX: (519) 389-4728

www.psmi.ca

SCALE 1:5000

ON 24"X36" (ARCH D)

75 0 75 150 225 375 METRES

300 150 0 300 750 1125 FEET

GENERAL LEGEND

- AIRPORT ASP BOUNDARY
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- EXISTING FENCE LINE
- EXISTING DITCH LINE
- EXISTING WATER COURSE
- EXISTING TRAIL
- EXISTING TREE LINE
- EXISTING LEGAL BOUNDARY
- EXISTING PRE-LOADING LIMITS
- ELECTRONIC PROTECTION AREA
- RUNWAY APPROACH SURFACE
- RUNWAY STRIP
- EXISTING AIRSIDE PAVEMENTS
- PROPOSED OPENING DAY PAVEMENTS
- PROPOSED 2019 PAVEMENTS
- PROPOSED FUTURE PAVEMENTS
- EXISTING STRUCTURES / BUILDINGS
- FUTURE STRUCTURES / BUILDINGS

LAND USE INFORMATION

- AIRPORT RESERVE
- AIRSIDE RESERVE
- AIRSIDE BUSINESS INDUSTRIAL
- LANDSIDE BUSINESS INDUSTRIAL
- AIRPORT SUPPORT
- TRANSPORTATION RESERVE
- TERMINAL RESERVE

Client/Project

FORT MCMURRAY REGIONAL AIRPORT
AIRPORT EXPANSION PROJECT

CDZ

Figure No.

1

Title

AIRPORT DEVELOPMENT PLAN

P:\10425 Fort McMurray Airport\CAD\Planning & QA\Airfield\Dev & LUP\10425 - Airport Dev & LUP - Rev1A - 071111.dwg
2011 July 11, 9:49 a.m.

APPENDIX B

MEMORANDUM OF UNDERSTANDING BETWEEN REGIONAL MUNICIPALITY OF WOOD BUFFALO AND FORT McMURRAY AIRPORT AUTHORITY

MEMORANDUM OF UNDERSTANDING BETWEEN REGIONAL MUNICIPALITY OF WOOD BUFFALO AND FORT McMURRAY AIRPORT AUTHORITY

MEMORANDUM OF UNDERSTANDING effective as of the 1st day of January, A.D., 2010,
BETWEEN:

REGIONAL MUNICIPALITY
OF WOOD BUFFALO,
a specialized municipality established under
the laws of the Province of Alberta,
(hereinafter referred to as "the Regional Municipality"),

OF THE FIRST PART,

- and -

FORT MCMURRAY AIRPORT AUTHORITY,
an authority incorporated under the *Regional Airports Authorities Act* (Alberta)
(hereinafter referred to as "the Authority"),

OF THE SECOND PART.

WHEREAS pursuant to the terms contained in a Transition and Transfer Agreement dated effective the 1st day of January, 2010 between the Regional Municipality and the Authority (the "Agreement"), the Regional Municipality and the Authority provided for the transfer of the Regional Municipality's membership in the Fort McMurray Regional Airport Commission (the "Commission") to the Authority and the transfer to the Authority by the Regional Municipality of certain lands that are described in the Agreement as the Airport Lands; and

WHEREAS the Authority has, as of the Effective Date, assumed responsibility for the ownership, operation, management, administration and future development of the Airport, Airport Lands and associated infrastructure as hereinafter defined; and

WHEREAS the Regional Municipality and the Authority wish to enter into a Memorandum of Understanding to describe the Regional Municipality's and the Authority's respective expectations and understandings of the obligations and responsibilities of one another for the provision of Municipal Services and Utilities to the Airport and the Airport Lands and the future operation and development of the Airport;

NOW, THEREFORE, THE REGIONAL MUNICIPALITY AND THE AUTHORITY wish to enter into a Memorandum of Understanding to describe the mutual expectations of the Regional Municipality and the Authority of their respective roles, responsibilities and obligations with respect to the provision of Municipal Services and Utilities to the Airport and the Airport Lands and the future operation and development of the Airport.

ARTICLE ONE
DEFINITIONS

1. In this Memorandum of Understanding, unless the context provides otherwise, the following words or phrases shall have the following meanings:

   a. **"Agreement"** means the Transition and Transfer Agreement dated effective January 1, 2010 between the Regional Municipality and the Authority;

   b. **"Airport"** means the Fort McMurray Airport which, following the Effective Date described in the Agreement, will be owned, operated and managed by the Authority;

   c. **"Airport Lands"** means those lands owned by the Authority that have been transferred by the Regional Municipality to the Authority.

   d. **"Authority"** means the Fort McMurray Airport Authority, an authority incorporated under the *Regional Airports Authorities Act* (Alberta).

   e. **"Commission"** means the Fort McMurray Regional Airport Commission, a not-for-profit corporation established by the Regional Municipality under the *Companies Act (*Alberta) to manage and operate the Airport between March 30, 1999 and January 1, 2010.

   f. **"Effective Date"** means January 1, 2010.

   g. **"Municipal Services and Utilities"** means services that have been provided by the Regional Municipality to the Commission and will, in future, as described in this Memorandum, be provided to the Authority, including road maintenance, water, sanitary sewer, waste collection and disposal, emergency services, and fire suppression and protection.

   h. **"Regional Municipality"** means the Regional Municipality of Wood Buffalo, a specialized municipality established under the laws of the Province of Alberta.

   i. **"Water Supply System"** means the existing water mains, pipes, valves, pumps, reservoir, water service connections and all appurtenances thereto that are presently owned by the Regional Municipality and located within the Airport Lands, a portion of which are used to provide water service to the Airport and the Airport Lands.

   j. **"Sanitary Sewage System"** means the existing sewage mains, pipes, valves, pumps, sanitary service connections and all appurtenances thereto, including the existing sewage lagoon, which are located wholly within the Airport Lands.

   k. **"Storm Water Drainage System"** means the storm water drainage system wholly within the Airport Lands as it exists on the Effective Date.

ARTICLE TWO
THE REGIONAL MUNICIPALITY'S RESPONSIBILITES

2.1 From and after the Effective Date, any Municipal Services and Utilities, including water and sanitary service, provided by the Regional Municipality to the Airport Lands will be provided at such rate or rates, whether combined or separate, as may be determined by municipal by-laws, resolutions and policies as amended from time-to-time.

2.2 The Regional Municipality will be responsible for the maintenance and upkeep of the Water Supply System, subject to Articles 3.3 and 3.6.

2.3 From and after the Effective Date, the Regional Municipality will continue on the Authority's behalf to operate and maintain the Sanitary Sewage System as it exists on the Effective Date at no charge to the Authority. The Regional Municipality will remedy any defaults or deficiencies in the Sanitary Sewage System as it exists on the Effective Date, excepting those related to the sewage lagoon. The Regional Municipality shall not be responsible for any additions or upgrades to the Sanitary Sewage System, as outlined below in Article 3.7.

2.4 The Regional Municipality shall continue to provide fire protection and suppression services to the Airport Land for structural fires only and the Regional Municipality will continue to maintain and operate the hydrants on the Airport Lands.

ARTICLE THREE
AUTHORITY'S RESPONSIBILITIES

3.1 The Authority will be solely responsible for electric power, natural gas and telephone service to the Airport Lands and will deal directly with the provider of those services.

3.2 From and after the Effective Date, unless otherwise agreed to by the Regional Municipality, the Authority shall be solely responsible for the maintenance and operation of any roads on Airport Lands except for those roads within the boundaries of the Airport Lands that are contained in a registered road plan or road allowance, which will continue to be the responsibility of the Regional Municipality to maintain and operate.

3.3 The Authority, unless otherwise agreed to by the Regional Municipality, shall be solely responsible for the maintenance and operation of that portion of the Water Supply System that distributes water to tenants on the Airport Lands, being that portion of the Water Supply System past the curb stop in the Water Supply System.

3.4 From and after the Effective Date, the Authority shall be solely responsible for the maintenance, operation and upkeep of the Storm Water Drainage System unless otherwise agreed to by the Regional Municipality.

3.5 The Authority will continue to pay for Municipal Services and Utilities at rates established by the Regional Municipality by by-law, resolution or policy from time-to-time.

3.6 With respect to any portion of the Water Supply System that, as a result of the construction by the Regional Municipality of a new water main or facilities, becomes used solely for the purpose of supplying the Airport Lands with water service, the Authority shall become responsible for the ownership,

maintenance and operation of such portions, unless otherwise agreed to by the Regional Municipality. The Regional Municipality will continue to operate those mains and facilities within the Airport Lands that provide water service not only to the Airport Lands but to other customers and lands outside of the Airport Lands. The Authority will cooperate with the Regional Municipality to facilitate and allow for the construction of any additions to the Water Supply System on the Airport Lands necessary for this purpose.

3.7 The Authority, unless otherwise agreed to by the Regional Municipality, shall be solely responsible for any upgrades or development of the Sanitary Sewage System on Airport Lands. In the event of any expansion or development of the Airport, the Authority also shall be solely responsible to construct, own, operate and maintain the Sanitary Sewage System to service that new development in compliance with all applicable legislation and regulations, unless otherwise agreed to by the Regional Municipality in writing. Once the Sanitary Sewage System is connected to the Regional Municipality's sewage system, the ownership, operation and management of the Sanitary Sewage System shall become the sole responsibility of the Authority. The Authority shall also be responsible for any costs of decommissioning the Sanitary Sewage System after the Effective Date, including required remediation or reclamation following such a decommissioning.

ARTICLE FOUR
MUTUAL RESPONSIBILITIES AND OBLIGATIONS OF THE AUTHORITY AND WOOD BUFFALO

4.1 The Regional Municipality and the Authority will work together following the Effective Date to define in more detail their respective obligations and responsibilities for the supply of Municipal Services and Utilities to the Authority for the benefit of the occupants of the Airport Lands and the residents of Wood Buffalo.

4.2 The Regional Municipality and the Authority will work towards the development and execution of a Servicing Agreement for the Airport Lands to provide for the future supply of Municipal Services and Utilities to the Airport Lands that may or may not include operations and maintenance of Authority-owned roads, operations and maintenance of the Water Supply System, operations and maintenance of the Storm Water Drainage System, and municipal bus service, all on terms and conditions to be mutually agreed to by the Regional Municipality and the Authority.

4.3 Any new development on the Airport Lands by the Authority shall require a development agreement with Wood Buffalo that shall set out the Authority's and Wood Buffalo's respective responsibilities for the delivery of services to the new development. The Authority shall secure development permits from the Regional Municipality for any new 'groundside' developments not directly related to aviation. New 'airside' developments for aviation-related purposes do not require development permits. However, existing airside developments for which the Regional Municipality has already granted development or building permits shall require the Regional Municipality's approval for any changes, including the expansion of such developments. All buildings on the Airport Lands, whether or not there is a requirement to obtain permits from the Regional Municipality, shall comply with building and safety codes and regulations for the purpose of the Regional Municipality providing fire suppression services. The Authority may engage Superior Safety Codes Inc., or a successor agency to provide permitting and inspection services to the Regional Municipality for the purpose of obtaining approvals or inspections for fifty percent (50%) of the normal building permit fee.

IN WITNESS WHEREOF Wood Buffalo and the Authority have both entered into this Memorandum of Understanding the day and year first above written.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Per: _____
Mayor Melissa Blake

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Per: _____
Glen Laubenstein
Chief Administrative Officer

FORT MCMURRAY AIRPORT AUTHORITY

Per: _____
Scott Clements
President and Chief Executive Officer

669692

MEMORANDUM OF UNDERSTANDING entered into this 1st day of January, A.D., 2010.

BETWEEN:

THE REGIONAL MUNICIPALITY OF WOOD BUFFALO,
a specialized municipality established under the laws of the Province of Alberta,
(hereinafter referred to as "Wood Buffalo"),
OF THE FIRST PART,

- and -

FORT MCMURRAY AIRPORT AUTHORITY,
an authority incorporated under the *Regional Airports Authorities Act* (Alberta)
(hereinafter referred to as "the Authority"),
OF THE SECOND PART.

MEMORANDUM OF UNDERSTANDING

REYNOLDS, MIRTH, RICHARDS & FARMER LLP
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Edmonton, AB T5J 3W8
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File Number: 78605-029-RAF

APPENDIX C

FORT MCMURRAY REGIONAL AIRPORT AREA STRUCTURE PLAN - GLOSSARY OF TERMS

GLOSSARY OF TERMS

Prior to 1999, the majority of regional airports were the sole responsibility and jurisdiction of the Federal Government. Since the transfer of airports to municipalities, airport authorities, airport commissions etc., many of the functions previously managed by the Federal Government are now within the purview of municipalities. However, there is often not a clear understanding of airport issues and terms. The preparation of an airport document requires some explanation of the terminology applied to airport development. The following provides a number of terms used in this Area Structure Plan and their definitions.

Aerodrome — any area of land, water (including frozen surface thereof) or other supporting surface used or designed, prepared, equipped or set apart for use either in whole or in part for the arrival and departure, movement or servicing of aircraft and includes any building, installations and equipment in connection there within.

Aircraft Movements — any arrival or departure of an aircraft.

Aircraft Movement Projections — a projection of the number of aircraft expected to utilize the aerodrome during the projection period of time.

Airport — an aerodrome for which, under Part Ill of the Air Regulations of the Aeronautics Act, an airport certificate has been issued by the Federal Minister of Transportation.

Airport Reserve — means lands within the airport not identified for a specific use but protected as reserve lands. This may include lands which have no development potential due to terrain, water courses, etc.

Airport Support — means lands reserved for airport support functions including maintenance structures, equipment storage sheds, sand sheds, fire halls, air traffic control tower and other airport related supporting functions.

Airport Terminal Building (ATB) — any structure used for the processing of passengers for the purpose of enplaning or deplaning an aircraft and may include all services for the travelers.

Airside — the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is secured and controlled.

Airside Business Industrial — means lands reserved for commercial / light industrial development purposed which require direct access to the airport airside areas such as runways and taxiways.

Airside Reserve — means lands within the airport reserved for aircraft maneuvering including runways, taxiways, aprons and associated utilities.

Apron — that part of an aerodrome, other than the maneuvering area, intended to accommodate the loading and unloading of passengers and cargo, refueling, servicing, maintenance and parking of the aircraft, deicing, and any movement of the aircraft, vehicles and pedestrians necessary for such purposes.

Critical Aircraft — the airplane or airplanes identified from among the airplanes the aerodrome is

intended to serve as having the most demanding operational requirements with respect to the determination of movement area dimensions, pavement bearing strength and other physical characteristics in the design of aerodromes.

Cross Wind Runway — a runway that is aligned to meet the needs of the secondary wind direction to allow for smaller aircraft to land in such conditions.

Displaced Threshold — a threshold not located at the extremity of the runway. Displaced thresholds are used when an obstacle in the final approach area intrudes into the specific obstruction clearance surfaces. Displacing the threshold provides the required obstacle free slope. The declared landing distance (LDA) which assumes a specified obstacle clearance plane is therefore measured from the displaced threshold; however there is no restriction to an aircraft actually landing on the usable runway prior to the displaced threshold. This portion of the runway is also available for take-off or rollout.

Fixed Wing Aircraft — an airplane, as opposed to a helicopter.

Glycol — a de-icing chemical used to clear a plane of frost or ice for safe travel.

Groundside — lands within the airport boundaries that do not have direct access to airside land or uses and is not considered secured.

Landside Business Industrial — means lands within the airport reserved for commercial /light industrial development purposes which does not require access to the airside.

Noise Exposure Forecast (NEF) — an unit of measurement of aircraft sound and vibration used to predict level of community annoyance. It is calculated by the Ministry of Transport Canada's NEF program in the vicinity of airports. Areas identified by this program as having a high impact are discouraged from residential land development. See http://www.tc.gc.ca/eng/civilaviation/publications/tp1247-part4-part4-2-1471.htm for more information.

Obstacle — all fixed (whether temporary or permanent) and mobile objects, or parts thereof, that are located on an area intended for the surface movement of aircraft or that extend above a defined surface intended to protect the aircraft in flight.

Obstacle Limitation Surface — a surface that establishes the limit to which objects may project into the airspace associated with an aerodrome so that aircraft operations at the aerodrome may be conducted safely. Obstacle limitation surfaces consist of the Outer Surface, Take-off and Approach Surfaces and the Transition Surface and are regulated by Transport Canada (See Figure 1: Obstacle Limitation Surface).

Obstruction Zoning — this is a federally applied zoning that protects and identifies the critical Obstruction Limitation Surface.

Outer Surface — a surface located in a horizontal plane above an aerodrome and its environs at a constant height of 45 metres measured from the reference point (elevation at the centre point of the runway) of the airport (See Figure 1: Obstacle Limitation Surface).

Rotary Wing Aircraft — an aircraft that does not have fixed wings and includes helicopters.

Runway – a defined rectangular area on a land aerodrome for the landing and take-off of aircraft

Runway Strip — a defined strip, including the runway, on a land aerodrome to reduce the risk of damage to an aircraft running off a runway. .

Take-off and Approach Surface — an inclined plane beyond the end of a runway and preceding the threshold of a runway at an angle dictated by the code of the runway into which no obstacles may penetrate (See Figure 1: Obstacle Limitation Surface).

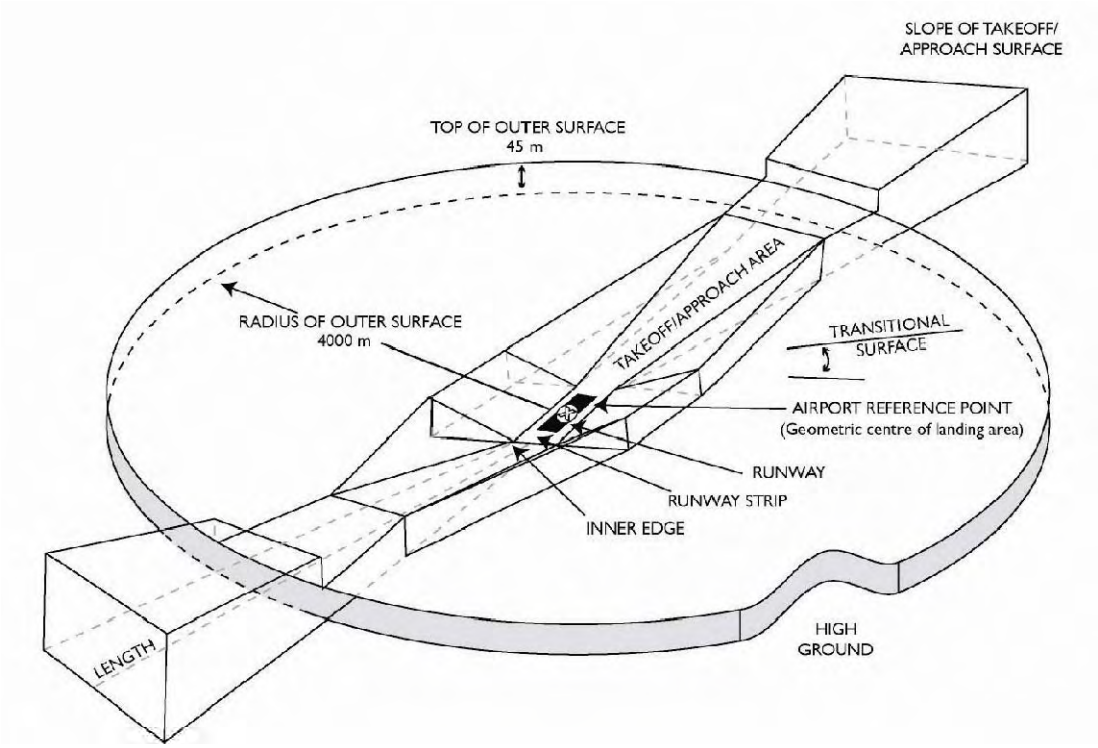
Taxiway — a defined path on aerodrome land established for taxiing of aircraft and intended to provide a link between one part of the aerodrome and another.

Terminal Reserve — means lands within the airport reserved for the Airport Terminal Building and associated infrastructure.

Transitional Surface — a complex surface along the side of a runway strip and part of the side of the side of the approach surface, that slopes upwards and outwards towards the outer surface and may restrict the heights of structures along the hangar line (See Figure 1: Obstacle Limitation Surface).

Transportation Reserve — means lands within the airport reserved for landside road access.

Figure 1: Obstacle Limitation Surfaces



APPENDIX D

FORT MCMURRAY REGIONAL AIRPORT – AIRPORT ZONING REGULATIONS

CANADA

CONSOLIDATION

CODIFICATION

Fort McMurray Airport Zoning Regulations

Règlement de zonage de l'aéroport de Fort McMurray

C.R.C., c. 82

C.R.C., ch. 82

Current to August 27, 2009

À jour au 27 août 2009

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OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

Published consolidation is evidence

31. (1) Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

Inconsistencies in regulations

(3) In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1er juin 2009, prévoient ce qui suit :

Codifications comme élément de preuve

31. (1) Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

Incompatibilité — règlements

(3) Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

CHAPTER 82

AERONAUTICS ACT

Fort McMurray Airport Zoning Regulations

REGULATIONS RESPECTING ZONING AT FORT MCMURRAY AIRPORT

SHORT TITLE

1. These Regulations may be cited as the *Fort McMurray Airport Zoning Regulations*.

INTERPRETATION

2. In these Regulations,

"airport" means Fort McMurray Airport, in the vicinity of Fort McMurray, in the Province of Alberta; (*aéroport*)

"airport reference point" means the point described in Part I of the schedule; (*point de repère de l'aéroport*)

"approach surface" means an imaginary inclined plane extending upward and outward from each end of the strip along and at right angles to the projected centre line thereof, which approach surface is more particularly described in Part III of the schedule; (*surface d'approche*)

"Minister" [Revoked, SOR/93-401, s. 2]

"outer surface" means an imaginary surface located above and in the immediate vicinity of the airport, which outer surface is more particularly described in Part IV of the schedule; (*surface extérieure*)

"strip" means the rectangular portion of the landing area of the airport, including the runway prepared for the take-off and landing of aircraft in a particular direction, which strip is more particulary described in Part V of the schedule; (*bande*)

"transitional surface" means an imaginary inclined plane extending upward and outward from the lateral limits of a strip and its approach surfaces, which transitional surface is more particularly described in Part VI of the schedule. (*surface de transition*)

SOR/93-401, s. 2.

CHAPITRE 82

LOI SUR L'AÉRONAUTIQUE

Règlement de zonage de l'aéroport de Fort McMurray

RÈGLEMENT DE ZONAGE CONCERNANT L'AÉROPORT DE FORT MCMURRAY

TITRE ABRÉGÉ

1. Le présent règlement peut être cité sous le titre : *Règlement de zonage de l'aéroport de Fort McMurray*.

INTERPRÉTATION

2. Dans le présent règlement,

« aéroport » désigne l'aéroport de Fort McMurray, situé à proximité de Fort McMurray dans la province d'Alberta; (*airport*)

« bande » désigne la partie rectangulaire de l'aire d'atterrissage de l'aéroport, y compris la piste spécialement aménagée pour le décollage et l'atterrissage des aéronefs dans une direction déterminée; chaque bande est décrite de façon plus détaillée à la partie V de l'annexe; (*strip*)

« ministre » [Abrogée, DORS/93-401, art. 2]

« point de repère de l'aéroport » désigne le point décrit à la partie I de l'annexe; (*airport reference point*)

« surface d'approche » désigne un plan incliné imaginaire qui s'étend vers l'extérieur et vers le haut à partir de chaque extrémité d'une bande, dans le sens du prolongement de l'axe de cette bande et perpendiculairement à ce prolongement; cette surface d'approche est décrite de façon plus détaillée à la partie III de l'annexe; (*approach surface*)

« surface de transition » désigne un plan incliné imaginaire qui s'étend vers l'extérieur et vers le haut à partir des limites latérales d'une bande et de ses surfaces d'approche; cette surface de transition est décrite de façon plus détaillée à la partie VI de l'annexe; (*transitional surface*)

« surface extérieure » désigne une surface imaginaire située au-dessus et dans les alentours immédiats de l'aéroport; cette surface extérieure est décrite de façon plus détaillée à la partie IV de l'annexe. (*outer surface*)

DORS/93-401, art. 2.

3. For the purposes of these Regulations, the airport reference point is deemed to be 1,205 feet above sea level.

APPLICATION

4. These Regulations apply to all the lands and lands under water, including public road allowances, adjacent to or in the vicinity of the airport, that consist of

(*a*) the lands the outer limits of which are described in Part II of the schedule; and

(*b*) the lands directly beneath the approach surface, other than such lands as from time to time form part of the airport and such lands as form the Clearwater Indian Reserve No. 175.

GENERAL

5. No person shall erect or construct, on any land or any land under water to which these Regulations apply, any building, structure or object or any addition to any existing building, structure or object, the highest point of which will exceed in elevation at the location of that point any of the surfaces hereinafter set out that project immediately over and above the surface of the land at that location, namely,

(*a*) the approach surfaces;

(*b*) the outer surface; or

(*c*) the transitional surfaces.

3. Aux fins du présent règlement, le point de repère de l'aéroport est réputé être à 1 205 pieds au-dessus du niveau de la mer.

APPLICATION

4. Le présent règlement s'applique à tous les terrains, y compris les terrains immergés et les emprises de voies publiques, contigus à l'aéroport ou situés dans ses alentours immédiats,

a) dont les limites extérieures sont définies à la partie II de l'annexe; ou

b) situés directement sous la surface d'approche, sauf ceux qui, à l'occasion, font partie de l'aéroport et ceux qui constituent la réserve indienne n° 175 de Clearwater.

DISPOSITIONS GÉNÉRALES

5. Il est interdit d'ériger ou de construire, sur un terrain ou un terrain immergé auquel s'applique le présent règlement, un bâtiment, ouvrage ou objet ou un rajout à un bâtiment, ouvrage ou objet déjà existant, dont le sommet dépasserait le niveau, à cet endroit, de l'une quelconque des surfaces indiquées ci-après qui surplombent immédiatement la surface du terrain à cet endroit, à savoir :

a) les surfaces d'approche;

b) la surface extérieure; ou

c) les surfaces de transition.

SCHEDULE
(ss. 2 and 4)

PART I

AIRPORT REFERENCE POINT

Being a point distant 500 feet measured northerly and perpendicular to the centre line of runway 07-25 from a point distant 4,580.43 feet measured westerly along the centre line from the intersection of the said centre line with the easterly boundary of the Northeast quarter of Section 21, Township 88, Range 8, West of the 4th Meridian, and which said intersection is distant southerly 74.53 feet, more or less, from the northeast corner of said quarter section.

PART II

DESCRIPTION OF OUTER LIMITS OF LANDS

BOUNDED AS FOLLOWS: on the north by the northern boundaries of Section 36, Township 88, Range 9, West of the 4th Meridian, and Sections 31, 32, 33, 34 and 35, Township 88, Range 8, West of the 4th Meridian and their productions across the road allowances; on the East by the eastern boundaries of Sections 14, 23, 26 and 35, Township 88, Range 8, West of the 4th Meridian and their productions across road allowances; on the South by the southern boundaries of Sections 14, 15, 16, 17 and 18, Township 88, Range 8, West of the 4th Meridian, and Section 13, Township 88, Range 9, West of the 4th Meridian and their productions across road allowances; on the West by the western boundaries of Sections 13, 24, 25 and 36, Township 88, Range 9, West of the 4th Meridian and their productions across road allowances; which outer limits are shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PART III

DESCRIPTION OF EACH APPROACH SURFACE

Being a surface abutting each end of the strip associated with the runway designated as 07-25 and more particularly described as follows:

(*a*) a surface abutting the end of the strip associated with runway approach 07 consisting of an inclined plane having a ratio of one (1) foot measured vertically to fifty (50) feet measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip, one thousand (1,000) feet measured vertically above the elevation at the end of the strip and fifty thousand (50,000) feet measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being eight thousand (8,000) feet from the projected centre line, and

(*b*) a surface abutting the end of the strip associated with runway approach 25 consisting of an inclined plane having a ratio of one (1) foot measured vertically to fifty (50) feet measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip, one thousand (1,000) feet measured vertically above the elevation at the end of the strip and fifty thousand (50,000) feet measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being eight thousand (8,000) feet from the projected centre line, excepting thereout all that portion of the said surface contained within the

ANNEXE
(art. 2 et 4)

PARTIE I

POINT DE REPÈRE DE L'AÉROPORT

Soit un point situé à une distance de 500 pieds mesurés perpendiculairement à l'axe de la piste 07-25 en direction du nord à partir d'un point situé à une distance de 4 580,43 pieds mesurés en direction de l'ouest sur l'axe à partir de l'intersection dudit axe et de la limite est du quart nord-est de la section 21 du township 88, rang 8, à l'ouest du 4e méridien, ladite intersection se trouvant à 74,53 pieds, plus ou moins, au sud de l'angle nord-est dudit quartier de section.

PARTIE II

DESCRIPTION DES LIMITES EXTÉRIEURES DES TERRAINS

BORNÉS COMME SUIT : au nord, par les limites nord de la section 36, township 88, rang 9, à l'ouest du 4e méridien, et des sections 31, 32, 33, 34 et 35, township 88, rang 8, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; à l'est, par les limites est des sections 14, 23, 26 et 35, township 88, rang 8, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; au sud, par les limites sud des sections 14, 15, 16, 17 et 18, township 88, rang 8, à l'ouest du 4e méridien, et de la section 13, township 88, rang 9, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; à l'ouest par les limites ouest des sections 13, 24, 25 et 36, township 88, rang 9, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; lesdites limites extérieures sont indiquées sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PARTIE III

DESCRIPTION DE CHACUNE DES SURFACES D'APPROCHE

Soit une surface qui aboutit à chacune des extrémités de la bande correspondant à la piste désignée sous le numéro 07-25, plus particulièrement décrite comme suit :

a) une surface qui aboutit à l'extrémité de la bande correspondant à l'approche de la piste 07, constituée d'un plan incliné à raison de un (1) pied dans le sens vertical contre cinquante (50) pieds dans le sens horizontal et qui s'élève jusqu'à une ligne horizontale imaginaire tracée perpendiculairement au prolongement de l'axe de la bande, à mille (1 000) pieds de hauteur par rapport au niveau de l'extrémité de la bande dans le sens vertical et à cinquante mille (50 000) pieds de l'extrémité de la bande dans le sens horizontal, les extrémités extérieures de la ligne horizontale imaginaire étant à huit mille (8 000) pieds du prolongement de l'axe, et

b) une surface qui aboutit à l'extrémité de la bande correspondant à l'approche de la piste 25, constituée d'un plan incliné à raison de un (1) pied dans le sens vertical contre cinquante (50) pieds dans le sens horizontal et qui s'élève jusqu'à une ligne horizontale imaginaire tracée perpendiculairement au prolongement de l'axe de la bande, à mille (1 000) pieds de hauteur par rapport au niveau de l'extrémité de la bande dans le sens vertical et à cinquante mille (50 000) pieds de l'extrémité de la bande dans le sens horizontal, les extrémités extérieures de la ligne horizontale imaginaire étant à

vertical projections of the boundaries of the Clearwater Indian Reserve No. 175,

which approach surfaces are shown on Department of Public Works Plan E. 1017, dated September 28, 1972.

huit mille (8 000) pieds du prolongement de l'axe, à l'exception de toute la portion de ladite surface comprise à l'intérieur des prolongements verticaux des limites de la réserve indienne nº 175 de Clearwater,

lesdites surfaces d'approche sont indiquées sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PART IV

DESCRIPTION OF THE OUTER SURFACE

Being an imaginary surface consisting of

(*a*) a common plane established at a constant elevation of one hundred and fifty (150) feet above the assigned elevation of the airport reference point, and

(*b*) where the common plane described in paragraph (*a*) is less than thirty (30) feet above the surface of the ground, an imaginary surface located thirty (30) feet above the surface of the ground,

which outer surface is shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PARTIE IV

DESCRIPTION DE LA SURFACE EXTÉRIEURE

Soit une surface imaginaire constituée

a) d'un plan commun établi à une hauteur constante de cent cinquante (150) pieds au-dessus de l'altitude désignée du point de repère de l'aéroport, et

b) d'une surface imaginaire située à trente (30) pieds au-dessus de la surface du sol, lorsque le plan commun décrit à l'alinéa *a*) est à moins de trente (30) pieds au-dessus de la surface du sol,

ladite surface extérieure est indiquée sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PART V

DESCRIPTION OF STRIP

The strip associated with the runway designated as 07-25 is one thousand (1,000) feet in width, five hundred (500) feet being on each side of the centre line of the runway, and seven thousand four hundred (7,400) feet in length, as shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PARTIE V

DESCRIPTION DE LA BANDE

La bande correspondant à la piste désignée sous le numéro 07-25 est large de mille (1 000) pieds, soit cinq cents (500) pieds de chaque côté de l'axe de la piste, et longue de sept mille quatre cents (7 400) pieds, tel qu'indiqué sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PART VI

DESCRIPTION OF EACH TRANSITIONAL SURFACE

Being a surface consisting of an inclined plane rising at a ratio of one (1) foot measured vertically to seven (7) feet measured horizontally at right angles to the centre line and centre line produced of the strip and extending upward and outward from the lateral limits of the strip and its approach surfaces to an intersection with the outer surface, as shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PARTIE VI

DESCRIPTION DE CHACUNE DES SURFACES DE TRANSITION

Soit une surface constituée d'un plan incliné à raison de un (1) pied dans le sens vertical contre sept (7) pieds dans le sens horizontal, suivant une direction perpendiculaire à l'axe et au prolongement de l'axe de la bande, qui s'étend vers l'extérieur et vers le haut à partir des limites latérales de la bande et de ses surfaces d'approche jusqu'à intersection avec la surface extérieure, tel qu'indiqué sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

APPENDIX E

FORT MCMURRAY REGIONAL AIRPORT ZONING ANALYSIS DISCUSSION PAPER

FORT MCMURRAY REGIONAL AIRPORT

AIRPORT ZONING ANALYSIS

DISCUSSION PAPER

Prepared for:

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June 2011 PSMI Project No. 10425

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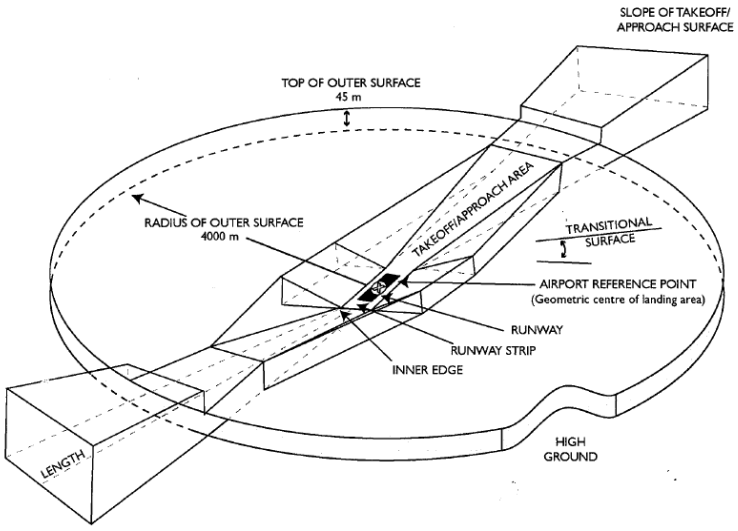
1.0 Background

To ensure the long-term operational and commercial viability of an airport, it is important that appropriate airport zoning controls are established and enforced. These controls are implemented to protect the Obstacle Limitation Surfaces (OLS) and are a requirement of Airport Certification. The OLS surfaces establish the limits to which objects may project into the airspace associated with an airport, such that aircraft operations may be conducted safely. OLS surfaces include *approach surfaces*, *takeoff/approach surface*, *transitional surfaces* and an *outer surface*. The following figure illustrates the Obstacle Limitation Surfaces associated with a typical airport.



OLS surfaces within the airport property boundary are generally controlled by the airport and protected through appropriate planning and development controls. Beyond the airport property, the protection of the OLS surfaces becomes more tenuous as it involves the support and participation of the local municipality and/or other levels of government to enforce height restrictions.

Efforts by both the municipalities and provinces to protect OLS zoning through municipal bylaws and provincial legislation have been met by legal challenges. Case law within Canada has established that municipal and provincial land use planning cannot regulate lands in the interest of aeronautical safety. These matters fall under federal jurisdiction and can only be regulated through the *Aeronautics Act*.

Municipal zoning by-laws can recognize the presence of an airport but cannot be used to regulate aeronautics. Even though they cannot be enforced, the height restrictions contained

in municipal zoning by-laws do assist in advising adjacent landowners/ municipal officials of the height limitations around airports.

The Province of Alberta previously regulated land use around airports using Airport Vicinity Protection Areas Regulations (AVPA) that were administered and enforced by provincial regulation at many airports across Alberta. With the change from the Planning Act to Part 17 of the Municipal Government Act in 1995, a major shift occurred in placing more emphasis upon land use regulation at the local municipal level (as opposed to a provincial or regional level). At the same time, the Province divested itself from all AVPA regulations except those for the two international airports – Calgary and Edmonton. With the exception to the recently revised Calgary and Edmonton AVPA, all AVPA regulations have since been deemed to be *ultra vires* (non applicable).

There are presently two (2) methods of protecting an airport's Obstacle Limitation Surfaces. The primary method of ensuring the protection of the Obstacle Limitation Surfaces from obstructions is through federal Airport Zoning Regulations (AZRs) enacted through Part I, Section 5.4(1) and Sections 5.5 to 5.81 of the Aeronautics Act. Under the AZRs, any proposed land uses by the municipalities must give way to the requirements of the regulation.

AZRs can be implemented through a *Federal AZR Process,* or a *Federal/Provincial AZR Process* whereby the federal government may enter into an agreement with a provincial authority to regulate the use of lands. Historically, the *Federal AZR Process* was undertaken by Transport Canada for airports under its control. The *Federal/Provincial AZR Process* is typically used today by most airports as it has been demonstrated to be more cost effective and requires less time to implement. The *Federal/Provincial AZR Process* cannot be used at an airport that has Federal Airport Zoning Regulations already in effect.

A second alternative to protect for OLS requirements is for airports to purchase lands and/or easements (air rights) which would limit the height of obstacles. Generally, lands only have to be purchased to a point where the OLS are 20 to 25m above the ground. Airports often purchase easements on adjacent lands which permits them the opportunity of trimming or removing vegetation which penetrates the OLS.

2.0 Existing Airport Zoning Regulations

At present, the control of off-airport obstructions at Fort McMurray Regional Airport is regulated by a *Federal AZR* that was implemented by Transport Canada in 1972. At that time, the length of the Runway 07-25 was 6,000 ft (1,828m). However, the registered AZR provided for a future extension of the runway to 7,000 ft. (2,133m) with a total runway strip length of 7,400 ft (2,255m).

A description of the Fort McMurray Airport Zoning Regulations, current to June 16, 2010, is provided in Appendix A. A figure (dated September 28, 1972) showing affected lands is provided in Appendix B.

Although Federal AZR's can include clauses for disposal of waste, electronic zoning, and natural growth, the current AZR for Fort McMurray Regional Airport only identifies protection from buildings and other man-made structures.

In 2007, Runway 07-25 was extended at both ends to a total of 2,286m (7,500 ft.). Although the existing AZR protects for the 305m (1,000 ft.) extension to the west (Runway 07), it does not protect for the 152m (500 ft.) extension to the east (Runway 25). As a result, there is a displaced threshold on Runway 25 of 152m (500 ft.)

In summary, the deficiencies associated with the existing Federal AZR include the following:

- Current AZR contains no clauses for electronic zoning, natural growth or disposal of waste
- Runway 25 (east end) – is protected for a 152m (500 ft.) displacement of the threshold, thus limiting its published Landing Distance Available (LDA).

3.0 Airport Development Plan

The proposed Airport Development Plan (November 25, 2010, Revision No. 8A) for Fort McMurray Regional Airport provides for a potential expansion of the existing Runway 07-25 to 9,000 ft. (2,743m), and the construction of a future 6,930 ft. (2,112m) parallel runway located 3,796 ft. (1,157m) south of the existing runway. The existing runway is designed to Code 4 Instrument Precision standards as would the future parallel runway.

The location of the proposed future runway was based on minimizing the impact from potential OLS obstructions on privately held lands and maximizing the potential length of the runway. The methodology used to determine the location of the future parallel runway is described in a Discussion Paper titled *Analysis of Alternative Future Parallel Runway Locations* prepared by Genivar, formerly PSMI, and dated June 2010.

The Airport Development Plan for Fort McMurray Regional Airport is provided in Appendix C.

4.0 Obstacle Limitation Surfaces Zoning Requirements

4.1 REQUIREMENTS

To protect for the airside development identified in the Airport Development Plan, updated OLS zoning is required for both the existing and future runways. The zoning required to protect these runways is illustrated in Appendix D. This zoning would potentially impact a significant amount of lands surrounding the airport.

Table 1 describes the OLS zoning requirements associated with both the existing runway (extended to 9,000 ft. / 2,743m) and the future parallel runway. The proposed OLS zoning for the existing runway would remove the requirement for the 152m (500 ft.) displacement at the east (Runway 25) end.

Table 1
OLS Requirements

Element	Requirement	
	Existing Runway 07-25 (Extended)	**Future Runway 07R-25L***
Code	4D Instrument Precision	4D Instrument Precision
Runway Length	2,743.2m (9,000 ft.)	2,112.26m (6,930 ft.)
Threshold 07 Elevation	367.19m ASL	373m ASL
Threshold 25 Elevation (No Displacement)	367.93m ASL	378m ASL
Runway Strip Length	2863.2m	2232.26m
Runway Strip Width	300m	300m
Approach Surface Slope	1:50	1:50
Approach Surface Length	15,000m	15,000m
Approach Surface Divergence	15%	15%
Transitional Surface Slope	1:7	1:7
Outer Surface Elevation	413.004m ASL	413.004m ASL

* Note: Runway threshold elevations are based on preliminary site grading plan and are subject to change.

4.2 IMPACTS OF OLS ZONING

On lands surrounding an airport, the OLS zoning, if properly enforced, restricts the height of structures and vegetation. This in turn can limit the scale and nature of development, and impact how municipalities designate land uses.

For airports located within built-up urban areas, the OLS zoning can place a significant constraint on development and impact land values. In rural areas, OLS zoning impacts are generally less significant, given the nature of surrounding development, but can impact the location of taller structures such as antennas, power transmission towers, and silos.

At present, there does not appear to be any man-made structures which would impact the OLS zoning required for either the extended existing runway or the proposed future runway. However, there are extensive areas of vegetation which would have to be removed and/or trimmed in order to accommodate OLS zoning for the new parallel runway. It has been identified that approximately 15.6 ha of land would have to be cleared of trees because they would penetrate the proposed approach surfaces. This is described in the *Analysis of Alternative Future Parallel Runway Locations* Discussions Paper.

5.0 Obstacle Limitation Surfaces Protection

5.1 GENERAL

Municipal planning, through a revised Area Structure Plan (ASP) can regulate, to some extent, the nature of development which occurs on lands impacted by the OLS zoning. However, the only means to fully protect existing and proposed OLS zoning requirements would be through the preparation and registration of an amended AZR which would take into account the existing runway, a potential extension of the existing runway, and the development of the future parallel runway.

5.2 AIRPORT ZONING REGULATIONS

The amended AZR must be enacted based upon either an Airport Master Plan or through a municipal Official Development Plan such as an ASP. With respect to Fort McMurray Regional Airport, because the current AZR was undertaken through the *Federal AZR Process* it must be also be amended using this same process. The steps in amending the AZR for Fort McMurray Regional Airport include the following:

1. The Airport Authority recognizes the need for an amendment to the AZR and applies to Transport Canada through the Regional Director.

2. Aeronautical zoning requirements would be confirmed. If a clause regarding bird hazards is to be included, then a report provided by a bird hazard specialist is required, defining areas requiring protection.

3. The Airport Authority would post a surety bond for the total estimated cost. The Airport Authority would be responsible for the full cost of amending the AZR. These costs are typically $250,000 - $300,000.

4. Public Works and Government Services Canada (PWGSC) would prepare required AZR documentation including text and maps.

5. A public consultation process would be undertaken.

6. The amended AZR would be published in the ‘Canada Gazette’ and local papers, and an opportunity would be provided for representations from the public.

7. A submission would be prepared for approval by Privy Council.

8. The approved zoning regulations would be deposited in appropriate registry offices.

9. The approved zoning regulations would be published in local papers.

5.3 AREA STRUCTURE PLAN AMENDMENTS

Area Structure Plans (ASP) are implemented by a municipality to provide land uses, access and servicing, and policy direction for specific neighbourhoods or areas of the municipality. The principles and objectives established in each plan guide growth of future neighbourhoods by setting out general locations for major land uses (e.g. residential, commercial, industrial, schools and parks), major roadways, utility servicing, trail systems, and potential population density.

At present, Fort McMurray Regional Airport is described under two ASPs. The first is the Fort McMurray Municipal Airport Area Structure Plan (Airport ASP). The second is the Highway 69 / Clearwater River Valley Area Structure Plan (Highway 69 ASP).

Both of these ASP's are currently going through a review process and are being amended. The following text refers to the ASP's which are currently in effect with the municipality.

Airport ASP

The existing Airport ASP was adopted by The Regional Municipality of Wood Buffalo (RMWB) Council in 2004, and updated in 2008. The Airport ASP, prepared in response to the transfer of the Airport's ownership to the RMWB in 1999, identified a strategic vision for the airport and described appropriate land uses within the airport property boundaries. A figure illustrating the extent of the Airport ASP is provided in Appendix E.

With respect to off-airport land use implications and protection of OLS zoning, the Airport ASP makes a couple of references. Section 8.2 of the Airport ASP makes reference to Transport Canada TP312 4th Edition OLS zoning requirements and includes Figure 9 (provided in Appendix E) which illustrates 'Future Obstruction Areas'. The ASP further states:

"Figure 9 illustrates both the existing obstruction zoning and the obstruction zoning for future development of the airport infrastructure. These restrictive areas extend off airport property. For this reason, these areas should be included in the municipal referral process to ensure that any future development does not exceed the height restrictions. Transport Canada is responsible for removal of any obstacles."

In addition, Appendix C of the Airport ASP recommends that the Municipal Development Plan:

"Recognize airport development guidelines as set out in:

a) Airport District, as established in the Land Use Bylaw to regulate development on airport lands.

b) Federal Obstruction Zoning to ensure that land uses adjacent to the airport do not impact the safe and continued operation of the airport through excessive

height, creation of smoke, steam and dust, attraction of birds and electrical interference

c) *Tripartite agreements between the Federal, provincial and municipal government that may allow the municipality to enforce the federal regulations within the Obstruction Zone.*

Although the Airport ASP makes general references to Federal Obstruction Zoning, the document does not specifically make reference to *Fort McMurray Airport Zoning Regulations C.R.C., c. 82,* nor does the document adequately describe the OLS zoning in graphic form. Similarly, no specific references were found in the current RMWB Municipal Development Plan regarding OLS zoning protection for the Airport.

Highway 69 ASP

The Highway 69 / Clearwater River Valley Area Structure Plan was adopted by Regional Council in 2000 and last updated in 2008. It represents an area of land located immediately southeast of the Fort McMurray Urban Area and includes the Airport District as defined in the Municipal Zoning Bylaw. The primary objectives of the Highway 69 ASP include: "*determining future land uses for the area*" and "*promoting a land use pattern that does not inhibit present and future operations of Fort McMurray Airport*".

The Highway 69 ASP states:

> *"Development at the airport is regulated by the Airport District in the land Use Bylaw, a protocol agreement between the Regional Municipality of Wood Buffalo and the Fort McMurray Airport Commission and federal regulations (Transport Canada TP312). The lands surrounding the airport are regulated by federal Obstruction Zoning, which ensures that no new development is built in such a manner that it will threaten the future safe and continued operation of the airport. Currently there are no land uses that interfere with the operation of the airport and the proposed land uses outlined in the Highway 69/Clearwater River valley ASP do not pose any concern."*

As proposed in the Highway 69 ASP Development Concept (Appendix F), with the exception of some existing industrial uses and a proposed expansion to the Saprae Creek Estates residential area, much of the lands surrounding the airport would remain as natural open space.

The Highway 69 ASP does not specifically address the issue of off-airport OLS zoning nor does it identify, in diagrammatic form, the areas surrounding the airport which are potentially impacted by either OLS zoning and/or noise impacts.

In conclusion, it is felt that neither the existing Airport ASP, nor the Highway 69 ASP adequately speak to off-airport impacts of OLS zoning or noise and that these should be

specifically addressed with appropriate land use/development controls. Amendments to both ASPs are recommended and are presently being processed by the Airport Authority and RMWB.

6.0 Recommendations

It is recommended that:

1. The Fort McMurray Regional Airport Authority give consideration to initiating a process to amend the Registered AZR to incorporate protection for both the existing and proposed parallel runways.

2. The Airport ASP and the Highway 69 ASP should be amended to include the OLS zoning requirements identified in Appendix D, and that future off-airport development be guided by these zoning requirements.

3. The RMWB Municipal Development Plan should be amended to recognize the OLS zoning requirements for the Airport.

All of which is respectfully submitted,

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Senior Aviation Planner / Architect

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GENIVAR
formerly PSMI

APPENDIX A
FORT MCMURRAY AIRPORT ZONING REGULATIONS

JUNE 16, 2010

CANADA

CONSOLIDATION

CODIFICATION

Fort McMurray Airport Zoning Regulations

Règlement de zonage de l'aéroport de Fort McMurray

C.R.C., c. 82

C.R.C., ch. 82

Current to June 16, 2010

À jour au 16 juin 2010

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OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

Published consolidation is evidence

31. (1) Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

Inconsistencies in regulations

(3) In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1er juin 2009, prévoient ce qui suit :

Codifications comme élément de preuve

31. (1) Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

Incompatibilité — règlements

(3) Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

CHAPTER 82

AERONAUTICS ACT

Fort McMurray Airport Zoning Regulations

REGULATIONS RESPECTING ZONING AT FORT MCMURRAY AIRPORT

SHORT TITLE

1. These Regulations may be cited as the *Fort McMurray Airport Zoning Regulations*.

INTERPRETATION

2. In these Regulations,

"airport" means Fort McMurray Airport, in the vicinity of Fort McMurray, in the Province of Alberta; (*aéroport*)

"airport reference point" means the point described in Part I of the schedule; (*point de repère de l'aéroport*)

"approach surface" means an imaginary inclined plane extending upward and outward from each end of the strip along and at right angles to the projected centre line thereof, which approach surface is more particularly described in Part III of the schedule; (*surface d'approche*)

"Minister" [Revoked, SOR/93-401, s. 2]

"outer surface" means an imaginary surface located above and in the immediate vicinity of the airport, which outer surface is more particularly described in Part IV of the schedule; (*surface extérieure*)

"strip" means the rectangular portion of the landing area of the airport, including the runway prepared for the take-off and landing of aircraft in a particular direction, which strip is more particulary described in Part V of the schedule; (*bande*)

"transitional surface" means an imaginary inclined plane extending upward and outward from the lateral limits of a strip and its approach surfaces, which transitional surface is more particularly described in Part VI of the schedule. (*surface de transition*)

SOR/93-401, s. 2.

CHAPITRE 82

LOI SUR L'AÉRONAUTIQUE

Règlement de zonage de l'aéroport de Fort McMurray

RÈGLEMENT DE ZONAGE CONCERNANT L'AÉROPORT DE FORT MCMURRAY

TITRE ABRÉGÉ

1. Le présent règlement peut être cité sous le titre: *Règlement de zonage de l'aéroport de Fort McMurray*.

INTERPRÉTATION

2. Dans le présent règlement,

«aéroport» désigne l'aéroport de Fort McMurray, situé à proximité de Fort McMurray dans la province d'Alberta; (*airport*)

«bande» désigne la partie rectangulaire de l'aire d'atterrissage de l'aéroport, y compris la piste spécialement aménagée pour le décollage et l'atterrissage des aéronefs dans une direction déterminée; chaque bande est décrite de façon plus détaillée à la partie V de l'annexe; (*strip*)

«ministre» [Abrogée, DORS/93-401, art. 2]

«point de repère de l'aéroport» désigne le point décrit à la partie I de l'annexe; (*airport reference point*)

«surface d'approche» désigne un plan incliné imaginaire qui s'étend vers l'extérieur et vers le haut à partir de chaque extrémité d'une bande, dans le sens du prolongement de l'axe de cette bande et perpendiculairement à ce prolongement; cette surface d'approche est décrite de façon plus détaillée à la partie III de l'annexe; (*approach surface*)

«surface de transition» désigne un plan incliné imaginaire qui s'étend vers l'extérieur et vers le haut à partir des limites latérales d'une bande et de ses surfaces d'approche; cette surface de transition est décrite de façon plus détaillée à la partie VI de l'annexe; (*transitional surface*)

«surface extérieure» désigne une surface imaginaire située au-dessus et dans les alentours immédiats de l'aéro-

port; cette surface extérieure est décrite de façon plus détaillée à la partie IV de l'annexe. (*outer surface*)

DORS/93-401, art. 2.

3. For the purposes of these Regulations, the airport reference point is deemed to be 1,205 feet above sea level.

3. Aux fins du présent règlement, le point de repère de l'aéroport est réputé être à 1 205 pieds au-dessus du niveau de la mer.

APPLICATION

4. These Regulations apply to all the lands and lands under water, including public road allowances, adjacent to or in the vicinity of the airport, that consist of

(*a*) the lands the outer limits of which are described in Part II of the schedule; and

(*b*) the lands directly beneath the approach surface, other than such lands as from time to time form part of the airport and such lands as form the Clearwater Indian Reserve No. 175.

APPLICATION

4. Le présent règlement s'applique à tous les terrains, y compris les terrains immergés et les emprises de voies publiques, contigus à l'aéroport ou situés dans ses alentours immédiats,

a) dont les limites extérieures sont définies à la partie II de l'annexe; ou

b) situés directement sous la surface d'approche, sauf ceux qui, à l'occasion, font partie de l'aéroport et ceux qui constituent la réserve indienne n° 175 de Clearwater.

GENERAL

5. No person shall erect or construct, on any land or any land under water to which these Regulations apply, any building, structure or object or any addition to any existing building, structure or object, the highest point of which will exceed in elevation at the location of that point any of the surfaces hereinafter set out that project immediately over and above the surface of the land at that location, namely,

(*a*) the approach surfaces;

(*b*) the outer surface; or

(*c*) the transitional surfaces.

DISPOSITIONS GÉNÉRALES

5. Il est interdit d'ériger ou de construire, sur un terrain ou un terrain immergé auquel s'applique le présent règlement, un bâtiment, ouvrage ou objet ou un rajout à un bâtiment, ouvrage ou objet déjà existant, dont le sommet dépasserait le niveau, à cet endroit, de l'une quelconque des surfaces indiquées ci-après qui surplombent immédiatement la surface du terrain à cet endroit, à savoir :

a) les surfaces d'approche;

b) la surface extérieure; ou

c) les surfaces de transition.

SCHEDULE
(ss. 2 and 4)

PART I

AIRPORT REFERENCE POINT

Being a point distant 500 feet measured northerly and perpendicular to the centre line of runway 07-25 from a point distant 4,580.43 feet measured westerly along the centre line from the intersection of the said centre line with the easterly boundary of the Northeast quarter of Section 21, Township 88, Range 8, West of the 4th Meridian, and which said intersection is distant southerly 74.53 feet, more or less, from the northeast corner of said quarter section.

PART II

DESCRIPTION OF OUTER LIMITS OF LANDS

BOUNDED AS FOLLOWS: on the north by the northern boundaries of Section 36, Township 88, Range 9, West of the 4th Meridian, and Sections 31, 32, 33, 34 and 35, Township 88, Range 8, West of the 4th Meridian and their productions across the road allowances; on the East by the eastern boundaries of Sections 14, 23, 26 and 35, Township 88, Range 8, West of the 4th Meridian and their productions across road allowances; on the South by the southern boundaries of Sections 14, 15, 16, 17 and 18, Township 88, Range 8, West of the 4th Meridian, and Section 13, Township 88, Range 9, West of the 4th Meridian and their productions across road allowances; on the West by the western boundaries of Sections 13, 24, 25 and 36, Township 88, Range 9, West of the 4th Meridian and their productions across road allowances; which outer limits are shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PART III

DESCRIPTION OF EACH APPROACH SURFACE

Being a surface abutting each end of the strip associated with the runway designated as 07-25 and more particularly described as follows:

(*a*) a surface abutting the end of the strip associated with runway approach 07 consisting of an inclined plane having a ratio of one (1) foot measured vertically to fifty (50) feet measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip, one thousand (1,000) feet measured vertically above the elevation at the end of the strip and fifty thousand (50,000) feet measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being eight thousand (8,000) feet from the projected centre line, and

(*b*) a surface abutting the end of the strip associated with runway approach 25 consisting of an inclined plane having a ratio of one (1) foot measured vertically to fifty (50) feet measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip, one thousand (1,000) feet measured vertically above the elevation at the end of the strip and fifty thousand (50,000) feet measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being eight thousand (8,000) feet from the projected centre line, excepting thereout all that portion of the said surface contained within the

ANNEXE
(art. 2 et 4)

PARTIE I

POINT DE REPÈRE DE L'AÉROPORT

Soit un point situé à une distance de 500 pieds mesurés perpendiculairement à l'axe de la piste 07-25 en direction du nord à partir d'un point situé à une distance de 4 580,43 pieds mesurés en direction de l'ouest sur l'axe à partir de l'intersection dudit axe et de la limite est du quart nord-est de la section 21 du township 88, rang 8, à l'ouest du 4e méridien, ladite intersection se trouvant à 74,53 pieds, plus ou moins, au sud de l'angle nord-est dudit quartier de section.

PARTIE II

DESCRIPTION DES LIMITES EXTÉRIEURES DES TERRAINS

BORNÉS COMME SUIT : au nord, par les limites nord de la section 36, township 88, rang 9, à l'ouest du 4e méridien, et des sections 31, 32, 33, 34 et 35, township 88, rang 8, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; à l'est, par les limites est des sections 14, 23, 26 et 35, township 88, rang 8, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; au sud, par les limites sud des sections 14, 15, 16, 17 et 18, township 88, rang 8, à l'ouest du 4e méridien, et de la section 13, township 88, rang 9, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; à l'ouest par les limites ouest des sections 13, 24, 25 et 36, township 88, rang 9, à l'ouest du 4e méridien, et leur prolongement en travers des emprises de voies publiques; lesdites limites extérieures sont indiquées sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PARTIE III

DESCRIPTION DE CHACUNE DES SURFACES D'APPROCHE

Soit une surface qui aboutit à chacune des extrémités de la bande correspondant à la piste désignée sous le numéro 07-25, plus particulièrement décrite comme suit :

a) une surface qui aboutit à l'extrémité de la bande correspondant à l'approche de la piste 07, constituée d'un plan incliné à raison de un (1) pied dans le sens vertical contre cinquante (50) pieds dans le sens horizontal et qui s'élève jusqu'à une ligne horizontale imaginaire tracée perpendiculairement au prolongement de l'axe de la bande, à mille (1 000) pieds de hauteur par rapport au niveau de l'extrémité de la bande dans le sens vertical et à cinquante mille (50 000) pieds de l'extrémité de la bande dans le sens horizontal, les extrémités extérieures de la ligne horizontale imaginaire étant à huit mille (8 000) pieds du prolongement de l'axe, et

b) une surface qui aboutit à l'extrémité de la bande correspondant à l'approche de la piste 25, constituée d'un plan incliné à raison de un (1) pied dans le sens vertical contre cinquante (50) pieds dans le sens horizontal et qui s'élève jusqu'à une ligne horizontale imaginaire tracée perpendiculairement au prolongement de l'axe de la bande, à mille (1 000) pieds de hauteur par rapport au niveau de l'extrémité de la bande dans le sens vertical et à cinquante mille (50 000) pieds de l'extrémité de la bande dans le sens horizontal, les extrémités extérieures de la ligne horizontale imaginaire étant à

vertical projections of the boundaries of the Clearwater Indian Reserve No. 175,

which approach surfaces are shown on Department of Public Works Plan E. 1017, dated September 28, 1972.

huit mille (8 000) pieds du prolongement de l'axe, à l'exception de toute la portion de ladite surface comprise à l'intérieur des prolongements verticaux des limites de la réserve indienne n° 175 de Clearwater,

lesdites surfaces d'approche sont indiquées sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PART IV

DESCRIPTION OF THE OUTER SURFACE

Being an imaginary surface consisting of

(*a*) a common plane established at a constant elevation of one hundred and fifty (150) feet above the assigned elevation of the airport reference point, and

(*b*) where the common plane described in paragraph (*a*) is less than thirty (30) feet above the surface of the ground, an imaginary surface located thirty (30) feet above the surface of the ground,

which outer surface is shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PARTIE IV

DESCRIPTION DE LA SURFACE EXTÉRIEURE

Soit une surface imaginaire constituée

a) d'un plan commun établi à une hauteur constante de cent cinquante (150) pieds au-dessus de l'altitude désignée du point de repère de l'aéroport, et

b) d'une surface imaginaire située à trente (30) pieds au-dessus de la surface du sol, lorsque le plan commun décrit à l'alinéa *a*) est à moins de trente (30) pieds au-dessus de la surface du sol,

ladite surface extérieure est indiquée sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PART V

DESCRIPTION OF STRIP

The strip associated with the runway designated as 07-25 is one thousand (1,000) feet in width, five hundred (500) feet being on each side of the centre line of the runway, and seven thousand four hundred (7,400) feet in length, as shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PARTIE V

DESCRIPTION DE LA BANDE

La bande correspondant à la piste désignée sous le numéro 07-25 est large de mille (1 000) pieds, soit cinq cents (500) pieds de chaque côté de l'axe de la piste, et longue de sept mille quatre cents (7 400) pieds, tel qu'indiqué sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

PART VI

DESCRIPTION OF EACH TRANSITIONAL SURFACE

Being a surface consisting of an inclined plane rising at a ratio of one (1) foot measured vertically to seven (7) feet measured horizontally at right angles to the centre line and centre line produced of the strip and extending upward and outward from the lateral limits of the strip and its approach surfaces to an intersection with the outer surface, as shown on Department of Public Works Plan No. E. 1017, dated September 28, 1972.

PARTIE VI

DESCRIPTION DE CHACUNE DES SURFACES DE TRANSITION

Soit une surface constituée d'un plan incliné à raison de un (1) pied dans le sens vertical contre sept (7) pieds dans le sens horizontal, suivant une direction perpendiculaire à l'axe et au prolongement de l'axe de la bande, qui s'étend vers l'extérieur et vers le haut à partir des limites latérales de la bande et de ses surfaces d'approche jusqu'à intersection avec la surface extérieure, tel qu'indiqué sur le plan E. 1017 du ministère des Travaux publics, daté du 28 septembre 1972.

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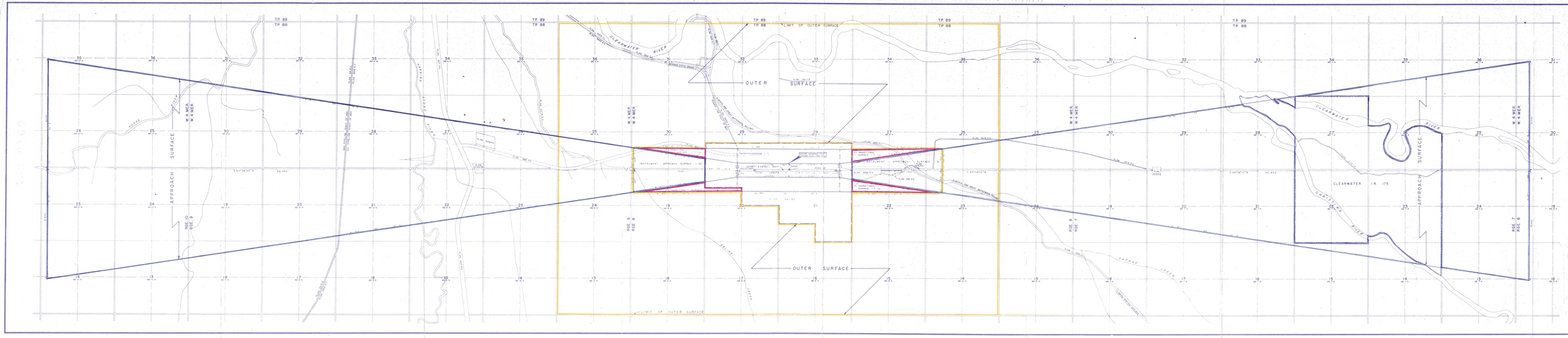
APPENDIX B
FORT MCMURRAY AIRPORT ZONING REGULATIONS FIGURE (1972)

762 0100


TP 89
TP 88
LIMIT OF OUTER SURFACE
OUTER SURFACE
APPROACH SURFACE
W.4 MILS
W.4 MILS
CLEARWATER RIVER
CLEARWATER I.R. 175
TWP. 90
TWP. 89
RGE. 9
RGE. 8
RGE. 7
RGE. 6
RGE. 5
RGE. 4
RGE. 3
RGE. 2
RGE. 1
RGE. 0
INSTRUMENT APPROACH SURFACE
TRANSITIONAL SURFACE
HORIZONTAL SURFACE
CONICAL SURFACE
RUNWAY SURFACE
RUNWAY 12-30
RUNWAY 17-35
RUNWAY 8-26
PLAN 1974-XX
PLAN 1974-XX
PLAN 1974-XX

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APPENDIX C
AIRPORT DEVELOPMENT PLAN

NOVEMBER 25, 2010, REVISION NO. 8A

PROPOSED VHF/UHF RECEIVER SITE LOCATION
AIRPORT RESERVE
AIRPORT RESERVE
AIRPORT ROAD
EXISTING ATB
EXISTING ATCT
EXISTING NORTH APRON
WEST AIRPORT SERVICE ROAD
RESA
RESA
FUTURE EXTENSION TO 9,000 ft.
RESA
RESA
07L
EXISTING RUNWAY 07-25 (7,500 ft x 150 ft.)
25R
RESA
RESA
AIRSIDE RESERVE
AIRSIDE RESERVE
GLIDE PATH (RWY 25)
TAXIWAY JULIET
AIRLINE SUPPORT (BY OTHERS)
AIRSIDE ROAD
VEHICLE QTA
PROPOSED AWOS/ PROTECTION AREA
AIRSIDE COMMERCIAL (33.12 ha.)
LANDSIDE COMMERCIAL (2.56 ha.)
AIRSIDE COMMERCIAL (5.97 ha.)
PROPOSED ATB
PROPOSED ATB PARKING LOT
AIRPORT RESERVE
LANDSIDE COMMERCIAL (7.85 ha.)
LANDSIDE COMMERCIAL (36.44 ha.)
ATCT / AIRPORT SUPPORT (5.64 ha.)
TERMINAL RESERVE (31.40 ha.)
AIRSIDE RESERVE
HIGHWAY 69
EAST AIRPORT SERVICE ROAD
AIRSIDE RESERVE
07R
PROPOSED RUNWAY 07R-25L (6,930 ft x 150 ft.)
25L
AIRSIDE RESERVE

Revised: November 25, 2010

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AVIATION GROUP

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FAX: (613) 233-2364	FAX: (905) 678-8582	FAX: (403) 270-0133	FAX: (519) 571-3251	FAX: (519) 389-4728

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SCALE 1:5000
ON 24"X36" (ARCH D)

75 0 75 150 225 375 METRES
300 150 0 300 750 1125 FEET

GENERAL LEGEND

- EXISTING AIRPORT BOUNDARY
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- EXISTING FENCE LINE
- EXISTING DITCH LINE
- EXISTING WATER COURSE
- EXISTING TRAIL
- EXISTING TREE LINE
- EXISTING LEGAL BOUNDARY
- EXISTING PRE-LOADING LIMITS
- ELECTRONIC PROTECTION AREA
- RUNWAY APPROACH SURFACE
- RUNWAY STRIP
- EXISTING AIRSIDE PAVEMENTS
- PROPOSED OPENING DAY PAVEMENTS
- PROPOSED 2019 PAVEMENTS
- PROPOSED FUTURE PAVEMENTS
- EXISTING STRUCTURES / BUILDINGS
- FUTURE STRUCTURES / BUILDINGS

LAND USE INFORMATION

- AIRPORT RESERVE
- AIRSIDE RESERVE
- AIRSIDE COMMERCIAL
- LANDSIDE COMMERCIAL
- AIRPORT SUPPORT
- TRANSPORTATION RESERVE
- TERMINAL RESERVE

Revised By: CDZ

Client/Project
FORT MCMURRAY REGIONAL AIRPORT
AIRPORT EXPANSION PROJECT

Figure No.
1

Title
AIRPORT DEVELOPMENT PLAN

C:\Documents and Settings\bcarroll\My Documents\Active Projects\10425\Airfield\Dev & LUP\10425 - Airport Dev & LUP - Rev6A - 100110.dwg
2010 October 01, 1:42 p.m.

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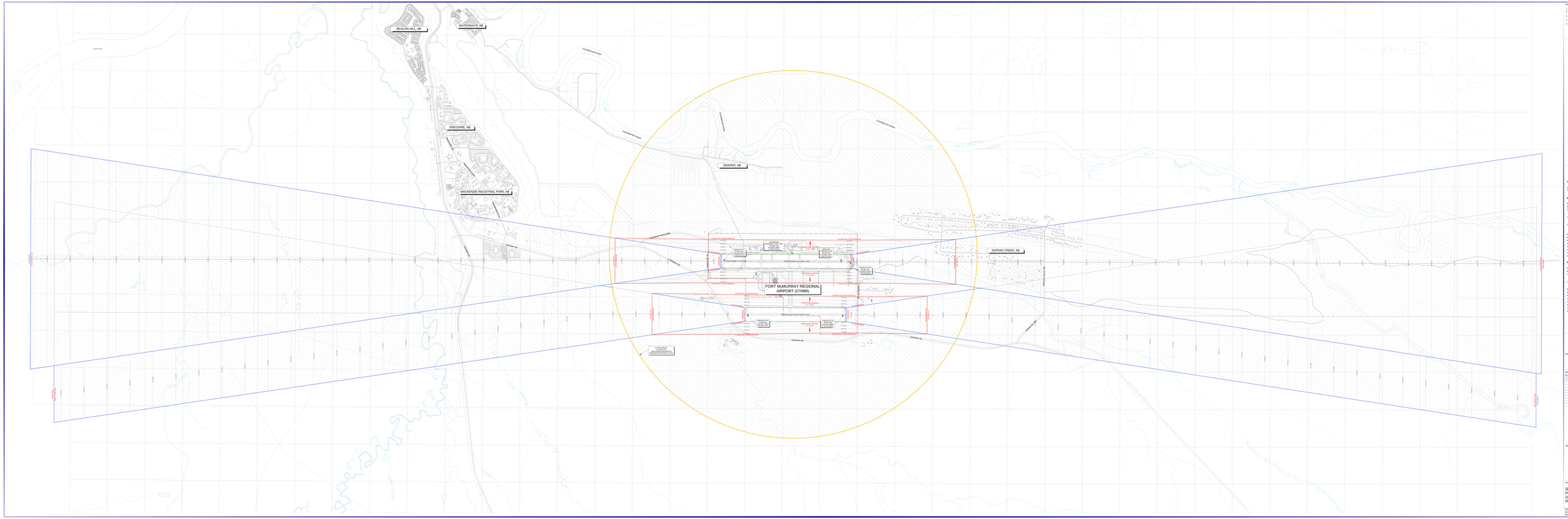
APPENDIX D
OLS ZONING REQUIREMENTS


BEACON HILL, AB
WATERWAYS, AB
GREGOIRE, AB
MACKENZIE INDUSTRIAL PARK, AB
DRAPER, AB
SAPRAE CREEK, AB
CLEARWATER RIVER
FORT McMURRAY REGIONAL AIRPORT (CYMM)
RUNWAY 09-27
RUNWAY 12-30
RUNWAY 01-19
TRANSITIONAL SURFACE
OUTER SURFACE
APPROACH SURFACE
APPROACH SURFACE (INNER HORIZ.)
TRANSITIONAL SURFACE (INNER HORIZ.)
OUTER SURFACE (INNER HORIZ.)
OUTER SURFACE (INNER HORIZ.)

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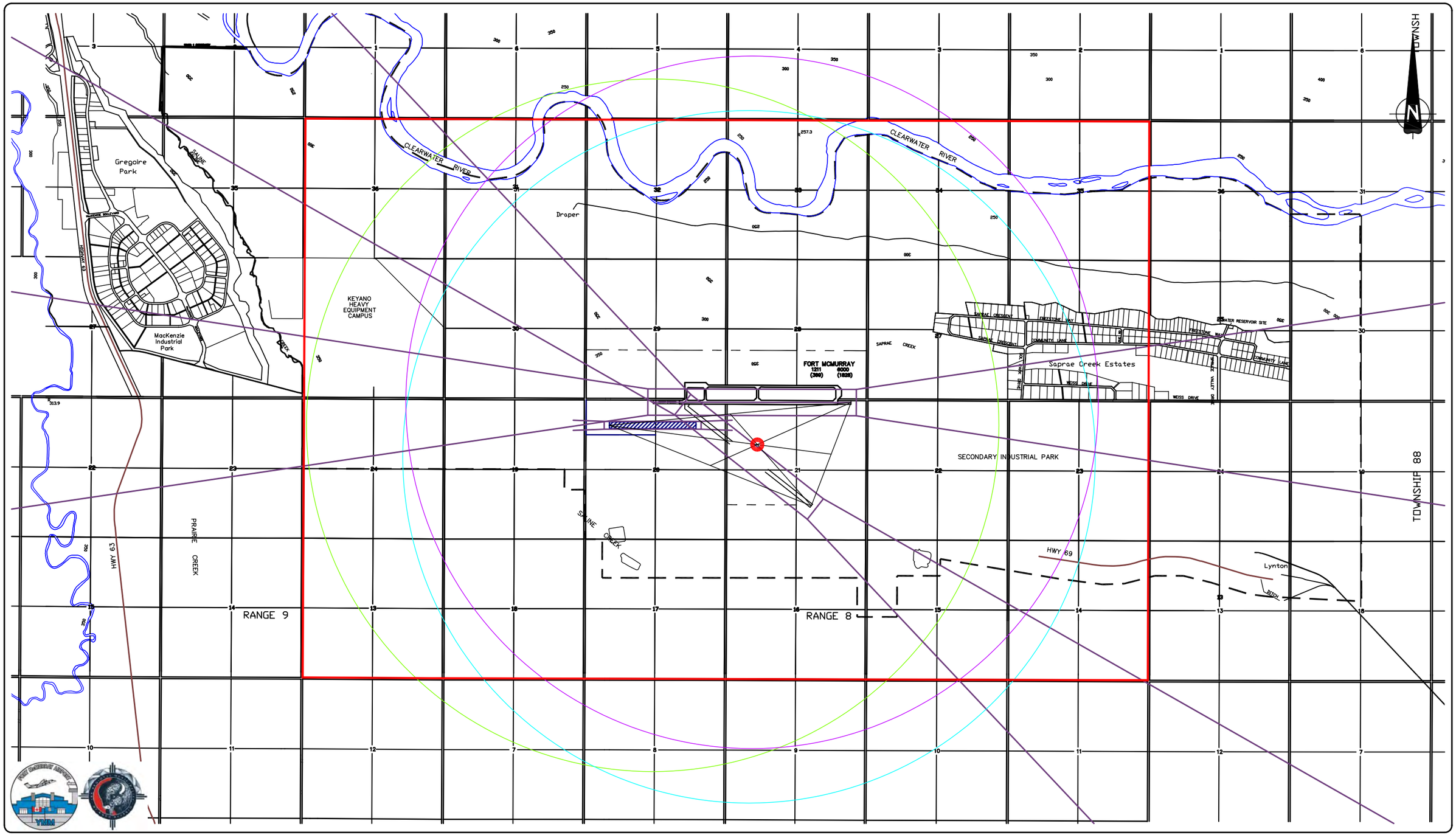
APPENDIX E
AIRPORT AREA STRUCTURE PLAN (EXISTING)



SHEET TITLE

REGIONAL MUNICIPALITY OF WOOD BUFFALO AND FORT McMURRAY AIRPORT COMMISSION

FORT McMURRAY MUNICIPAL AIRPORT AREA STRUCTURE PLAN

LEGEND

- ASP BOUNDARY
- AIRPORT BOUNDARY
- EXISITING PAVED ROADS

DRAWN/CHECKED BY: ANS/PAM

DATE/EBA PROJECT NO.: 03/05/29 9600050

SCALE: 1:10000 (0 100 300 500m)

EBA Engineering Consultants Ltd.

TITLE/EBA DRAWING NO.: FUTURE OBSTRUCTION AREAS FIGURE 9B

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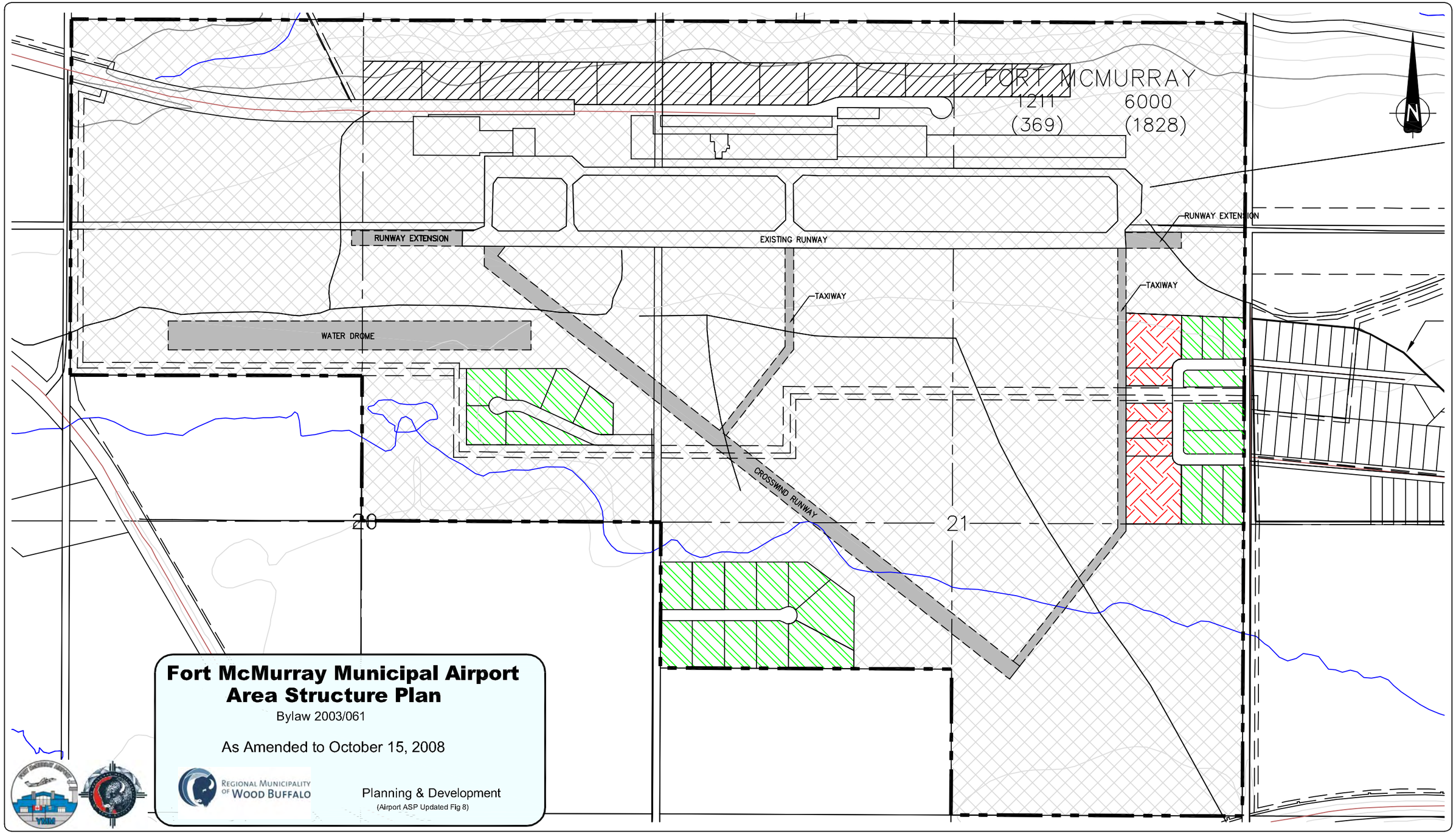

SHEET TITLE

REGIONAL MUNICIPALITY OF WOOD BUFFALO
AND FORT McMURRAY AIRPORT COMMISSION
FORT McMURRAY MUNICIPAL AIRPORT AREA STRUCTURE PLAN

LEGEND

- AIRPORT BOUNDARY
- FUTURE AIRPORT INFRASTRUCTURE
- AIRSIDE AVIATION RELATED
- GROUNDSIDE AVIATION RELATED
- OPERATING RESERVE
- GROUNDSIDE INDUSTRIAL

DRAWN/CHECKED BY: ANS/PAM

DATE/EBA PROJECT NO.: 03/05/29 9600050

SCALE: 1:10000 (0 100 300 500m)

EBA Engineering Consultants Ltd.

TITLE/EBA DRAWING NO.: FUTURE LAND USE FIGURE 8

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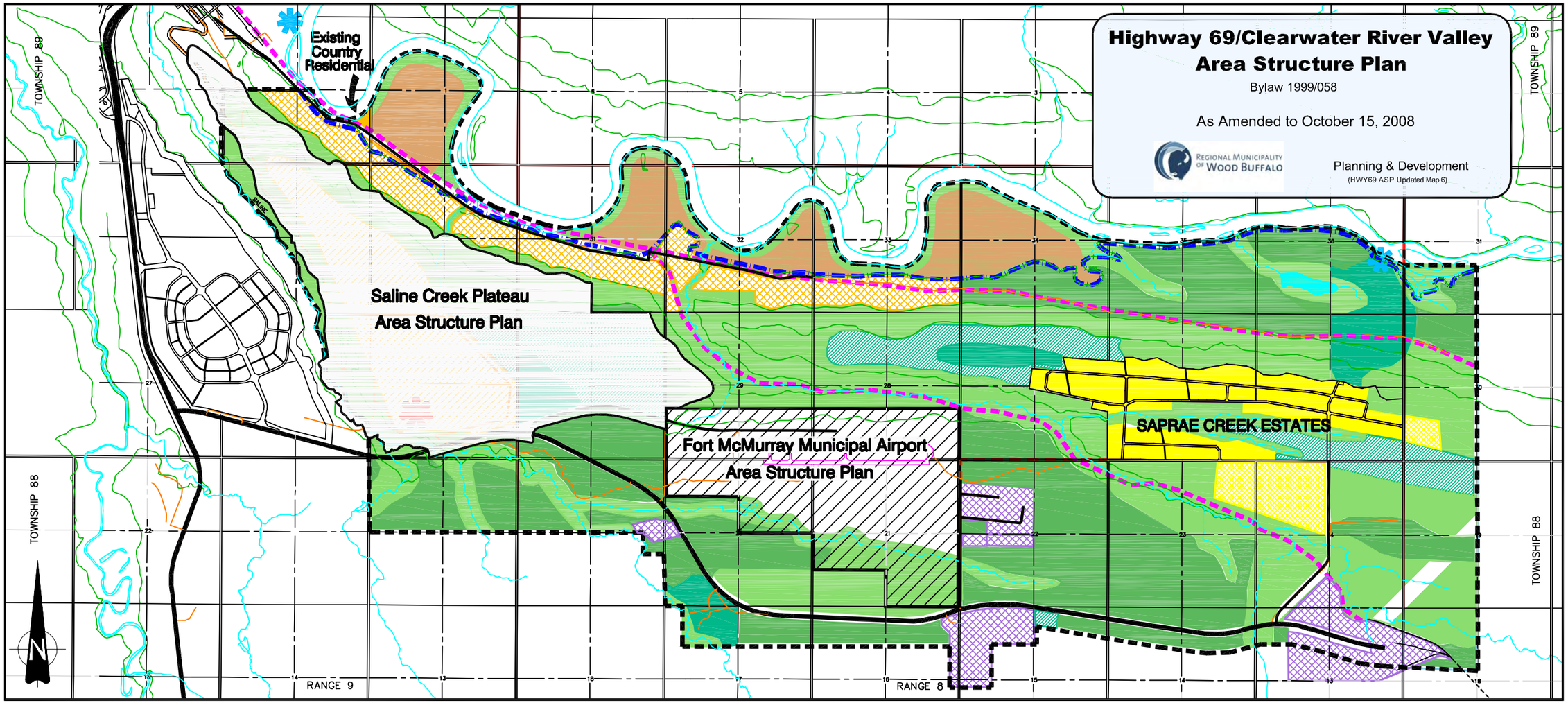
APPENDIX F
HIGHWAY 69 / CLEARWATER RIVER VALLEY
AREA STRUCTURE PLAN

DEVELOPMENT CONCEPT



Legend

- ASP Boundary
- Airport District
- Proposed Urban Residential
- Existing Suburban Estate Residential
- Proposed Suburban Estate Residential
- Existing Country Residential
- Proposed Country Residential
- Proposed Business Industrial
- Existing Parks and Recreation
- Proposed Parks and Recreation
- Proposed Small Holdings
- Environmentally Sensitive Areas
- Open Space
- Potential Trail Development
- Approximate 250m Contour
- Possible Boat Launch
- Village Commercial/ Community Centre
- Possible Additional Access to Saprae Creek Estates

Armin A. Preiksaitis & Associates Ltd.

0 1000 3000m

NOTE:
This is a conceptual land use framework. Areas have been generalized and are only approximate. All information should be verified. Land use data based on information gathered in June 1999.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Map 6
Development Concept

Highway 69 / Clearwater River Valley Area Structure Plan
BYLAW 99/058

APPENDIX F

FORT MCMURRAY REGIONAL AIRPORT NOISE EXPOSURE FORECAST DISCUSSION PAPER

FORT MCMURRAY REGIONAL AIRPORT
NOISE EXPOSURE FORECAST
DISCUSSION PAPER

Prepared for:

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DP 9.2.1

June 2011 PSMI Project No. 10425

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1.3	ExistING NEF Contours	4
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3.0	**FINDINGS**	**10**
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Appendix A Airport Development Plan
Appendix B Noise Exposure Contours

1.0 Background

1.1 INTRODUCTION

Airport-related noise can often cause conflict between airport operators and their neighbours. The best way to mitigate this conflict is to develop Airport Noise Exposure Forecasts and to ensure that local planning authorities take them into consideration when approving adjacent land uses.

As a component of the **Airport Development Plan** for Fort McMurray Regional Airport (Airport), Genivar, formerly PSMI has prepared Noise Exposure Forecasts utilizing Transport Canada's latest forecast model. These exposure forecasts take into consideration the possibility that a second parallel runway could be constructed at the Airport in the future. The proposed location of this runway is 3,796 ft. (1,157m) south of the existing runway.

Although a future runway will not likely be required for capacity reasons, it would provide the Airport with operational redundancy in the event that the existing runway is closed for maintenance or for snow clearing operations. The **Airport Development Plan** for Fort McMurray Regional Airport (enclosed in Appendix A) provides for the potential development of this second parallel runway.

Also under consideration is the potential future expansion of the existing Runway 07-25 to 9,000 ft. (2,743m). If such an expansion is implemented, the extension would likely be constructed at the western (07) end of the existing runway.

1.2 TRANSPORT CANADA'S NOISE EXPOSURE FORECAST MODEL

The Canadian Noise Exposure Forecast (NEF) has been developed to encourage compatible land use planning in the vicinity of airports. NEFs are official contours and Transport Canada will support them to the level of accuracy of the input data. The NEF has the additional benefit of providing recommended acoustic design criteria to obtain acceptable indoor noise levels for residential construction.

Historical responses to noise, captured at numerous Canadian airports, are displayed in Table 1. Transport Canada has correlated the public's predicted response to noise with the respective NEF.

Table 1
Community Response Prediction and NEFs

Response Area	Response Prediction
>40 NEF	Repeated and vigorous individual complaints are likely. Concerted group and legal action might be expected.
35 – 40	Individual complaints may be vigorous. Possible group action and appeals to authorities.
30 – 35	Sporadic to repeated individual complaints. Group action possible.
< 30	Sporadic complaints may occur. Noise may interfere occasionally with certain activities of the resident.

Source: Transport Canada TP1247E Land Use in the Vicinity of Airports

A series of land use tables for 'aircraft noise considerations only' are produced by Transport Canada, as shown in the example illustrated below. This is provided only as a guide and is only for airport noise.

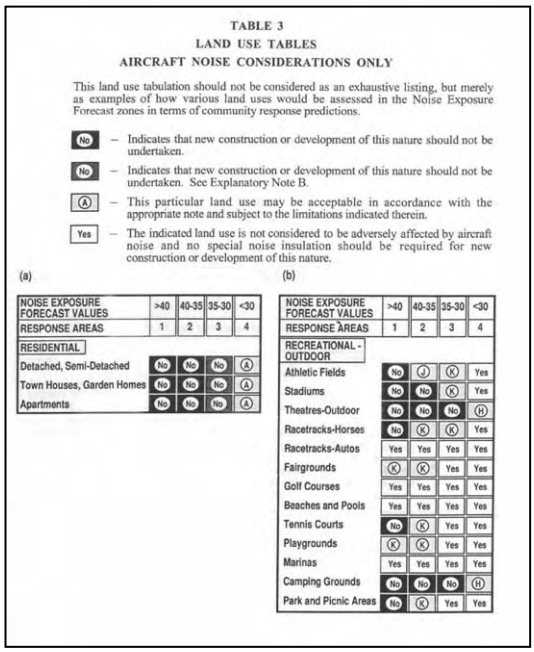


TABLE 3
LAND USE TABLES
AIRCRAFT NOISE CONSIDERATIONS ONLY

This land use tabulation should not be considered as an exhaustive listing, but merely as examples of how various land uses would be assessed in the Noise Exposure Forecast zones in terms of community response predictions.

No – Indicates that new construction or development of this nature should not be undertaken.

No – Indicates that new construction or development of this nature should not be undertaken. See Explanatory Note B.

(A) – This particular land use may be acceptable in accordance with the appropriate note and subject to the limitations indicated therein.

Yes – The indicated land use is not considered to be adversely affected by aircraft noise and no special noise insulation should be required for new construction or development of this nature.

(a)

NOISE EXPOSURE FORECAST VALUES	>40	40-35	35-30	<30
RESPONSE AREAS	1	2	3	4
RESIDENTIAL				
Detached, Semi-Detached	No	No	No	(A)
Town Houses, Garden Homes	No	No	No	(A)
Apartments	No	No	No	(A)

(b)

NOISE EXPOSURE FORECAST VALUES	>40	40-35	35-30	<30
RESPONSE AREAS	1	2	3	4
RECREATIONAL - OUTDOOR				
Athletic Fields	No	(J)	(K)	Yes
Stadiums	No	No	(K)	Yes
Theatres-Outdoor	No	No	No	(H)
Racetracks-Horses	No	(K)	(K)	Yes
Racetracks-Autos	Yes	Yes	Yes	Yes
Fairgrounds	(K)	(K)	Yes	Yes
Golf Courses	Yes	Yes	Yes	Yes
Beaches and Pools	Yes	Yes	Yes	Yes
Tennis Courts	No	(K)	Yes	Yes
Playgrounds	(K)	(K)	Yes	Yes
Marinas	Yes	Yes	Yes	Yes
Camping Grounds	No	No	No	(H)
Park and Picnic Areas	No	(K)	Yes	Yes

Transport Canada does not support or advocate incompatible land use (especially residential housing) in areas affected by aircraft noise. These may begin as low as NEF 25. At NEF 30, speech interference and annoyance caused by aircraft noise are, on average, established and growing. By NEF 35, their effects are very significant. New residential development is therefore not compatible with NEF 30 and above, and should not be undertaken.

There are three (3) types of noise exposure contours depending on the time element involved, and are summarized as follows:

Noise Exposure Forecasts (NEFs)

Traffic volume and aircraft type and mix are used in calculating the noise contours which are normally forecast for a period of between five (5) to ten (10) years. Runway geometry must be the current layout, except that new and approved projects involving changes in the runways may be included, when the completion date of the project lies within the forecast period.

Noise Exposure Projections (NEPs)

It is recognized that much land use planning involves projections beyond five (5) years or ten (10) years into the future, when aircraft fleet mixes and runway configurations are most likely to be different from the known conditions of today. To provide Provincial and Municipal Authorities with long range guidance in land use planning, Transport Canada introduced the Noise Exposure Projection (NEP). The NEP is based on a projection of aircraft movements for up to 20 years into the future and includes aircraft types and runway configurations that may materialize within this period. The methodology to generate an NEP is the same as an NEF. The NEP recognizes that there is less certainty over the course of 20 years as opposed to 10 years and is therefore called a 'projection' rather than a 'forecast'.

Planning Contours

The third type of noise contour is the Planning Contour which is produced to investigate planning alternates and must be labelled as such.

The noise exposure contour types that were developed as part of this Airport Development Plan were:

- 2008 Existing Noise Contours (recent peak year and basis of Aviation Activity Forecast)
- 2016 Noise Exposure Forecast – Single Existing Runway (Extended to 9000 ft.) Scenario
- 2016 Noise Exposure Forecast – Single New Runway (6,930 ft.) Scenario
- 2016 Composite Noise Planning Contour – Combine both existing and proposed runways.

1.2.1 Recent Significant Changes in Federal and Provincial Regulations/Policies

The most significant recent changes in Federal/Provincial policies as related to noise and land use issues include:

- Transport Canada National Airport's Policy
- No New Residential Development Recommended above the 30 NEF
- More recently, Transport Canada has come out with a new recommendation for **new airports**; specifically, no residential development above the 25 NEF.

Transport Canada's National Airport's Policy

As part of Transport Canada's airport commercialization initiatives, the responsibility to develop, implement NEF's and NEP's for airports now belongs to the individual airport owner/operator. Transport Canada still retains ultimate authority on airport noise issues, and therefore, upon request by the airport owner/operator, it may provide input into the NEF/NEP process by means of a 3rd party technical verification of the NEF analysis. The responsibility to implement the contours at a Provincial and Municipal level remains with the airport owner/operator.

Land Use Guidelines - No New Residential Development Recommended above the 30 NEF

In 1996, Transport Canada amended their publication *TP1247E - Land Use in the Vicinity of Airports*, to reflect the recommendation that no new residential development be considered above the 30 NEF. Previously, the 35 NEF was used as the criteria.

Land Use Guidelines - No Residential Development Recommended above the 25 NEF at New Airports

In 2005, Transport Canada again amended *TP1247E - Land Use in the Vicinity of Airports*, to reflect a new recommendation that no new residential development be considered above the 25 NEF when planning a 'new' airport site. While, this does not impact existing airports such as Fort McMurray, it is worth bearing in mind since it does reflect changing policy attitudes regarding appropriate measures in which to mitigate aircraft noise impacts.

1.2.2 NEF Modeling Software

The NEF noise model is a means of quantifying the subjective nature of airport noise; which include noise intensity, tonal characteristics, event duration and number of occurrences during day and night periods, of the listeners. The NEF contours prepared for project were developed using Transport Canada's latest NEF modeling software computer program: NEFCalc.

1.3 EXISTING NEF CONTOURS

The existing noise contours for Fort McMurray Regional Airport, which are presented in the 2004 Fort McMurray Municipal Airport Area Structure Plan, were prepared by EBA Engineering Consultants Ltd. in 2003. Previous to that, noise contours were prepared in the 1970's by the Province of Alberta as part of the Airport Vicinity Protection Plan.

The noise contours prepared by EBA in 2003 represent the year 2020 and assume approximately 70,000 annual movements with a planning peak day of 289 movements. The mix of aircraft included in the analysis included B737-700, DHC6 Twin Otter, DHC7 Dash 7, and C130 Hercules. The contours assumed 75% of arrivals would be on Runway 25, and 25% on Runway 07, and that the day / night split in traffic is 66% / 34%. It should

be noted that this percentage of night traffic is considerably higher than what is currently experienced at the Airport, based on available NCAMS data.

2.0 Forecast Methodology

2.1 NOISE EXPOSURE SCENARIOS

The noise exposure modeling prepared by PSMI was based on the *Fort McMurray Airport Aviation Activity Forecast* prepared by Jacobs Consultancy in October, 2009. Table 2 describes the medium growth aircraft movement forecast as provided in the Jacobs report.

Table 2
Forecasted Aircraft Movements – Medium Growth

Year	Air Carrier		Other Comm.	Private	Gov. + Military	Total Itinerant	Local	Total
	Level I-III	Level IV+						
2008	34,885	15,776	4,623	6,453	570	62,307	8,138	70,445
2009	32,304	12,958	4,244	6,328	545	56,379	9,449	65,827
2010	33,057	13,722	4,880	6,410	540	58,609	9,638	68,247
2011	35,440	14,995	5,662	6,539	534	63,171	9,830	73,002
2012	39,001	16,934	6,853	6,735	529	70,052	10,027	80,078
2013	40,116	17,133	6,976	6,756	524	71,504	10,227	81,731
2014	41,936	18,323	7,706	6,876	518	75,360	10,330	85,690
2015	41,862	17,935	7,468	6,837	513	74,615	10,433	85,048
2016	43,385	18,356	7,727	6,880	508	76,856	10,537	87,393
2017	42,780	17,606	7,266	6,803	503	74,959	10,643	85,601
2018	41,321	16,384	6,515	6,680	498	71,397	10,749	82,146
2019	42,027	16,483	6,576	6,690	498	72,274	10,857	83,131
2020	42,639	16,334	6,484	6,675	498	72,630	10,965	83,596
2021	42,684	16,063	6,318	6,647	498	72,210	11,075	83,285
2022	41,884	15,251	5,819	6,565	498	70,017	11,186	81,203
2023	42,487	15,155	5,760	6,555	498	70,455	11,297	81,753
2024	42,565	14,722	5,494	6,511	498	69,791	11,410	81,201
2025	42,809	14,611	5,426	6,500	498	69,843	11,525	81,367
2026	42,733	14,248	5,203	6,463	498	69,145	11,640	80,785
2027	42,716	13,956	5,024	6,434	498	68,628	11,756	80,384
2028	42,064	13,489	4,737	6,386	498	67,175	11,874	79,048
2029	42,330	13,418	4,693	6,379	498	67,317	11,992	79,310
2030	42,937	13,489	4,737	6,386	498	68,047	12,112	80,159

Source: Fort McMurray Aviation Activity Forecast, Jacobs Consultancy, 2009

The Jacobs forecast predicts that aircraft movements at Fort McMurray Regional Airport will peak in the year 2016 as construction of Oil Sands projects will begin to fall off beyond that year. Based on this assumption, the following noise exposure scenarios were developed for Fort McMurray Regional Airport.

2008 Existing Noise Contours

This scenario was developed using actual 2008 airport aircraft movement statistics (NCAMS) and is meant to define existing noise exposure conditions at the Fort McMurray Regional Airport. 2008 was the base year for the Aviation Activity Forecast and also represents the most recent year in which aircraft activity peaked. Aircraft movements in 2009 declined slightly but relevant factors such as aircraft fleet mix, runway utilization and day/night utilization remained unchanged from 2008.

2016 Noise Exposure Forecast – Single Existing (Extended) Runway Scenario

This scenario was developed since, based on the Jacobs forecasts, it represents the forecast year for highest total annual aircraft traffic movements at the airport from now until 2030. This maximum scenario is a reasonable planning tool since it is forecast to occur within the next 5 years. As the timing for the development of the new parallel runway has not been identified, this scenario was considered using the existing single runway configuration.

This scenario assumes that the existing runway may be extended in the future to 9,000 ft. (2,743 m).

2016 Noise Exposure Forecast – Single New Runway (6,930') Scenario

As previously mentioned, the Airport Development Plan includes provision for a future parallel runway. As the second 6,930' (2,112m) runway is primarily intended to provide operational redundancy in the event the existing runway is closed, a contour with 100% of the traffic on the new runway was generated. This contour represents the peak noise contour for the forecast period and would be representative of periods when the existing runway was closed.

2016 Composite Noise Planning Contour – Combine both existing and proposed runways

It is possible that extended periods of time could pass where 100% of traffic is on one runway or the other. Since it is difficult to accurately distribute traffic between the existing and proposed runways, a decision was made to generate a composite contour of the two scenarios.

The composite contour consists of graphically combining both the 2016 Noise Exposure Forecast – Single Existing Runway Scenario and the 2016 Noise Exposure Forecast – Single New Runway Scenario into a single comprehensive contour. The resulting contour represents the worst case planning contour for the airport.

2.2 MODELING ASSUMPTIONS

To generate the contours presented, a detailed analysis of existing airport statistics was conducted. This included an assessment of the following important factors:

- Aircraft types
- Night time movements (defined as any flight between the hours of 10:00 p.m. and 7:00 a.m.). Night time movements are penalized by a factor of 16.7 times (12 dB)
- Runway distribution
- Departure configurations (Stage Lengths)

In order to define as accurately as possible the aircraft movement environment at Fort McMurray Regional Airport, official statistics were obtained from the Aviation Statistics Centre, Statistics Canada for 2008.

Data for both itinerant movements and local movements were included, both of which are required for the NEF analysis. Itinerant and Local movements are defined as follows:

- Itinerant

  An itinerant aircraft movement is one that enters or leaves the control zone of the air traffic control tower (approximately 5-7 nautical miles)

- Local

  A local movement is one that stays within the control zone of the air traffic control tower.

Based on the 2008 NCAMS data that was obtained for the airport, the following briefly outlines the existing traffic conditions used to model noise at the Fort McMurray Regional Airport.

1. Overall Runway Utilization:
   a. Runway 07 30%
   b. Runway 25 70%
2. Overall Day / Night Split:
   a. Day 95%
   b. Night 5%

3. Itinerant Engine Types:

    a. Jet 20.5%
    b. Turbine 57.4%
    c. Piston 22.2%

4. Departure Stage Lengths

    a. Stage Length of 500nm or less presents 98% of itinerant movements.

5. Local Movements modeled with same runway distribution as itinerant. Right hand circuits for Runway 07.

The 95th Percentile Day method was used to derive the NEF planning day in accordance with the procedure recommended by Transport Canada. By definition, the calculated planning day represents a busy 24 hour day at the Airport, where only 5% of the days in the year are busier. This method was applied to 2008 data using actual published airport statistics. Table 3 presents the NEF planning day values.

Table 3
NEF Peak Planning Day

Year	Itinerant	Local	Total
2008	318	118	436
2016	393	150	543

3.0 Findings

3.1 SUMMARY OF OBSERVATIONS

Table 4 summarizes the overall size of the NEF and NEP contours for each of the scenarios considered. In addition, the area of the 30 NEF contour of the 2020 NEF presented in the **2004 Fort McMurray Municipal Airport Area Structure Plan** is also presented for comparison purposes. The complete contours for each of the four scenarios developed as part of this **Airport Development Plan** are presented in Appendix B as Figures 2 – 5. Figure 6 is a comparison of all the 30 NEF contours.

Table 4
Summary of NEF/NEP Contour Areas

Contours	25 NEF	30 NEF	35 NEF
	Area under the NEF/NEP Contour (km^2)		
2008 Existing	10.65	4.56	1.90
2016 Existing (Extended) Runway	13.03	5.76	2.44
2016 New Runway	13.28	5.65	2.23
2016 Composite	25.13	11.05	4.68
2020 ASP Contour[1]	N/A	7.81	N/A

Notes: 1 Obtained from 2004 Fort McMurray Municipal Airport Area Structure Plan. NEF Contours prepared by EBA Consultants

Some general observations can be made with regards the comparison of the 30 NEF contours presented in Figure 6.

When one compares the 2008 Existing 30 NEF to the 2016 Existing Single Runway 30 NEF, it becomes clear that the increase in traffic has a proportionate impact on the contour size. This is logical since the increase in Peak Planning Day traffic is approximately 25%, which in turn resulted in an increase of approximately 26% in contour area. The lack of a significant change in the day / night split explains this consistency.

It is worth noting as well that the 2020 30 NEF contour presented in the 2004 Fort McMurray Municipal Airport Area Structure Plan encompasses nearly the entire 2016 Single Existing Runway 30 NEF Contour. Furthermore, areas where the 2016 Composite Contour falls outside of the 2020 Contour are primarily on existing airport property or on Crown lands which the Airport intents to own or control in the future.

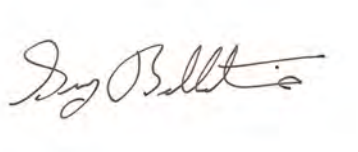
4.0 Recommendations

It is recommended that the Fort McMurray Regional Airport Authority work with planning authorities to ensure that compatible land use planning occurs in the vicinity of the Airport. For **existing airports**, Transport Canada recommends that no residential development occur within the 30 NEF Contour. As land use planning is a long term endeavour, selecting the correct contour to plan to, is important. The 2016 Composite Contour is an appropriate scenario to plan for in the context of land use planning as it represents the maximum noise exposure for the forecast period based on the most recent information available.

If the planning authorities want to maximize the protection to the airport as it relates to noise, it is recommended that residential development be limited to the 25 NEP as shown in the 2016 Composite Noise Planning Contour.

By planning for compatible land use in the vicinity of the airport, both the authority and neighbouring municipal governments can ensure that future impacts of residential development on the airport will be minimized and that new residential development will not be impacted by airport operations.

All of which is respectfully submitted,



Greg Ballentine, B.E.S, B.Arch.
Senior Aviation Planner / Architect

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APPENDIX A
AIRPORT DEVELOPMENT PLAN

NOVEMBER 25, 2010, REVISION NO. 8A

PROPOSED VHF/UHF RECEIVER SITE LOCATION
AIRPORT RESERVE
AIRPORT RESERVE
AIRPORT ROAD
EXISTING ATB
EXISTING ATCT
EXISTING NORTH APRON
WEST AIRPORT SERVICE ROAD
RESA
RESA
FUTURE EXTENSION TO 9,000 ft.
RESA
RESA
07L
EXISTING RUNWAY 07-25 (7,500 ft x 150 ft.)
25R
RESA
RESA
AIRSIDE RESERVE
AIRSIDE RESERVE
GLIDE PATH (RWY 25)
TAXIWAY JULIET
AIRLINE SUPPORT (BY OTHERS)
AIRSIDE ROAD
VEHICLE QTA
PROPOSED AWOS/ PROTECTION AREA
AIRSIDE COMMERCIAL (33.12 ha.)
LANDSIDE COMMERCIAL (2.56 ha.)
AIRSIDE COMMERCIAL (5.97 ha.)
PROPOSED ATB
PROPOSED ATB PARKING LOT
AIRPORT RESERVE
LANDSIDE COMMERCIAL (7.85 ha.)
LANDSIDE COMMERCIAL (36.44 ha.)
ATCT / AIRPORT SUPPORT (5.64 ha.)
TERMINAL RESERVE (31.40 ha.)
AIRSIDE RESERVE
HIGHWAY 69
EAST AIRPORT SERVICE ROAD
AIRSIDE RESERVE
07R
PROPOSED RUNWAY 07R-25L (6,930 ft x 150 ft.)
25L
AIRSIDE RESERVE

Revised: November 25, 2010

PRYDE SCHROPP McCOMB INC.
AVIATION GROUP

OTTAWA	TORONTO	CALGARY	KITCHENER	PORT ELGIN
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FAX: (613) 233-2364	FAX: (905) 678-8582	FAX: (403) 270-0133	FAX: (519) 571-3251	FAX: (519) 389-4728

www.psml.ca

SCALE 1:5000
ON 24"X36" (ARCH D)

75 0 75 150 225 375 METRES
300 150 0 300 750 1125 FEET

GENERAL LEGEND

- EXISTING AIRPORT BOUNDARY
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- EXISTING FENCE LINE
- EXISTING DITCH LINE
- EXISTING WATER COURSE
- EXISTING TRAIL
- EXISTING TREE LINE
- EXISTING LEGAL BOUNDARY
- EXISTING PRE-LOADING LIMITS
- ELECTRONIC PROTECTION AREA
- RUNWAY APPROACH SURFACE
- RUNWAY STRIP
- EXISTING AIRSIDE PAVEMENTS
- PROPOSED OPENING DAY PAVEMENTS
- PROPOSED 2019 PAVEMENTS
- PROPOSED FUTURE PAVEMENTS
- EXISTING STRUCTURES / BUILDINGS
- FUTURE STRUCTURES / BUILDINGS

LAND USE INFORMATION

- AIRPORT RESERVE
- AIRSIDE RESERVE
- AIRSIDE COMMERCIAL
- LANDSIDE COMMERCIAL
- AIRPORT SUPPORT
- TRANSPORTATION RESERVE
- TERMINAL RESERVE

Revised By: CDZ

Client/Project
FORT MCMURRAY REGIONAL AIRPORT
AIRPORT EXPANSION PROJECT

Figure No.
1

Title
AIRPORT DEVELOPMENT PLAN

C:\Documents and Settings\bcarroll\My Documents\Active Projects\10425\Airfield\Dev & LUP\10425 - Airport Dev & LUP - Rev6A - 100110.dwg
2010 October 01, 1:42 p.m.

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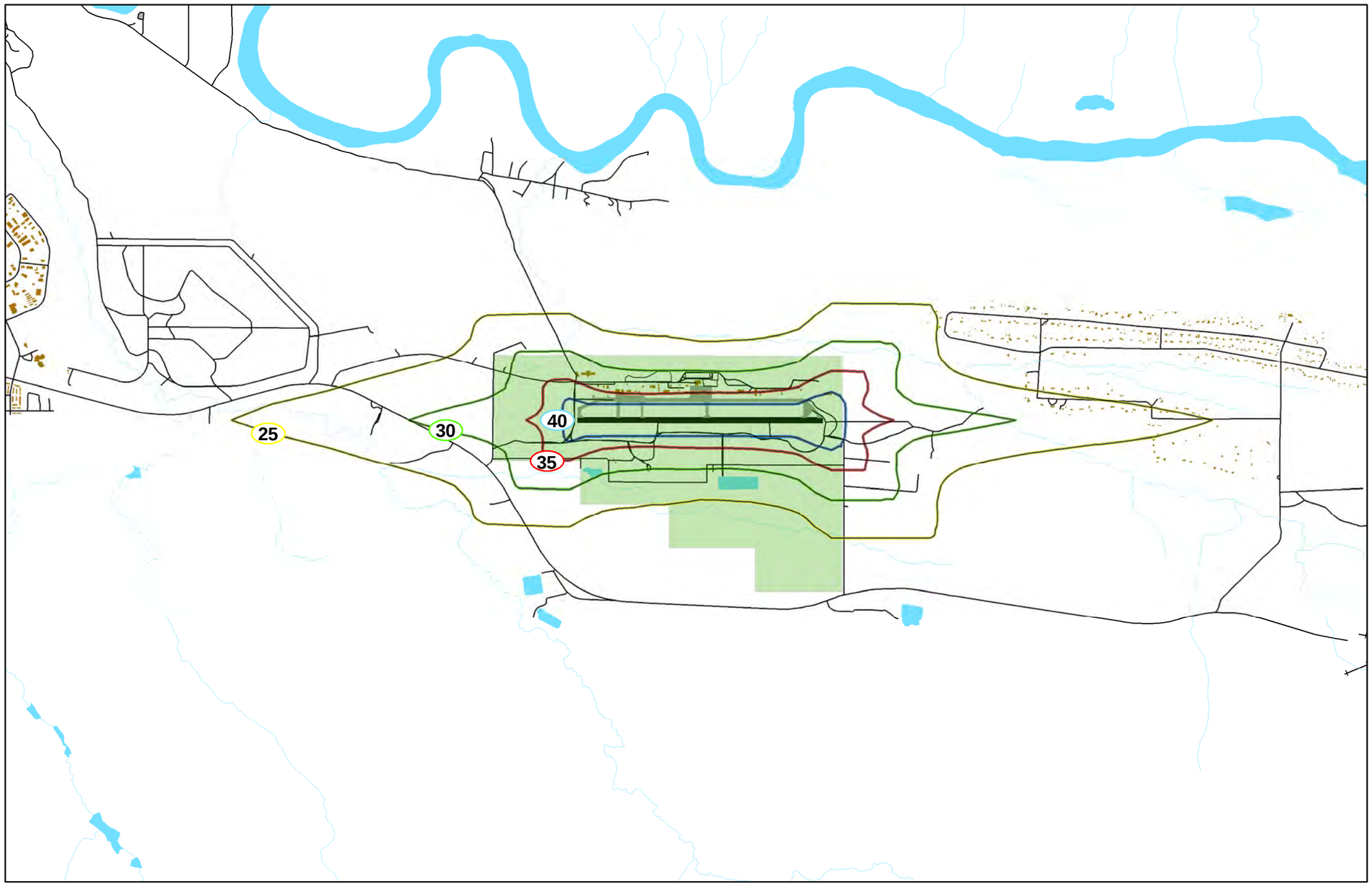
APPENDIX B
NOISE EXPOSURE CONTOURS

Figure 2 - 2008 Existing Noise Exposure Planning Contours

Fort McMurray Regional Airport - Noise Exposure Discussion Paper



N
W
E
S

2008 Existing

- NEF25
- NEF30
- NEF35
- NEF40
- Airport Boundary

Note:

For Planning Purposes Only.

Base Map Source:

Regional Municipality of Woof Buffalo

Contour Source:

Contour modeled using exsiting NCAMS and forecast data and Transport Canada NefCalc 2.4.0.1.

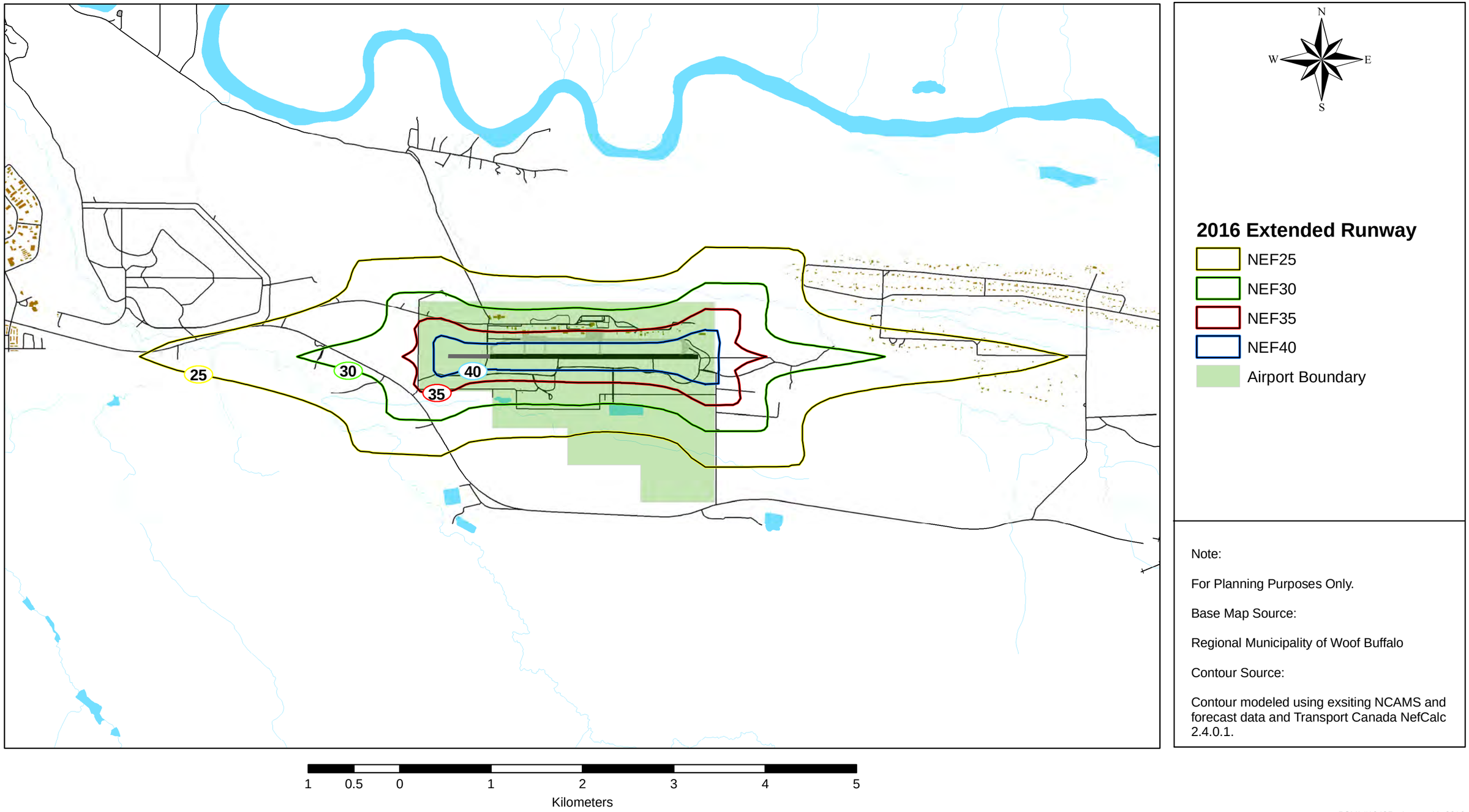
1 0.5 0 1 2 3 4 5

Kilometers

PSMI #10425 - August 11, 2010

Figure 3 - 2016 Existing Runway (Extended) Noise Exposure Forecast Contours

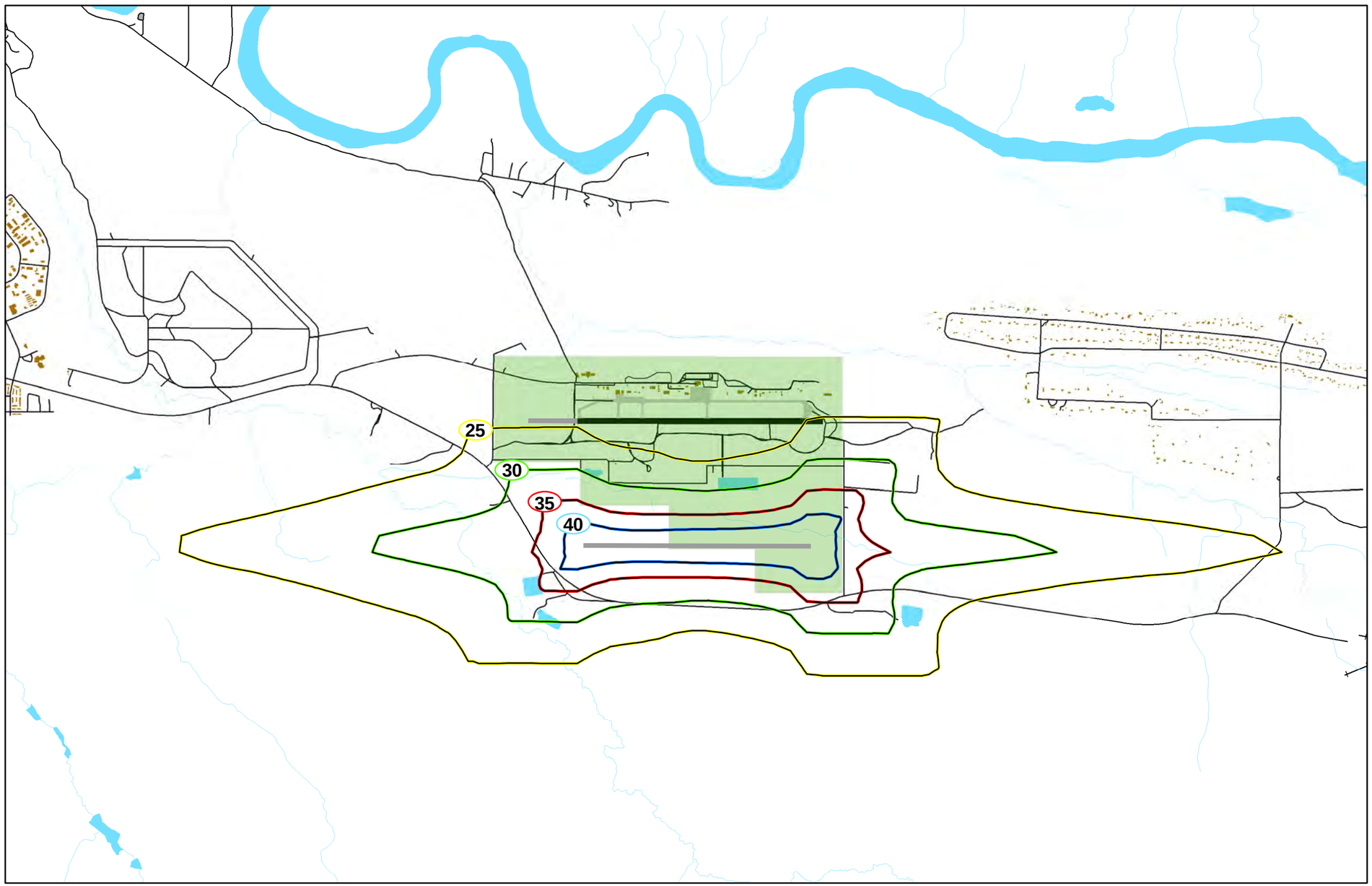
Fort McMurray Regional Airport - Noise Exposure Discussion Paper

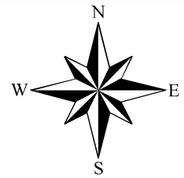


PSMI #10425 - August 11, 2010

Figure 4 - 2016 New Runway Noise Exposure Forecast Contours

Fort McMurray Regional Airport - Noise Exposure Discussion Paper





2016 New Runway

- NEF25
- NEF30
- NEF35
- NEF40
- Airport Boundary

Note:

For Planning Purposes Only.

Base Map Source:

Regional Municipality of Woof Buffalo

Contour Source:

Contour modeled using exsiting NCAMS and forecast data and Transport Canada NefCalc 2.4.0.1.

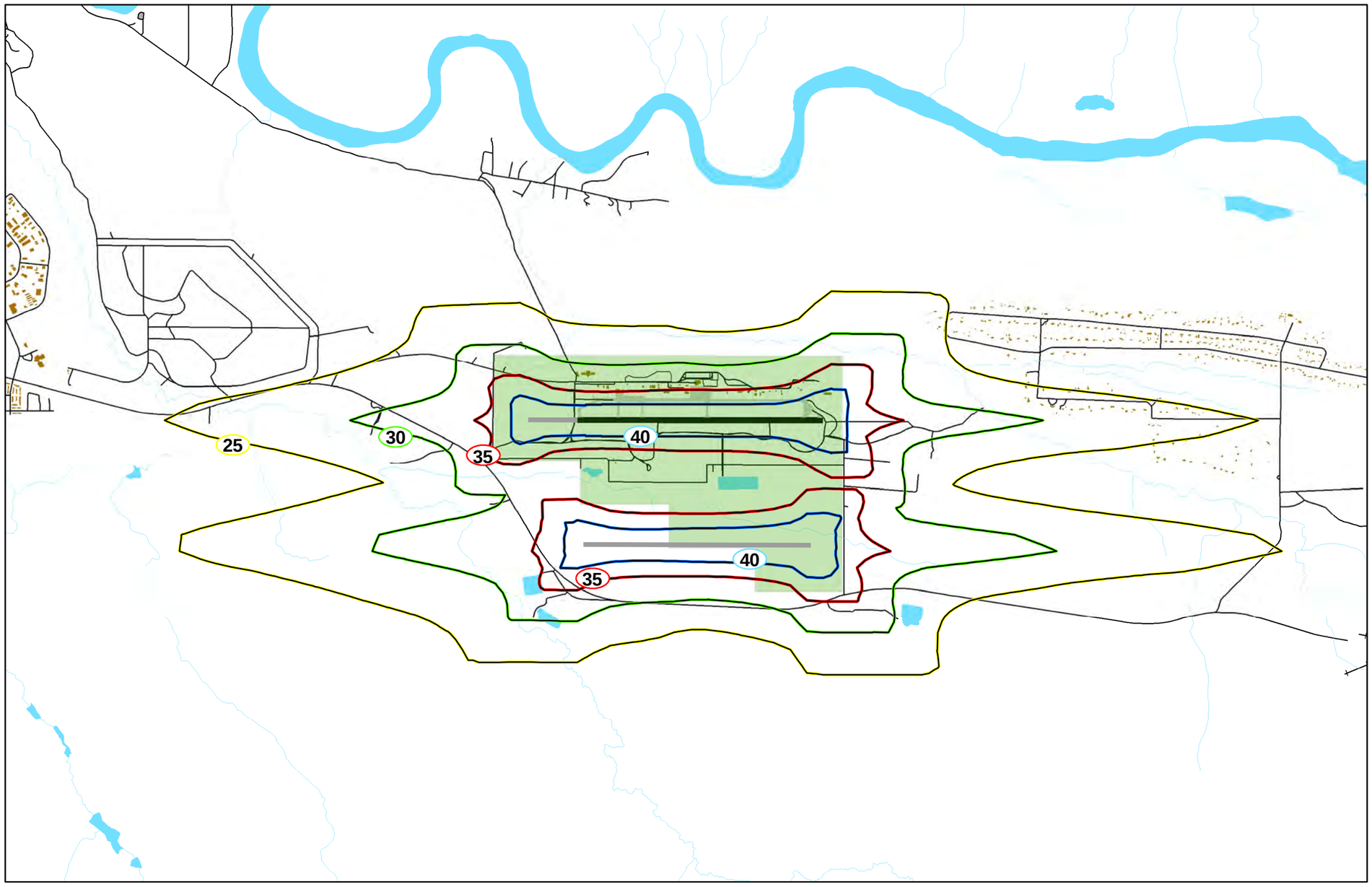
1 0.5 0 1 2 3 4 5

Kilometers

PSMI #10425 - August 11, 2010

Figure 5 - 2016 Composite Noise Exposure Planning Contours

Fort McMurray Regional Airport - Noise Exposure Discussion Paper



N
W
E
S

2016 Composite Contours

- NEF25
- NEF30
- NEF35
- NEF40
- Airport Boundary

Note:

For Planning Purposes Only.

Base Map Source:

Regional Municipality of Woof Buffalo

Contour Source:

Contour modeled using exsiting NCAMS and forecast data and Transport Canada NefCalc 2.4.0.1.

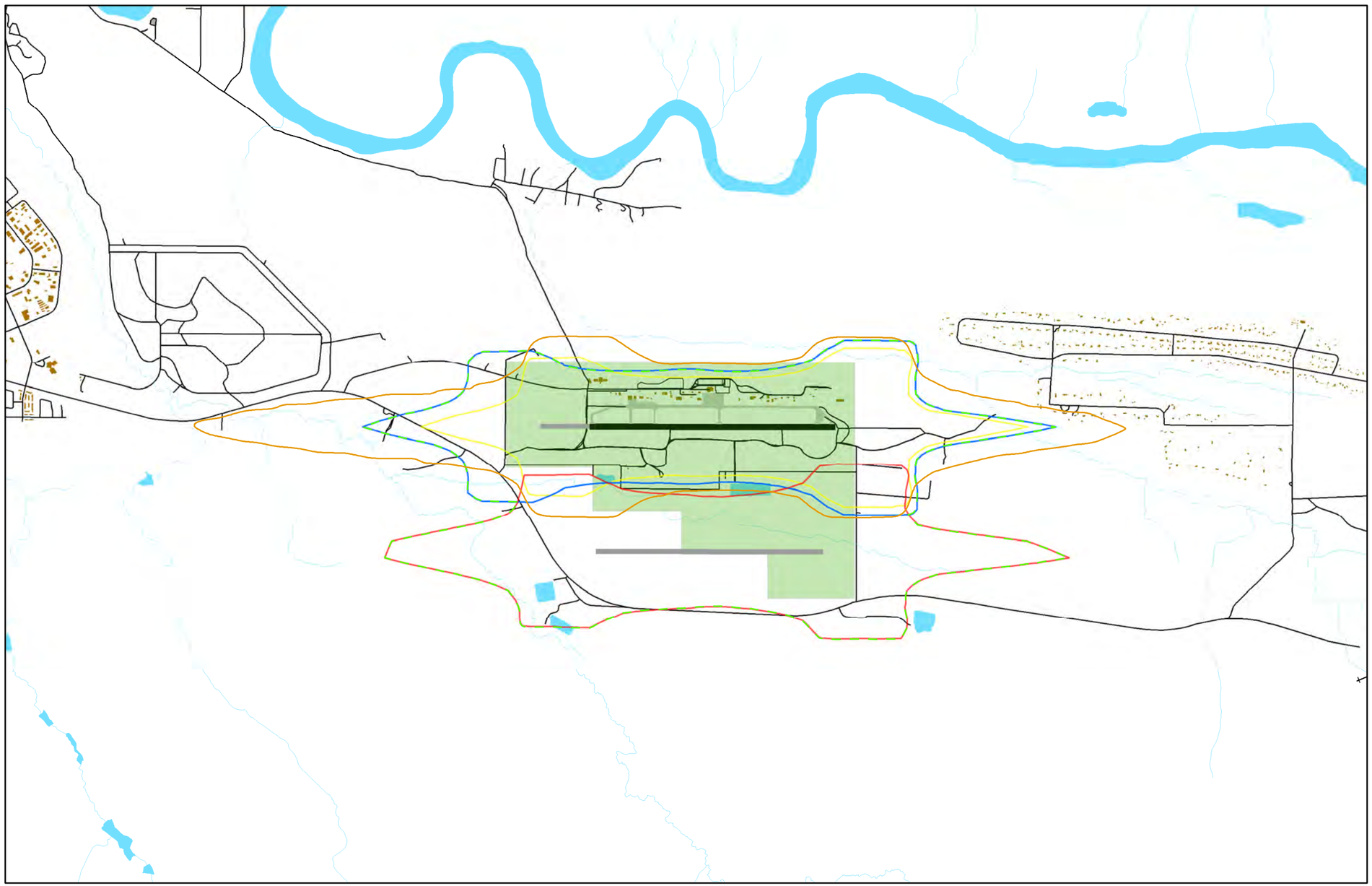
1 0.5 0 1 2 3 4 5

Kilometers

PSMI #10425 August 11, 2010

Figure 6 - 30 NEF Contour Comparison

Fort McMurray Regional Airport - Noise Exposure Discussion Paper



N
W E
S

30 NEF Contours

- 2020 ASP Contour
- 2016 Composite Contours
- 2016 New Runway
- 2016 Extended Runway
- 2008 Existing
- Airport Boundary

Note:

For Planning Purposes Only.

Base Map Source:

Regional Municipality of Woof Buffalo

Contour Source:

Contour modeled using exsiting NCAMS and forecast data and Transport Canada NefCalc 2.4.0.1.

30 NEF Contour from Area Structure Plan digitized by PSMI for comparison purposes only.

1 0.5 0 1 2 3 4 5

Kilometers

PSMI #10425 - August 11, 2010

Attachment 2

BYLAW NO. 12/010

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND THE HIGHWAY 69/CLEARWATER RIVER VALLEY AREA STRUCTURE PLAN BYLAW NO. 99/058

WHEREAS Section 633 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting an Area Structure Plan.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend an Area Structure Plan;

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. Bylaw No. 99/058 is hereby amended by:

   a) deleting Map 1 ASP Area and replacing it with Schedule A;

   b) inserting the following into Section 1.1 after the first paragraph: "The Fort McMurray Regional Airport, a transportation facility of regional importance for commercial air traffic, general aviation, fire fighting, and pilot training, lies in the centre of the plan area, but the policies for land use and development for the airport lands are covered under the Fort McMurray Regional Airport Area Structure Plan and are not part of this ASP";

   c) amending the second objective under Section 1.1 to read as follows:
      - "Promote a land use pattern that does not inhibit present and future operations of the Fort McMurray Regional Airport.
      - Ensure that no new residential development is allowed within the areas affected by the Airport's future Noise Exposure Forecast Contour – NEF 25, as illustrated in the Fort McMurray Regional Airport Area Structure Plan as amended from time to time. Existing and planned residential developments falling within the NEF 25 at the time of this amendment may continue to exist as approved";

   d) deleting the following from Section 1.2 Plan Area: "The area is approximately 49 square km (4946 ha) in size," and adding "The plan area for the ASP is approximately 41.3 square km (4132 ha) in size";

   e) deleting the following land holding that falls under the Fort McMurray Regional Airport Area Structure Plan from Section 1.3 Land Holdings: Plan 481RS;

   f) adding the following to the end of Section 2.3 Community Consultation:
      "<u>Public Meeting regarding Amendments to the Highway 69/Clearwater River Valley Area Structure Plan</u>

      In accordance with the Municipality's requirements for public consultation outlined in the Municipality's Engaging Residents: Guidelines for Public Participation, a Public Meeting was held on May 13, 2011, at the MacDonald

Island Park in Fort McMurray to provide the public and stakeholders with an opportunity to review and comment on the draft amendments to the ASP. The amendment was prepared to delete the airport lands from within the boundaries of the Highway 69/Clearwater River Valley Area Structure Plan and to reflect the Noise Exposure Forecast Contours for the Airport that extend beyond the boundaries of the Fort McMurray Regional Airport Area Structure Plan.

While a large number of attendees visited the presentation boards, fifteen (15) attendees signed in and one of the attendees submitted a completed exit survey. The attendee who submitted the exit survey was generally in agreement with the proposed changes and did not raise any concerns regarding the proposed amendments";

g) replacing Map 2 Current Land Use Bylaw Districting with Schedule B;

h) replacing Map 3 Natural Features with Schedule C;

i) replacing Section 3.4 with the following:

"3.4 Fort McMurray Regional Airport Area Structure Plan

On December 1, 2009, the new Fort McMurray Airport Authority (Airport Authority) was formed by an Order in Council of the Province of Alberta to take over the governance and operations of the Fort McMurray Regional Airport from the Fort McMurray Regional Airport Commission. Since January 1, 2010, the Fort McMurray Regional Airport is owned and operated by the Fort McMurray Airport Authority.

The Fort McMurray Regional Airport is an essential public service and an exceedingly important economic tool for the Regional Municipality of Wood Buffalo. Since the airport is owned and operated by the Airport Authority, the Municipality has limited jurisdiction over the uses and developments occurring within the airport boundary. The Fort McMurray Regional Airport Area Structure Plan (2011) provides the planning framework for the development of airport lands which is based on the airport's Airport Development Plan.

Lands surrounding the airport are regulated by the Fort McMurray Airport Zoning Regulations C.R.C., c. 82, which protects the approach and take off area and the outer surface area of the airport and ensures no new development is built in a manner that will threaten the future safe and continued operation of the airport.

The Fort McMurray Regional Airport ASP also proposes new Noise Exposure Forecast (NEF) Contours for the airport. These contours are planning contours that limit certain types of uses ensuring land use conflict arising from exposure to high level of noise from the airport operations. It is a policy of the Fort McMurray Regional Airport ASP to limit new residential development from locating within the NEF 25, at the discretion of the development authority";

j) deleting the following uses from Section 4.2 Existing Land Uses:

- "Fort McMurray Regional Airport

- Keyano College's MacKenzie Campus, used for training on heavy equipment vehicles";

k) replacing Map 4 Existing Land Use with Schedule D;

l) replacing Map 5 Transportation with Schedule E;

m) replacing Map 6 Development Concept with Schedule F;

n) deleting the following from Section 4.7:
   - under the third paragraph, "The Fort McMurray Airport"
   - under the fifth paragraph, "The Fort McMurray Airport has a sewage collection system, sewage lift station, forcemain, and sewage lagoon on the south side of the runway."

o) replacing the wording "Fort McMurray Airport" and "Fort McMurray Municipal Airport" with "Fort McMurray Regional Airport" throughout the Highway 69/Clearwater River Valley Area Structure Plan.

2. The Chief Administrative Officer is authorized to consolidate this bylaw.

3. This bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 10th day of April, A.D 2012.

READ a second time this _____ day of _____, A.D. 2012.

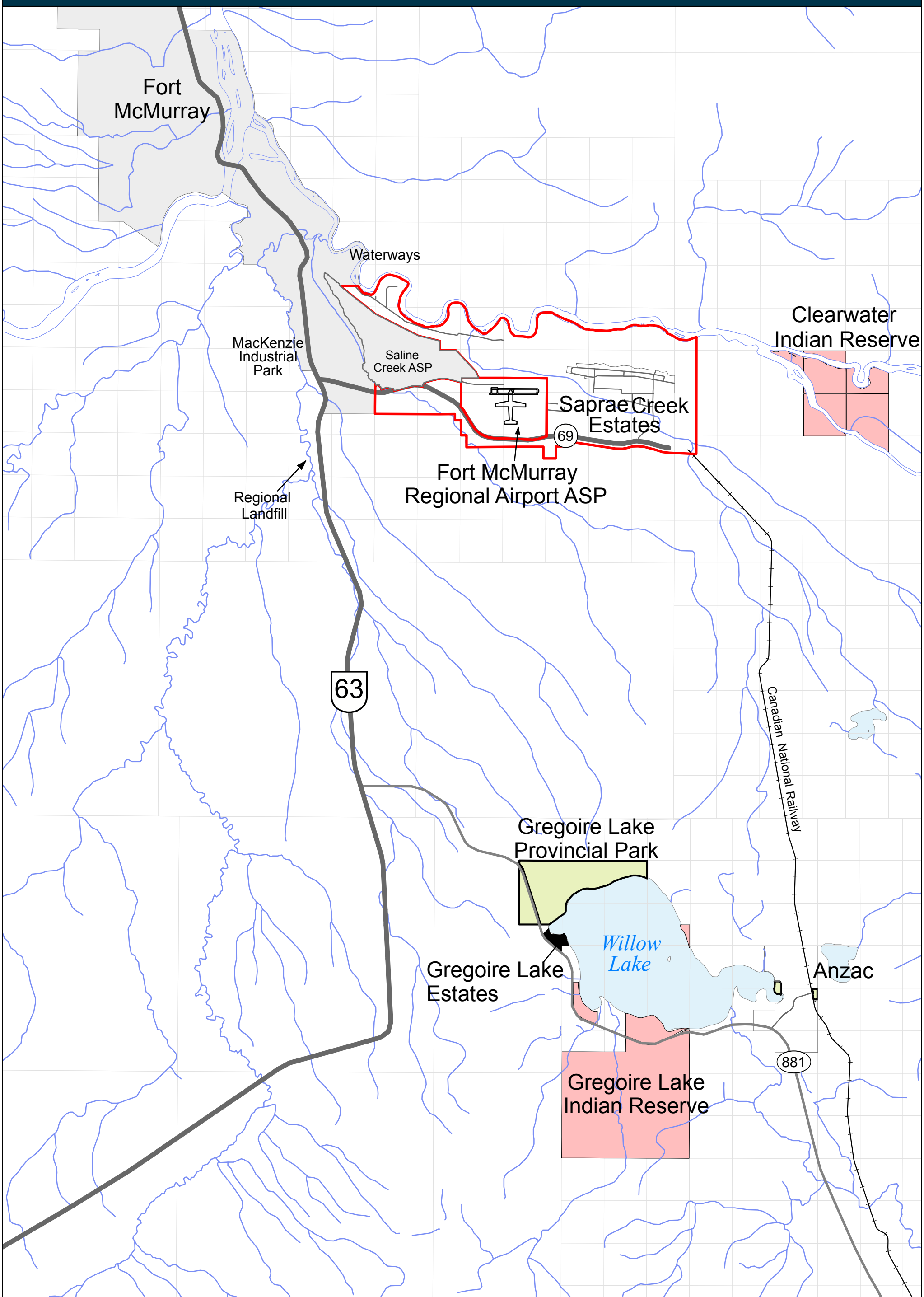
READ a third and final time this _____ day of _____, A.D. 2012.

SIGNED and PASSED this _____ day of _____, A.D. 2012.

_____
Mayor

_____
Chief Legislative Officer

Schedule A



Highway 69/Clearwater River Valley ASP Boundary
Fort McMurray Urban Service Area
Rivers
Indian Reserve
Lakes

N

1:130,000

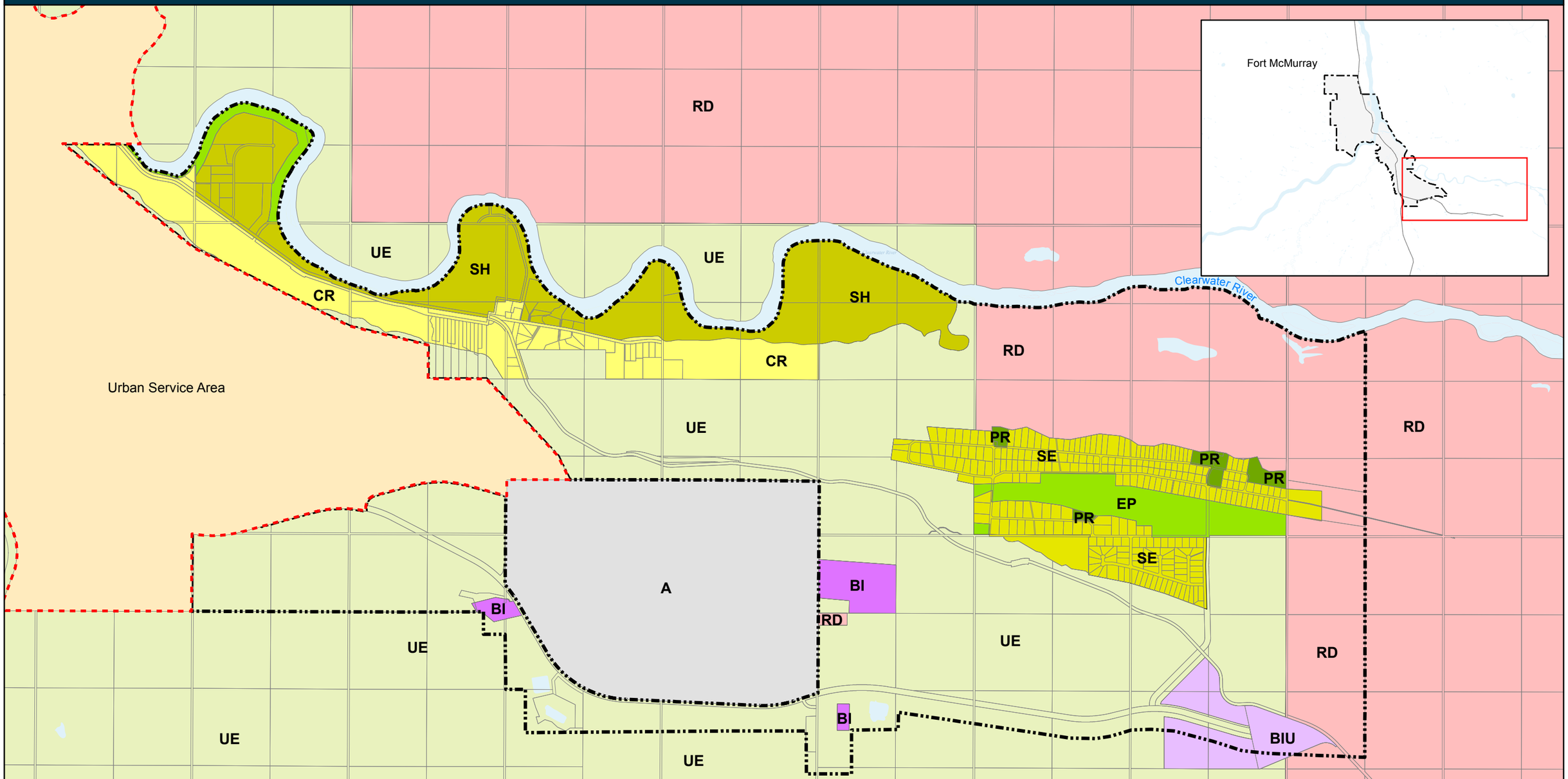
0 2.5 5
Kilometers

Map 1 - ASP Area Highway 69/Clearwater River Valley Area Structure Plan

Regional Municipality of Wood Buffalo

Map Created by the Geographic Information Systems Branch on March 8, 2012
PL1011

Schedule B



Urban Service Area Boundary
Highway 69/Clearwater River Valley ASP Boundary
Rural Survey Parcels
Rivers / Lakes

Land Use Areas

- Airport District
- Business Industrial
- Business Industrial Unserviced Lot
- Country Residential
- Environmental Protection
- Parks and Recreation
- Rural District
- Suburban Estates Residential
- Small Holdings
- Urban Expansion

N

1:40,000

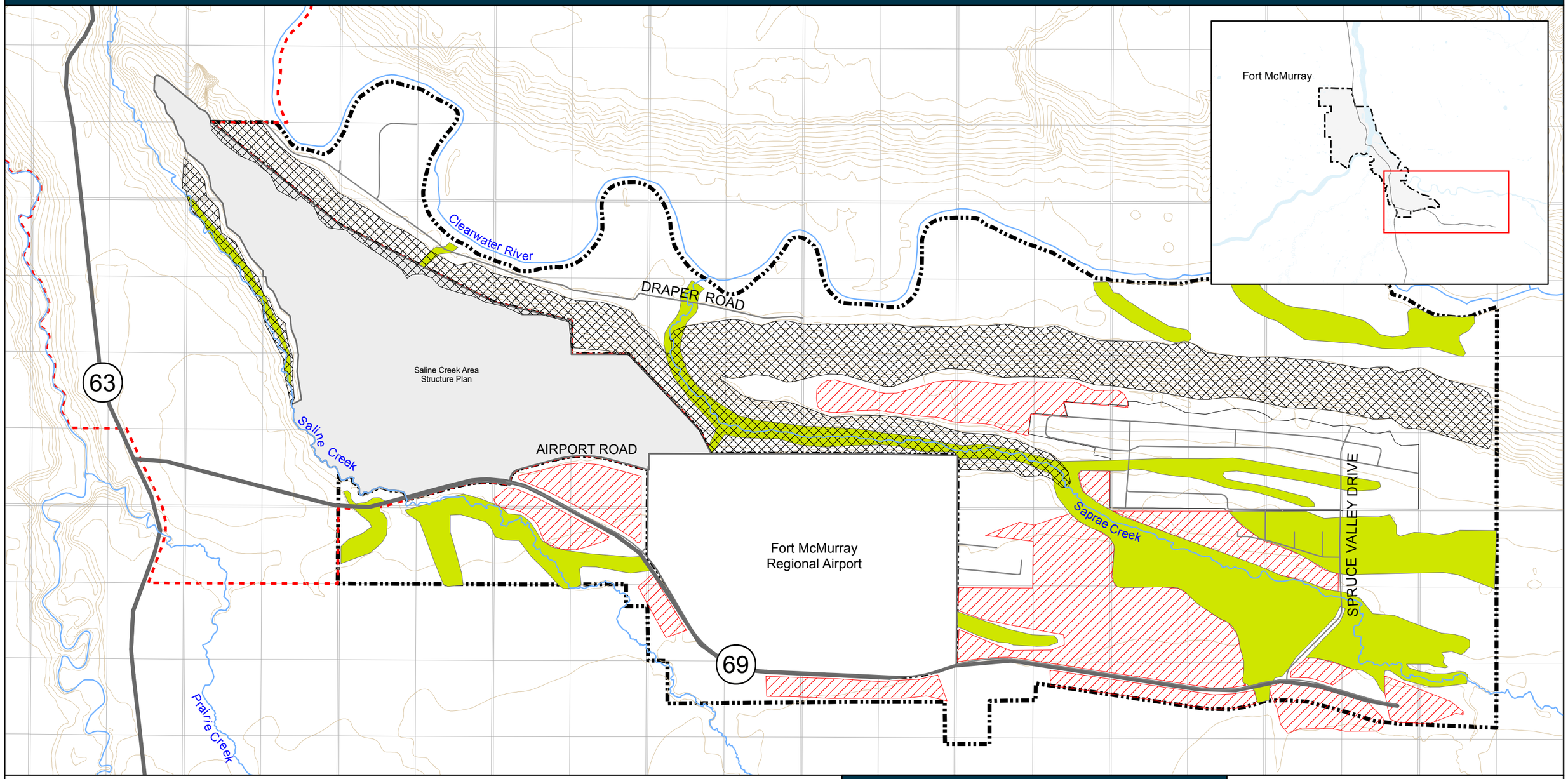
0 1 2
Kilometers

Map 2 - Current Land Use Bylaw Districting

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Map Created by the Geographic Information Systems Branch on March 8, 2012
PL1011

Schedule C



Slope Areas
Riparian/Bog Areas
Upland Bluff Areas
Contour Lines
Rivers and Creeks
Fort McMurray Regional Airport ASP Boundary
Highway 69/Clearwater River Valley ASP Boundary
Highway
Road
Urban Service Area Boundary
Rural Community Boundary
Saline Creek ASP Boundary

N

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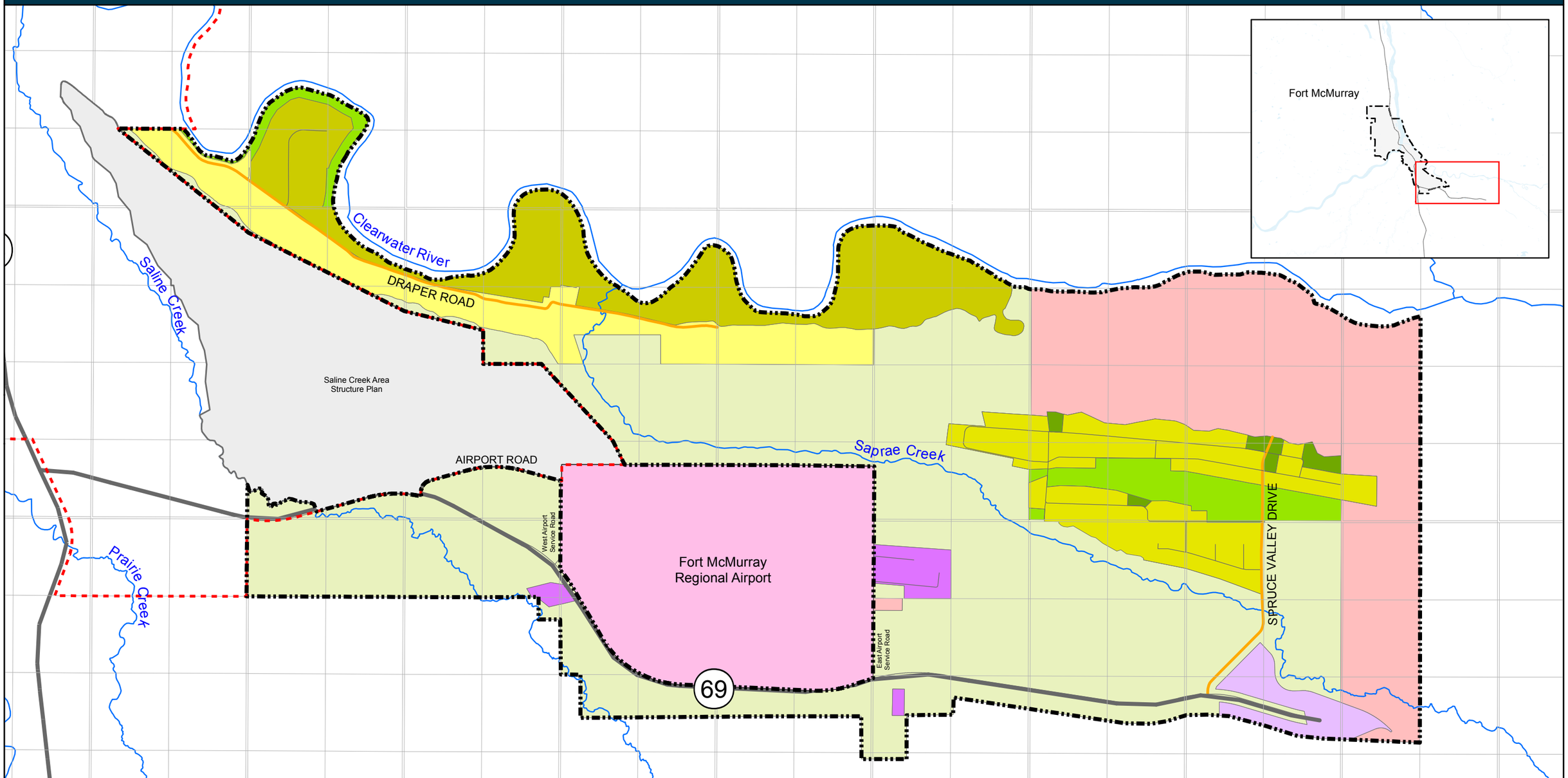
0 1 2
Kilometers

Map 3
Natural Features

Regional Municipality of Wood Buffalo

Map Created by the Geographic Information Systems Branch on March 8, 2012
PL1011

Schedule D



Highway 69/Clearwater River Valley ASP Boundary
Urban Service Area Boundary
Saline Creek ASP Boundary
ATS Grid
Rivers and Creeks

Land Use

- Airport
- Business Industrial
- Business Industrial Unserviced
- Country Residential
- Environmental Preservation
- Parks and Recreation
- Rural District
- Small Holdings
- Suburban Estates Residential
- Urban Expansion

N

1:40,000

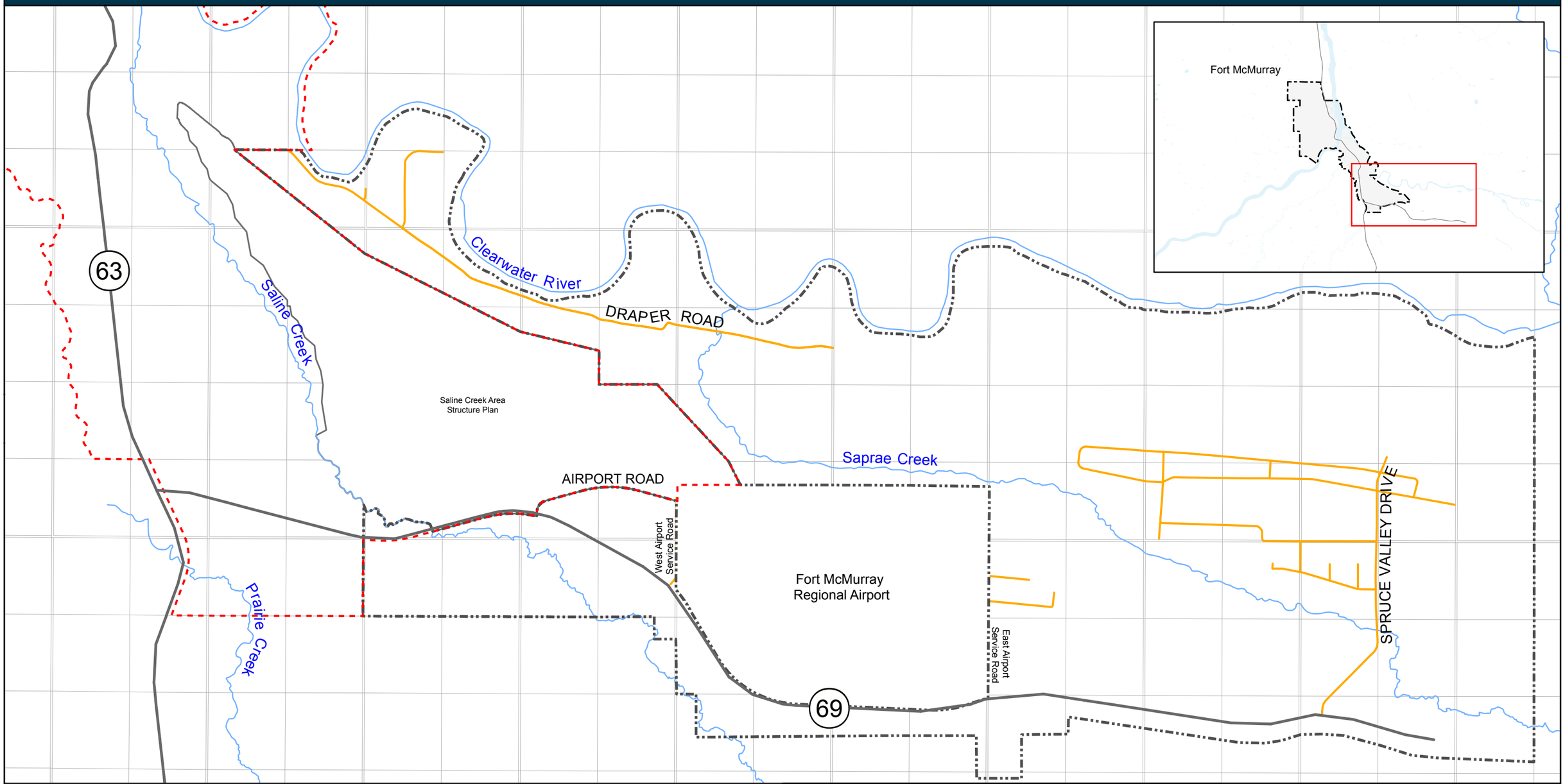
0 1 2
Kilometers

Map 4
Existing Land Use

Regional Municipality of Wood Buffalo

Map Created by the Geographic Information Systems Branch on March 8, 2012
PL1011

Schedule E



Highway

Road

Urban Service Area Boundary

Highway 69/Clearwater River Valley ASP Boundary

Rivers and Creeks

N

1:40,000

0 1 2

Kilometers

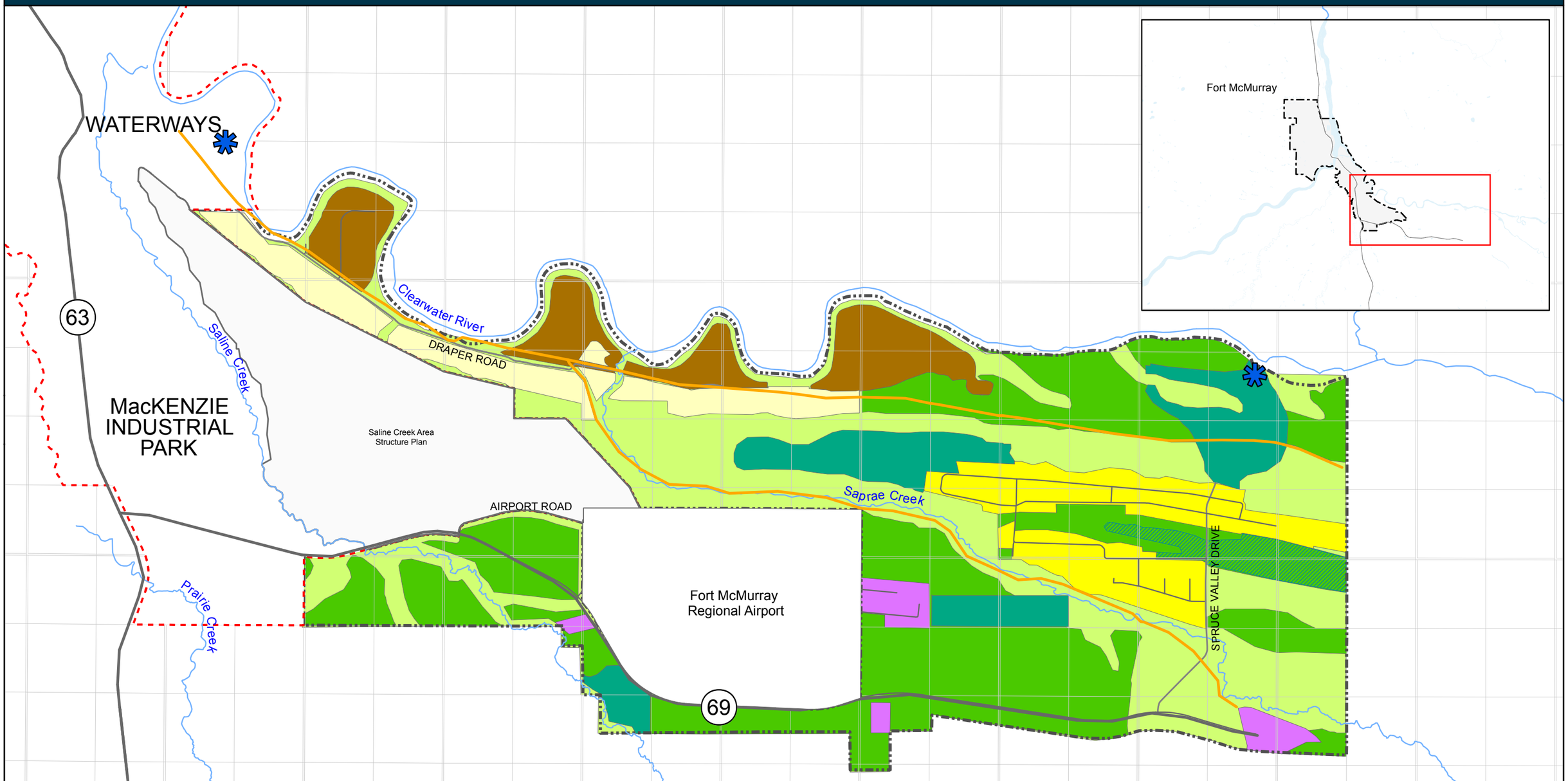
Map 5
Transportation

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Map Created by the Geographic Information Systems Branch on March 8, 2012

PL1011

Schedule F



Trails
Boat Launch
Urban Service Area Boundary
Highway 69/Clearwater River Valley ASP Boundary
Existing Country Residential
Existing Suburban Estates Residential
Existing Small Holdings
Proposed Parks and Recreation
Business Industrial
Existing Parks and Recreation
Open Space
Environmentally Sensitive Areas

N

1:45,000

0 1 2
Kilometers

Map 6
Development Concept

Regional Municipality of Wood Buffalo

Map Created by the Geographic Information Systems Branch on March 8, 2012
PL1011

BYLAW NO. 12/011

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND LAND USE BYLAW NO. 99/059

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Land Use Bylaw;

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw;

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. Bylaw No. 99/059 is hereby amended by:

   a) adding the following definitions, alphabetically, to Part 1, Section 10:

      - "**Airport Reserve** — means lands within the airport not identified for a specific use but protected as reserve lands. This may include lands which have no development potential due to terrain, water courses, etc.
      - **Airside** — means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is secured and controlled.
      - **Airside Reserve —** means lands within the airport reserved for aircraft maneuvering including runways, taxiways, aprons, electronic and visual navigational aids, and associated utilities.
      - **Airside Business Industrial —** means lands within the airport reserved for commercial/light industrial development purposes which require direct access to the airport airside areas such as runways and taxiways.
      - **Landside Business Industrial** — means lands within the airport reserved for commercial/light industrial development purposes which does not require access to the airside.
      - **Airport Support** — means lands reserved for airport support functions including maintenance structures, equipment storage sheds, sand sheds, fire halls, air traffic control tower and other airport related supporting functions.
      - **Terminal Reserve** — means lands within the airport reserved for the Airport Terminal Building and associated infrastructure.

   b) redesignating portion of ¼ NW20 88-8-4; portion of ¼ SW20 88-8-4; portion of ¼ SE20 88-8-4; portion of ¼ SW21 88-8-4; portion of ¼ NE17 88-8-4; portion of ¼ NW16 88-8-4; and portion of ¼ NE16 88-8-4 from Urban Expansion District (UE) to Airport District (A), as shown in Schedule A, and replacing Map 10 in the Land Use Bylaw with Schedule A and renumbering Map 10 as appropriate;

   c) inserting Schedule B into the Land Use Bylaw and the following into Section 129.2,

Permitted Uses Not Requiring a Development Permit:

- "Within the Airport District, '*airside'* developments for aviation related purposes shall not require a development permit.
- The Airport District is divided into the following six (6) sub-areas as shown on Map B: Airport District:

  1. Airport Reserve
  2. Airside Reserve
  3. Airside Business Industrial
  4. Landside Business Industrial
  5. Airport Support
  6. Terminal Reserve

- Except sub-area '*Landside Business Industrial,*' all sub-areas are planned for accommodating 'airside' related land uses and developments wherein development permits shall not be required.
- The Municipality shall be responsible for approving developments on the sub-area '*Landside Business Industrial*.'"

d) deleting Section 129.3, Permitted Uses requiring a Development Permit and inserting the following new Section 129.3, Permitted Uses locating within Landside Business Industrial sub-area requiring a Development Permit:

- Animal Service Facility, Minor
- Automotive and Equipment Repair and Storage
- Automotive/Recreational Vehicle Sales and Rental
- Child Care Facility
- Commercial Entertainment Facility
- Commercial Recreational Facility, Indoor
- Commercial School
- Community Service Facility
- Contractor General
- Contractor Limited
- Drinking Lounge (Major and Minor)
- Essential Public Service
- Equipment Rental
- Fleet Service
- Food Service, Drive-In or Drive-Through

- Food Service, Major Restaurant
- Food Service, Minor Restaurant
- Food Service, Take Out Restaurant
- Gas Bar
- General Industrial
- Hotel / Motel
- Liquor Store
- Office
- On-Site Security
- Park
- Parking Lot/Structure
- Public Use
- Retail Store (General and Convenience)
- Service Station (Major and Minor)
- Storage Facility
- Warehouse and Storage
- Warehouse Sales

e) deleting the existing text from Section 129.4 and inserting the following:

"The following are discretionary uses that may be approved by the Development Officer:

- Animal Service Facility, Major
- Arcade
- Apartment Hotel
- Auctioneering Facility
- Casino
- Private Utility
- Security Suite
- Shopping Centre"

f) deleting the existing text from Section 129.5, Federal Regulations and inserting the following:

"The Airport Authority must abide by all federal regulations for airports, airport operations and airport safety. Federal regulation supersedes all municipal

regulation. The federally approved *Fort McMurray Airport Zoning Regulations C.R.C., c.82* shall be of paramount concern to the Airport Authority and the Regional Municipality of Wood Buffalo."

g) deleting the following from Section 129.6, Site Provisions: "In addition to the General Regulations contained in Part 5, the following standards shall apply to every district on airport property" and replacing it with "In addition to the General Regulation contained in Part 5, the following standards shall apply to developments locating within the Landside Business Industrial sub-area on airport property."

h) deleting the following from Section 129.6, Site Provisions:

(d) Rear Yard (minimum):	Transitional set back from the runway (if applicable) based on Transport Canada Obstruction Zoning, otherwise none required.
(e) Building Height (maximum):	45 m or what is designated by the Federal Obstruction Zoning.

(h) Notwithstanding Part 5, parking requirement shall be determined by the Airport Commission based on the total parking provided on the airport property, the availability of parking stalls and the potential for revenue generation; and"

i) inserting the following Site Provisions under section 129.6:

(d) Rear Yard (minimum):	Transitional set back from the runway (if applicable) based on the Fort McMurray Airport Zoning Regulations C.R.C., c.82, otherwise none required.
(e) Building Height:	I. 45.0m (maximum) and approved by the Airport Authority; and II. Conforming to the Fort McMurray Airport Zoning Regulations C.R.C., c.82; Note: If the Fort McMurray Airport Zoning Regulations are repealed, then the maximum building height will be 45.0m and approved by the Airport Authority.

(h) Notwithstanding Part 5, parking requirement shall be determined by the Airport Authority based on the total parking provided on the airport property, the availability of parking stalls and the potential for future revenue generation; and"

j) inserting Schedule C (Fort McMurray Regional Airport Vicinity Boundary) into the Land Use Bylaw, deleting Section 64.2 (a) and replacing it with the new Section 64.2.(a) as follows:

"all new proposed uses and development applications proposed to locate within the Fort McMurray Regional Airport, Airport Vicinity Boundary as shown on *MAP C – Fort McMurray Regional Airport, Airport Vicinity Boundary,* shall be circulated to the Fort McMurray Airport Authority for comment and to ensure that such developments shall not interfere with the safe and efficient operation of the Fort McMurray Regional Airport"; and,

k) deleting Section 64.2.(b) and replacing it with the new Section 64.2.(b) as follows:

"any new development which, in the opinion of the Development Authority may cause dangerous condition that could interfere with the safe and efficient operation of the airport shall be referred to the Fort McMurray Airport Authority for comments."

2. The Chief Administrative Officer is authorized to consolidate this bylaw.

3. This bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 10th day of April, A.D 2012.

READ a second time this _____ day of _____, A.D. 2012.

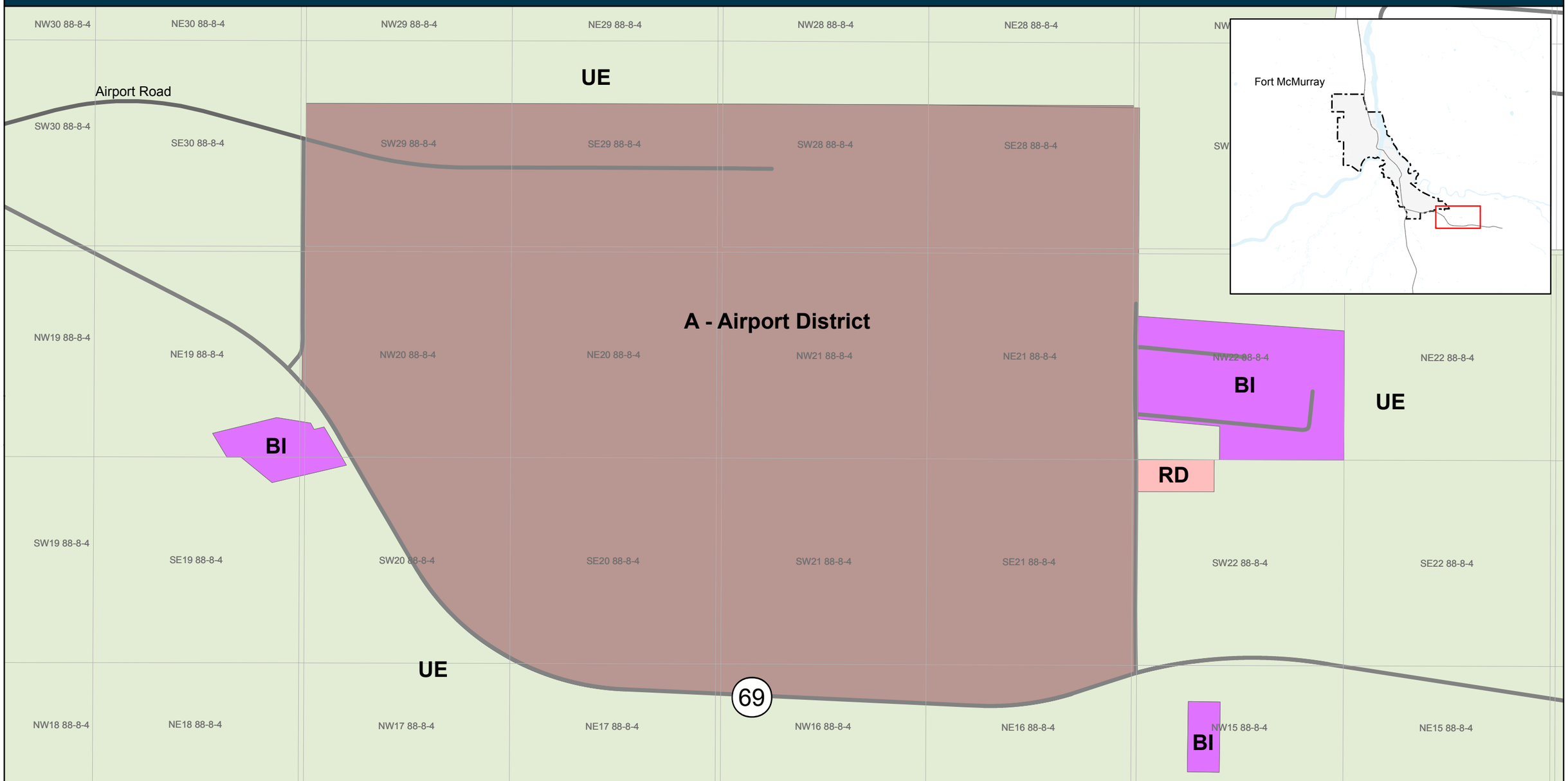
READ a third and final time this _____ day of _____, A.D. 2012.

SIGNED and PASSED this _____ day of _____, A.D. 2012.

_____
Mayor

_____
Chief Legislative Officer

Schedule A



Land Use Area

- A - Airport District
- BI - Business Industrial District
- RD - Rural District
- UE - Urban Expansion District

Road/Highway

N

1:15,000

0 0.5 1
Kilometers

A - Airport District

Regional Municipality of Wood Buffalo

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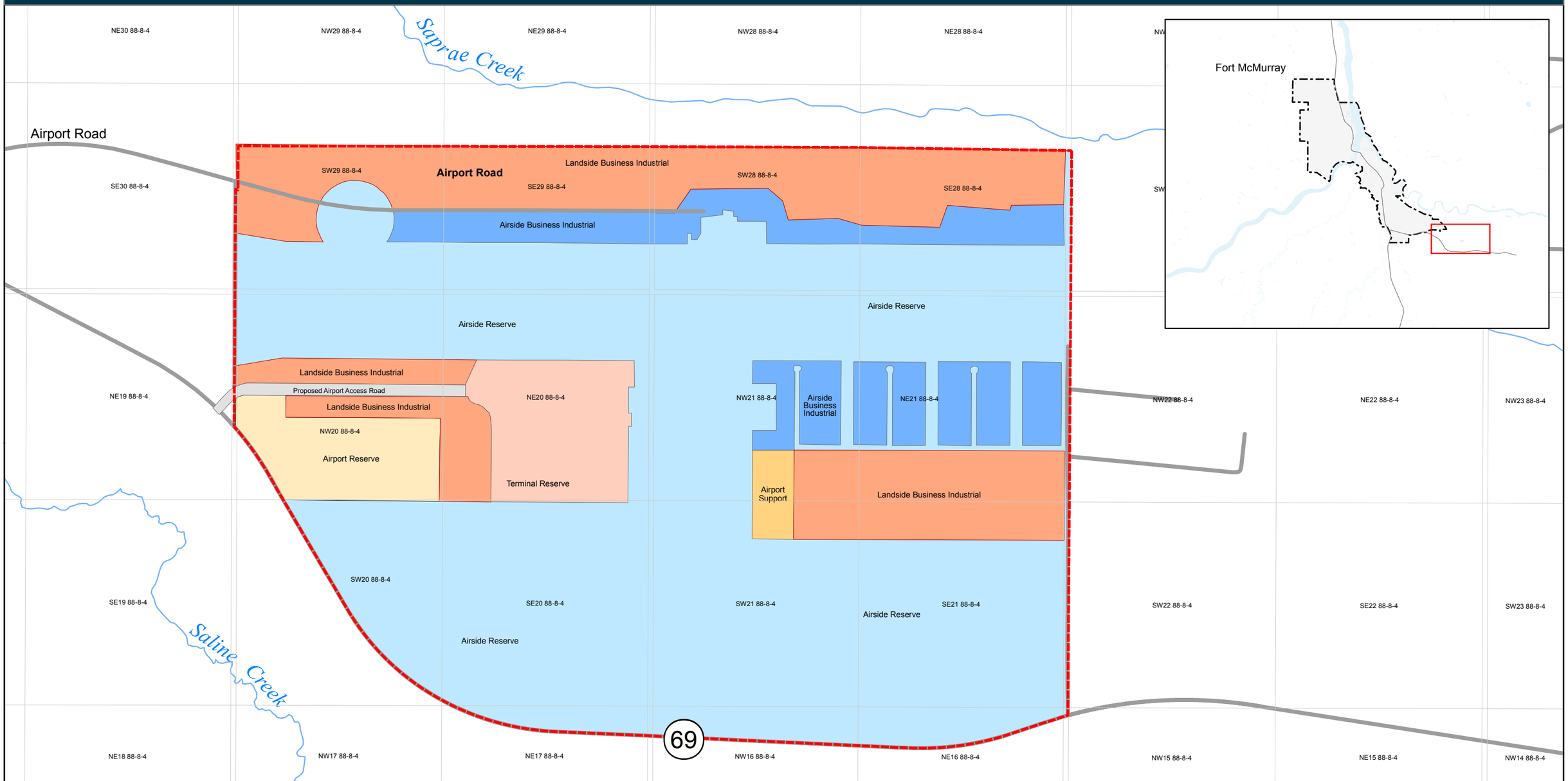
Schedule B



Airport District
Proposed Airport Access Road
Road/Highway
Rivers and Creeks

1. Airport Reserve
2. Airside Reserve
3. Airside Business Industrial
4. Landside Business Industrial
5. Airport Support
6. Terminal Reserve

N

1:15,000

0 0.5 1
Kilometers

Airport District Land Use Sub-Areas

REGIONAL MUNICIPALITY OF WOOD BUFFALO

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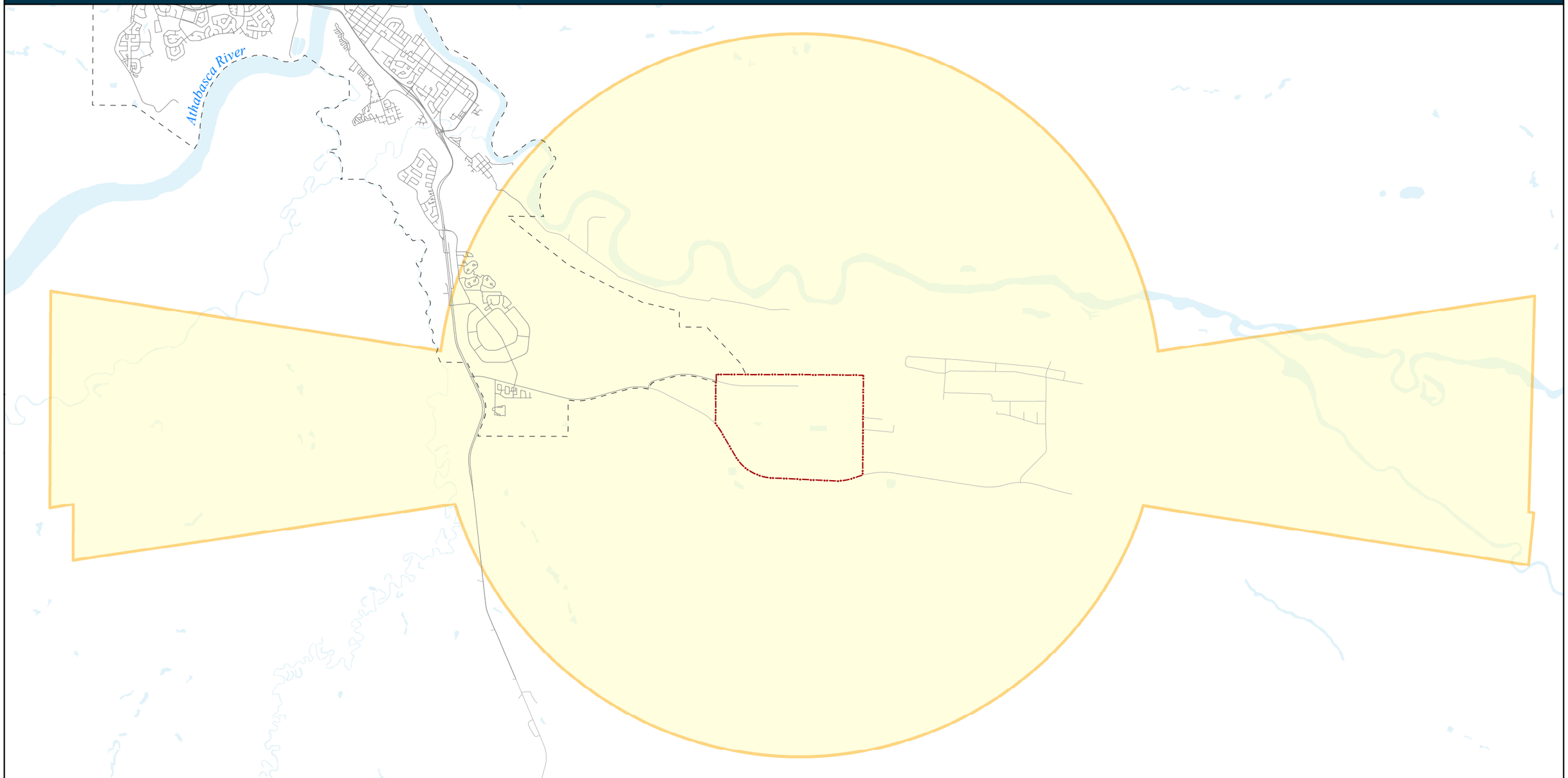
Schedule C



Road

Airport District

Airport Vicinity Boundary

Urban Service Area

N

1:85,000

0 2.5 5

Kilometers

Fort McMurray Regional Airport - Airport Vicinity Boundary

Regional Municipality of Wood Buffalo

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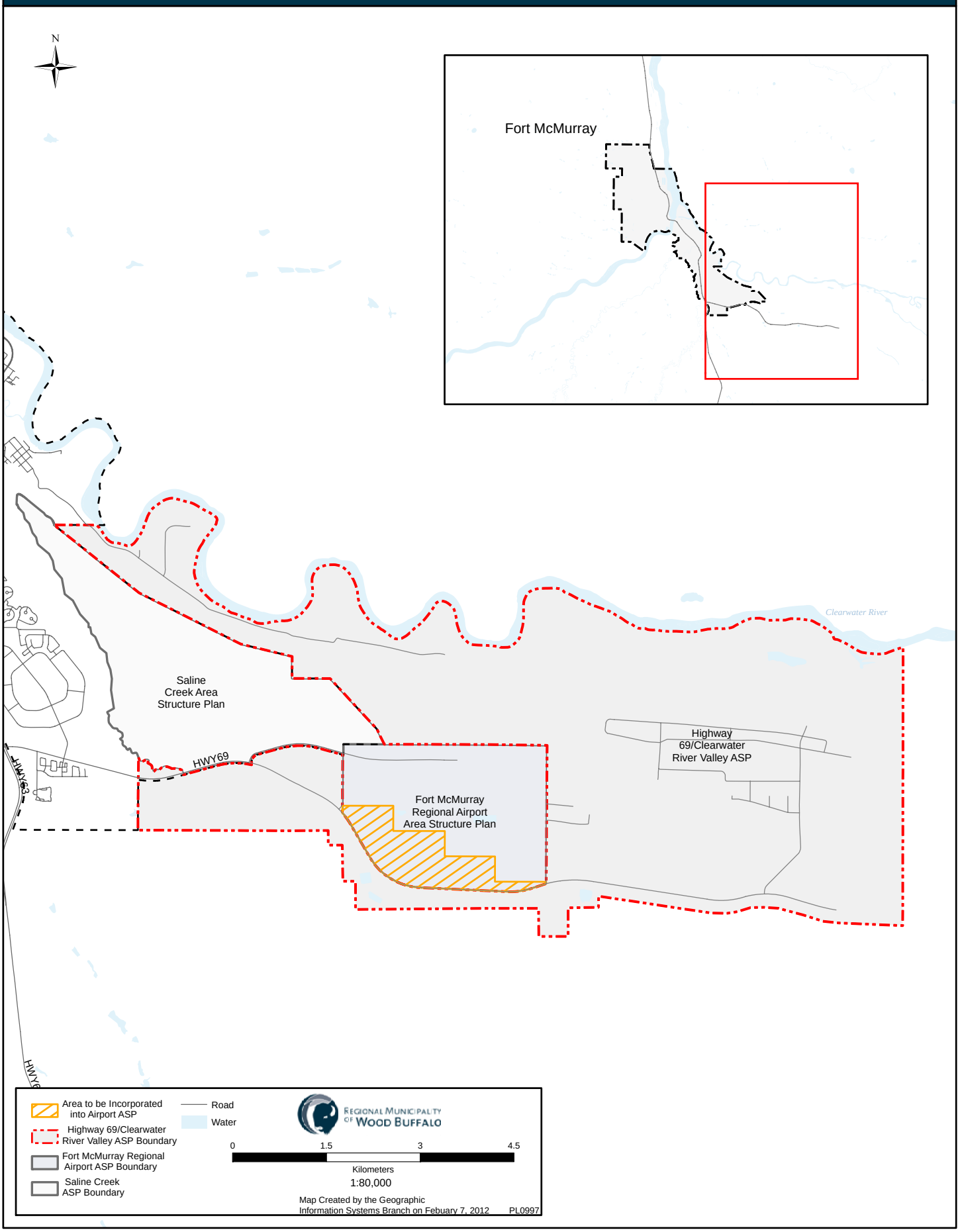
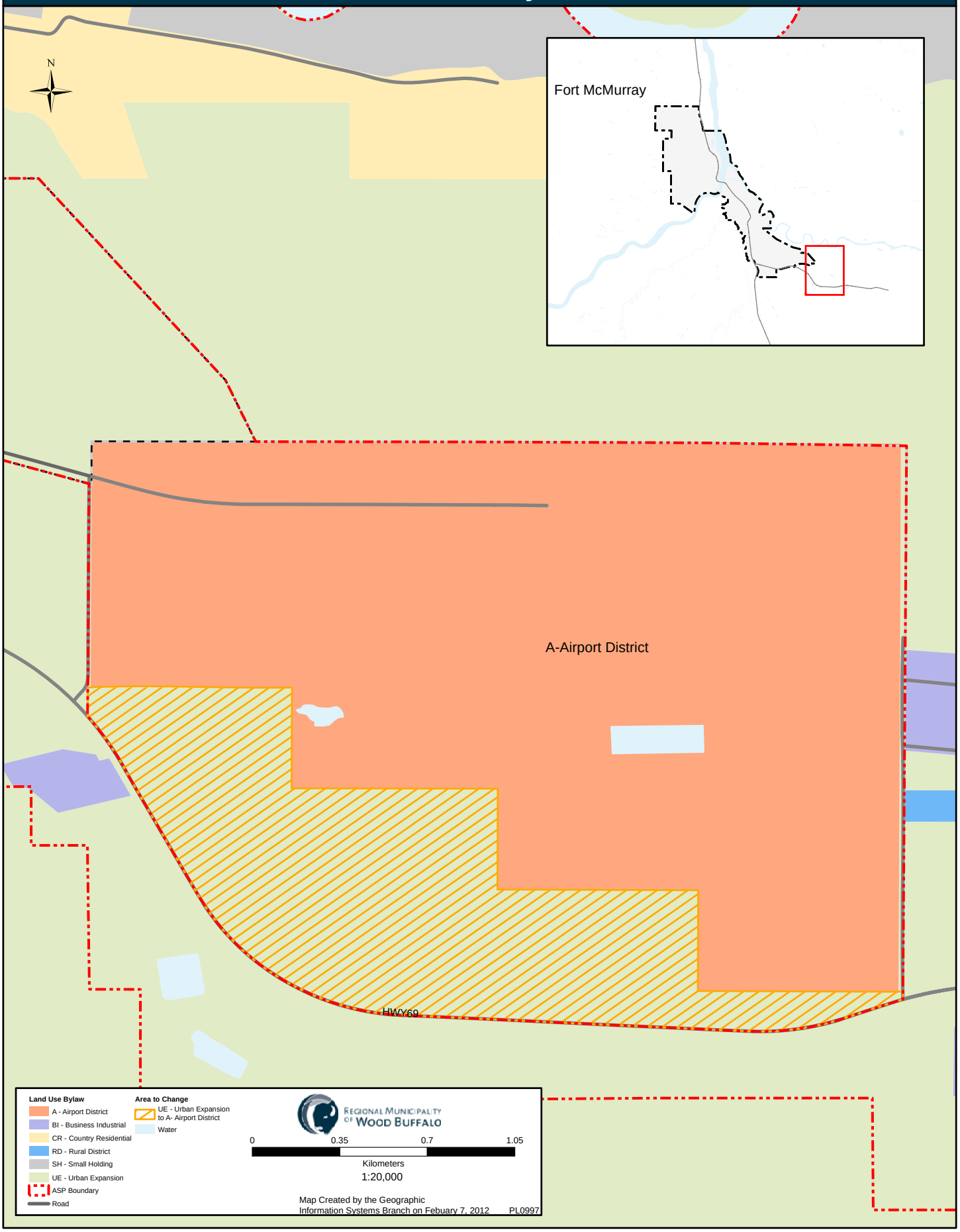
Attachment 4

Outline of Area Structure Plan Boundaries



Attachment 5

Outline of Land Use Bylaw Boundaries



3. Public Hearing re: Bylaw No. 12/012 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Downtown Major Redevelopment Zone

A. Introduction and Opening Statement

- Carol Theberge, Executive Director, Community Development
- Samuel Alatorre, Director, Planning and Development
- Ron Taylor, Senior Vice President, Arcturus Realty Corporation

B. Written Presentations

- Jan and Astrid Dezentje, residents
- Dr. Keith Lawson, President Redvers Developments Ltd.

C. Verbal Presentations

- Peter Stevenson, Citium Enterprises Inc.

D. Other Verbal Presentations (Time Permitting and with Consent of Council)

E. Questions of Council

F. Closing Statement

City Centre Land Use Bylaw (CCLUB)
Bylaw No. 12/012 and 12/013

Public Hearing

April 24, 2012

Regional Municipality of Wood Buffalo

Overview of Presentation

- Background to the CCLUB
  - CCARP Directions
  - Purpose of CCLUB
- Overview of CCLUB
- Public Consultation and Amendments to CCLUB before 1st Reading
- Recommended Amendments to CCLUB after 1st Reading

Background to the CCLUB

CCARP Directions

Sustainability

- Sustainability – green buildings and utilities
- Great architecture – beautiful, inspirational, iconic

Transportation

- Urban density and mix – emphasis on public transit and walkability
- Quality public realm – more and better streets, walkways and cycling paths

CCARP Directions

Land Use Planning

- Transformative scale – A 'real' 24/7 downtown
- Great and safe public spaces – people places, well framed by surrounding buildings

Implementation

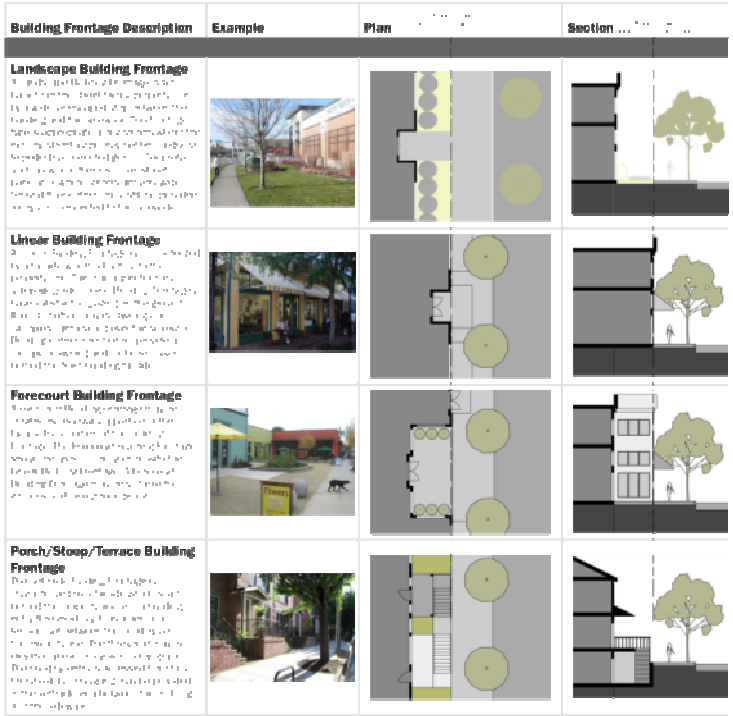
- Facilitate and encourage development – flexible regulatory framework
- A balance between certainty and flexibility – entitlement vs discretion

Purpose of CCLUB

- Major instrument to implement the CCARP
- Directions from the CCARP apply to built environment
- Address matters related to:

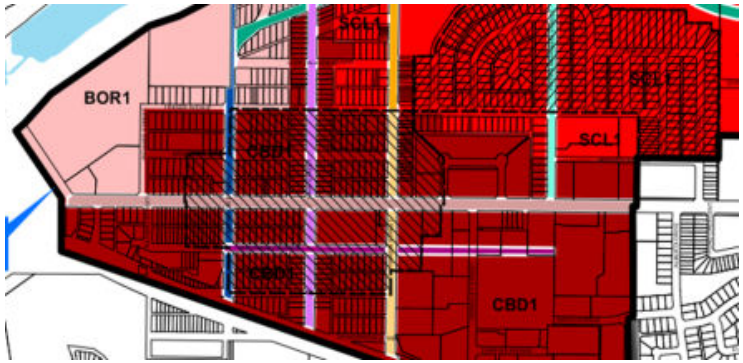
  - Sustainability
  - Mobility
  - Land uses
  - Density
  - Built form
  - Lighting
  - Public space
  - Pedestrian amenities
  - Parking

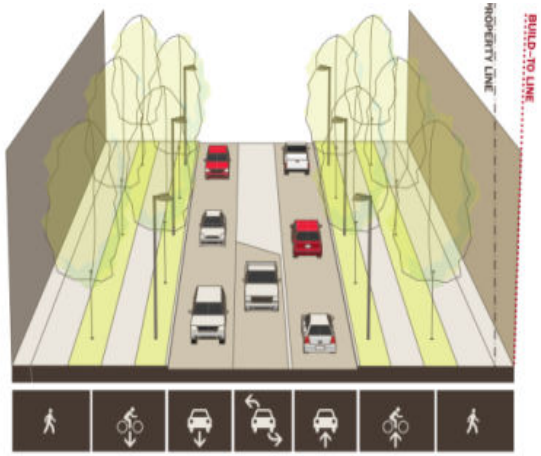
Overview of CCLUB



Modified Existing Regulations

- Market demand requires increased height and density
- Simplified land uses
- Addition of Corridors
- Building frontage and street type requirements





REGIONAL MUNICIPALITY OF WOOD BUFFALO

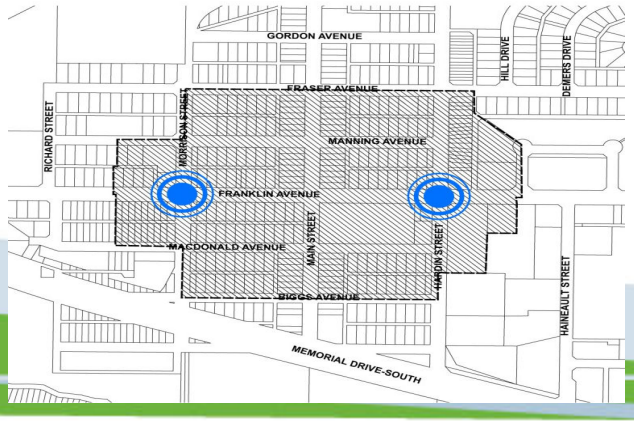
Introduction of Form Based Code

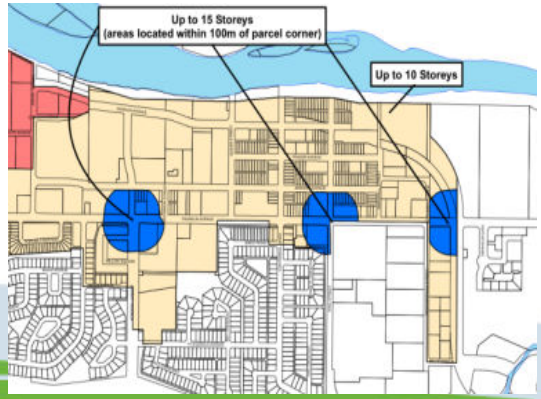
The four primary characteristics of Form Based Code

- Focus on the form of development, not the use
- Emphasize the design of buildings, streets and the streetscape to make the public realm the focus
- Encourage an understanding of the context
- Use illustrations to support the text of each regulation

Special Policy Features

- Reduced parking requirements
- Downtown Office Employment Area
- Support transit oriented development
- Incentives for larger developments over 0.3 hectares
- Green buildings
- Design Review Panel





REGIONAL MUNICIPALITY OF WOOD BUFFALO

Public Consultation

Consultation

- Internal Stakeholder Meeting – March 7, 2012
- Panel Gallery – March 12 – 16, 2012
- External Stakeholder Meeting – March 14, 2012
- Public Events – March 14 – 15 , 2012
- Online Survey
- Social Media

Additional Meetings

Since Public Consultation from March 16

- Multiple follow up discussions with stakeholder and property owners, including Chamber of Commerce and Urban Development Institute

Summary of Public Feedback

Input	Result
Consultation time is too short	No amendment
High-rise development is not feasible in Fort McMurray	No amendment
Design Review Panel is expensive/needs local developer inclusion	No amendment
Concern over development on Floodplain	No amendment
Landscaping and snow removal concerns	No amendment

Summary of Public Feedback

Input	Result
Through block connection is restrictive	No amendment
Clarification required on the ability to change uses permitted in non-conforming building	No amendment

Summary of Public Feedback – Before 1st Reading

Input	Result
Green Building Standards (LEED Gold or equivalent) are too high	Amendments made to the CCLUB
Consideration to Small / Medium size developments size / Size threshold required	Amendments made to the CCLUB
Neighbourhood Commercial not permitted in SCL1 District	Amendments made to the CCLUB
Driveways on Franklin Avenue are not permitted	Amendments made to the CCLUB

Regional Municipality of Wood Buffalo

Summary of Public Feedback – Before 1st Reading

Input	Result
Parking Standards are too low	Amendments made to the CCLUB
Regulations in the Neighbourhood Stabilization Zone need to be flexible	Amendments made to the CCLUB
Boundary of Downtown Office Employment Area – intersects existing property	Amendments made to the CCLUB
Land Assembly Incentive of .4 ha is too restrictive	Amendments made to the CCLUB

Summary of Public Feedback – Before 1st Reading

Input	Result
Allow for reconstruction of existing buildings if destroyed	Amendments made to the CCLUB
Maximum depth of some buildings is too restrictive	Amendments made to the CCLUB

Recommended Amendments to CCLUB after 1st Reading

Summary of Public Feedback – After 1st Reading

Input	Result
Language describing variance powers for non-conforming buildings is unclear	Proposed Amendments to Section 9.6.1
Land Assembly Incentive, when site conditions are met, is too restrictive	Proposed Amendments to Section 9.6.2.2
60% office use required in existing or small buildings is restrictive	Proposed Amendments to Section 9.16.2.1

Proposed Amendments after 1st Reading
Section 9.6.1.1

Input

- Clarification is required on variance for non-conforming buildings

In the CCLUB from 1st Reading

- Reference to uses and maintenance in the non-conforming section

Recommendation

- Further amendment to the CCLUB is recommended
- Revise text to clarify that maintenance and repairs can be completed without a development permit
- Revise text to clarify that minor extensions can be permitted to non-conforming buildings

Existing Section 9.6.1.1

Variance Powers to Non-Conforming Buildings

Notwithstanding Section 33 of this Bylaw, for Development Permit application under this Part, the Development Authority may allow a variance and issue a Development Permit for a non-conforming Building in the following instances:

Existing Section 9.6.1.1 continued:

9.6.1.1.1 Minor extensions, interior alternations or maintenance to a Residential Building, including mechanical or electrical work, that constitute less than 5% of the Building or 100m^2 in area, whichever is greater, provided that such extensions, alternations or maintenance do not result in an increase in the number of Dwelling, within the Building or on the Site, or in a change of the existing Use or the introduction of another Use;

9.6.1.1.2 Minor extensions, interior alterations and maintenance to a non-Residential Building, including mechanical or electrical work, that constitute less than 5% of the Building or 100m^2 in area whichever is greater, provided that no new use is added, and no change is made to the existing use, or the intensity of Use.

1. Recommended Amendments

THAT Section 9.6.1.1.1 be amended to read as follows:

Enlargements and additions to a Residential Building, that constitute less than 5% of the Building or 100m^2 in Gross Floor Area, whichever is greater, provided that such additions do not result in an increase in the number of Dwellings within the Building or on the Site;

THAT Section 9.6.1.1.2 be amended to read as follows:

Enlargements and additions to a non-Residential Building, that constitute less than 5% of the Building or 100m^2 in Gross Floor Area, whichever is greater.

Proposed Amendments after 1st Reading Section 9.6.2.2

Input

- Land Assembly Incentive of 0.3ha is too restrictive

In the CCLUB from 1st Reading

- Revisions were made to reduce the requirement from 0.4ha to 0.3ha

Recommendation

- Further amendment to the CCLUB is recommended
- Increase variance authority from 20% to 33%, which will allow for 0.2 ha to achieve the maximum density of 7.5 or 10 FAR

Existing Section 9.6.2.2

Limitation on Variance

The Development Authority may allow a variance of up to 20% reduction to the minimum Site size required to achieve the maximum Floor Area Ratio set out in the City Centre Floor Area Ratio Map, if the Development meets all of the following criteria:

Existing Section 9.6.2.2 continued:

9.6.2.2.1 The Development meets all of the requirements set out in section 9.10 Downtown Major Redevelopment Zone Development Standards, or section 9.11 Franklin Avenue Re-Urbanization Zone Development Standards as applicable to the Site; and

9.6.2.2.2 At least one corner of the Site is located at the intersection of two Public Roads.

2. Recommended Amendments

THAT Section 9.6.2.2 be amended to read as follows:

The Development Authority may allow a variance of up to 33% reduction to the minimum Site size required to achieve the maximum Floor Area Ratio set out in the City Centre Floor Area Ratio Map, if the Development meets all of the following criteria:

2. Recommended Amendments

Amendment to Section 9.6.2.2 continued

9.6.2.2.1 The Development meets all of the requirements set out in section 9.10 Downtown Major Redevelopment Zone Development Standards, or section 9.11 Franklin Avenue Re-Urbanization Zone Development Standards as applicable to the Site; and

9.6.2.2.2 At least one corner of the Site is located at the intersection of two Public Roads; and

<u>9.6.2.2.3 A minimum Setback of 10 metres is provided between the Tower and the Lot line adjacent to another Site.</u>

Proposed Amendments after 1st Reading Section 9.16.2.1 (d)

Input

- Need to allow for less than 60% office use in existing or small buildings

In the CCLUB from 1st Reading

- Permit 2 storey buildings in the Downtown Primary Office Employment Area to have permitted uses other than offices on the ground floor, occupying up to 60% of the building.

Recommendation

- Further amendments to the CCLUB is recommended
- Allow the entire building to have permitted uses other than offices if the building is subject to the restriction that it can only build to a maximum 2.0 Floor Area Ratio

Existing Section 9.16.2.1.d

Downtown Primary Office Employment Area

9.16.2.1(d) Notwithstanding the foregoing, sections 9.16.2.1.1 and 9.16.2.1.2 do not apply to:

9.16.2.1(d)i The Lots within the Downtown Primary Office Employment Area on the lands bounded by Hardin Street, Franklin Avenue, Haineault Street, and Highway 63, if the primary use on the Ground Floor, and the Storey above the Ground Floor, continues to be Retail Commercial, Retail Commercial Large Format, or Food and Beverage Commercial, and these uses form part of a Shopping Centre.

Existing Section 9.16.2.1(d) continued:

9.16.2.1(d)ii Buildings existing at the date of adoption of this Part 9.

9.16.2.1(d)iii Buildings of 2 storeys or less; these Buildings are permitted to have Food and Beverage Commercial, Recreation Commercial, Retail Commercial (<5,000m2 GFA), Neighbourhood Commercial, and Tourism Commercial on the Ground Floor, occupying up to 60% of the Gross Floor Area of a Building.

3. Recommended Amendments

THAT Section 9.16.2.1 (d) be amended to read as follows:

Notwithstanding the foregoing, sections 9.16.2.1**(a)** and 9.16.2.1**(b)** do not apply to:

9.16.2.1(d)i The Lots within the Downtown Primary Office Employment Area on the lands bounded by Hardin Street, Franklin Avenue, Haineault Street, and Highway 63, if the primary use on the Ground Floor, and the Storey above the Ground Floor, continues to be Retail Commercial, Retail Commercial Large Format, or Food and Beverage Commercial, and these uses form part of a Shopping Centre.

3. Recommended Amendments

Amendment to Section 9.16.2.1 (d) continued

9.16.2.1(d)ii Buildings existing at the date of adoption of this Part 9.

9.16.2.1(d)iii Buildings on Sites that, because of their size, are allowed a Maximum Floor Area Ratio of 2.0.

Recommended Amendments

Following the Public Hearing for Bylaw 12/012, Council may consider the recommended amendments

Thank you

Regional Municipality of Wood Buffalo

Surekha Kanzig.
Chief Legislative Officer.
Regional Municipality of Wood Buffalo.
9909 Franklin Avenue.
Fort McMurray, AB T9H 2K4.

RECEIVED
APR 18 2012
LEGISLATIVE SERVICES

Re: In support of the City Center Land Use Bylaw.

Dear Madam Mayor and Councillors,

Please take note, that after having studied the City Center Land Use Bylaw, we fully support this feasible, detailed City Center Area Redevelopment Plan.
We appreciate the well-thought-out work of the City Planning Department under a new Management that knows how important it is to finally not merely introduce a comprehensive long term Plan, but a Plan that can and needs immediately to be enacted.
Further we thank the Mayor, the Councillors and the City Planning Department, that interested citizens and stakeholders were invited to actively participate in the various stages of this Redevelopment Plan.
We look forward to a favourable councillors' vote so that we all can look forward to a a flourishing buoyant redevelopment of the down town core compatible with other large modern cities.
Thank you for your attention.

Sincerely yours,

Jan and Astrid Dezentjé.
65 Fitzsimmons Avenue.
Fort McMurray, AB. T9H 1Z3
Tel. no: 780-747-6941.
e-mail: jadez@shaw.ca

My name is Dr. Keith Lawson and I strongly object to the proposed bylaw amendment to the downtown redevelopment plan.

One part of this bylaw amendment only targets and affects smaller land owners whose property is less than .3 hectares which is 32,291.73 square feet.

Being a smaller land owner this would effectively eliminate my site from ever being developed as there are only five lots in the entire block each around 5400 square feet which is only 27000 square feet in total!

It would be very difficult to acquire all of the adjacent lots and even if I could it would still not meet the criteria for development.

Instead of increasing the density as is outlined in the redevelopment plan to high density the bylaw amendment proposes to decrease it to low density.

which is only two times the build site square footage.

This will effectively decrease all small land owners property values in the downtown high density core area and eliminate any incentive for their development.

It may be that the intent is to depreciate the smaller sites land value so that perhaps a bigger developer may then attempt to buy the property to develop a larger site.

The flaw with this thinking is the assumption firstly that the smaller land owners would sell and secondly if these landowners decide to build a small building and lease it, which is easy enough to do with current rates at 45 dollars a square foot or higher, this will only further stall any high density development in the downtown core.

On a stronger note this bylaw amendment also effectively eliminates any current plans by small to medium developers to move forward with developing there sites.

I am very supportive of the city`s redevelopment plan but against this amendment to the bylaw for the reasons I have stated.

I would plead with council to reject this bylaw amendment so that the redevelopment of the downtown core can proceed as was planned.

This would allow smaller developers such as myself who have already invested a lot of time and money to move forward with there plans

to develop there properties with the vision that the city has created for the downtown core.

Sincerely,

Dr. Keith R. Lawson BSc. DDS
Associate Fellow AAID
President Redvers Developments Ltd.

Council Meeting Presentation Request

Completed requests to make a public presentation must be received by 12:00 noon on the Wednesday immediately prior to the scheduled meeting. Presentations are a maximum of 5 minutes in duration.

Presentation Information	
Preferred Date of Presentation	April 24, 2012
Name of Presenter(s)	Peter Stevenson
Organization Represented	Citium Enterprises Inc.
Topic	Bylaw No. 12/012, which proposes to add a new section to the Land Use Bylaw that is exclusive to the Downtown Major Redevelopment Zone.
Please List Specific Points/Concerns	1. The concern is with the decrease of permitted density for sites in the centre of downtown that are smaller than .3 ha (subject to a 20% discretionary variance in limited circumstances), to a Floor Area Ratio (FAR) of 2 from the present FAR of 5 to 13.1, while increasing it for larger sites, to a FAR of 10. The effect of this .3 ha minimum site size will be to strongly discourage higher density medium to large scale development of 100,000 sq.ft. to 323,000 sq.ft., and to encourage huge, high density developments of 323,000 sq.ft. and larger. This is contrary to the CCARP's central objectives. 2. Wording needs to be changed in order to permit legal non-conforming buildings to have a change of use and to have the right to non structural renovations
Action Being Requested of Council	1. Eliminate the threshold parcel size for a FAR of 10 or alternatively decrease it from .3 ha to.1 ha. and change the discretionary variance in section 9.6.2.2. to 33 1/3% from 20%. This would encourage increased densification through the development of buildings of 100,000 sq.ft. and larger, while not taking away from the other development safeguards and requirements in the By-law. 2. Clarification language be added to ensure that in an existing legally non-conforming building, notwithstanding any other provisions of the By-Law a) the change of use to a permitted use for a conforming building is permitted; b) that all minor extensions, alterations and maintenance, including mechanical or electrical work is permitted

Are you providing any supporting documentation (ie: Powerpoint)?

If yes, the documentation must accompany this request, as handouts will not be distributed at the meeting. To ensure that your documents meet minimum standards, please see presentation guidelines on the next page.

Supporting documents may be e-mailed to legislativeassistants@woodbuffalo.ab.ca.

As per Procedure Bylaw No. 06/020, a request to make a presentation may be referred or denied.

CITIUM GROUP

Presentation to the Municipal Council of the

Regarding Bylaw No. 12/012

April 24, 2012

Introduction

- Peter Stevenson, owner of the Hardin Street Building and 2 parcels of parking lands, at Hardin, McDonald and Biggs
- 31 years as a lawyer in Alberta, 26 years in the office ownership and development business in Alberta and 7 years as owner of the Hardin Street Building
- Sent in a letter of support for the City Centre Plan passed in February

Context

- No downtown office development in 30 years
- Mainly low rise buildings
- Few projects have been proposed, e.g. Bond Street, but none have happened
- Reasons for no projects
- A key theme of CC-ARP is increased density e.g. “focus new job opportunities within a compact concentration of high density office buildings”
- CC-ARP requires CC-LUB to take direction from the CC-ARP on density

Reduced Density- Downzoning

- CC-LUB decreases permitted density
- Contrary to CC-ARP
- New Floor Area Ratio (FAR) 2
- Exceptions for large parcels of .3 ha – FAR 10
- Encourages buildings larger than 323,000 sq. ft. and discourages buildings smaller than that

Prospects for Consolidation

- I believe most of downtown is held in parcels under .3 ha
- Breakdown of ownership between above and below .3 ha not disclosed
- Consolidation needed at a dramatic pace to meet market demand over the next 3-8 years
- Barriers to consolidation
- Untried scheme

Purpose of Minimum Parcel Size Rule?

- Contrary to CC-ARP, no authority in CC-ARP
- Discourage “smaller” development
- Will more larger projects be built because “small” ones are discouraged?
- Regulatory “stick” approach not appropriate or effective

What is “Small”? – 1% Solution

- Important to draw the line correctly
- My market data indicates the CC- LUB is a 1% solution
- Caters to the largest 1% of buildings, at the expense of the rest of the market
- major decrease in land value as a result of the CC-LUB

Example on Citium Site

- Following slides contain an example of what could be built on Citium's main .22 ha parking site with a 10 FAR
- This project would be prohibited, site too small
- Not an architectural renderings, only a massing models to show the size of building, prepared over the past few weeks
- Actual building would have architectural features not shown here

Example on Citium's Site

MASSING STUDY

BIGGS STREET SITE CALCULATIONS:

SITE AREA: 0.22ha [0.54 acres]
MAX. FAR = 10.0 MAX. HEIGHT = 25 storeys

TOTAL PROVIDED GFA = 21,600sm (232,500sf)
PROVIDED FAR = 9.95

REQUIRED PARKING:

OFFICE: (1.4/100sm) 275 stalls
RETAIL: (1/100sm) 20 stalls

TOTAL REQUIRED PARKING = +/-295 stalls
PROVIDED 5 LEVELS UNDERGROUND = 300 stalls

OFFICE TOWER
13 LEVELS @ 1200sm (12,900sf) FLOOR PLATE

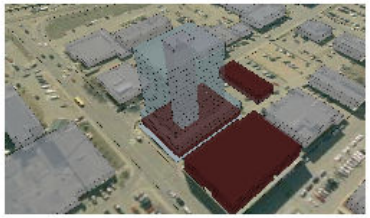
TOTAL OFFICE (TOWER) GFA = 15,600sm (167,990sf)

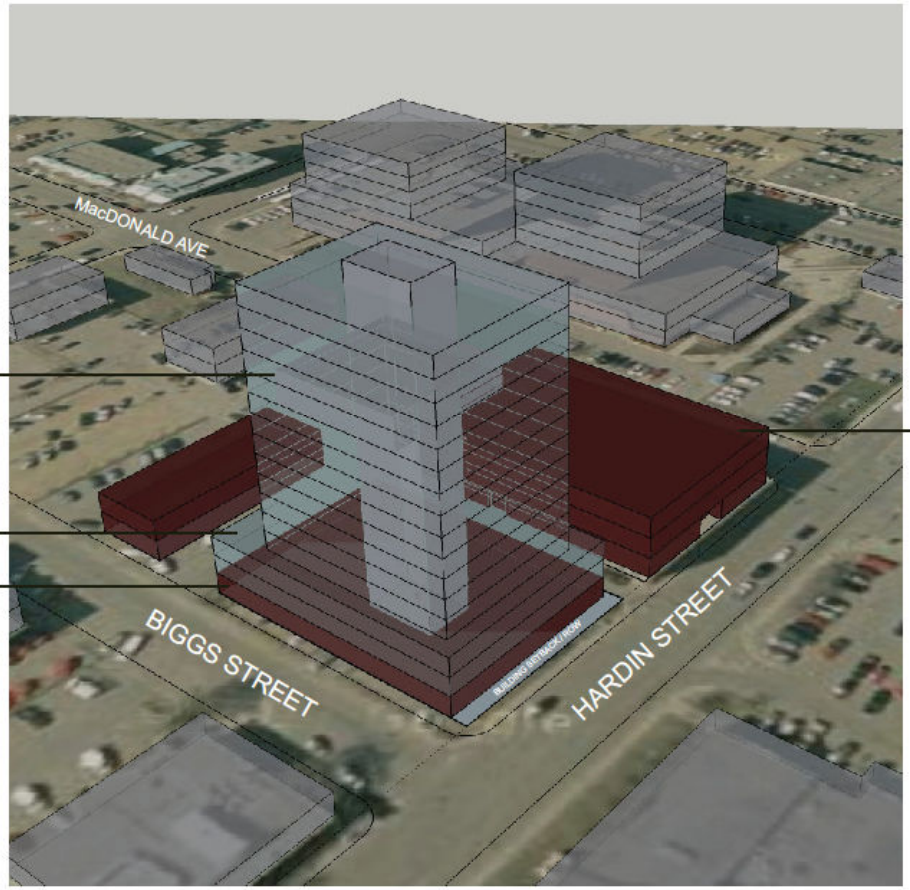
OFFICE PODIUM (FL. 2 & 3)
2 LEVELS @ 2000sm (21,500sf) FLOOR PLATE

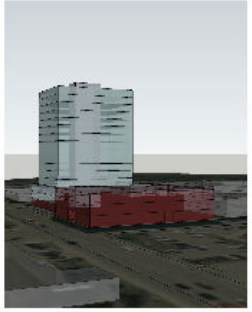
TOTAL OFFICE (PODIUM) GFA = 4000sm (43,000sf)

RETAIL GROUND FLOOR
1 FLOOR @ 2000sm (21,500sf) FLOOR PLATE

TOTAL RETAIL GFA = 2000sm (21,500sf)







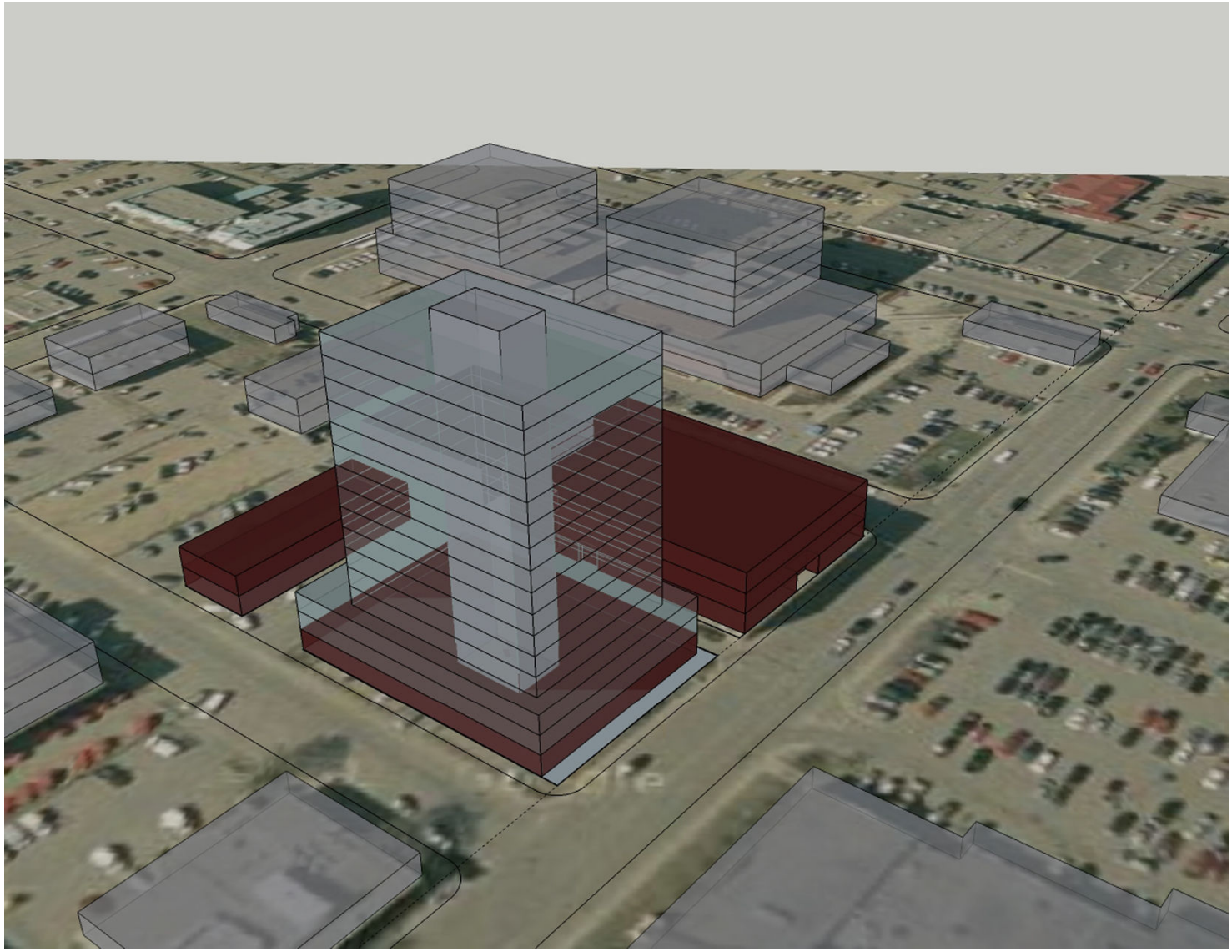
HARDIN STREET BUILDING

FORT MCMURRAY FAR STUDY DATE 04 I 18 I 2012 PROJECT # NCCA120069 PROJECT MANAGER B.M. DRAWN BY C.R.

NORR

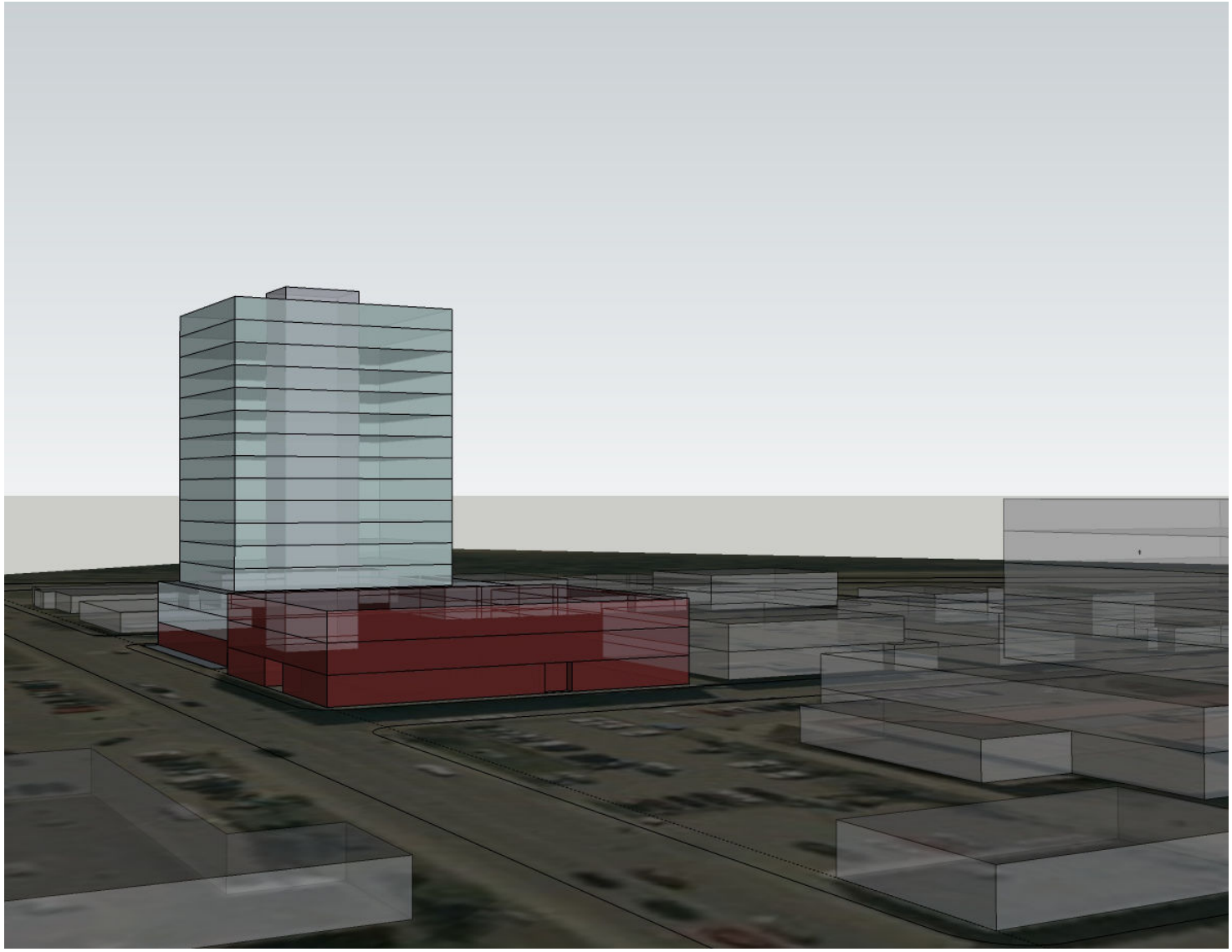
CITIUM GROUP

Example on Citium's Site



CITIUM GROUP

Example on Citium's Site



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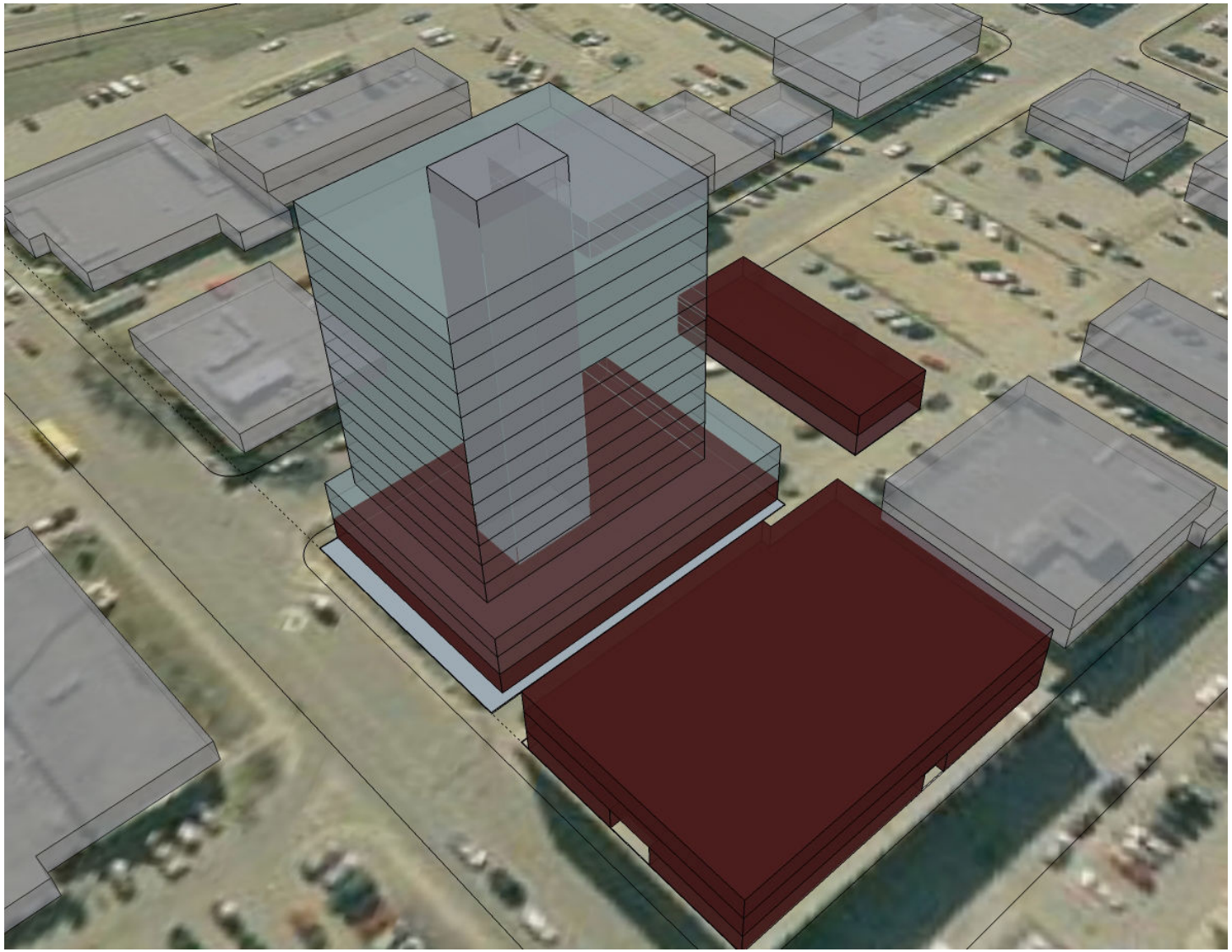
Example on Citium's Site



CITIUM GROUP

Market Distortion - Unsustainablity

- Projects under 323,000 sq. ft. would not maximize the use of land under the CC-LUB
- Unsustainable use of a very valuable resource
- Increase in required land area of up to 500% as a result of CC-LUB
- Potential for very low density in downtown

Conclusion

- The by-law should be amended to:
  - Eliminate or failing that reduce the minimum parcel size to earn a 10 FAR, as set forth in section 9.15.2, to .1 ha from .3 ha;
  - Increase the % variance in minimum parcel size set forth in section 9.6.2, from 20% to 33 1/3%;
  - Technical matters need to be addressed in order to permit legal non-conforming buildings to have a change of use and to have the right to non structural renovations (see Appendix A for details)

Appendix A

- Following pages of this Appendix are copies of e-mails detailing issues that I believe are technical issues only
- My understanding is that there is no policy opposition to the changes that I am seeking

Appendix A

From: Peter Stevenson
To: "Joel Short"; "Ron Taylor (rtaylor@arcturusrealty.com)"; "Ron Soskolne (ron@soskolne.com)"
Subject: Hardin Street Building - Partial conversion to Retail and Renovations to the Existing Building
Date: April 10, 2012 12:47:00 PM

Hello Ron, Ron and Joel

As I undertook to do yesterday, I am writing to set out where I believe the proposed CC-LUB would prohibit the conversion of part of the existing building to retail. This was a change of use that was suggested and supported by your team in light of Franklin Square, which the City has planned for directly across the street at Franklin and Hardin. You have indicated that such a prohibition isn't the Municipality's intention and that your legal department has indicated that there is no such prohibition. I was to provide comments so that they can be reconciled with their opinion.

My interpretation of Section 33 of the Bylaw and section 9.6.1 regarding a change of use is as follows:

- The existing building at almost 4 FAR is almost double the permitted density for a parcel under .3ha under the proposed CC-LUB, making it a Non – Conforming Building
- Section 33.1 (b) provides that where a non-conforming use of a building has been discontinued for six (6) months, any future use shall conform with the Bylaw (which will include the CC-LUB once enacted)
- No use, including retail, is a conforming use, from the date of enactment of the CC-LUB because the existing building is a Non – Conforming Building
- As retail use has been discontinued in the building for more than six (6) months, a change of use to retail would be prohibited pursuant to section 33.1 (b)
- Section 9.6.1 of the draft CC-LUB gives the Development Authority the discretion to allow exceptions to Section 33 for minor extensions, interior alterations and maintenance, provided that no new use is added

My interpretation of Section 33 of the Bylaw and section 9.6.1 regarding permitted renovations is as follows:

- Section 9.6.1.2 of the draft CC-LUB gives the Development Authority the discretion to allow minor interior alterations and maintenance of a Non-Conforming Building, including mechanical or electrical work that constitutes less than 5% of the building. As a ground floor conversion to retail would comprise approximately 25% of the building area and would include fairly significant alterations, electrical work and mechanical work, it would not fall within the category of work that the Development Authority has discretion to allow

Could you please confirm your legal department's opinion and reconciliation with these interpretations?

Another important and related point that I did not refer to yesterday is the restrictions on

Appendix A

renovation or refurbishment of the existing building. As stated above, Section 9.6.1.2 of the draft CC-LUB gives the Development Authority the discretion to allow minor interior alterations and maintenance of a Non-Conforming Building, including mechanical or electrical work that constitutes less than 5% of the building. My interpretation is that this would prohibit a major refurbishment of the building even if there was no change of use. If for example I wished to renovate the mechanical systems for more than 5% of the building, or to renovate an area to meet the requirements of a new office tenant that comprised more than 5% of the area of the building it would appear that Development Authority has no discretion to allow it. Could you please advise if this is the correct interpretation?

These points are relevant to not only the Hardin Street Building, but also to any of the many buildings in the CBD that will become Non-Conforming Buildings under the proposed CC-LUB, so I appreciate your attention to this important matter.

Peter Stevenson
President
Citium Enterprises Inc.

Phone: (403) 287-7887
Cell: (403) 870-3249
2101 18A Street SW
Calgary, AB T2T 4W3
Email: p.stevenson@citiumgroup.com

Appendix A

From: Peter Stevenson
To: "rtaylor@arcturusrealty.com"
Cc: Glen Laubenstein (glen.l@woodbuffalo.ab.ca); Samuel Alatorre
Subject: RE: As discussed
Date: April 13, 2012 4:47:00 PM

Ron

At this stage I wanted to reply regarding the non-conforming building issue.

Change of Use

Would your legal advisors be able to point out the basis for their statement "that owners can change uses within non-conforming buildings, as long as the proposed use is permitted by the bylaw"? That is basically what you told me in our conference call last Monday. I was to set out in detail our reasoning where I thought there was a problem and you advised they were going to provide the reply of your legal advisors. I set out my reasoning and I anticipated a reply that specifically set out the basis for their position. This should not be an issue, both you and Glen have said that is not the Region's intent, and I simply am asking for a reasoned and reasonably detailed explanation. To reiterate what our interpretation is based on, I will quote from last Tuesday's e-mail:

> "My interpretation of Section 33 of the Bylaw and section 9.6.1 regarding a change of use is as follows:
>
> - The existing building at almost 4 FAR is almost double the permitted density for a parcel under .3ha under the proposed CC-LUB, making it a Non – Conforming Building
> - Section 33.1 (b) provides that where a non-conforming use of a building has been discontinued for six (6) months, any future use shall conform with the Bylaw (which will include the CC-LUB once enacted)
> - No use, including retail, is a conforming use, from the date of enactment of the CC-LUB because the existing building is a Non – Conforming Building
> - As retail use has been discontinued in the building for more than six (6) months, a change of use to retail would be prohibited pursuant to section 33.1 (b)
> - Section 9.6.1 of the draft CC-LUB gives the Development Authority the discretion to allow exceptions to Section 33 for minor extensions, interior alterations and maintenance, provided that no new use is added"

Renovations and Refurbishment

Regarding alterations and repairs, a suggestion or request is that clarification language at the very least be put in. I see in section 20.1 of the existing LUB where it says:

> "works of maintenance and repair if such maintenance and repair does not constitute structural alteration or change of use or intensity of use;"

and I assume that is the part of the 307 page LUB that your legal advisors are referring to.

The concern though is why does the draft CC-LUB in section 9.6.1 entitled **Non-Conforming Buildings,** say:

> ".1 Notwithstanding Section 33 of this Bylaw, for Development Permit applications under this Part,

Appendix A

the Development Authority **may allow a variance and issue a Development Permit for a nonconforming Building** in the following instances:
.1 Minor extensions, interior alterations or maintenance to a Residential Building, including
mechanical or electrical work, that constitute less than 5% of the Building or 100m2 in area, whichever is greater, provided that such extensions, alterations or maintenance do not result in an increase in the number of Dwellings, within the Building or on the Site, or in a change of the existing Use or the introduction of another Use;
.2 Minor extensions, interior alterations and maintenance to a non-Residential Building, including mechanical or electrical work, that constitute less than 5% of the Building or 100m2 in area whichever is greater, provided that no new use is added, and no change is made to the existing use, or the intensity of Use. "

If non-structural alterations do not require a development permit, why does the section say that a Development Permit may, in certain circumstances be allowed for mechanical and electrical work that constitutes
less than 5% of the Building? Having this section that specifically deals with Non-Conforming Buildings in the City Centre leads to an ambiguity to the effect that for this type of work in the City Centre in more than 5% of the building, a Development Permit is required but the Development Authority has no discretion to allow it.

Could this clause not be clarified at the very least by something simply stated in clause 9.6.1 that notwithstanding anything in the section it is subject to the provision of section 20.1 (or the applicable subsections of 20.1)?

I hope to hear back from you and clear these technical issues as soon as possible as I need to ascertain whether to include these points in my presentation to Council for which I am to send in my written material by Wednesday morning.

Peter Stevenson
President
Citium Enterprises Inc.

Phone: (403) 287-7887
Cell: (403) 870-3249
2101 18A Street SW
Calgary, AB T2T 4W3
Email: p.stevenson@citiumgroup.com

-----Original Message-----
From: rtaylor@arcturusrealty.com [mailto:rtaylor@arcturusrealty.com]
Sent: April 13, 2012 10:06 AM
To: Peter Stevenson

Appendix A

Cc: Samuel Alatorre
Subject: As discussed

Peter:
The proposed bylaw allows a maximum of 10 FAR for sites greater than 0.3 hectares. This was reduced from the 0.4 hectares proposed earlier. Currently the proposed bylaw allows a variance of up to 20% reduction in the required site area; however we are going recommend to Council that this be revised to a 33% variance. The results will be that the 0.3 hectares minimum can be varied down to 0.201 hectares. In order to achieve the variance the development will still need to meet the following requirements:

a. The development meets the form based code requirements set out in section 9.10 and 9.11

b. At least one corner of the site is located at the intersection of two public roads

We are recommending that a Tower can be located no closer than 10m from the side of the site that is adjacent to another site.

With respect to concerns about changing uses within a non-conforming building, we have consulted with our legal advisors. They stated that owners can change uses within non-conforming buildings, as long as the proposed use is permitted by the bylaw. Furthermore, the current bylaw allows works of maintenance or repair that do not constitute structural alteration, without a development permit.
Peter, please call if you need to discus.
Thanks

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Appendix A

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REGIONAL MUNICIPALITY OF WOOD BUFFALO

COUNCIL REPORT

Meeting Date: April 24, 2012

Subject:	Bylaw No. 12/012 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Downtown Major Redevelopment Zone

APPROVALS:

Glen Laubenstein, Chief Administrative Officer
Carol Theberge, Executive Director
Samuel Alatorre, Director

Administrative Recommendation:

1. THAT Bylaw No. 12/012, being an amendment to the Land Use Bylaw specific to the Downtown Major Redevelopment Zone and the general regulations as outlined in the City Centre Area Redevelopment Plan, be read a second time.

2. THAT Bylaw No. 12/012, be read a third and final time.

Summary:

The proposed amendment to the Land Use Bylaw takes specific directions from the City Centre Area Redevelopment Plan (CCARP) on matters pertaining to land uses, built form, public space, pedestrian amenities, density, and parking. This amendment proposes to add a new section to the Land Use Bylaw that is exclusive to the Downtown Major Redevelopment Zone and is referred to as *Part 9, City Centre Area Redevelopment Plan Special Area* (excluding the highlighted sections in Schedule A).

Since a number of Councillors have indicated that they have a pecuniary interest within the City Centre, the proposed amendments will be presented in two reports and distinguished by zones as identified in the CCARP. The objective is to allow an equitable decision-making process and to maximize Council's ability to participate in discussion and voting on this matter. The authority to amend the Land Use Bylaw is vested with Council under the Municipal Government Act.

Background:

The City Centre Area Redevelopment Plan (Bylaw No. 12/003) was adopted by Council on February 14, 2012. The long-term goal for the City Centre is to be the model of an intelligent, sustainable, and vital 21st century community. The CCARP contains a number of implementation measures to ensure the City Centre evolves according to the Plan's vision and objectives. One of the essential measures in implementing the CCARP is to adopt a land use bylaw that will facilitate sustainable growth in the City Centre.

This land use amendment proposes to insert *Part 9, City Centre Area Redevelopment Plan Special Area* into the existing Land Use Bylaw for the Downtown Major Redevelopment Zone (Attachment 2). Part 9 includes the following:

- General regulations for the City Centre Special Area
- Definitions
- Provisions, regulations and development standards, in both text and illustrations, that are applicable to the Downtown Major Redevelopment Zone.

Rationale for Recommendation:

The current Land Use Bylaw was adopted in 1999 and does not yet align with the vision that is outlined in the recently adopted Municipal Development Plan, Strategic Plan, and CCARP. This proposed amendment will implement the CCARP, and it will also align municipal guiding documents to provide the foundation for a consistent decision-making process for development in the City Centre.

In alignment with the implementation strategy that is identified in the CCARP, the proposed amendment to the Land Use Bylaw will establish a flexible regulatory framework for development in the City Centre. This flexibility will ensure that development complies with the mobility, land use, and urban design objectives established in the CCARP for each zone.

The proposed amendment to the Land Use Bylaw will place emphasis on the relationship of buildings to streets and open spaces with more flexibility on land uses as compared to the existing Land Use Bylaw (Attachment 3). This approach will allow for higher quality urban design, provide flexibility in responding to changing market conditions, support sustainable built forms, improve accessibility to amenities, reduce travel needs for daily routines, and help retain and strengthen the identity of the communities in the City Centre.

Administration supports the proposed bylaw amendment and recommends that Bylaw No. 12/012 be given second and third readings.

Attachments:

1. Bylaw No. 12/012
2. Subject Area Map – Downtown Major Redevelopment Zone
3. Introduction to Part 9 – City Centre Area Redevelopment Plan Special Area

Attachment 1

BYLAW NO. 12/012

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND LAND USE BYLAW NO. 99/059

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Land Use Bylaw.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 99/059 is hereby amended by renumbering the existing Part 9 as Part 10, and inserting the new Part 9, City Centre Area Redevelopment Plan Special Area: Downtown Major Redevelopment Zone and the general regulations, excluding all sections highlighted in grey in Schedule A.

2. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.

3. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 10th day of April, A.D 2012.

READ a second time this _____ day of _____, A.D. 2012.

READ a third and final time this _____ day of _____, A.D. 2012.

SIGNED and PASSED this _____ day of _____, A.D. 2012.

_____
Mayor

_____
Chief Legislative Officer

Regional Municipality of Wood Buffalo

City Centre Land Use Bylaw

April 5, 2012

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PART 9 CITY CENTRE AREA REDEVELOPMENT PLAN SPECIAL AREA

9.1 GENERAL PURPOSE

9.1.1 The general purpose of this Part is to designate the City Centre area as a Special Area within the Regional Municipality of Wood Buffalo and to adopt the regulations in this Part to achieve the objectives of the City Centre Area Redevelopment Plan within the City Centre Special Area.

9.2 APPLICATION

9.2.1 This Part applies to the areas designated as the City Centre Special Area which includes the following areas as shown on Appendix 1 – City Centre Districts and Corridors Map:

.1 The Downtown Major Redevelopment Zone

.2 The Franklin Avenue Re-Urbanization Zone

.3 The Neighbourhood Stabilization Zone

.4 The Recreation Zone

9.2.2 The following Appendices are included in this Part:

.1 Appendix 1 - City Centre Districts and Corridors Map

.2 Appendix 2 - City Centre Floor Area Ratio Map

.3 Appendix 3 - City Centre Height Map

9.3 SPECIAL AREA PROVISIONS

9.3.1 The regulations contained in this Part apply to the areas designated as the City Centre Special Area as shown on Appendix 1 – City Centre Districts and Corridors Map.

9.3.2 Unless specifically excluded or modified by this Part, the regulations in Parts 1 to 5 of this Bylaw shall apply to the areas designated as the City Centre Special Area as shown on Appendix 1 – City Centre Districts and Corridors Map.

9.4 DEFINITIONS

9.4.1 In addition to the definitions in Section 10 of this Bylaw, in this Part, the following words shall have the following meanings, unless the context requires otherwise:

ACCESSORY BUILDING OR USE has the meaning set out in section 10 of this bylaw and includes, but is not limited to: **AMATEUR RADIO ANTENNA** and **SATELLITE DISH ANTENNA** as defined in Section 10 of this Bylaw, but does not include **ACCESSORY SURFACE PARKING**.

ACCESSORY SURFACE PARKING means an area of land used for parking of motor vehicles on the surface of the Site, which serves or is intended to serve the uses on the same Site, and may include but is not limited to visitor parking and passenger pick up and drop off areas. **ACCESSORY SURFACE PARKING** excludes parking offered for uses not located on the Site.

APARTMENT has the meaning set out in section 10 of this bylaw and includes, but is not limited to: **SENIOR CITIZEN HOUSING** as defined in Section 10 of this Bylaw.

BEST AVAILABLE TECHNIQUES means the most effective and advanced stage in the development of activities and their methods of operation which indicate the practical suitability of particular techniques for providing in principle the basis for the reduction of energy consumption.

BICYCLE PARKING means a rack, railing, locker, or other structurally sound device which is designed for the securing of one or more bicycles in an orderly fashion.

BUILD-TO LINE means the line up to which Buildings or landscaping must be constructed.
CaGBC means the Canada Green Building Council

CITY CENTRE ADJUDICATING DEVELOPMENT OFFICER means the person appointed to the office established by Section 9.5.4 of this Bylaw.

COMMERCIAL means a Development designed to accommodate the buying and selling of goods and services. **COMMERCIAL** includes but is not limited to **FOOD AND BEVERAGE COMMERCIAL; LIMITED COMMERCIAL; OFFICE COMMERCIAL; RECREATION COMMERCIAL; RESTRICTED COMMERCIAL; RETAIL COMMERCIAL (<5,000m² GFA); RETAIL COMMERCIAL, LARGE FORMAT (>5,000m² GFA); SERVICE COMMERCIAL;** and **TOURISM COMMERCIAL.**

CORRIDOR means a Public Road designated as a Corridor on the City Centre Districts and Corridors map Appendix 1.

COURTYARD means an open area partially or fully enclosed by Buildings or other walls.

DESIGN REVIEW PANEL means the Wood Buffalo Design Review Panel as established by bylaw.

DISTRICT ENERGY means the energy that is provided by a central energy plant to more than one Building. The energy may be Electricity, Thermal Heat or Thermal Cooling or a combination of all three.

DISTRICT ENERGY SYSTEM means a system that provides sources of energy to more than one Building, via pipes or electrical cables, from a central energy plant. The energy sources may be Electricity, Thermal Heat or Thermal Cooling or a combination of all three. The central energy plant may comprise boilers, co-generation plant (combined heat and power) or absorption chillers, or other energy systems.

FESTIVAL means a temporary Development providing one or more types of entertainment and activities, which include but are not limited to shows, games, music, sports events, or amusement rides, which may be open to the public, or may be enclosed and gated.

FOOD AND BEVERAGE COMMERCIAL means a Development where the primary purpose is the sale of prepared food and beverages to the public for consumption on or off the premises, but does not include drive-thru food pick-up service. **FOOD AND BEVERAGE COMMERCIAL** includes, but is not limited to, **FOOD SERVICE, MOBILE CATERING; FOOD SERVICE, TAKE OUT RESTAURANT; FOOD SERVICE, MAJOR RESTAURANT ;** and **FOOD SERVICE MINOR RESTAURANT. FOOD AND BEVERAGE COMMERCIAL** does not include **DRINKING LOUNGE, MAJOR; DRINKING LOUNGE, MINOR; FOOD SERVICE, DRIVE IN OR DRIVE THROUGH;** and **NIGHTCLUB** as defined in Section 10 of this Bylaw.

FORECOURT means an open area forming an entrance plaza for a single Building or several Buildings in a group.

GROSS FLOOR AREA means the sum of the areas of all floors of a Building measured to the outside surfaces of the exterior walls, or where Buildings are separated by firewalls, to the centerline of the fire wall and includes all floors totally or partially above grade, and all floors totally below grade and includes all mechanical and electrical equipment areas, but does not include Parking Structures.

GROUND FLOOR means the Storey of a Building where the floor of the Storey is at or nearest to the level of the ground around the Building.

HEIGHT has the meaning set out in section 10 of this bylaw, except that in relation to a Podium, the height shall be measured to the highest point of the Podium structure, not including the Tower potion or any other portion of the Building.

INSTITUTIONAL AND CIVIC means a Development for a public purpose and, may include but is not limited to such uses as schools, places of worship, community centres, health care facilities, public utilities and government Buildings. **INSTITUTIONAL AND CIVIC** includes, but is not limited to: **CHILD CARE FACILITY; COMMERCIAL SCHOOL; COMMUNITY SERVICE FACILITY; EDUCATIONAL SERVICE FACILITY; ESSENTIAL PUBLIC SERVICE; GROUP HOME; HEALTH SERVICE FACILITY; HOSPITAL; PUBLIC USE; PUBLIC FACILITY; RELIGIOUS ASSEMBLY;** and **VISITING STUDENTS SUPERVISED HOUSING UNIT** as defined in Section 10 of this Bylaw.

LEED GOLD COMPLIANCE METHOD means that the Canada Green Building Council (CaGBC) LEED 200912, Gold Standard, as amended, replaced or updated from time to time, be achieved with full accreditation and certification provided by the CaGBC.

LEED GOLD means the CaGBC LEED 2009, Gold Standard, as amended, replaced or updated from time to time.

LEED GUIDELINES means the CaGBC LEED 2009 Guidelines, as amended, replaced or updated from time to time.

LIMITED COMMERCIAL means a Development designed, intended and/or used for assembling, auctioning, warehousing and/or storage, cleaning, servicing, repair and maintenance of goods and materials. **LIMITED COMMERCIAL** includes, but is not limited to: **AUCTIONEERING FACILITY; CONTRACTOR, LIMITED; CUSTOM MANUFACTURING; EQUIPMENT RENTAL; FLEET SERVICE; HOUSEHOLD EQUIPMENT REPAIR; and WAREHOUSE AND STORAGE** as defined in Section 10 of this Bylaw.

LOT LINE, FRONT means any Lot line common to a Lot and a Street other than a lane, except that

a) in the case of a corner Lot at the intersection of two Streets, the front Lot line is the shorter of the two Lot lines common to the Lot and a Street;

b) in cases where a Lot is contiguous to two Streets (except corner Lots), both Lot lines shall be considered as front Lot lines;

LOT LINE, REAR means the boundary of a Lot which lies the most opposite to and is not connected to the front Lot line and which is not contiguous to a Street other than a lane;

LOW WALL means a low structure, usually less than 1m high, which serves to enclose or subdivide outdoor space, presenting a continuous surface, except where penetrated by walkways. The Low Wall is usually masonry, stone or concrete, but can be metal, wood or a combination of materials.

MID-BLOCK PUBLIC OPEN SPACE means an open space that forms part of a Through Block Connection, and it may include space in a public right of way, easement, or Public Road, or space on private land that is available for public use.

MOBILE FOOD VENDING CART means a readily moveable non-motorized unit, of less than 5 square metres in size, designed for the storage, preparation, sale and distribution of food.

NEIGHBOURHOOD COMMERCIAL means a Development, that does not exceed a Gross Floor Area of 1,000m^2, designed, intended or used to serve neighbourhood residents for: the purpose of receiving, storing and retailing consumer goods to the general public; or, providing personal services. **NEIGHBOURHOOD COMMERCIAL** includes, but is not limited to: **CHILD CARE FACILITY; PERSONAL SERVICE FACILITY; RETAIL STORE, GENERAL;** and **RETAIL STORE, CONVENIENCE** as defined in Section 10 of this Bylaw.

OFFICE COMMERCIAL means a Development designed, intended or used for the provision of professional, management, administrative, financial, health services, business, or similar services, or the administration of an industry, but shall not include **RETAIL COMMERCIAL** use. **OFFICE COMMERCIAL** includes, but is not limited to: **BROADCASTING HOUSE; BUSINESS SUPPORT; FINANCIAL INSTITUTION;** and **OFFICE** as defined in Section 10 of this Bylaw.

PARKING STRUCTURE means a Building or Structure designed for the parking of motor vehicles.

PRIVATE OUTDOOR AMENITY SPACE means an Amenity Space that is accessible directly from a Dwelling, and may include a Balcony, Deck, patio, Terrace or landscaped area, for private enjoyment of the resident of the Dwelling, which may include visual cues such as fencing, railing or signage indicating the space is private.

PODIUM means the continuous projecting base of a Building, distinct from the Tower or other portions of the Building.

PORCH means a structure attached to a Building to shelter an entrance or to serve as a semi-enclosed space; usually roofed and generally open-sided; although it may be enclosed through the use of screens, glass or partial walls.

RECREATION COMMERCIAL means a Development of land, Buildings or Structures designed and equipped for the commercial conduct of sports, leisure and entertainment activities. **RECREATION COMMERCIAL**, includes, but is not limited to: **ARCADE; COMMERCIAL ENTERTAINMENT FACILITY; COMMERCIAL RECREATION FACILITY, INDOOR;** and **SPECTATOR SPORTS FACILITY** as defined in Section 10 of this Bylaw.

RESIDENTIAL means a Development that contains one or more Dwelling Units. **RESIDENTIAL** includes but is not limited to: **APARTMENT BUILDING; TOWNHOUSE; SENIOR CITIZEN HOUSING; DUPLEX; TRIPLEX; FOURPLEX; SINGLE DETACHED DWELLING; CLUSTER HOUSING; BASEMENT SUITE; SECONDARY SUITE; SEMI-DETACHED DWELLING;** and **TOWNHOUSE**, as defined in Section 10 of this Bylaw.

RESTRICTED COMMERCIAL means a Development that may involve alcohol, nudity or gambling. **RESTRICTED COMMERCIAL** includes, but is not limited to: **ADULT ENTERTAINMENT FACILITY; CASINO; DRINKING LOUNGE, MAJOR; DRINKING LOUNGE, MINOR;** and **NIGHTCLUB** as defined in Section 10 of this Bylaw.

RETAIL COMMERCIAL (<5,000m² GFA) means a Development designed, intended or used for the purpose of receiving, storing and retailing goods to the general public provided that the Building or Structure in which the use is contained does not exceed a Gross Floor Area of 5,000m². **RETAIL COMMERCIAL** includes, but is not limited to: **LIQUOR STORE; PERSONAL SERVICE FACILITY; RETAIL STORE, GENERAL; RETAIL STORE, CONVENIENCE;** and **SHOPPING CENTRE** as defined in Section 10 of this Bylaw.

RETAIL COMMERCIAL, LARGE FORMAT (>5,000m² GFA) means a Development designed, intended or used for the purpose of receiving, storing and retailing goods to the general public and for the wholesaling of goods to retailers, where the Building or Structure in which the use is contained, is equal to or exceeds a Gross Floor Area of 5,000m² and does not include the sale of motor vehicles, boats, and heavy equipment. **RETAIL COMMERCIAL, LARGE FORMAT (>5,000m² GFA)** includes, but is not limited to: **LIQUOR STORE; PERSONAL SERVICE FACILITY; RETAIL STORE, GENERAL; RETAIL STORE, CONVENIENCE;** and **SHOPPING CENTRE** as defined in Section 10 of this Bylaw, where the Building or Structure related to such use is equal to or exceeds a Gross Floor Area of 5,000m².

SECONDARY SUITE means one or more Habitable Rooms used or intended for use as a Dwelling, with self-contained living facilities, and direct access to the exterior, without passing through any part of the Principal Dwelling Unit. The **SECONDARY SUITE** is subordinate to the Principal Dwelling Unit. **SECONDARY SUITE** includes, but is not limited to: **BASEMENT SUITE** as defined in Section 10 of this Bylaw.

SERVICE COMMERCIAL means a Development designed, intended or used for the provision of services to businesses, vehicles, households, individuals or animals, but does not include **PERSONAL SERVICE FACILITIES** or health care facilities. **SERVICE COMMERCIAL** specifically includes but is not limited to uses related to the sale, rental, servicing and repairing of motor vehicles, fuel, oils and accessories for motor vehicles, tools, equipment, and any similar goods and services. **SERVICE COMMERCIAL** includes, but is not limited to: **ANIMAL SERVICE FACILITY, MINOR; AUTOMOTIVE AND EQUIPMENT REPAIR; AUTOMOTIVE/RECREATIONAL VEHICLE SALES AND RENTAL; GAS BAR; RECYCLED MATERIALS DROP-OFF CENTRE; SECURITY SUITE; SERVICE STATION, MAJOR;** and **SERVICE STATION, MINOR** as defined in Section 10 of this Bylaw.

STOOP means a platform or small Porch, usually up several steps, at the entrance to a Building, usually a Dwelling or Dwellings.

STOREY means that portion of a Building, which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the Storey is the portion of the Building that is situated between the top of any floor and the ceiling above it. A Storey is defined as having a vertical distance of less than 4.5m, and for any portion of a Storey that exceeds 4.5m the Building shall be defined to have an additional Storey for every 4.5m.

STREET means a Public Road, not including a Lane.

STREET FACING BUILD-TO LINE means a Build-To Line adjacent to a Public Road.

STREET FRONTAGE means the portion of the Site adjacent to a Public Road.

STREET TYPE means a set of requirements applicable to a designated Corridor, which requirements may include, but are not limited to, right of way width, travel lanes, sidewalks width, planting strips, and role in the road network.

TERRACE means a flat roof or a raised space or platform adjoining a Building, or an embankment with a level top. A Terrace is open to the sky and larger than a balcony, and may be above or below grade level.

THRESHOLD means the area of floor beneath a door, where two types of floor material meet; or the entrance to a Building.

THROUGH BLOCK CONNECTION means a grade level pedestrian, cycling, or vehicle access route that is accessible to the public and extends through a city block, and includes but is not limited to a pedestrian walkway, a Street, or an access route through public or private land, as illustrated in figures in section 9.10.3 and 9.11.3.

TOURISM COMMERCIAL means a Development designed, intended or used to attract people visiting an area, or provide sleeping accommodation for the travelling public, and includes associated services and facilities. **TOURISM COMMERCIAL** includes, but is not limited to: **APARTMENT HOTEL; BED AND BREAKFAST; CARNIVAL; COUNTRY INN; HOSTEL; HOTEL;** and **MOTEL** as defined in Section 10 of this Bylaw. **TOURISM COMMERCIAL** does not include **TEMPORARY PROJECT ACCOMMODATION** as defined in Section 10 of this Bylaw.

TOWER means a Building or a portion of a Building within the boundary of the City Centre Special Area over 5 Storeys in Height with a Gross Floor Area of less than 3,500m^2 for one Storey. The Tower portion of the Building is located on top of a Podium, with the Height of the Tower extending from the top of the Podium to the top of the Building.

TOWNHOUSE includes but is not limited to: **TOWNHOUSE** and **TRIPLEX** as defined in Section 10 of this Bylaw.

TRELLIS means an open grating or latticework overhead, of either metal or wood, and the supporting columns and framework.

URBAN FENCE means an open framework screen or fence, of either metal, wood, masonry or a combination, usually no more than 1.5m high, which serves to enclose or subdivide outdoor space, presenting a semi-transparent surface, except where penetrated by walkways.

9.5 CONTROL OF DEVELOPMENT

9.5.1 Introduction

.1 The provisions of Section 9.5 of this Bylaw apply to the City Centre Special Area in addition to the provisions of Part 2 of this Bylaw. Where a discrepancy exists between Section 9.5 and Part 2 of this Bylaw, the provisions of Section 9.5 of this Bylaw shall prevail.

9.5.2 Design Review Panel

.1 The Design Review Panel shall perform such duties as are set out in the Wood Buffalo Design Review Panel Bylaw, as established by bylaw.

.2 Prior to rendering a decision on a Development Permit application regarding a Site located within the City Centre Special Area, the Development Officer shall refer such applications to the Design Review Panel for review. The Development Officer shall not render a decision prior to receiving the Design Review Panel's recommendations.

.3 Development Permit applications for Buildings with a Gross Floor Area of 1,000m^2 or less on Sites within the Neighbourhood Stabilization Zone or the Recreation Zone, are exempt from referral to the Design Review Panel for review.

.4 The Development Officer may exempt the following types of Development from referral to the Design Review Panel:

.1 Developments with a Gross Floor Area of 1,000m^2 or less;

.2 A change of Use within an existing Building.

9.5.3 Limitation on Authority of Development Officer

.1 For Development Permit Applications referred to the Design Review Panel, The Development Officer shall not have authority to make a decision on a Development Permit application within the City Centre Special Area that is inconsistent with the recommendations of the Design Review Panel.

9.5.4 City Centre Adjudicating Development Officer

.1 The Office of the City Centre Adjudicating Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by Council, and is authorized to act as a "Development Authority".

9.5.5 Duties and Responsibilities of City Centre Adjudicating Development Officer

.1 Where the Development Officer does not have the authority to make a decision on a Development Permit application pursuant to Section 9.5.3 of this Bylaw, the City Centre Adjudicating Development Officer shall receive and process the Development Permit application and issue a decision on the Development Permit application. In making a decision on a Development Permit application, the City Centre Adjudicating Development Officer is not bound to follow the recommendations of the Wood Buffalo Design Review Panel or the recommendations of the Development Officer.

9.5.6 Additional Powers

.1 The Development Authority may require that, as a condition of issuing a Development Permit, the applicant enter into an agreement with the Municipality to :

.1 Provide pedestrian access or pedestrian walkways, either by dedication of a public walkway or provision of an easement, in the Front Street Facing Setback and to construct and maintain these pedestrian walkways for use by the public;

.2 Provide connections to Public Roads and pedestrian walkways, either by dedication of a public walkway or provision of an easement, in order to provide access for vehicles and pedestrians to the Development, surrounding Developments and services and amenities within the surrounding area; and

.3 Provide pedestrian access or pedestrian walkways, either by dedication of a public walkway or provision of an easement, to or along the Riverfront District, the Snye and the Clearwater River.

9.5.7 Reconstruction of Existing Buildings

.1 Notwithstanding any of other provisions in this Bylaw, if a building or structure within the City Centre Special Area that lawfully existed at the date of adoption of this Part 9 is damaged or destroyed, then:

.1 Repair or reconstruction of the building or structure that commences within 1 year after the damage or destruction occurs and is completed as soon as reasonably practicable thereafter, and

.2 Continuation of uses within the building or structure that lawfully existed at the date of adoption of this Part 9 and that continue as soon as reasonably practicable after completion of the repair or reconstruction of the building or structure, are deemed to be conforming.

9.6 VARIANCE POWERS

9.6.1 Non-Conforming Buildings

.1 Notwithstanding Section 33 of this Bylaw, for Development Permit applications under this Part, the Development Authority may allow a variance and issue a Development Permit for a non-conforming Building in the following instances:

.1 Minor extensions, interior alterations or maintenance to a Residential Building, including mechanical or electrical work, that constitute less than 5% of the Building or 100m^2 in area, whichever is greater, provided that such extensions, alterations or maintenance do not result in an increase in the number of Dwellings, within the Building or on the Site, or in a change of the existing Use or the introduction of another Use;

.2 Minor extensions, interior alterations and maintenance to a non-Residential Building, including mechanical or electrical work, that constitute less than 5% of the Building or 100m^2 in area whichever is greater, provided that no new use is added, and no change is made to the existing use, or the intensity of Use.

.3 To the Street Types in order to accommodate Site specific circumstances;

.4 To Building and Landscape Frontage Types to accommodate Site specific circumstances; and

.5 To the required Through Block Connections in order to accommodate Site specific circumstances.

9.6.2 Limitation on Variance

.1 In approving a an application for a Development Permit under section 28.1 or 9.6.1 of this bylaw, the Development Authority shall adhere to the following regulations set out in this section.

.2 The Development Authority shall not allow a variance to the minimum Site size except as set out in this section. The Development Authority may allow a variance of up to 20% reduction to the minimum Site size required to achieve the maximum Floor Area Ratio set out in the City Centre Floor Area Ratio Map, if the Development meets all of the following criteria:

.1 The Development meets all of the requirements set out in section 9.10 Downtown Major Redevelopment Zone Development Standards, or section 9.11 Franklin Avenue Re-Urbanization Zone Development Standards as applicable to the Site; and

.2 At least one corner of the Site is located at the intersection of two Public Roads.

.3 The Development Authority shall not allow a variance from the maximum Floor Area Ratio.

.4 The Development Authority shall not allow a variance to the minimum Height except as set out in this section. The Development Authority may allow a variance of the maximum Height by up to 10%.

.5 The Development Authority shall not allow a variance to Building location and orientation, the location of Public Roads or Through Block Connections, or the width of vehicular entrances, which would result in a Development that would prevent access routes for fire protection at least 8m wide, available on at least two sides of a Building.

9.7 CITY CENTRE GENERAL REGULATIONS

The following land use regulations are applicable to all Development in the City Centre Special Area Districts. Further regulation for specific Uses may be described under individual Land Use Districts.

9.7.1 Application of General Regulations

.1 Except as specifically excluded or modified in this section, the General Regulations set out in Part 5 of this bylaw shall apply to Development within the City Centre Special Area.

9.7.2 Corner Lot Restrictions

.1 The provisions of Section 58 of this Bylaw shall not apply to Development within the CBD1, BOR1, SCL1, and SCL2 Districts of this Part.

9.7.3 Development Setbacks from Highways

.1 The provisions of Section 63 of this Bylaw shall not apply to Development within the CBD1 District of this Part.

9.7.4 Development in Proximity to Bus Rapid Transit Stations

.1 The provisions of this Section apply to Development within a 100m radius of the confluence of Lot lines at the corners of the intersection of Franklin Avenue with Hospital Street, King Street, and Prairie Loop Boulevard.

.2 Vehicular-oriented uses and Service Commercial Uses are not permitted in these areas.

.3 For Buildings fronting onto a Street, at least 80% of the Ground Floor Street Frontage shall be designed to accommodate Retail Commercial, Recreation Commercial, or Food and Beverage Commercial Use along that Public Road.

.4 Development providing only Residential Uses, without any Commercial Use, shall not be permitted.

.5 In mixed-use Buildings, Residential entrances shall be designed separate from Commercial or Institutional entrances and address the Street in a prominent manner.

9.7.5 Drive-thru Service

.1 Notwithstanding the provisions of Sections 50 and 65 of this Bylaw and any other provision of this Part 9, even where it is an Accessory Use, a drive-thru component shall not be allowed as part of any Development in the CBD1, BOR1, SCL1 or SCL2 Land Use Districts of this Part 9.

.2 Within the FRA1, PRA1 and PRA2 Land Use Districts a drive-thru component proposed as part of a Development shall meet the following regulations:

a. the drive-thru shall be Accessory to the Principal Use of the Development;

b. the drive-thru lane shall be at the rear of the Site, located between the Building it serves and the Rear Lot Line;

c. the drive thru lane shall not be located between the Building it serves and Front Lot Line or a designated Corridor;

d. the entrance to the drive-thru lane shall not be on Franklin Avenue, Hospital Street, or King Street; and

e. the primary entrance to the Building shall be a pedestrian oriented entrance.

.3 Notwithstanding any other provision of this Part 9, where it is an Accessory Use, a drive-thru component shall be considered as a Discretionary Use and may be approved or refused at the discretion of the Development Authority.

9.7.6 Landscaping

.1 The provisions of Section 72 of this Bylaw shall apply to all Development within this Part, except for Developments where 100% Site coverage for Buildings is permissible within the CBD1, BOR1, SCL1, and SCL2 Districts of this Part, at the discretion of the Development Authority.

9.7.7 Waste Collection and Related Services

.1 Any trash collection area, or storage area, shall be located adjacent to the lane and shall be within the Principal Building or within a screened area directly adjacent to the Building. For Residential Developments other than Apartment Buildings, and for Commercial Developments in the Franklin Avenue Re-Urbanization Zone, the trash collection area or storage area may be located separate from the Principal Building in a screened enclosure, not necessarily adjacent to a lane.

.2 The gates and/or doors of the trash collection area or storage area must not open or encroach into an adjacent lane or Public Road.

.3 The trash collection area or storage area shall not be accessible to the general public, and shall be located behind a lockable door or gate.

9.7.8 Signage

.1 The Development Authority shall have regard for visual harmony and the compatibility of any proposed sign with the architectural character and finish of the Development and with the design, location and appearance of other signs on the Development.

9.7.9 Exterior Lighting

.1 Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the Development and will be provided to ensure a well-lit environment for pedestrians, and to accentuate architectural elements, roof tops and public art.

.2 Exterior lighting shall be designed such that it has no negative impact on adjacent Sites.

.3 Exterior lighting associated with the Development shall be designed such that light shines downwards in order to avoid contributing to light pollution, except for lighting required to warn aircraft.

.4 Detailed exterior lighting plans may be required for Developments exceeding 1,000m^2 in Gross Floor Area at the discretion of the Development Authority.

9.7.10 Transparency

.1 The Windows required for each Building and Landscape Frontage type shall be comprised of transparent, non-reflective, non-tinted, non-obscured glazing, except in the case of Restricted Commercial Uses where reflective tinted or obscuring glazing is permitted.

9.7.11 Green Building Standards

.1 Compliance Methods depend upon the type, size and scope of Building works being proposed. These methods are set out in table 9.7-1 below. Where more than one compliance method is shown, the applicant may choose which compliance method to meet.

Table 9.7-1 Compliance Methods for Green Building Standards.

New Construction:	**Compliance Method:**
Gross Floor Area > 1,000m^2	LEED Gold (9.7.11.2) Alternative A (9.7.11.3)
Gross Floor Area < 1,000m^2	Alternative B (9.7.11.4)
Existing Building Refurbishment:	**Compliance Method:**
Gross Floor Area > 1,000m^2	LEED Gold (9.7.11.2) Alternative A (9.7.11.3)
Gross Floor Area < 1,000m^2	Alternative B (9.7.11.4)
Existing Building Extension:	**Compliance Method:**
Greater than 30% of existing Gross Floor Area and cumulative area is > 1,000 m^2	LEED Gold (9.7.11.2) Alternative A (9.7.11.3)
Less than 30% of existing Gross Floor Area	Alternative B (9.7.11.4)
Buildings with high process loads:	**Compliance Method:**
ice arenas, data centres, Food and Beverage Commercial	(9.7.11.5)

.2 The LEED Gold Compliance Method is applicable to Buildings that meet the following criteria:

a. New construction, Gross Floor Area greater than 1,000m^2;

b. Existing Building refurbishment of existing greater than 1,000m^2; or

c. Existing Building extension greater than 30% existing Gross Floor Area and cumulative area is > 1,000m^2.

The LEED Gold Compliance Method requires that the Canada Green Building Council (CaGBC) LEED 2009, Gold Standard, as amended, replaced or updated from time to time, be achieved with full accreditation and certification provided by the CaGBC.

.3 Alternative A is applicable for Buildings that meet the following criteria:

a. New construction, Gross Floor Area greater than 1,000m^2;

b. Existing Building refurbishment of existing greater than 1,000m^2; or

c. Existing Building extension greater than 30% existing Gross Floor Area and cumulative area is > 1,000m^2.

The required performance standards are as follows:

.1 The energy performance standard required is the Site Energy Use Index that qualifies for 15 LEED Points when utilizing LEED 2009.

.2 The water performance standard required is to achieve a minimum of 50% less potable water use than the water use baseline as defined in the LEED Guidelines.

.3 The air quality performance standard required is a 20% improvement on fresh air ventilation supply under ASHRAE 62.1 2007: Ventilation for Acceptable Indoor Air Quality, as amended, replaced or updated from time to time.

.4 The additional energy associated with providing higher fresh air volumes shall be ameliorated through the design of the Building mechanical systems, which may include but are not limited to energy/heat recovery ventilators (ERV/HRV) regenerating units with a minimum efficiency of 80%.

.5 Full documentation of designs, calculation and analysis shall be supplied to support this application. Approved compliance with Alternative A shall require the applicant to submit documentation; stamped and sealed by the Professional Engineer of Record.

.4 Alternative B is applicable for Buildings that meet the following criteria:

a. New Construction, Gross Floor Area less than 1,000m^2;

b. Existing Building refurbishment of existing less than 1,000m^2;

c. Existing Building extension less than 30% existing Gross Floor Area.

The required performance standards are as follows:

.1 The energy performance standard required is the Site Energy Use Index, when utilizing LEED Guidelines, that qualifies for the following number of LEED points:

i. New Construction: 10 LEED Points;

ii. Refurbishment: 10 LEED Points;

iii. Extension: 10 LEED Points.

The water performance standard is to achieve a minimum of 30% less potable water use than the water use baseline as defined in the LEED Guidelines.

.2 The air quality performance standard required is a 20% improvement on fresh air ventilation supply under ASHRAE 62.1 2007: Ventilation for Acceptable Indoor Air Quality as amended, replaced or updated from time to time.

.3 The additional energy associated with providing higher fresh air volumes shall be ameliorated through the design of the Building mechanical systems, which may include but are not limited to Energy/heat recovery ventilators (ERV/HRV) regenerating units with a minimum efficiency of 80%.

.4 Full documentation of designs, calculation and analysis shall be supplied to support this application. Approved compliance with Alternative B shall require the applicant to submit documentation; stamped and sealed by the Professional Engineer of Record.

.5 Buildings with high process loads such as ice arenas, data centres, Food and Beverage Commercial use, often result in the process load dominating the Building energy use, and therefore significant energy reductions overall can be difficult.

In such circumstances, the Building will be modeled with the process loads removed from the analysis, in order to test compliance with the criteria described for regular Buildings described in Table 9.7-1.

Furthermore, the equipment/machinery associated with the process load, will be required to demonstrate "Best Available Technique" (BAT) that meets energy efficient operation.

.6 The following types of Developments are exempt from meeting the green building standards set out in this section: New Residential Building with less than 1,000m^2 Gross Floor Area; and a refurbishment of an existing Residential Building with less than 1,000m^2 Gross Floor Area.

9.7.12 Green Utilities

.1 Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone, the Development Authority may require, as a condition of issuance of a Development Permit, that the Development connect to infrastructure and services provided to enhance sustainability, including green utilities and telecommunications.

.2 Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone, the Development Authority may require, as a condition of issuance of a Development Permit, that the applicant provide a plan, to the satisfaction of the Development Authority, demonstrating how the Development could effectively connect to and utilize future green utilities when they become available to the subject Site. Green Utilities, may include, but are not limited to: a district energy system, a district heating system, a district water heating system, and a reclaimed water use system.

.3 Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone, the Development Authority may require that the applicant provide a plan demonstrating that Building systems will be configured to connect to a District Energy System, when it becomes available, designed to address the following criteria:

.1 The District Energy System will be designed to provide thermal energy to the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone. It is currently anticipated that a medium temperature system with 90°C (Flow) and 50°C (return) will be provided.

.2 All Buildings shall utilize the district heating system to create at least 25% of their chilled water requirements for air conditioning through absorption or adsorption chillers.

.3 All Buildings shall ensure that their building systems, mechanical, electrical, plumbing are designed and configured to connect to the Green Utility systems. The following provision shall be made:

(a) Adequate space is allowed in plant rooms for installation of heat exchangers, controls, metering.

(b) Primary energy distribution systems are enabled to ensure that the District Energy System can connect, including:

i. Pipework configured with valves, headers;

ii. Main electrical panels have spare ways for connections;

(c) Sleeves/ducts are provided for District Energy System pipes/wires to be connected with ease;

(d) In interests of economy and convenience, space is allowed for District Energy System pipes to run through Parking Structures associated with Buildings.

9.7.13 Mobile Food Vending Carts

.1 Mobile Food Vending Carts are a Discretionary Use in the Downtown Major Redevelopment Zone the Franklin Avenue Re-urbanization Zone, and the Recreation Zone.

.2 Mobile Food Vending Carts are a temporary, mobile use, and are not to be stationed in a specific location as a permanent use.

9.8 THE CITY CENTRE DISTRICTS AND CORRIDORS MAP – THE REGULATING PLAN

9.8.1 The Regulating Plan is set out in the City Centre Districts and Corridors Map, Appendix 1. The City Centre Districts and Corridors Map sets out the Corridors and Land Use Districts that apply to each Lot or Parcel of Land.

9.8.2 The Corridor type that applies to a specific Street or section of a Street is indicated by the colour and corresponding name shown on the City Centre Districts and Corridors Map - Appendix 1.

9.8.3 On the City Centre Districts and Corridors Map - Appendix 1, where the Corridor type, as indicated by the mapping colour, extends through an intersection, that Corridor type shall be considered as the higher order Corridor and shall apply to the intersection, and to the intersecting Street until a distance of 30m from the confluence of Lot lines at the corner, or until the next Lot line away from the corner, whichever distance is shorter.

9.8.4 Where a Lot is adjacent to more than one Corridor type, the Corridor type that is adjacent to the Lot line shall be the Corridor type that applies to that portion of the Lot within 30m of the Corridor. Where more than one Corridor type applies on a corner, then the higher order Corridor shall apply.

9.8.5 The Land Use District that applies to a Lot is indicated by the colour and letter designations set out on the City Centre Districts and Corridors Map - Appendix 1.

9.9 INTERPRETATION OF DEVELOPMENT STANDARDS TABLES

9.9.1 In each table, the applicable Corridors are stated at the top of each column. Development on any Site adjacent to a Corridor shall follow the applicable regulations set out in the relevant table. Development on any Site not adjacent to a Corridor shall follow the regulations set out in the Downtown General, or Franklin Re-urbanization General columns as the case may be.

9.9.2 In each table, the far left column sets out the item to be regulated. A description of each of those items to be regulated is as follows:

.1 Maximum Block Length regulates the maximum distance of the long edge of a city block bounded by Streets, measured from the Lot line of the Lot at one end of the block to the Lot line of the Lot at the other end of the block. Maximum block length is often combined with the maximum perimeter of the city block, measured along the outside of the Lots and the ends of the lane that comprise the block. The perimeter includes the sum of the front Lot lines, exterior side Lot lines and the width of each lane entrance. Maximum block length applies to the creation of new Streets and blocks.

.2 Additional Through Block Connections regulates the number and frequency of connections through a block. Additional Through Block Connections may be required at the time of redevelopment of an existing block or the creation of a new Street or city blocks.

.3 Lot Area regulates the minimum or maximum Lot area.

.4 Lot Width regulates the minimum or maximum Lot width. Lot Width includes Lot Width Corner, Lot Width Irregular and Lot Width Regular.

.5 Vehicular Entrances Permitted regulates whether driveways are permitted from the Street to the Site from a designated Corridor. This regulation does not control access provided from rear lanes; vehicle entrances are permitted from rear lanes unless specifically stated otherwise.

.6 Vehicular Entrances regulates the location and proximity of driveways to each other.

.7 Vehicular Entrance Width regulates the maximum width of driveway entrances, measured at the widest point of the dropped curb for the entrance.

.8 Pedestrian Access Required regulates the number of Building entrances that are directly connected to the public sidewalk by a pedestrian walkway that is a minimum of 1.8m wide.

.9 Through Block Connection Types Permitted regulates the type of Through Block Connections permitted, and each type of Through Block Connection is identified in sections 9.10 to 9.11.

.10 Front Street Facing Setback regulates the minimum distance required between the Building and the Front Lot line.

.11 Side Yard Setback regulates the minimum width of the Side Yard.

.12 Rear Yard setback regulates the minimum width of the Rear Yard.

.13 Minimum Podium Height regulates the minimum Height of Podium Structures.

.14 Maximum Podium Height regulates the maximum Height of Podium Structures.

.15 Maximum Tower Height regulates the maximum Height of Tower Structures.

.16 Tower Location regulates the location of Tower Structures in relation to other Towers and the Street facing portion of the Podium upon which the Tower is located.

.17 Maximum Tower Floor Plate regulates the maximum area of a single Storey of the Tower.

.18 Mid-Block Public Open Space regulates the minimum amount of mid-block public open space required and the location of the mid-block public open space.

.19 Maximum Podium or Tower Span over East-West Through Block Connection regulates the maximum distance along an East-West lane that may be covered by a Podium or Tower portion of a Building, as illustrated in Figure 9.10.3-2

.20 Lot Coverage regulates the maximum Lot Coverage.

.21 Structured Parking Setback regulates the setback of Parking Structures from all Lot lines.

.22 Street-Facing Surface Parking Lot Setback regulates whether or not surface parking is permitted on the Site between the Building and the Street, and if permitted, the setback required between the Front Lot line and the Parking Lot.

.23 Side Yard Surface Parking Lot Setback regulates whether or not surface parking is permitted between the Building and side Lot line, and if permitted, the setback required between the side Lot line and the Parking Lot.

.24 Minimum Building or Landscaping Frontage Along Street-facing Build-To Line regulates the minimum percentage of the front setback line that shall be occupied by a Building. The front setback line is the line extending across the front of the Site at the front setback distance.

.25 Building and Landscape Frontage Types Permitted regulates the type of Building and Landscape Frontage Type permitted on a Site, and each Building Frontage Type or Landscape Frontage Type is identified in section 9.10 and 9.11.

9.10 DOWNTOWN MAJOR REDEVELOPMENT ZONE DEVELOPMENT STANDARDS

9.10.1 General Standards Required for All Development in the Downtown Major Redevelopment Zone

.1 Introduction

.1 The following standards apply to all Development in the Downtown Major Redevelopment Zone unless noted otherwise in the Table for Specific Development Standards - Table 9.10-1 - in the Downtown Major Redevelopment Zone.

.2 Connectivity

.1 Connectivity Maximum Block Length: New Streets are intended to create blocks with a maximum block length of 180m, and a perimeter no greater than 530m, unless otherwise noted on Table of Specific Development Standards for the Downtown Major Redevelopment Zone. Exact location of these new Streets may vary up to 16m, provided this provision is met. See Section 9.10.4 "Street Types" for further requirements.

.2 Through Block Connections: In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, any block face longer than 140 linear metres must provide an additional connection through the block as illustrated in Figure 9.10.3-1. Existing East –West aligned lanes may be utilized to achieve Through Block Connections as illustrated in Figure 9.10.3-1. These new connections should align with existing streets or planned new Streets. See Section 9.10.4 "Street Types" for further requirements for Through Block Connections.

.3 Site Access

.1 Vehicular Entrances: A Site may have vehicular entrances that meet the Development Standards shown in Table of Specific Development Standards.

.2 Vehicular Entrance Width: 8m maximum width, not including any sidewalks or Landscaping.

.4 Frontage Requirements

.1 Minimum Building Frontage along Street-Facing Build-To Line: All private and public Street or path-facing Build-To Lines not occupied by Buildings or driveways are required to provide Building or Landscape Frontage between the sidewalk and the remainder of the Site. See Table of Specific Development Standards for permitted Building and Landscape Frontage Types.

.2 Primary Street Frontage: The Primary Street Frontage shall be defined as the portion of the Building facing the Street (or the higher order Street Corridor if on a corner). The front façade of the Building shall be built to the Primary Street Frontage Build-To Line.

.3 Secondary Street Frontage: The Secondary Street Frontage shall be defined as the portion of the Building facing the lower order Street, if on a corner. The front façade of the Building shall be built to the Secondary Street Frontage Build-To Line for a minimum of 30m from the corner or the Lot width, whichever is shorter. The Building Frontage Standards of this section shall apply to the portion of the Building that occupies the Build-To Line for 30m from the corner or the Lot width, whichever is shorter.

.5 Building Setbacks

.1 Front Street Facing Setback: Varies according to Building and Landscape Frontage Type. See Section 9.10.5. "Building and Landscape Frontage Types" for standards.

.2 Side yard setback, adjoining another Lot: See Table of Specific Development Standards.

.3 Rear yard setback, adjoining another Lot: See Table of Specific Development Standards.

.4 Rear yard setback, adjoining a lane: See Table of Specific Development Standards.

.6 Building Height

.1 The Building Height is a minimum 2 Storeys, unless otherwise noted in Table of Specific Development Standards. Maximum Podium Height is 20m or 6 Storeys. Maximum Tower Height is governed by City Centre Height Map – Appendix 3.

.7 Parking Siting and Screening

.1 Parking Structure Setbacks: Parking Structure setbacks are the same as Principal Building setbacks. Parking Structures must comply with all Building Frontage requirements outlined in Section 9.10.5 "Building and Landscape Frontage Types."

.2 Surface Parking Lots: Surface Parking Lots are not allowed within the CBD1 District.

.8 Amenity Spaces

.1 A minimum Amenity Space of 3% of Gross Floor Area of Residential Uses, to a maximum of 6% shall be required for Buildings over 2,000m^2 to the satisfaction of the Development Authority, but in no case shall the Amenity Space be less than 6 m^2 of Private Outdoor Amenity Space per Dwelling Unit.

.2 Amenity Spaces for Residential Uses may include but are not limited to meeting rooms, fitness facilities, outdoor space, and Balconies, and shall be exempt from Floor Area Ratio calculations.

.3 A minimum Private Outdoor Amenity Space of 15m^2 shall be provided for each Dwelling Unit where any part of the Dwelling Unit is located at grade.

.4 Non-Residential Buildings on Sites of less than 1,350m^2 shall not be required to provide Amenity Space.

.5 Non-Residential or mixed-use Buildings on Sites greater than 1,350 m^2 shall provide a minimum Amenity Space of 3% of the non-Residential uses to a maximum of 6% of the Gross Floor Area of the Development. Amenity Spaces may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from Floor Area Ratio calculations.

.9 Dwelling Units Permitted

.1 The maximum number of Dwelling Units permitted is the number of Dwelling Units that can be achieved while complying with the Uses and applicable development standards, which may include but are not limited to, the maximum Height, maximum Floor Area Ratio, Building Frontage type, parking requirements, Permitted Uses and Discretionary Uses, and all other regulations that apply to the Development.

9.10.2 Tables of Specific Development Standards for Downtown Major Redevelopment Zone

.1 Introduction

Tables 9.10-1 and 9.10-2 set out specific Development Standards for Lots fronting each of the Corridors within the Downtown Major Redevelopment Zone as set out in the City Centre Districts and Corridors Map, Appendix 1. See Sections 9.10.5 for an expanded presentation of regulations pertaining to Building and Landscape Frontage Types.

See section 9.10.3 Development Standards Illustrations for graphic illustrations of the Development Standards within the Development Standards Table

The Downtown General column applies to all Sites not fronting on a Corridor set out in the City Centre Districts and Corridors Map, Appendix 1.

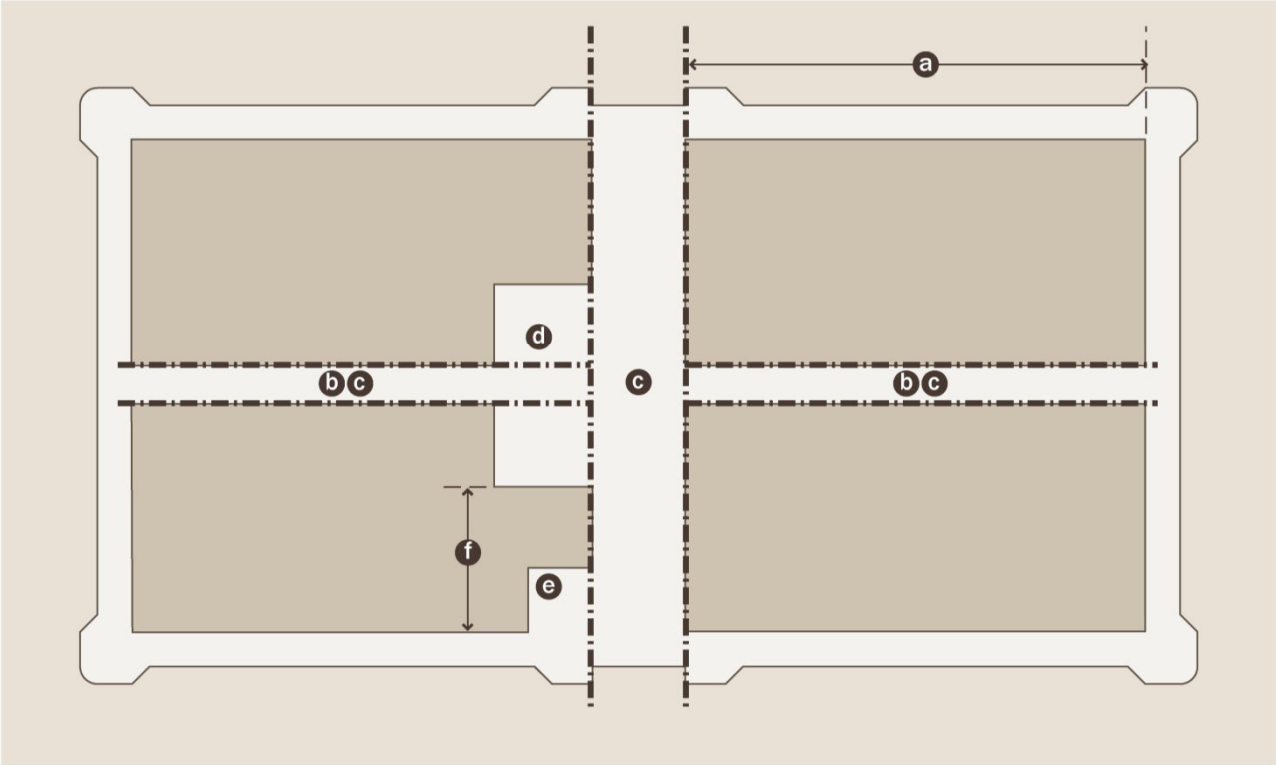
Table 9.10-1	**Regulating Plan Areas**								
	Downtown Major Redevelopment Zone								
Specific Development Standards by Area	**Downtown General**	**Franklin Ave West**	**Morrison Street**	**MacDonald Avenue**	**Main Street**	**Hardin Street North**	**Hardin Street South**	**Father Mecredi Street**	**Prairie Loop Boulevard West**
Connectivity and Urban Structure Standards									
Maximum Block Length	180m block length 530m block perimeter, except where noted	180m block length 530m block perimeter	85m block length 530m block perimeter	180m block length 530m block perimeter	85m block length 530m block perimeter	180m block length 530m block perimeter	85m block length 530m block perimeter	270m block length 645m block perimeter	200m block length 570m block perimeter
Additional Through-Block Connections	Required for block faces longer than 140m (all Downtown)	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m
Site Access									
Vehicular Entrances Permitted	Driveways permitted except where noted	Driveways are Discretionary	No driveways permitted	Driveways permitted except where noted	Driveways permitted except where noted	No driveways permitted	No driveways permitted	Driveways permitted except where noted	Driveways permitted except where noted
Vehicular Entrances	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage	Driveways are Discretionary , but shall at least meet: Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage, right-in, right-out only	n/a	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage	n/a	n/a	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage
Vehicular Entrance Width	Max. 8m	n/a	n/a	Max. 8m	Max. 8m	n/a	n/a	Max. 8m	Max.8m
Pedestrian Accesses Req'd	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Through Block Connection Types Permitted	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street	Narrow Street 1; Narrow Street 2; Lane / Universal Access Street
Building Siting and Massing									
Front Street Facing Setback	See Building Frontage Types to determine applicable setback	1m at grade. See Building Frontage Types for setbacks.	1m at grade. See Building Frontage Types for setbacks.	1m at grade. See Building Frontage Types for setbacks.	1m at grade. See Building Frontage Types for setbacks.	3m at grade. See Building Frontage Types for setbacks.	1m at grade. See Building Frontage Types for setbacks.	3m at grade. See Building Frontage Types for setbacks.	See Building Frontage Types to determine applicable setback.
Side Yard Setback	Min. 0m	Min. 0m	Min. 0m	Min. 0m	Min. 0m	Min. 0m	Min. 0m	Min. 0m	Min. 0m
Rear Yard Setback	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.	Min 1.5m if adjoining rear lane. 0m for attached Buildings.
Minimum Podium Height	None	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m
Maximum Podium Height	None	6 Storeys or 20m	6 Storeys or 20m	6 Storeys or 20m	6 Storeys or 20m	6 Storeys or 20m	6 Storeys or 20m	6 Storeys or 20m	6 Storeys or 20m
Maximum Tower Height	See City Centre Height Map	See City Centre Height Map	See City Centre Height Map	See City Centre Height Map	See City Centre Height Map	See City Centre Height Map	See City Centre Height Map	See City Centre Height Map	See City Centre Height Map
Tower Location	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers	Min. 3m setback from Street face of Podium Min. 20m spacing between Towers
Maximum Tower Floor Plate	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2	Residential: 1,200m^2 Office: 3,500m^2

Table 9.10-1	**Regulating Plan Areas**								
	Downtown Major Redevelopment Zone								
Specific Development Standards by Area	**Downtown General**	**Franklin Ave West**	**Morrison Street**	**MacDonald Avenue**	**Main Street**	**Hardin Street North**	**Hardin Street South**	**Father Mecredi Street**	**Prairie Loop Boulevard West**
Mid-Block Public Open Space	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.	600m^2 public open space required. Located adjacent to Through Block Connection, and 25m from sidewalk minimum. 20% of public space may be located adjacent to Through Block Connection and the sidewalk.
Maximum Podium or Tower Span over East-West Through Block Connection	75m	75m	75m	75m	75m	75m	75m	75m	75m
Lot Coverage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Table 9.10-2	**Regulating Plan Areas**								
	Downtown Major Redevelopment Zone								
Specific Development Standards by Area	**Downtown General**	**Franklin Ave West**	**Morrison Street**	**MacDonald Avenue**	**Main Street**	**Hardin Street North**	**Hardin Street South**	**Father Mecredi Street**	**Prairie Loop Boulevard West**
Parking Siting									
Parking Structure Setback	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.
Street-facing Surface Parking Lot Setback	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted	Street-facing surface parking is not permitted
Side Yard Surface Parking Lot Setback	Min. 1.5m Min. 0m for attached Buildings and/or shared lots	Side yard surface parking is not permitted	Side yard surface parking is not permitted	Side yard surface parking is not permitted	Side yard surface parking is not permitted	Side yard surface parking is not permitted	Side yard surface parking is not permitted	Side yard surface parking is not permitted	Min. 1.5m Min. 0m for attached Buildings and/or shared Lots
Frontage Requirements									
Minimum Building or Landscape Frontage Along Street-facing Build-To Line	100%	100%	100%	100%	100%	100%	100%	100%	100%
Building and Landscape Frontage Types Permitted	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis	Podium Linear Podium Porch / Stoop / Terrace Low Wall and Trellis	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis	Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis

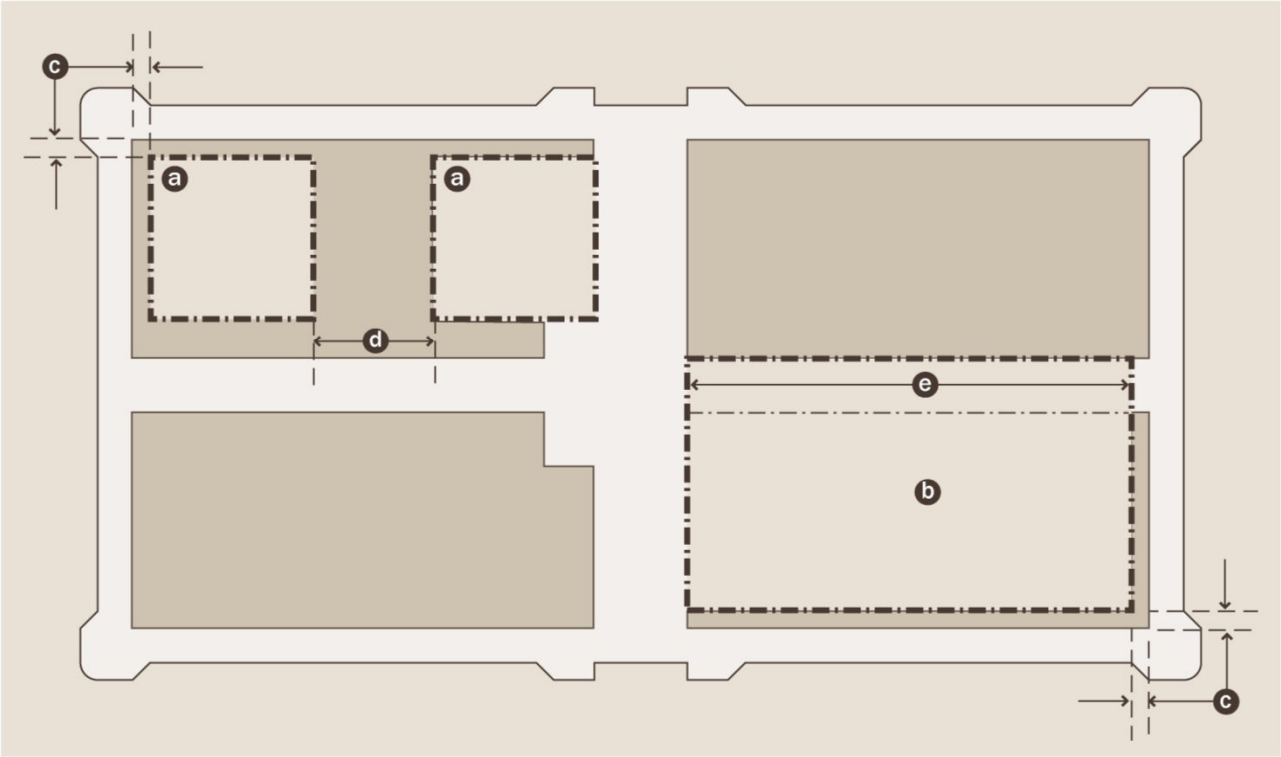
9.10.3 Development Standards Illustrations

Figure 9.10.3-1 Through Block Pedestrian Connection and Public Space



a	Through Block Connection required on all block faces longer than 140 linear metres
b	Maintain east-west Though Block Connection on lanes within the Downtown Office Primary Employment Area, or relocate to within minimum distance from sidewalk
c	Through Block Connections shall meet the Development Standards of Downtown Street Types
d	Required public space adjacent to north-south Through Block Connection
e	Optional location for public space adjacent to north-south or east-west Through Block Connection
f	Minimum distance from sidewalk for required public open space and east-west Through Block Connection

Figure 9.10.3-2 Podium and Tower Building Layout



a	Maximum residential tower floor plate
b	Maximum office tower floor plate
c	Minimum stepback from street facing façade of podium
d	Minimum distance between towers
e	Maximum distance that towers or podium may span over east-west Though Block Connection

9.10.4 Street Types

.1 Purpose

The purpose of the streetscape standards in this Section is to facilitate each Corridor and Through Block Connection in creating an ordered and well-designed public realm, an inviting environment for pedestrians, and a functional, well connected environment that supports transit-oriented development.

.2 General Standards

.1 Existing and New Street Requirements: Existing and new Streets within the Downtown Major Redevelopment Zone shall be constructed to meet the standards set out in this section 9.10.4. Each Corridor is named on the Districts and Corridors Map - Appendix 1. The regulations that apply to each Corridor are set out in this section, where the applicable Corridor name is set out in the title of the figure, and the specific standards are set out below the figure.

.2 Upon Subdivision or Development, the Development Authority may require that, as a condition of issuing a Development Permit, the applicant enter into an agreement with the Municipality to construct Public Roads required to provide access to the Development to the standards set out in this section.

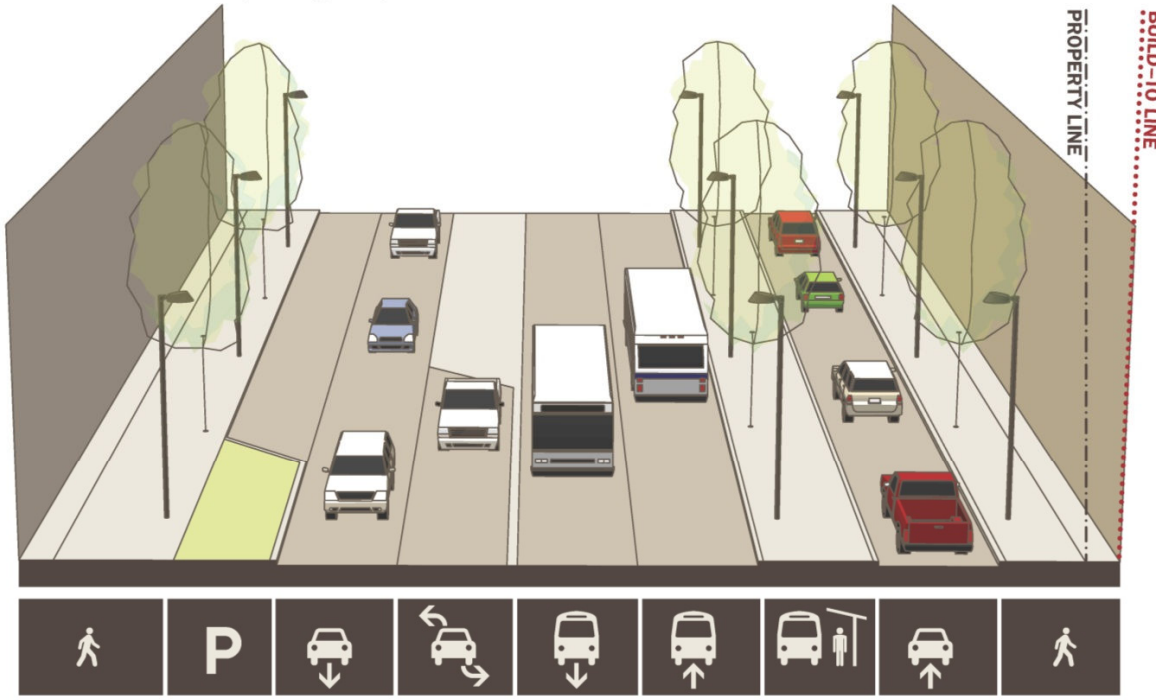
.3 The exact alignment of new Streets may vary by up to 16m from the locations shown on the Districts and Corridors Map, provided that they fully connect or intersect with each of the Streets and intersections shown on the map.

.4 In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, any block face longer than 140m block length must provide an additional connection through the block, as illustrated in figure 9.10.3-1. This additional connection may be any one of the permitted Through Block Connections in accordance with this section, and may be located no closer than 15m to an adjacent Street intersection. These new connections should align with other existing Streets or planned new Streets.

.5 Through Block Connections must comply with the Through Block Connection cross section designs in this Section. For Through Block Connections, the Development Authority may require that, as a condition of issuing a Development Permit, the applicant enter into an agreement with the Municipality to construct the Through Block Connection as part of a pedestrian walkway system. See Specific Development Standards for Development Standards for the Through Block Connections.

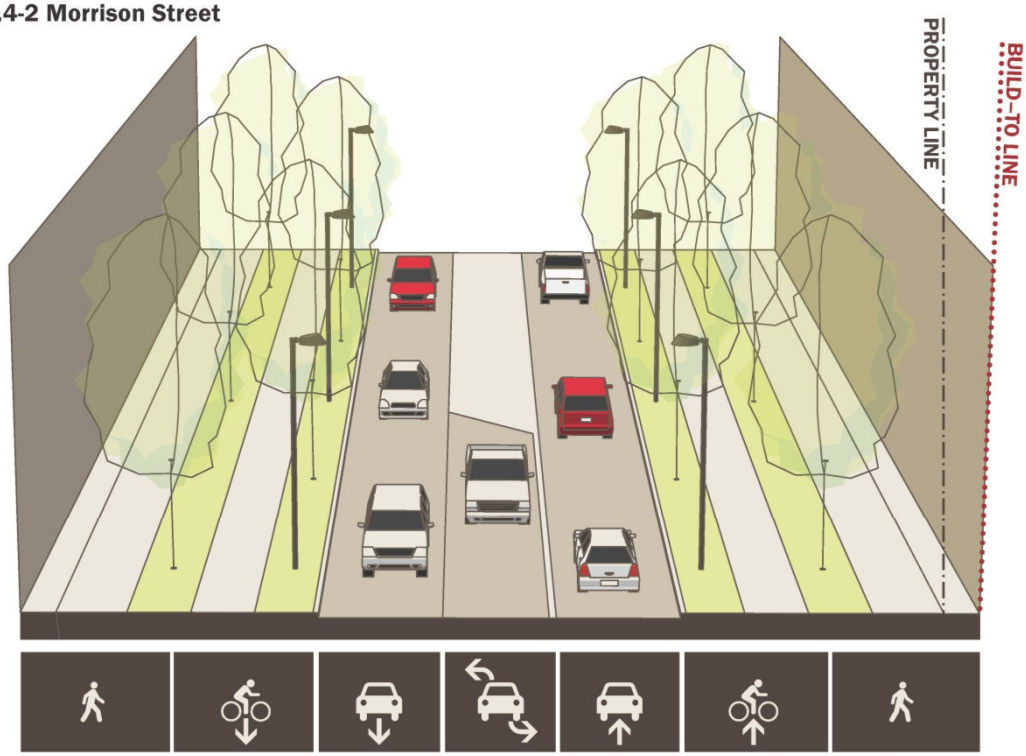
.6 The required setback from the Front Lot line to the Build-To Line is 1m along Public Roads designated as Corridors, except for Hardin Street North where it is 3m. The required setback from the Front Lot line to the Build-To Line is 0 m along Public Roads that are not designated as Corridors.

Figure 9.10.4-1 Franklin Avenue West (looking east)



Thoroughfare type	Boulevard
Character	Mixed-Use
Role in Network	Transit Spine
Right-of-Way Width	30m
Sidewalk easement	1m
Total width	32m
Curb-to-curb width	21m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2
Travel Lane Width	3.5m
Turning Lanes	1 left turn lane
Turning Lane Width	3.5m
Parking Lanes	3m between curb flares
Curb Radius	tbd
Transit facilities	BRT two lanes
Bike Facilities	none
Sidewalks	7.5m / 3.5m
Planting Strips	Varies

Figure 9.10.4-2 Morrison Street

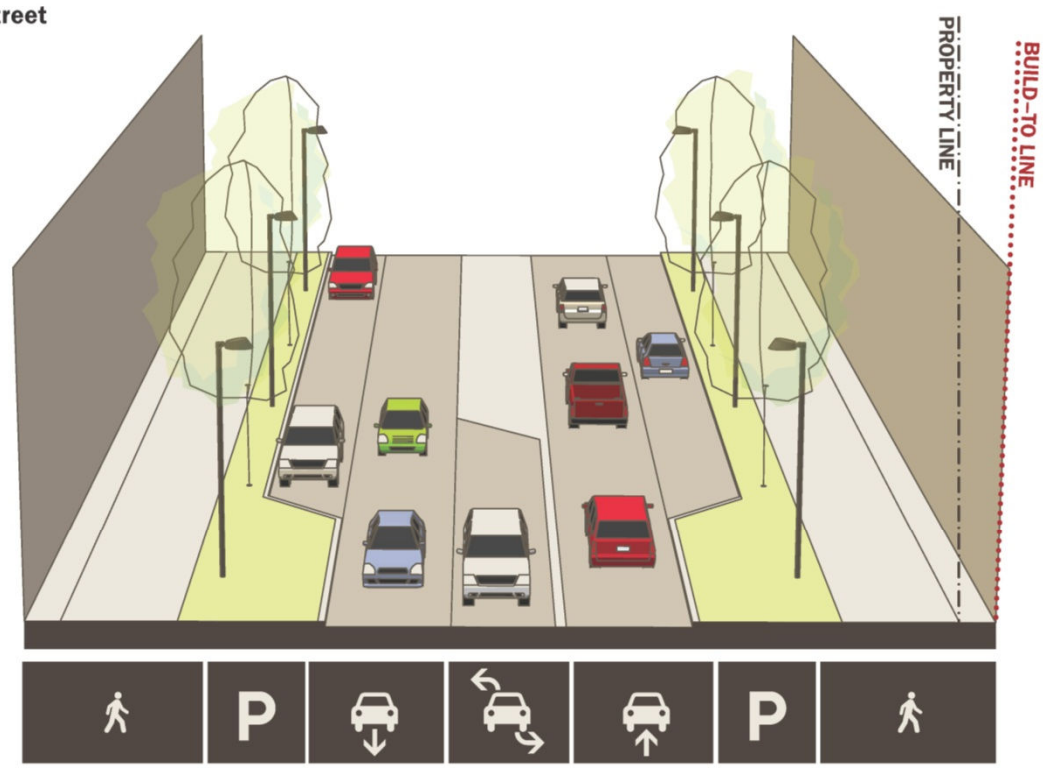


Thoroughfare type	Street
Character	Civic Corridor
Role in Network	Connects to MacDonald Island Recreation Zone
Right-of-Way Width	25m
Sidewalk easement	1m
Total width	27m
Curb-to-curb width	10.2m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2
Travel Lane Width	3.5m
Turning Lanes	1 left turn lane
Turning Lane Width	3.2m
Parking Lanes	none
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	1.8m cycle track
Sidewalks	4.8m
Planting Strips	1.8m

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.

Figure 9.10.4-3 Main Street

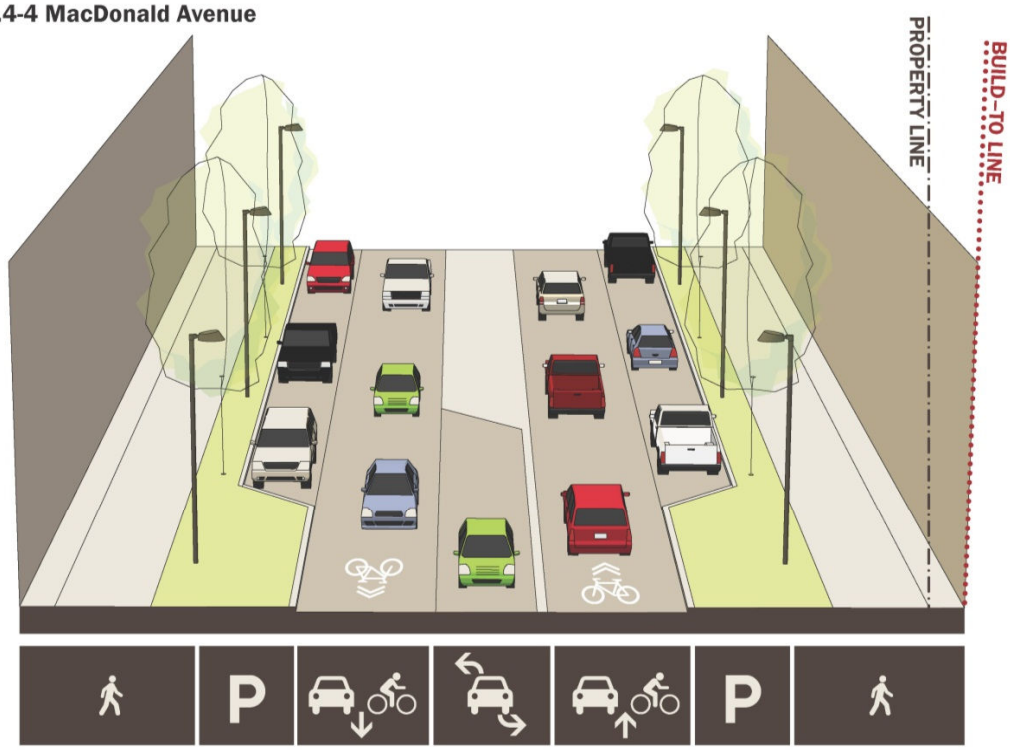


Thoroughfare type	Street
Character	Small scale retail/ restaurant
Role in Network	Pedestrian Corridor
Right-of-Way Width	25m
Sidewalk easement	1m
Total width	27m
Curb-to-curb width	15.2m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2
Travel Lane Width	3.5m
Turning Lanes	1 left turn lane
Turning Lane Width	3.2m
Parking Lanes	2.5m between curb flares
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	Shared street
Sidewalks	5.9m
Planting Strips	1.65m

Notes:

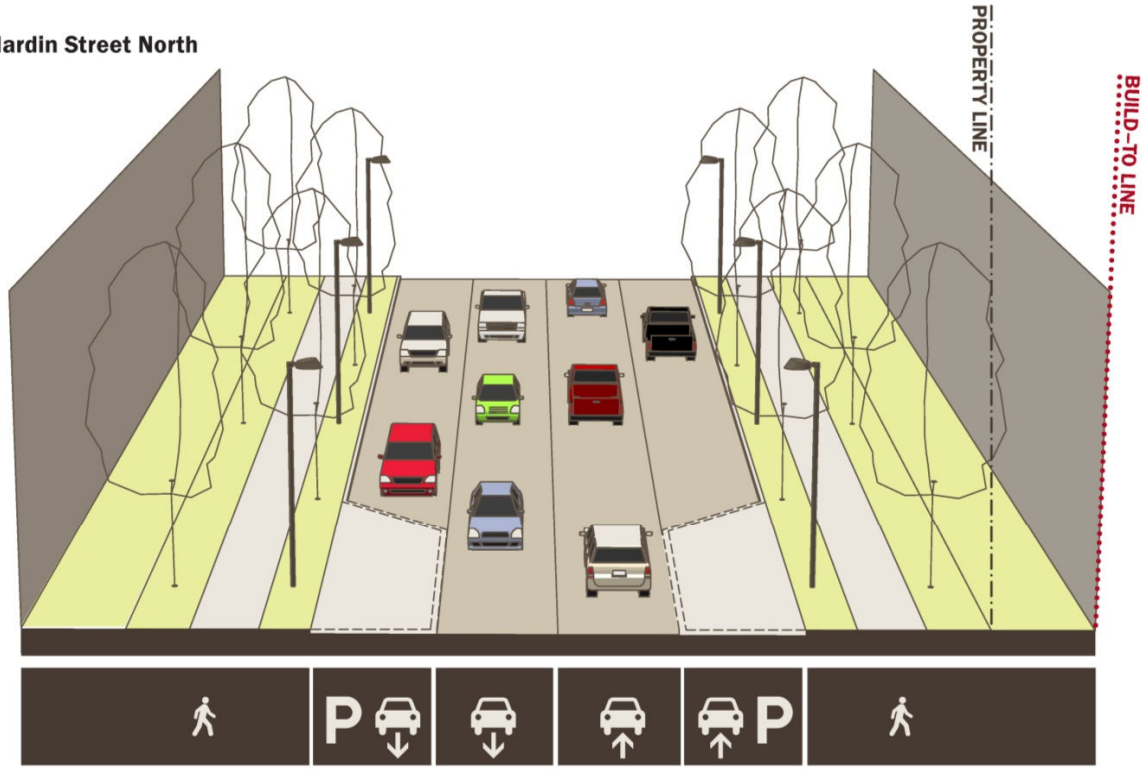
- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.

Figure 9.10.4-4 MacDonald Avenue



Thoroughfare type	Street
Character	Entertainment Corridor
Role in Network	
Right-of-Way Width	25m
Sidewalk easement	1m
Total width	27m
Curb-to-curb width	16.2m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2 lanes
Travel Lane Width	4m with sharrow
Turning Lanes	1 left turn lane
Turning Lane Width	3.2m
Parking Lanes	2.5m between curb flares
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	4m shared lane
Sidewalks	5.4m
Planting Strips	1.65m

Figure 9.10.4-5 Hardin Street North

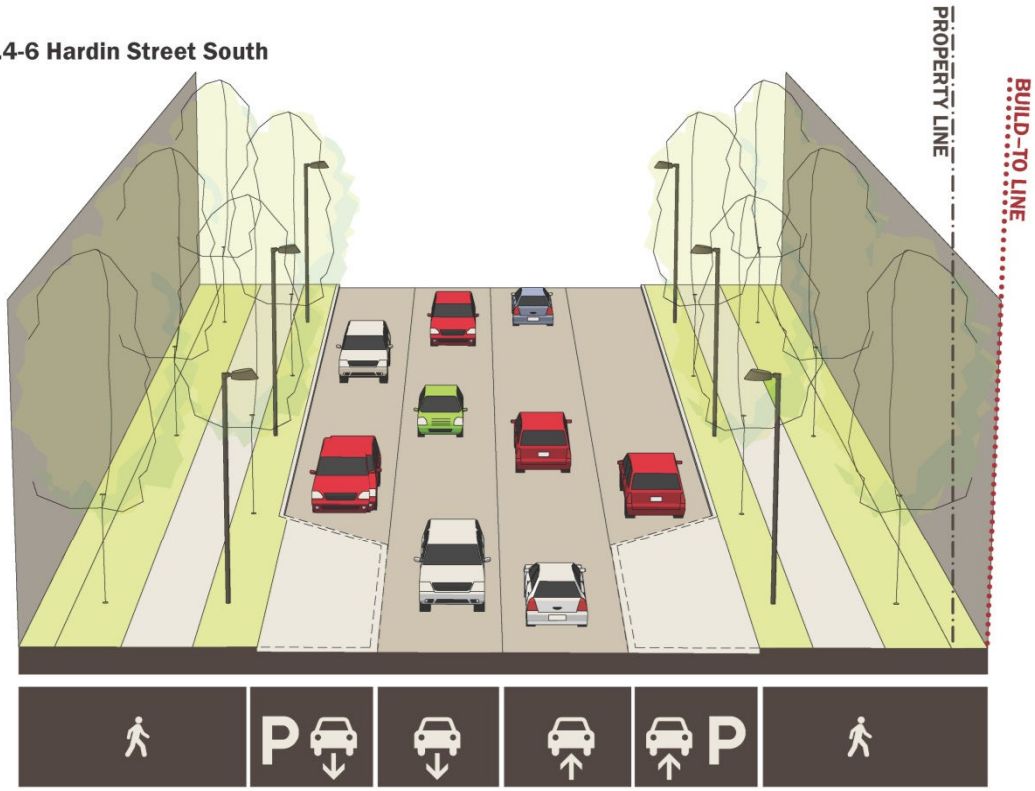


Thoroughfare type	Grand Avenue
Character	Primarily Residential
Role in Network	
Right-of-Way Width	25m
Sidewalk easement	3m
Total width	31m
Curb-to-curb width	14m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2/ 4 lanes
Travel Lane Width	3.5 m
Turning Lanes	n/a
Turning Lane Width	n/a
Parking Lanes	3.5m parking lane option
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	n/a
Sidewalks	5.5 m/ 2 m
Planting Strips	1.65 m/ 1.85 m

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.

Figure 9.10.4-6 Hardin Street South

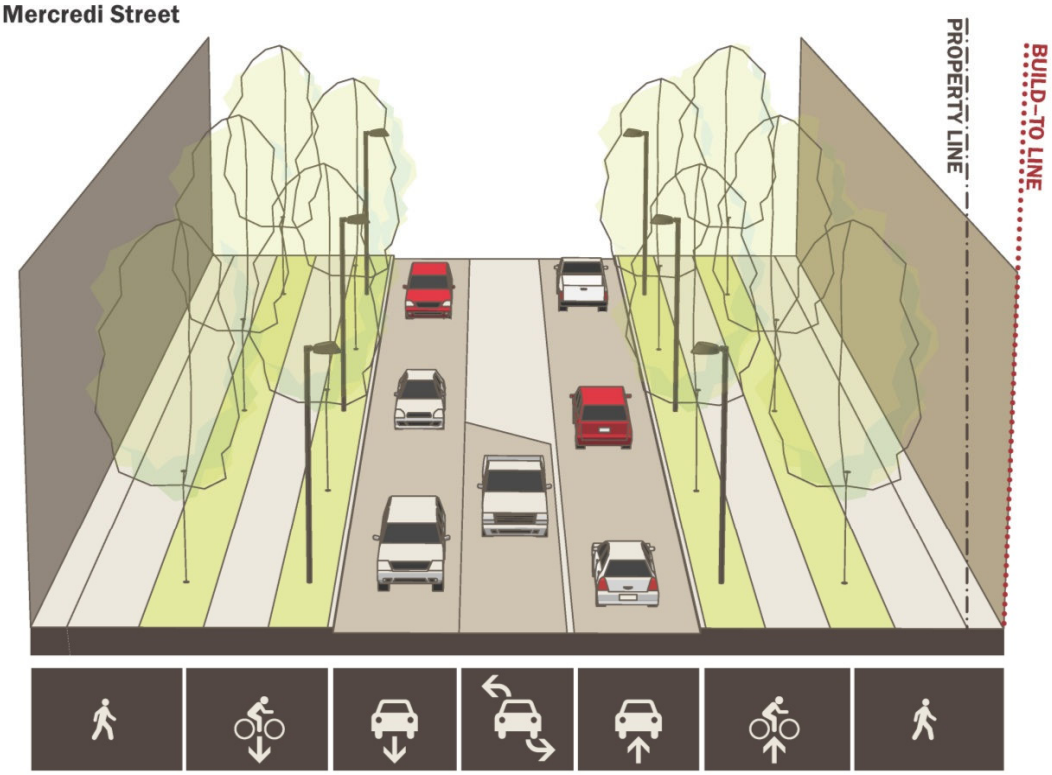


Thoroughfare type	Grand Avenue
Character	Primarily Residential
Role in Network	
Right-of-Way Width	25m
Sidewalk easement	3m
Total width	27m
Curb-to-curb width	14m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2/ 4
Travel Lane Width	3.5 m
Turning Lanes	n/a
Turning Lane Width	n/a
Parking Lanes	3.5m parking lane option
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	n/a
Sidewalks	6.5m/ 2m
Planting Strips	1.65m/ 1.85m

Notes:

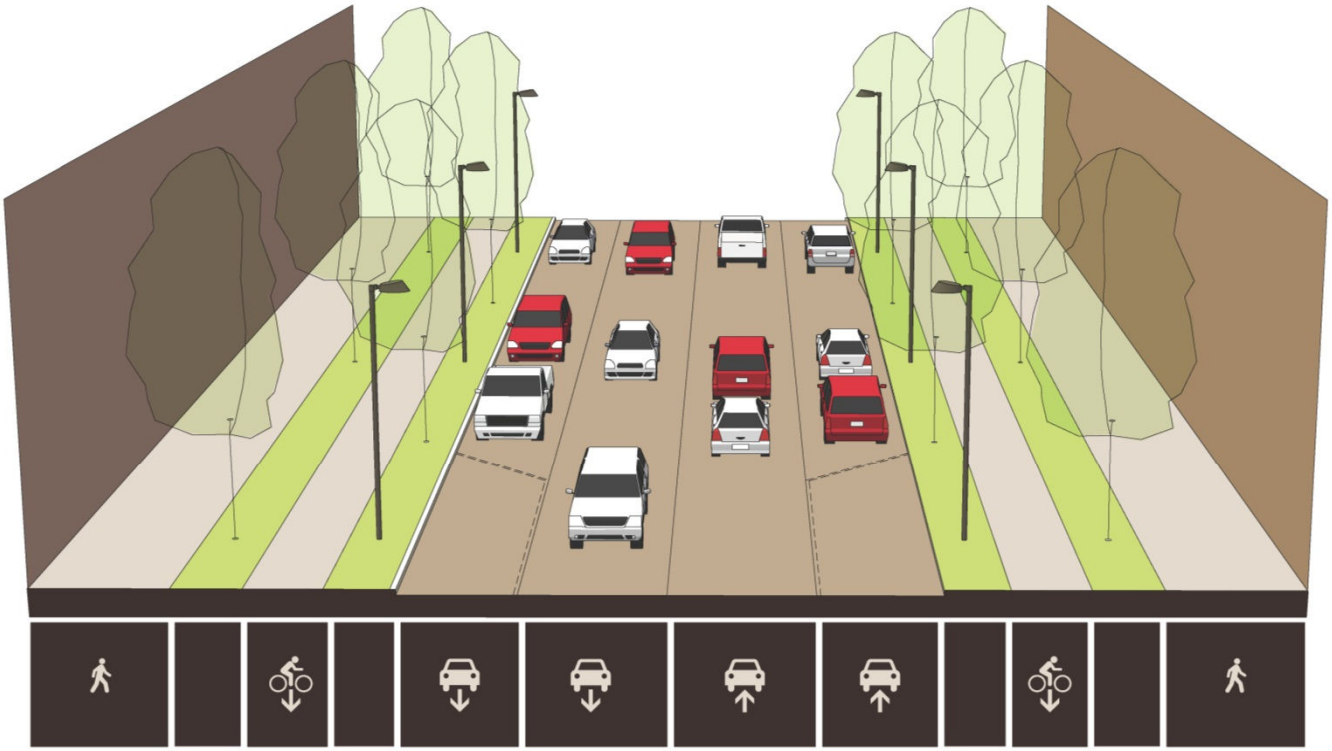
- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.

Figure 9.10.4-7 Father Mercredi Street



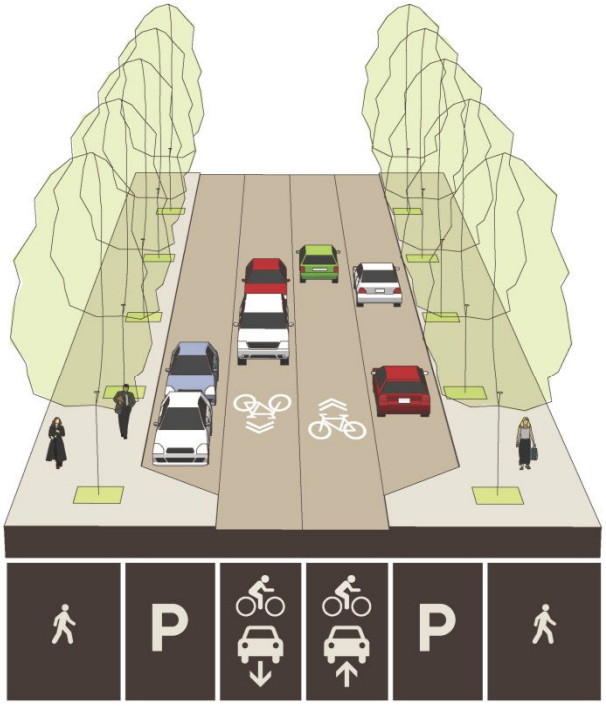
Thoroughfare type	Street
Character	Mixed-Use
Role in Network	Connects to Snye Park
Right-of-Way Width	25m
Sidewalk easement	tbd
Total width	tbd
Curb-to-curb width	10.2m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2
Travel Lane Width	3.5m
Turning Lanes	1 left turn lane
Turning Lane Width	3.2m
Parking Lanes	none
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	1.8m cycle track
Sidewalks	4.8m
Planting Strips	1.8m

Figure 9.10.4-8 Prairie Loop Boulevard West



Thoroughfare type	Boulevard
Character	Mixed-Use
Role in Network	Perimeter Multimodal Access
Right-of-Way Width	tbd
Sidewalk easement	tbd
Total width	35.2m
Curb-to-curb width	14.8m
Traffic flow	Two-Way
Target speed	60kph
Through Travel Lanes	2/ 4
Travel Lane Width	3.7 m
Turning Lanes	na
Turning Lane Width	na
Parking Lanes	3.5m parking lane option
Curb Radius	tbd
Transit facilities	na
Bike Facilities	1.8m cycle track
Sidewalks	4.8m
Planting Strips	2 at 1.8m

Figure 9.10.4.9 Narrow Street 1 (Through Block Connection)

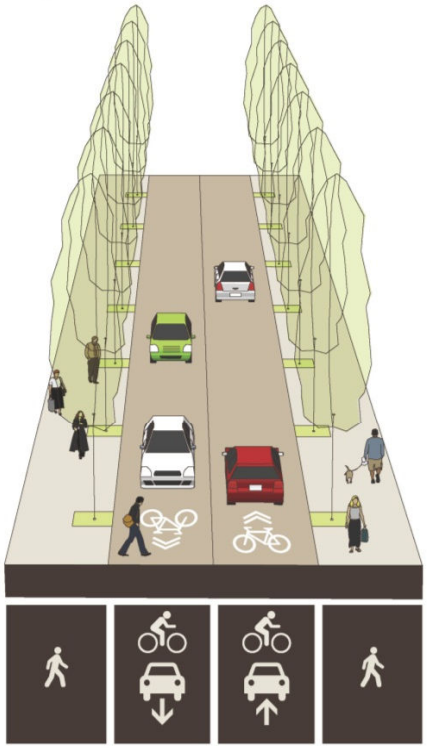


Type	Multimodal
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	17.2m - 18.2m
Curb-to-curb width	10m - 11m
Travel Lanes	1.5 - 2
Travel Lane Width	5m - 6m
Parking Lanes	2.5m between mountable curb flares
Bike Facilities	Shared lanes
Sidewalks	3.6m
Planting Strips	1.5m

Notes:

- When used to fulfill the requirement for Through Block Connections within the Downtown, Narrow Street 1 is required to have weather protection over one or both sidewalks.

Figure 9.10.4.10 Narrow Street 2 (Through Block Connection)

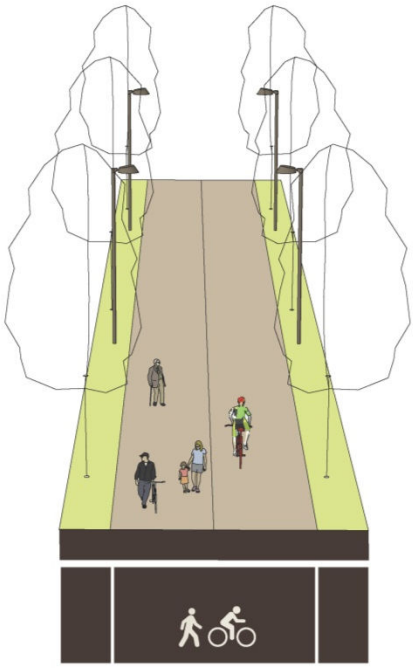


Type	Multimodal
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	12m
Shared lane width	6.1m (curbs optional)
Travel Lanes	2
Travel Lane Width	na
Parking Lanes	none
Bike Facilities	Shared lanes
Sidewalks	3m
Planting Strips	1.5m

Notes:

- When used to fulfill the requirement for Through Block Connections within the Downtown, Narrow Street 2 is required to have weather protection over one or both sidewalks.

Figure 9.10.4-11 Lane/Universal Access Street (Through Block Connection)



Type	Bike and Pedestrian Only
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	9.1m
Shared lane width	6.1m (curbs optional)
Travel Lanes	na
Travel Lane Width	na
Parking Lanes	na
Bike Facilities	Shared lanes
Sidewalks	na
Planting Strips	1.5m

Notes:

- Lanes and/or "Universal Access Streets" are private or public multi-use pathways designed for pedestrian and bicycle users, while simultaneously allowing for occasional vehicular access to individual buildings within the same street/alley space.
- Space shall be provided for landscaping, trees, lighting, and street furniture. These streetscape elements should reinforce the shared nature of these streets.
- Street lighting and landscaping shall be designed at a pedestrian scale.
- When used to fulfill the requirement for Through Block Connections within the Downtown, Lane/Universal Access is required to have weather protection over a portion of the central walkway.

9.10.5 Building and Landscape Frontage Types

9.10.5.1 Overview of Building and Landscape Frontage Types

.1 Refer to the Regulating Plan and the Development Standards tables to determine which Building and Landscape Frontage Types are permitted along each Street. Each Street-facing Build-To Line shall comply with the Development Standards listed under the applicable Building and Landscape Frontage Type.

.2 Podium Linear Building Frontage

.1 The Podium Building Frontage, as set out in Figure 9.10.5.1, is a façade at the base of a Tower. The Tower is stepped back a minimum of 3m from the Build-To Line. The Podium has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20m.

.2 A Linear Building Frontage is characterized by a façade which is built up to the Build-To Line. The Building entrance is at sidewalk grade. Linear Building Frontages have substantial glazing on the Ground Floor, and may provide awnings or canopies cantilevered over the sidewalk. Building entries must either provide a canopy or awning and/or be recessed behind the front Building façade.

.3 Podium Forecourt Building Frontage

.1 The Podium Building Frontage, as set out in Figure 9.10.5.2, is a façade at the base of a Tower. The Tower is stepped back a minimum of 3m from the Build-To Line. The Podium has a minimum Height of 2 Storeys or 6m or, and a maximum Height of 6 Storeys or 20m.

.2 A Forecourt Building Frontage may be created by recessing a portion of the facade for a portion of the Building Frontage. The Forecourt Building Frontage should be used in conjunction with the Linear Building Frontage. A Forecourt Building Frontage may be suitable for small-scale Courtyards, gardens and/or outdoor seating.

.4 Podium Porch / Stoop / Terrace Building Frontage

.1 The Podium Building Frontage, as set out in Figure 9.10.5.3, is a façade at the base of a Tower. The Tower is stepped back a minimum of 3m from the Build-To Line. The Podium has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20m.

.2 The Setback Building Frontage is characterized by a façade which is set behind the Build-To Line and a Building entry Threshold, such as a Porch or Terrace, set between the Building and the Build-To Line. The Threshold may be elevated above or may be sunken below grade. The Building entry is accessed from this Threshold. Landscaping may be provided in the setback area between the Building and the sidewalk.

.5 Podium Wrap Building Frontage

.1 The Podium Wrap Building Frontage, as set out in Figure 9.10.5.4, is a façade that forms the perimeter of a large single use Building that occupies an entire block, or most of a block. It must meet the Linear, Forecourt, or Porch / Stoop / Terrace frontage requirements. The Podium Wrap Building has a minimum depth of 10m from the Build-To Line. It has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20m.

.6 Low Wall and Trellis Landscape Frontage

.1 As set out in Figure 9.10.5.5, Street-facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be screened with a low masonry or concrete wall and overhanging trellis structure.

9.10.5.2 Medium sized Developments on existing Sites

.1 The Building and Landscape Frontage types shall be provided as set out in this Bylaw for Development that meets the lesser of the following criteria:

.1 the total cumulative additions or new Buildings on the Site exceeds 15% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9; or

.2 additions and/or new Buildings exceed 1,000m^2 in Gross Floor Area.

.2 For Developments less than or equal to 1,000m^2 in Gross Floor Area, or where the total cumulative additions and/or new Buildings on the Site is less than or equal to 15% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9, the following requirements apply:

.1 As an exception to providing the Building Frontage Type on the entire Site, the Building Frontage Type is only required on the front of the addition and /or new Building; and

.2 As an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the entire Street frontage faced by the addition and/or new Building; or

.3 If the Site is adjacent to a Corridor, as an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the Corridor.

9.10.5.3 Podium Linear Building Frontage

Podium Linear Building Frontages shall conform to Figure 9.10.5-1 and the following standards:

.1 Front Setback: The front façade of the Building must be built to the Street Facing Build-To Line. If the Site lies at the corner of two Streets, the façades facing each of the Streets must be built to the Street Facing Build-To Lines for both Street Frontage Lot lines.

.2 Ground Floor height: The Ground Floor must measure a minimum of 4.5m, floor to ceiling.

.3 Minimum Building Height: 2 Storeys or 6m.

.4 Minimum Building depth: Buildings must be a minimum of 12m deep in order to accommodate retail uses on the Ground Floor.

.5 Weather Protection: Awnings or canopies must be provided for a minimum of 80% of the overall Building frontage and must comply with the following:

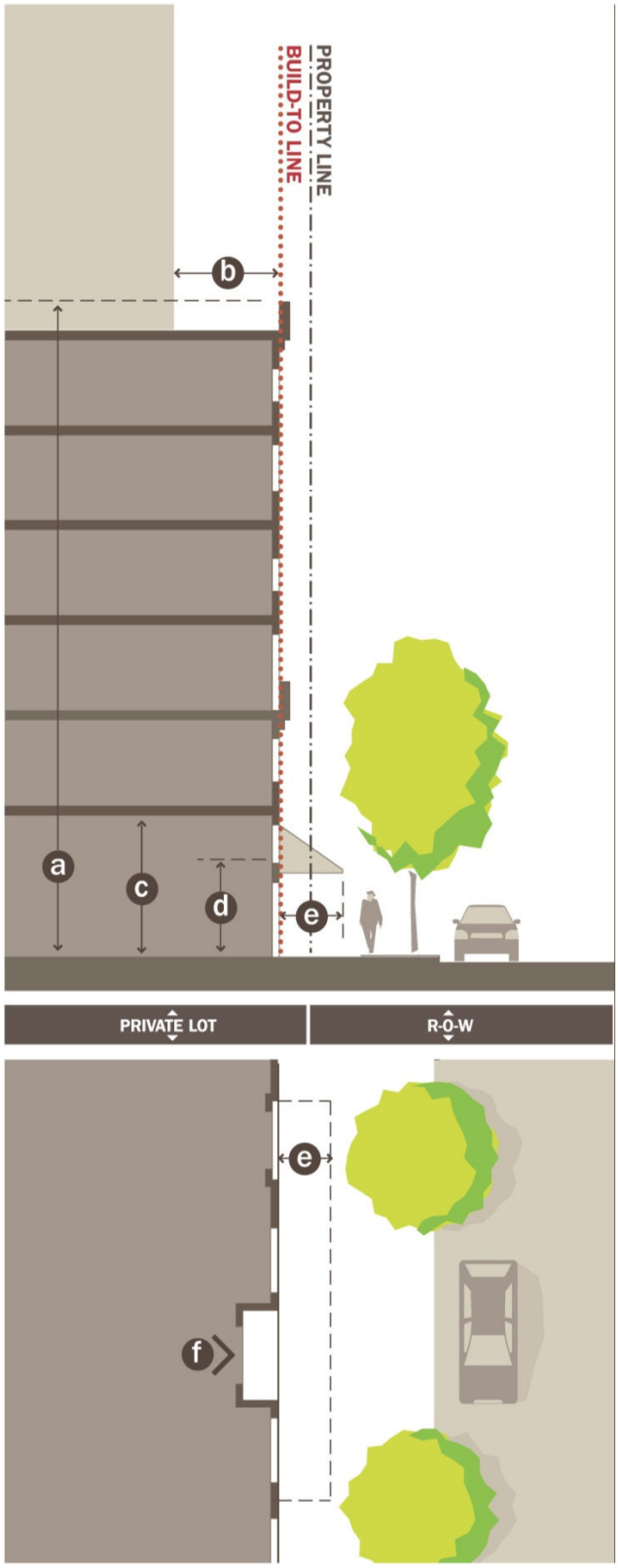
a. Awnings or canopies must project a minimum of 1.5m and a maximum of 2.5m over the sidewalk.

b. Awnings or canopies must provide a minimum of 2.5m and a maximum of 4m of vertical clearance over the sidewalk.

.6 Windows: Transparent Ground Floor windows shall be provided along a minimum of 60% of the Ground Floor, Street-facing façade area.

.7 Primary Entry Doors: Primary Building entries must face the Street, and a minimum of 40% of each primary entry shall be transparent.

Figure 9.10.5-1 Podium Linear Frontage



- **a** Podium height
- **b** Tower step back from Build To Line
- **c** Ground floor height
- **d** Awning / canopy height
- **e** Awning / canopy depth
- **f** Primary entry, recess optional

9.10.5.4 Podium Forecourt Building Frontage

Podium Forecourts shall conform to Figure 9.10.5-2 and the following standards:

.1 Courtyard Setback: The Courtyard portion of a Forecourt shall be set back from the Build-To Line a minimum of 3m and a maximum of 10m. The Courtyard portion of a Forecourt shall be open to the sky. Courtyards shall be landscaped and/or hardscaped.

.2 Courtyard Length: The Courtyard portion of a Forecourt shall span a minimum of 6m along the Primary Street Frontage façade and shall comprise no more than 50% of the Build-To Line.

.3 Forecourt Frontage: The Forecourt frontage shall incorporate the Linear Frontage type for Building faces that are not part of the Courtyard.

.4 Ground floor height: The Ground Floor shall measure a minimum of 4.5m, floor-to-ceiling.

.5 Minimum Building Height: 2 Storeys or 6m.

.6 Weather Protection: Awnings or canopies must be provided for a minimum of 80% of the overall Building frontage and must comply with the following:

a. Awnings or canopies must project a minimum of 1.5m and a maximum of 2.5m over the sidewalk or Courtyard.

b. Awnings or canopies must provide a minimum of 2.5m and a maximum of 4m of vertical clearance over the sidewalk or Courtyard.

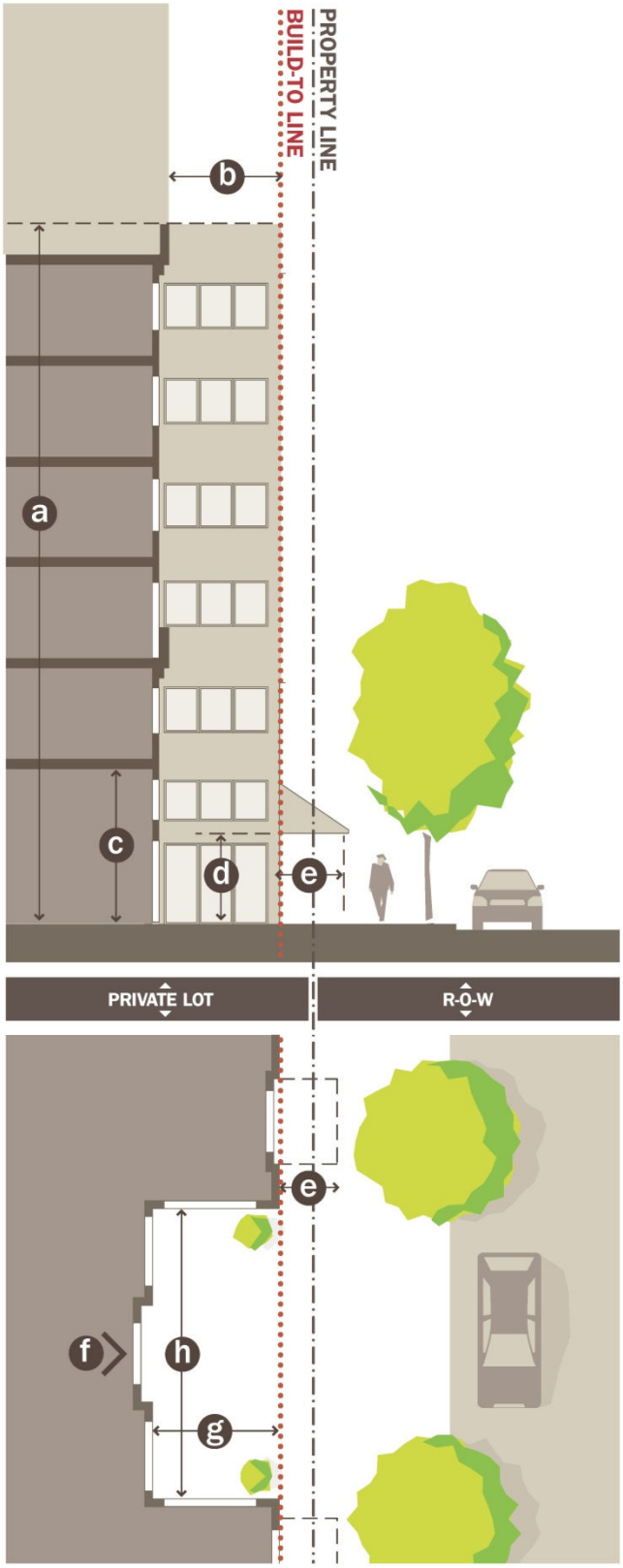
.7 Windows: Transparent windows shall be provided along at least 50% of the Courtyard-facing Ground Floor façade area. See "Linear Frontage" for window requirements for the remainder of the façade.

.8 Primary Entry Doors: Primary Building entries shall face the Street and/or the Courtyard, and a minimum of 40% of each primary entry shall be transparent.

.9 Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but each fence or wall may be no greater than 0.9m in height and must be a minimum of 20% transparent.

.10 Surface Parking: Surface Parking is not allowed in the Courtyard portion of a Forecourt; nor is surface parking allowed on the Site between the Building and the Street.

Figure 9.10.5-2 Podium Forecourt



- **a** Podium height
- **b** Tower step back from Build To Line
- **c** Ground floor height
- **d** Awning / canopy height
- **e** Awning / canopy depth
- **f** Primary entry, recess optional
- **g** Forecourt setback from Build To Line
- **h** Forecourt width

9.10.5.5 Podium Porch/Stoop/Terrace Frontage

Porch/Stoop/Terrace Frontages shall conform to Figure 9.10.5-3 and to the following standards:

.1 Street-Facing Setback: The Building shall be set back a minimum of 1.5m and a maximum of 4.5m from the Build-To Line. The entry Threshold, including a roof over the Threshold, and steps to the Threshold may extend up to the Build-To Line.

.2 Threshold Dimensions: The entry Threshold (such as a Porch, Stoop, Terrace, patio, or light court) shall conform with the following minimum standards (note: dimensions may vary from the standards below to accommodate universal access if necessary):

a. Minimum of 1.5m depth (clear) from Building façade to front of Threshold.

b. Minimum 1.8m width (clear) along the Building façade.

c. The Threshold shall be no more than 1.8m above grade. An additional Threshold may be provided to access a lower level and shall be no more than 1.5m below grade.

d. The Threshold shall cover an area of no more than $14m^2$ per Building entry.

e. The entry Threshold may be covered by a roof no larger than the Threshold itself.

.3 Minimum Building Height: 2 Storeys or 6m.

.4 Primary Entry Doors: In order to provide adequate "eyes" on the Street, Ground Floor Residential uses shall provide individual Building entries to individual Residential units. Building entries shall face the Street and be a minimum 10% transparent.

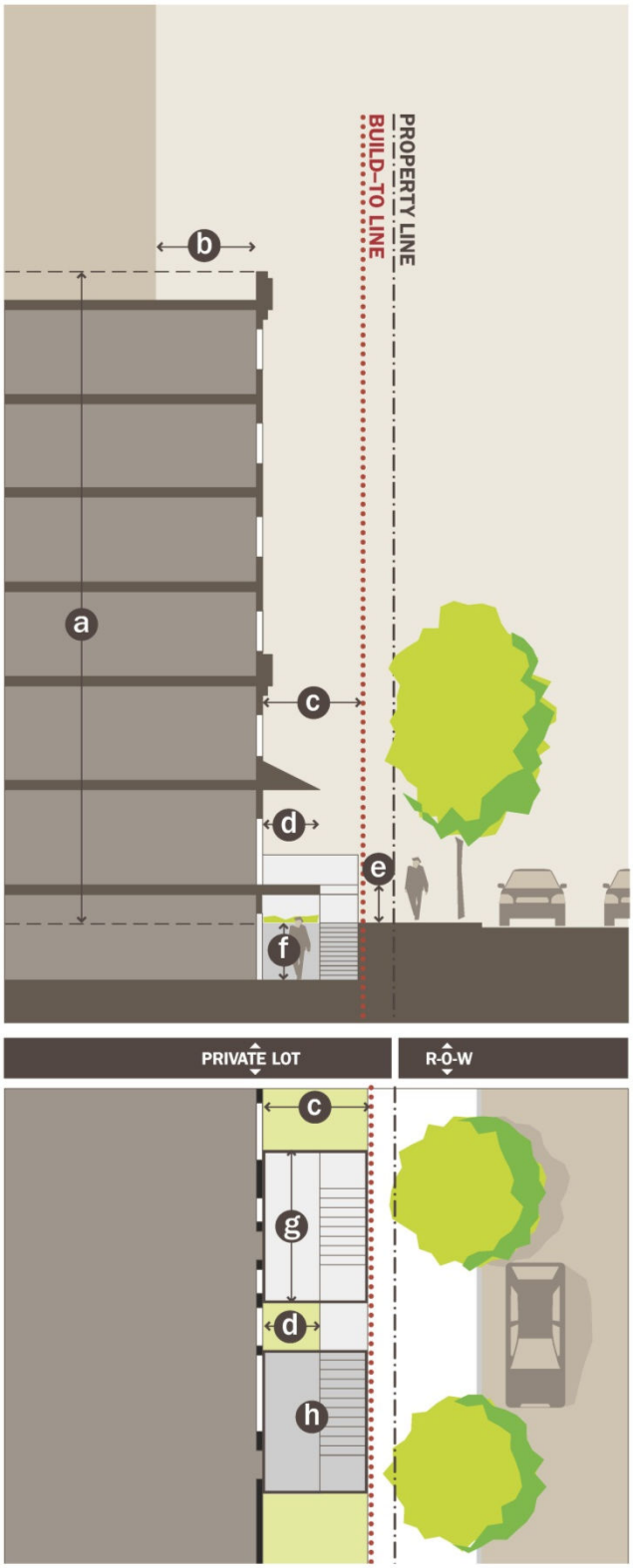
.5 Windows: Transparent windows shall be provided along at least 20% of the Street-facing façade area. Windows shall be vertically oriented. Vertical windows may be grouped together to create square or horizontally-oriented rectangular windows.

.6 Fences: Fences are permitted within the Primary Frontage Setback and Secondary Frontage Setback but shall be no greater than 0.9m high and shall be a minimum of 50% transparent.

.7 Landscaping: Landscaping shall be provided in the Primary Frontage Setback and Secondary Frontage Setback. Hardscaping is permitted only to provide access to the Threshold; all other areas shall be planted.

.8 Surface Parking: Surface Parking shall not be permitted on the Site in between the Building and the Street.

Figure 9.10.5-3 Podium Porch/Stoop/Terrace Frontage



- a Podium height
- b Tower step back from Build To Line
- c Setback from Build To Line
- d Threshold depth
- e Threshold height above grade
- f Threshold depth below grade
- g Threshold width
- h Threshold area

9.10.5.6 Podium Wrap Building Frontage

Podium Wrap Buildings shall conform to Figure 9.10.5-4 and the following standards:

.1 Frontage Type: The Wrap Frontage shall incorporate the Linear Frontage, the Forecourt Frontage Type or the Porch / Stoop / Terrace Frontage Type standards for Building façades adjacent to the Build-To Line.

.2 Ground floor height: The Ground Floor must measure a minimum of 4.5m, floor-to-ceiling.

.3 Minimum Building Height: 2 Storeys or 6m.

.4 Ground floor height: The Ground Floor shall measure a minimum of 4.5m, floor-to-ceiling.

.5 Minimum Depth: The Ground Floor shall have a minimum depth of 10m.

.6 Weather Protection: Awnings or canopies must be provided for a minimum of 80% of the overall Building frontage and must comply with the following:

a. Awnings or canopies must project a minimum of 1.5m and a maximum of 2.5m' over the sidewalk.

b. Awnings or canopies must provide a minimum of 2.5m and a maximum of 4m of vertical clearance over the sidewalk.

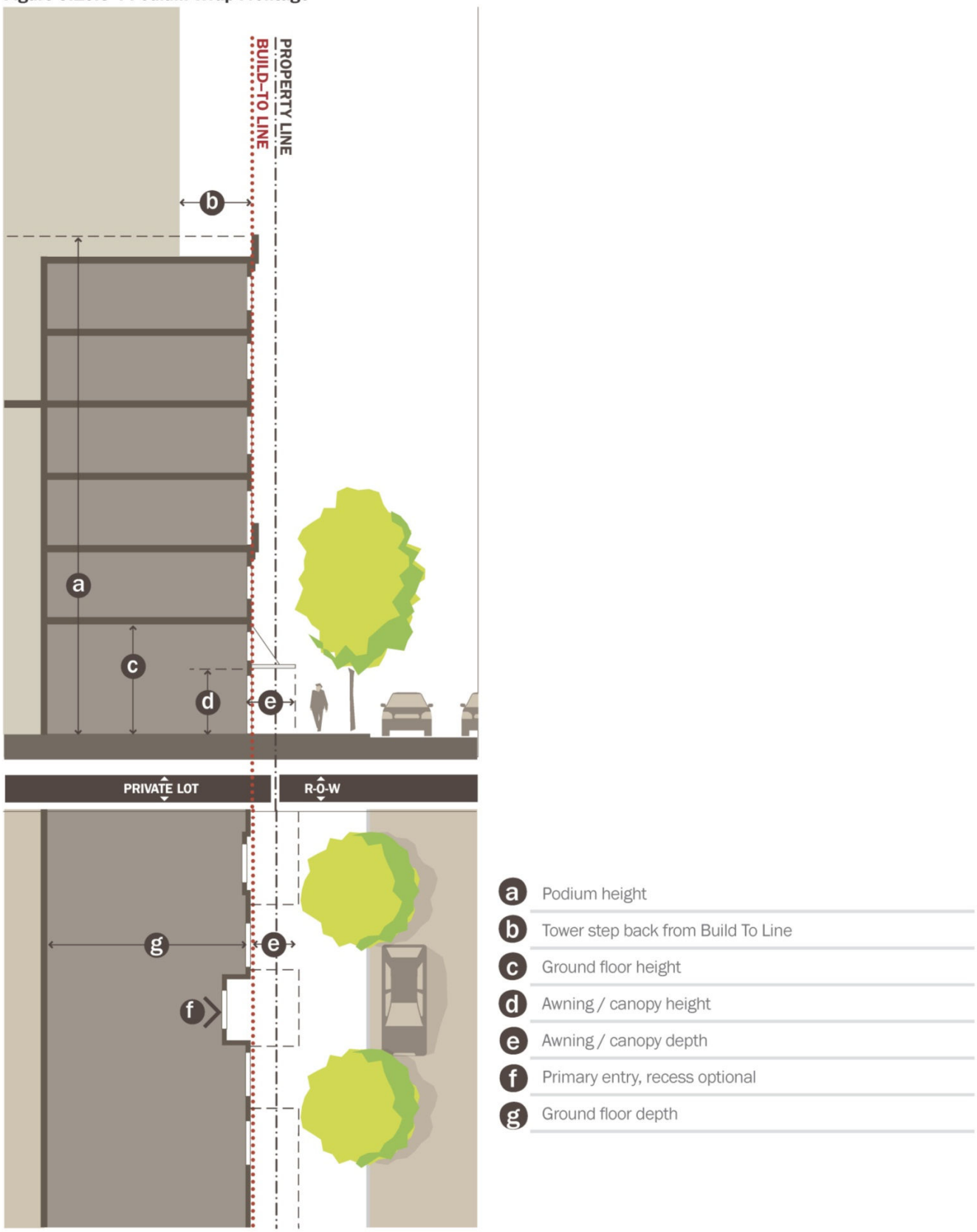
.7 Windows: Transparent windows must be provided along at least 50% of the Courtyard-facing Ground Floor façade area. See "Linear Frontage" for window requirements for the remainder of the façade.

.8 Primary Entry Doors: Primary Building entries must face the Street and/or the Courtyard and, and a minimum of 40% of each primary entry shall be transparent.

.9 Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but may be no greater than 0.9m high and must be a minimum of 20% transparent.

.10 Surface Parking: Surface Parking is not allowed in the Courtyard portion of a Forecourt; nor is surface parking allowed on the Site between the Building and the Street.

Figure 9.10.5-4 Podium Wrap Frontage



9.10.5.7 Low Wall and Trellis Landscape Frontage

Low Wall and Trellis Screening shall conform to Figure 9.10.5-5 and the following standards:

.1 Along all public or private Street-facing frontage, surface parking areas shall be screened with a Low Wall and Trellis along the Build-To Line. The Low Wall and Trellis shall be set back a minimum of 0m and a maximum of 1.5m from the Build-To Line. Any setback area between the sidewalk along the Public Road and the wall shall be planted or paved with stamped concrete or masonry pavers.

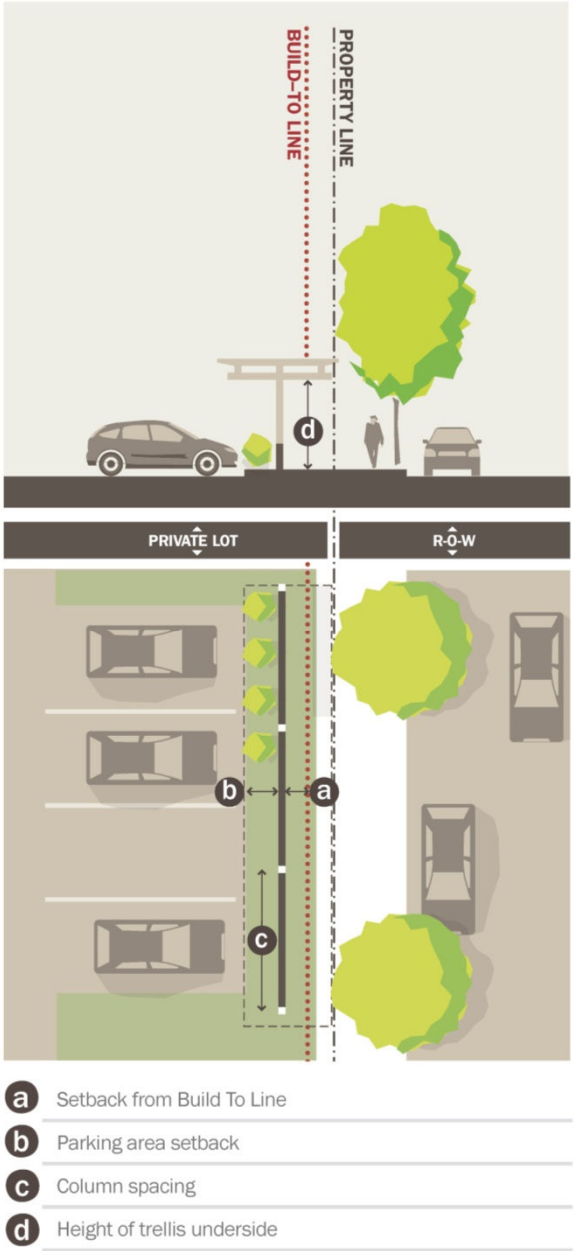
.2 The underside of the Trellis portion of a Low Wall and Trellis shall be a minimum of 2.4m above grade and a maximum of 4.1m above grade. The Trellis shall be constructed of heavy timber or steel (or a similar material) and shall consist of open structure with no decking or awning material. The Trellis shall have masonry, heavy timber, or steel (or similar metal) supporting columns spaced no more than 9m on center.

.3 The Low Wall portion of a Low Wall and Trellis shall be a minimum of 0.5m high and a maximum of 0.9m high and have a minimum depth of 0.4m. The Low Wall shall be constructed of wood, masonry, and/or concrete.

.4 Parking shall be set back a minimum of 1.0m from the Low Wall and Trellis. Low shrubs, groundcover, and climbing plants shall be provided in this set back area.

.5 Openings in the Low Wall and Trellis are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

Figure 9.10.5-5 Low Wall and Trellis Landscape Frontage



9.11 FRANKLIN AVENUE RE-URBANIZATION DEVELOPMENT STANDARDS

9.11.1 General Standards Required for All Development in the Franklin Avenue Re-Urbanization Zone

.1 Introduction

.1 The following standards apply to all Development in the Franklin Avenue Re-Urbanization Zone unless noted otherwise in the Table for Specific Development Standards - Table 9.11-1 - for Franklin Avenue Re-Urbanization.

.2 Connectivity

.1 Maximum Block Length: New Streets are intended to create blocks with a maximum block length of 180m, and a perimeter no greater than 530m, unless otherwise noted on the Table of Specific Development Standards for Franklin Avenue Re-Urbanization. Exact location of these new Streets may vary up to 16m, provided this provision is met. See Section 9.11.4 "Street Types" for further requirements.

.2 Through Block Connections: In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, any block face longer than 140 linear metres must provide an additional connection through the block as illustrated in Figure 9.11.3-1. Existing East –West aligned lanes shall also be utilized for Through Block Connections as illustrated in Figure 9.11.3-1. These new connections should to align with existing Streets or planned new Streets. See Section 9.11.4 "Street Types" for further requirements for Through Block Connections.

.3 Site Access

.1 Vehicular Entrances: A Site may have vehicular entrances that meet the Development Standards shown in the Table of Specific Development Standards.

.2 Vehicular Entrance Width: 8m maximum width, not including any sidewalks or landscaping.

.3 Pedestrian Access: All Buildings must provide at least one Building entrance that is directly connected to the public sidewalk by a walkway that is a minimum of 1.8m wide. This Building entrance must be operable during normal business hours (See Figure 9.11.3-3)

.4 Frontage Requirements

.1 Minimum Building Frontage along Street-Facing Build-To Line: All Street or path-facing Build-To Lines not occupied by Buildings or driveways are required to provide Building or Landscape Frontage between the sidewalk and the remainder of the Lot. See the Table of Specific Development Standards for permitted Building and Landscape Frontage Types.

.2 Primary Street Frontage: The Primary Street Frontage shall be defined as the portion of the Building facing the Street (or the higher order Street Corridor if on a corner). The front façade of the Building shall be built to the Primary Street Frontage Build-To Line.

.3 Secondary Street Frontage: The Secondary Street Frontage shall be defined as the portion of the Building facing the lower order Street, if on a corner. The front façade of the Building shall be built to the Secondary Street Frontage Build-To Line for a minimum of 30m from the corner or the Lot width, whichever is shorter. The Building Frontage Standards of this section shall apply to the portion of the Building that occupies the Build-To Line for 30m from the corner or the Lot width, whichever is shorter.

.5 Building Setbacks

.1 Front Street Facing Setback: Varies according to Building and Landscape Frontage Type. See Section 9.11.5. "Building and Landscape Frontage Types" for Development Standards.

.2 Side yard setback, adjoining another Lot: See Table of Specific Development Standards.

.3 Rear yard setback, adjoining another Lot: See Table of Specific Development Standards.

.4 Rear yard setback, adjoining a lane: See Table of Specific Development Standards.

.5 Building siting requirements are illustrated in figures 9.11.3-2 and 9.11.3-3.

.6 Parking Siting and Screening

.1 Parking Structure Setbacks: Parking Structure setbacks are the same as Principal Building setbacks. Parking Structures must comply with all Building Frontage requirements outlined in Section 9.11.5 "Building and Landscape Frontage Types."

.2 Surface Parking: Street-facing setbacks: See Section 9.11.5 "Building and Landscape Frontage Types" for setback and Landscaping requirements for surface parking areas.

.3 Parking siting requirements are illustrated in figures 9.11.3-2 and 9.11.3-3.

.7 Amenity Spaces

.1 A minimum Amenity Space of 3% of Gross Floor Area of Residential Uses, to a maximum of 6% shall be required for Buildings over 2,000m^2 to the satisfaction of the Development Authority but in no case shall the Amenity Space be less than 6 m^2 of Private Outdoor Amenity Space per Dwelling Unit.

.2 Amenity Spaces for Residential Uses may include but are not limited to meeting rooms, fitness facilities, outdoor space, and Balconies, and shall be exempt from Floor Area Ratio calculations.

.3 A minimum Private Outdoor Amenity Space of 15m^2 shall be provided for each Dwelling Unit where any part of the Dwelling Unit is located at grade.

.4 Non-Residential Buildings on Sites of less than 1,350m^2 shall not be required to provide Amenity Space.

.5 Non-Residential or mixed-use Buildings on Sites greater than 1,350m^2 shall provide a minimum Amenity Space of 3% of the non-Residential Uses to a maximum of 6% of the Gross Floor Area of the Development. Amenity Spaces may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from Floor Area Ratio calculations.

.8 Dwelling Units Permitted

.1 The maximum number of Dwelling Units permitted is the number of Dwelling Units that can be achieved while complying with the Uses and applicable development standards, which may include but are not limited to, the maximum Height, maximum Floor Area Ratio, Building Frontage type, parking requirements, Permitted Uses and Discretionary Uses, and all other regulations that may apply to the Development.

9.11.2 Tables of Specific Development Standards for Franklin Avenue Re-Urbanization

.1 Introduction

Tables 9.11-1 and 9.11-2 set out specific Development Standards for Sites fronting each of the Corridors within the Franklin Avenue Re-Urbanization Zone as set out in the City Centre Districts and Corridors Map, Appendix 1. See Section 9.11.5 for an expanded presentation of regulations pertaining to Building and Landscape Frontage Types.

See Section 9.11.3 Development Standards Illustrations for a graphic illustration of the Development Standards within the Development Standards Table

The Franklin Re-Urbanization General column applies to all Sites not fronting on a Corridor set out in the City Centre Districts and Corridors Map, Appendix 1.

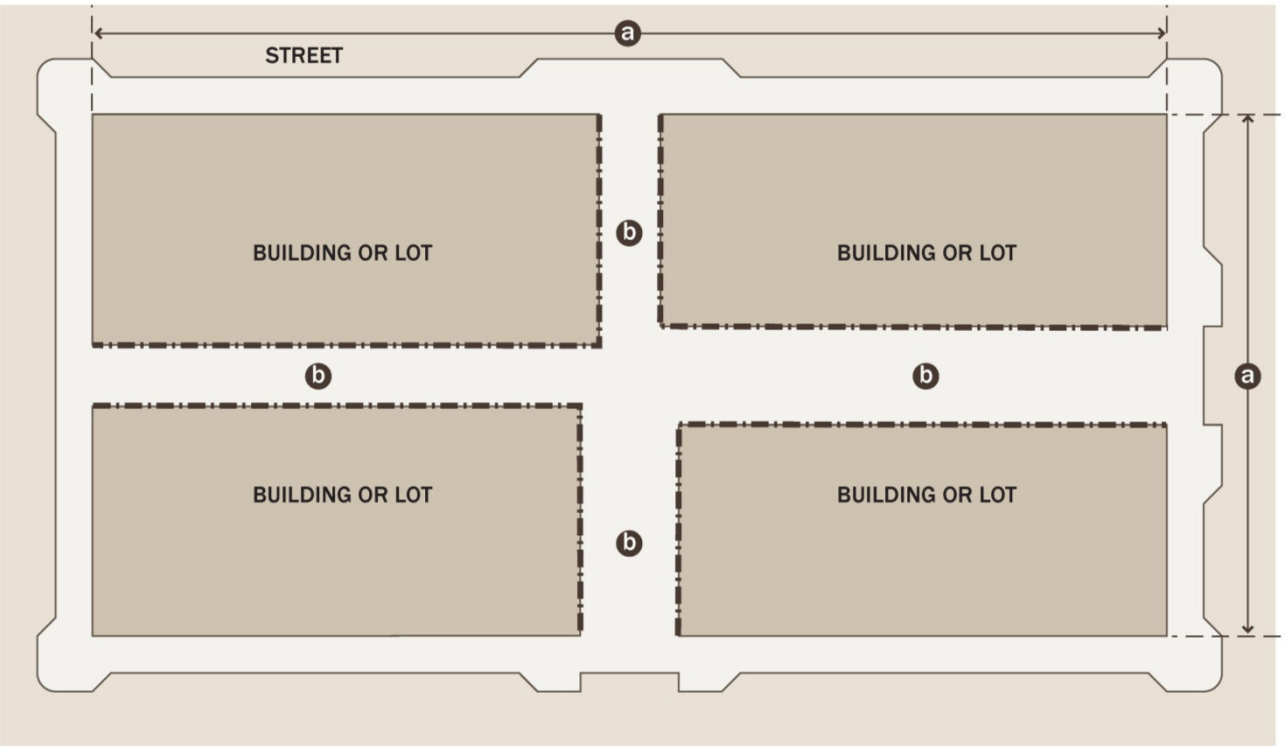
Table 9.11-1	Regulating Plan Areas				
	Franklin Avenue Re-Urbanization Zone				
Specific Development Standards by Area	**Franklin Re-Urbanization General**	**Franklin Ave East**	**Prairie Loop Boulevard East**	**Hospital Street**	**King Street North**
Connectivity and Urban Structure Standards					
Maximum Block Length	185m block length 530m block perimeter, except where noted	180m block length 530m block perimeter	250m block length 750m block perimeter	185m block length 530m block perimeter	85m block length 530m block perimeter
Additional Through-Block Connections	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m	Required for block faces longer than 140m
Lot Area	Min. 360m^2 for single detached	n/a	n/a	n/a	n/a
Lot Width	Min. 12m (single det.)	n/a	n/a	n/a	n/a
Site Access					
Vehicular Entrances Permitted	Driveways permitted	Driveways permitted	Driveways permitted	Driveways permitted	Driveways permitted
Vehicular Entrances	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage, right-in right-out only	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage	Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage
Vehicular Entrance Width	Max. 9m (surface) Max. 14m (garage)	Max. 9m (surface) Max. 14m (garage)	Max. 9m (surface) Max. 14m (garage)	Max. 9m (surface) Max. 14m (garage)	Max. 9m (surface) Max. 14m (garage)
Pedestrian Accesses Req'd	Min. 1	Min. 1	Min. 1	Min. 1	Min. 1
Through Block Connection Types Permitted	Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street	Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street	Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street	Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street	Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street
Building Sitting and Massing					
Front Street Facing Setback	See Building Frontage Types to determine applicable setback	See Building Frontage Types to determine applicable setback	See Building Frontage Types to determine applicable setback	See Building Frontage Types to determine applicable setback	See Building Frontage Types to determine applicable setback
Side Yard Setback	Min. 1.2m side yard adjoining another Lot Min. 0m allowed for attached Buildings	Min. 0m	Min. 1.2m side yard adjoining another Lot Min. 0m allowed for attached Buildings	Min. 1.2m side yard adjoining another Lot Min. 0m allowed for attached Buildings	Min. 1.2m side yard adjoining another Lot Min. 0m allowed for attached Buildings
Rear Yard Setback	Min 1.5m if adjoining rear lane. 0m for attached Buildings. Min. 4.5m for single detached, duplex, semi-detached, townhouse.	Min 1.5m if adjoining rear lane. 0m for attached Buildings. Min. 4.5m for single detached, duplex, semi-detached, townhouse.	Min 1.5m if adjoining rear lane. 0m for attached Buildings. Min. 4.5m for single detached, duplex, semi-detached, townhouse.	Min 1.5m if adjoining rear lane. 0m for attached Buildings. Min. 4.5m for single detached, duplex, semi-detached, townhouse.	Min 1.5m if adjoining rear lane. 0m for attached Buildings. Min. 4.5m for single detached, duplex, semi-detached, townhouse.

Table 9.11-1	Regulating Plan Areas				
	Franklin Avenue Re-Urbanization Zone				
Specific Development Standards by Area	**Franklin Re-Urbanization General**	**Franklin Ave East**	**Prairie Loop Boulevard East**	**Hospital Street**	**King Street North**
Minimum Height	na	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m	2 Storeys or 6m
Lot Coverage	Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses.	Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses.	Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses.	Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses.	Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses.

Table 9.11-2	Regulating Plan Areas				
	Franklin Avenue Re-Urbanization Zone				
Specific Development Standards by Area	**Franklin Re-Urbanization General**	**Franklin Ave East**	**Prairie Loop Boulevard East**	**Hospital Street**	**King Street North**
Parking Siting					
Structured Parking Setback	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.	Same as primary building setback. Must comply with Building Frontage requirements.
Street-facing Surface Parking Lot Setback	See Landscape Frontage Types	Street-facing surface parking is not permitted	See Landscape Frontage Types	See Landscape Frontage Types	See Landscape Frontage Types
Side Yard Surface Parking Lot Setback	Min. 1.5m Min. 0m for attached Buildings and/or shared lots	Side yard surface parking is not permitted	Min. 1.5m Min. 0m for attached Buildings and/or shared lots	Min. 1.5m Min. 0m for attached Buildings and/or shared lots	Min. 1.5m Min. 0m for attached Buildings and/or shared lots
Frontage Requirements					
Minimum Building or Landscape Frontage Along Street-facing Build-To Line	100%	100%	100%	100%	100%
Building and Landscape Frontage Types Permitted	Linear Forecourt Porch / Stoop / Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback	Linear Forecourt Porch / Stoop / Terrace Wrap Landscape Low Wall and Trellis	Linear Forecourt Porch / Stoop / Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback	Linear Forecourt Porch / Stoop / Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback	Linear Forecourt Porch / Stoop / Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback

9.11.3 Development Standards Illustrations

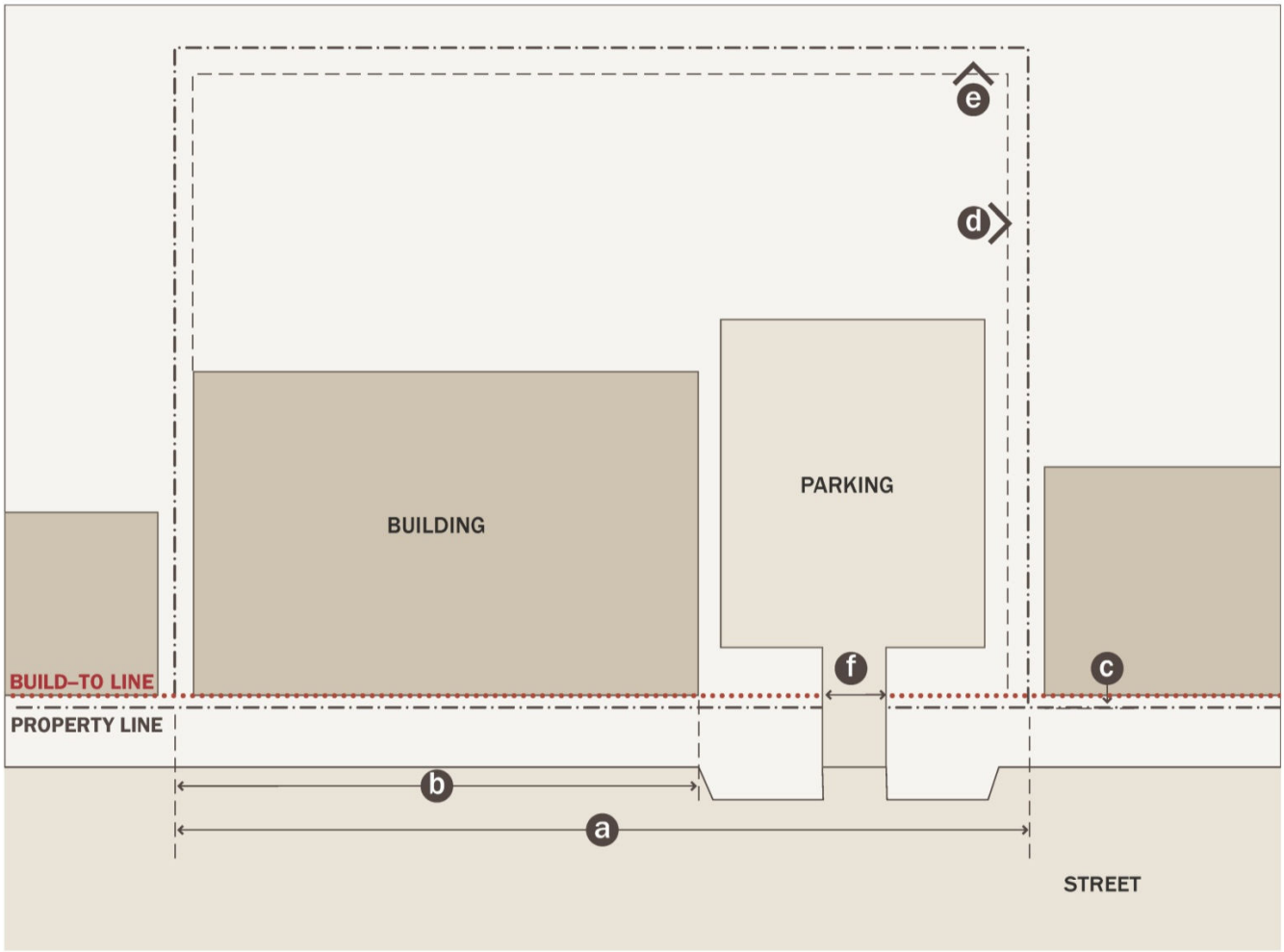
Figure 9.11.3-1 Through Block Pedestrian Connection



a Through Block Connection required on block faces longer than 140 linear metres

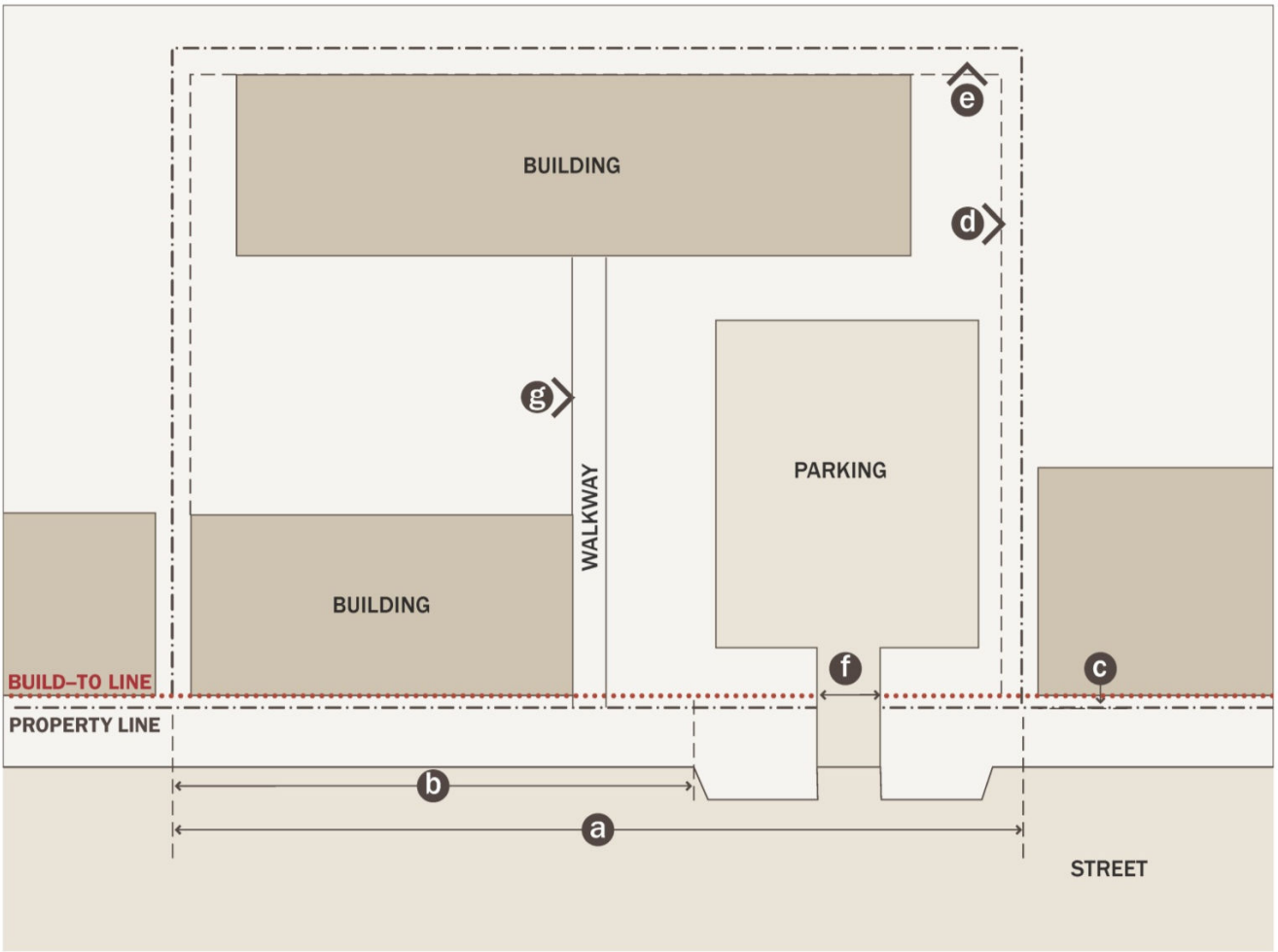
b Through Block Connection

Figure 9.11.3-2 Building Siting



- **a** Total street-facing frontage along the Build-To Line
- **b** Minimum Building or Landscape Frontage
- **c** Build-To Line distance from the Property Line. The building or parking lot screening front setback is determined by the Building or Landscape Frontage Type
- **d** Side yard setback determined by the Table of Specific Development Standards
- **e** Rear yard setback determined by the Table of Specific Development Standards
- **f** Maximum driveway width determined by the Table of Specific Development Standards

Figure 9.11.3-3 Building Siting for Buildings at the Rear of a Lot



- **a** Total street-facing frontage along the Build-To Line
- **b** Minimum Building or Landscape Frontage
- **c** Build-To Line distance from the Property Line. The building or parking lot screening front setback is determined by the Building or Landscape Frontage Type
- **d** Side yard setback determined by the Table of Specific Development Standards
- **e** Rear yard setback determined by the Table of Specific Development Standards
- **f** Maximum driveway width determined by the Table of Specific Development Standards
- **g** Building entrance directly connected to the public sidewalk by a walkway

9.11.4 Street Types

.1 Purpose

.1 The purpose of the streetscape standards in this Section is to facilitate each Corridor and Through Block Connection in creating an ordered and well-designed public realm, an inviting environment for pedestrians, and a functional, well connected environment that supports transit-oriented development.

.2 General Standards

.1 Existing and New Street Requirements: Existing and new Streets within the Franklin Avenue Re-Urbanization Zone shall be constructed to meet the standards set out in this section 9.11.4 .Each Corridor is named on the Districts and Corridors Map - Appendix 1. The regulations that apply to each Corridor are set out in this section, where the applicable Corridor name is set out in the title of the figure, and the specific standards are set out below the figure.

.2 Upon Subdivision or Development, the Development Authority may require that, as a condition of issuing a Development Permit the applicant enter into an agreement with the Municipality to construct Public Roads required to provide access to the Development, to the standards set out in this section.

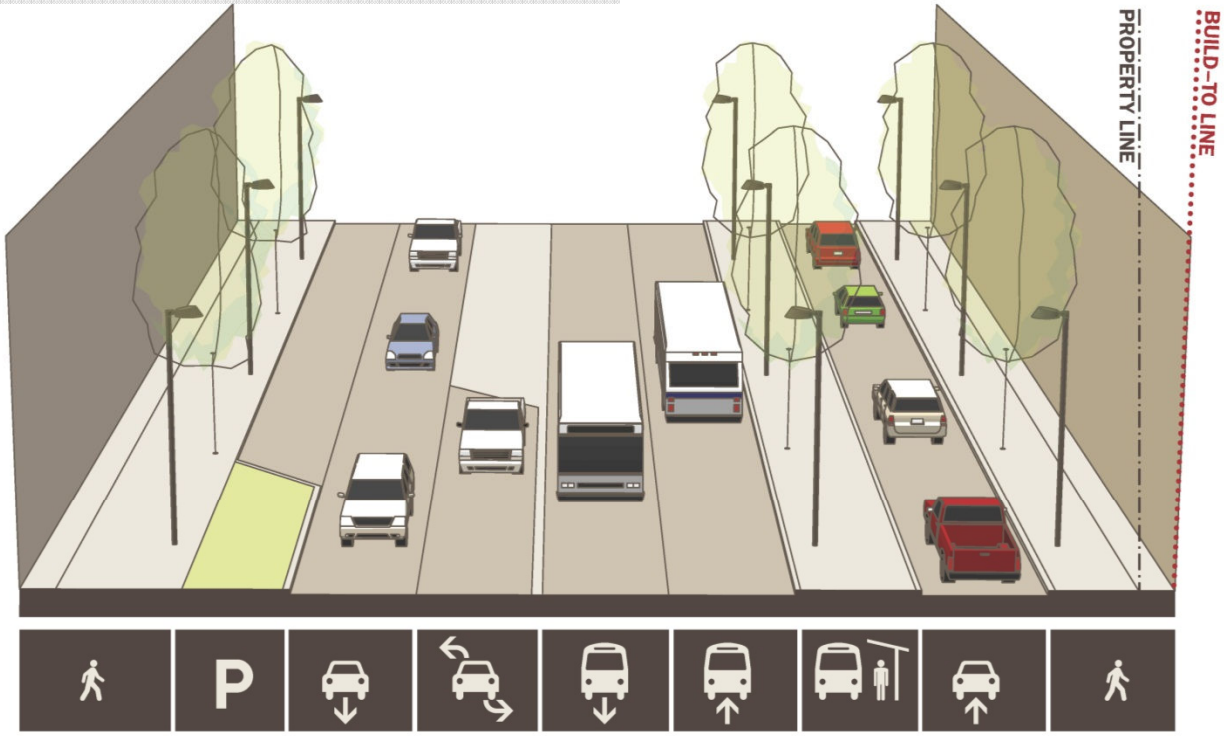
.3 The exact alignment of New Streets may vary by up to 16m from the locations shown on the Districts and Corridors Map, provided that they fully connect/intersect with each of the Streets and intersections shown on the map.

.4 Through Block Connections: In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, any block face longer than 140m block length must provide an additional connection through the block, as illustrated in Figure 9.11.3-1. This additional connection may be any one of the permitted Through Block Connections in accordance with this Section, and may be located no closer than 15m to an adjacent Street intersection. These new connections should align with other existing streets or planned new Streets.

.5 Through Block Connections must comply with the Through Block Connection cross section designs in this Section. For Through Block Connections, the Development Authority may require, as a condition of issuing a Development Permit, that the applicant enter into an agreement with the Municipality to construct the Through Block Connection as part of a pedestrian walkway system. See Specific Development Standards for Development Standards for the Through Block Connections.

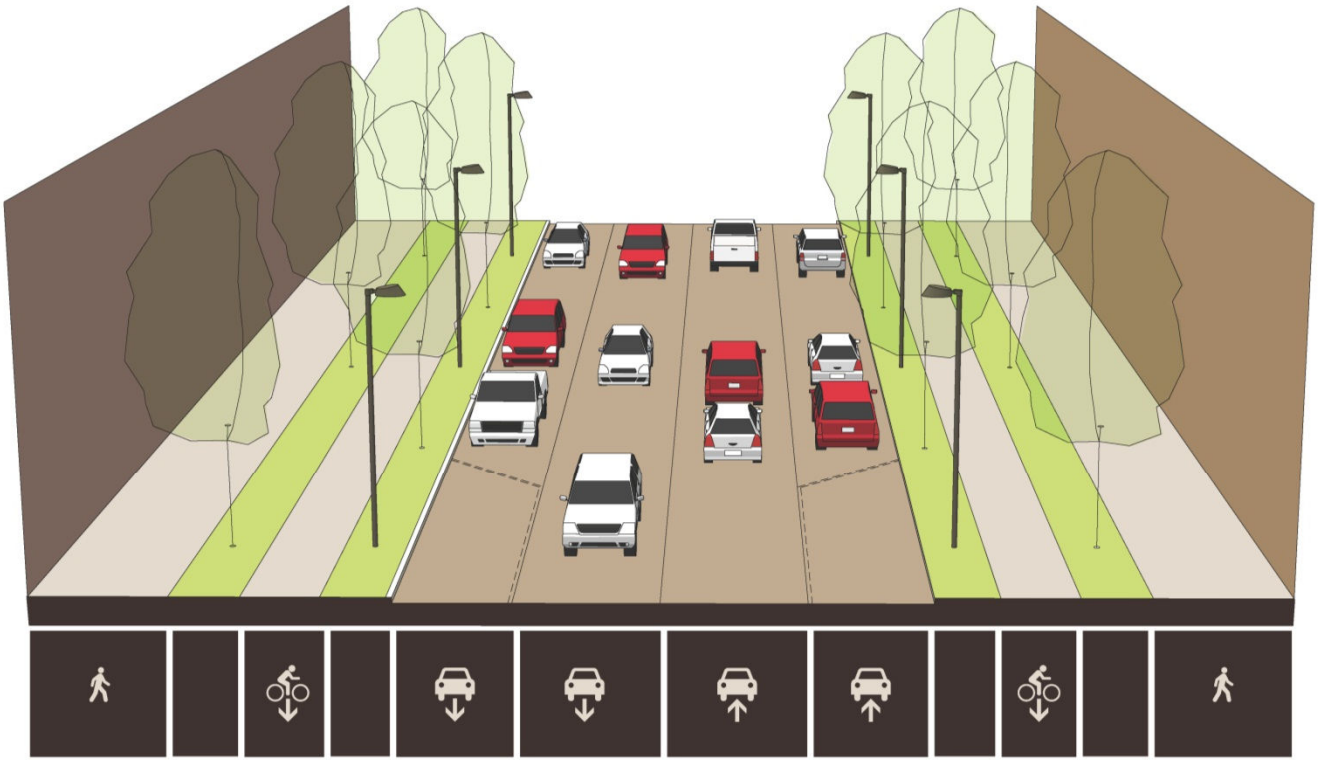
.6 The required setback from the Front Lot line to the Build-To Line is 1m along Public Roads designated as Corridors. The required setback from the Front Lot line to the Build-To Line is 0m along Public Roads that are not designated as Corridors.

Figure 9.11.4-1 Franklin Avenue East (looking east)



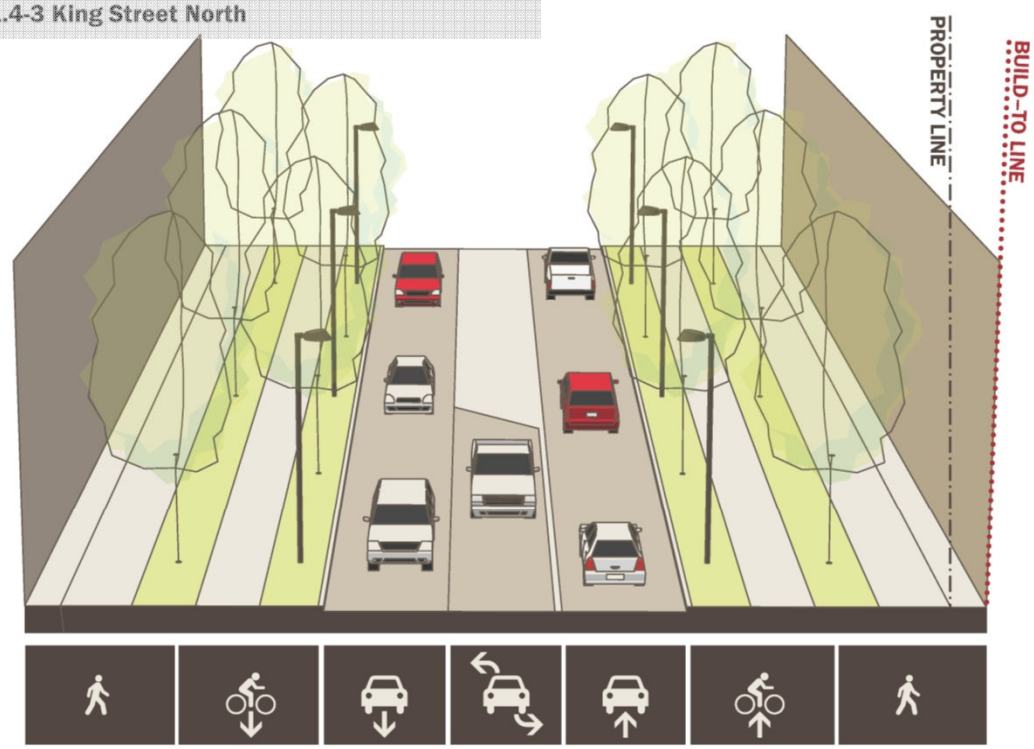
Thoroughfare type	Boulevard
Character	Mixed-Use
Role in Network	Transit Spine
Right-of-Way Width	30 m
Sidewalk easement	1 m
Total width	32 m
Curb-to-curb width	21 m
Traffic flow	
Target speed	30 kph
Through Travel Lanes	2 lanes
Travel Lane Width	3.5 m
Turning Lanes	1 left turn lane
Turning Lane Width	3.5 m
Parking Lanes	3 m between curb flares
Curb Radius	tbd
Transit facilities	BRT two lanes
Bike Facilities	none
Sidewalks	7.5 m / 3.5 m
Planting Strips	3.5 m

Figure 9.11.4-2 Prairie Loop Boulevard East



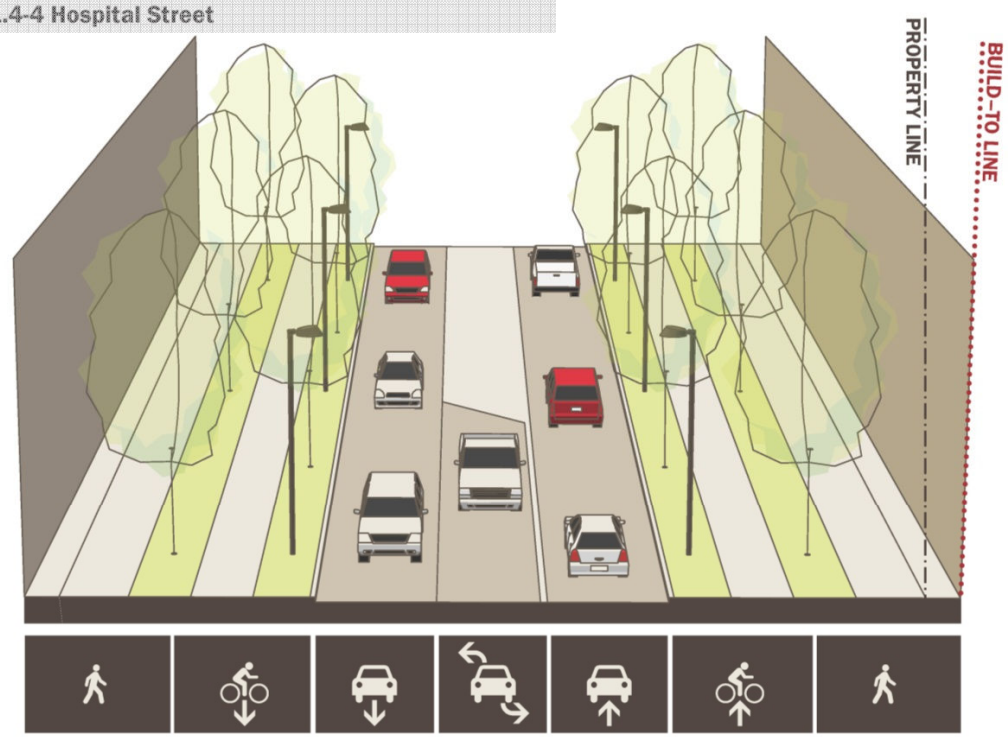
Thoroughfare type	Boulevard
Character	Mixed-Use
Role in Network	Perimeter Multimodal Access
Right-of-Way Width	tbd
Sidewalk easement	tbd
Total width	35.2m
Curb-to-curb width	14.8m
Traffic flow	Two-Way
Target speed	60kph
Through Travel Lanes	2/ 4 lanes
Travel Lane Width	3.7 m
Turning Lanes	na
Turning Lane Width	na
Parking Lanes	3.5m parking lane option
Curb Radius	tbd
Transit facilities	na
Bike Facilities	1.8m cycle track
Sidewalks	4.8m
Planting Strips	2 at 1.8m

Figure 9.11.4-3 King Street North



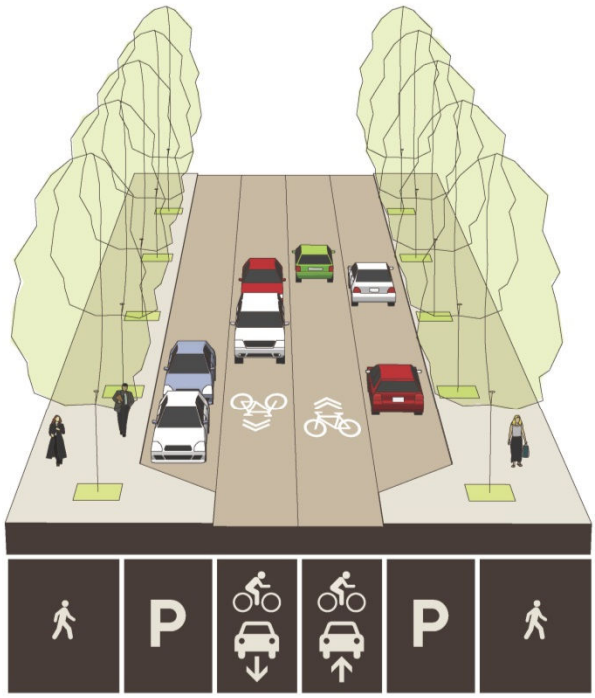
Thoroughfare type	Street
Character	
Role in Network	
Right-of-Way Width	25m
Sidewalk easement	1m
Total width	27m
Curb-to-curb width	10.2m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2
Travel Lane Width	3.5m
Turning Lanes	1 left turn lane
Turning Lane Width	3.2m
Parking Lanes	none
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	1.8m cycle track
Sidewalks	4.8m
Planting Strips	1.8m

Figure 9.11.4-4 Hospital Street



Thoroughfare type	Street
Character	
Role in Network	
Right-of-Way Width	25m
Sidewalk easement	1m
Total width	27m
Curb-to-curb width	10.2m
Traffic flow	Two-Way
Target speed	30kph
Through Travel Lanes	2
Travel Lane Width	3.5m
Turning Lanes	1 left turn lane
Turning Lane Width	3.2m
Parking Lanes	none
Curb Radius	tbd
Transit facilities	n/a
Bike Facilities	1.8m cycle track
Sidewalks	4.8m
Planting Strips	1.8m

Figure 19.11.4-5 Narrow Street 1 (Through Block Connection)

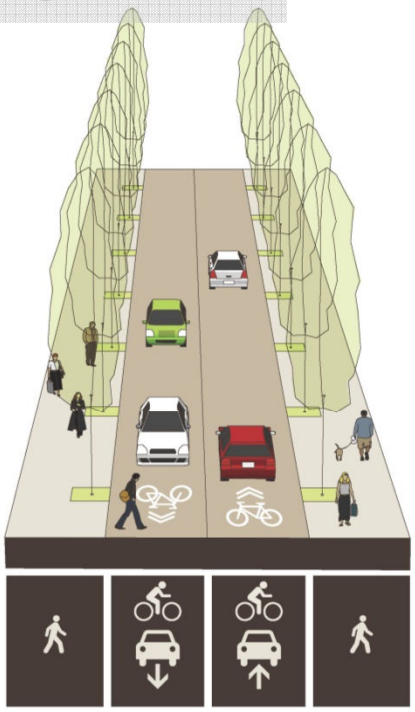


Type	Multimodal
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	17.2m - 18.2m
Curb-to-curb width	10m - 11m
Travel Lanes	1.5 - 2
Travel Lane Width	5m - 6m
Parking Lanes	2.5m between mountable curb flares
Bike Facilities	Shared lanes
Sidewalks	3.6m
Planting Strips	1.5m

Notes:

- "Narrow Street 1" may be used as a public or private street or private drive aisle. Private drive aisles are public or private streets on commercial or residential developments which access either buildings or parking areas. These streets are used to improve connectivity and pedestrian access on large development sites, and must connect at both ends to any one of the Street Types listed in this section.
- Provide landscaping and add pedestrian-scaled lighting to improve safety and attractiveness.
- Provide a parking lane on either side of the street to support retail, office, and residential developments.

Figure 19.11.4-6 Narrow Street 2 (Through Block Connection)

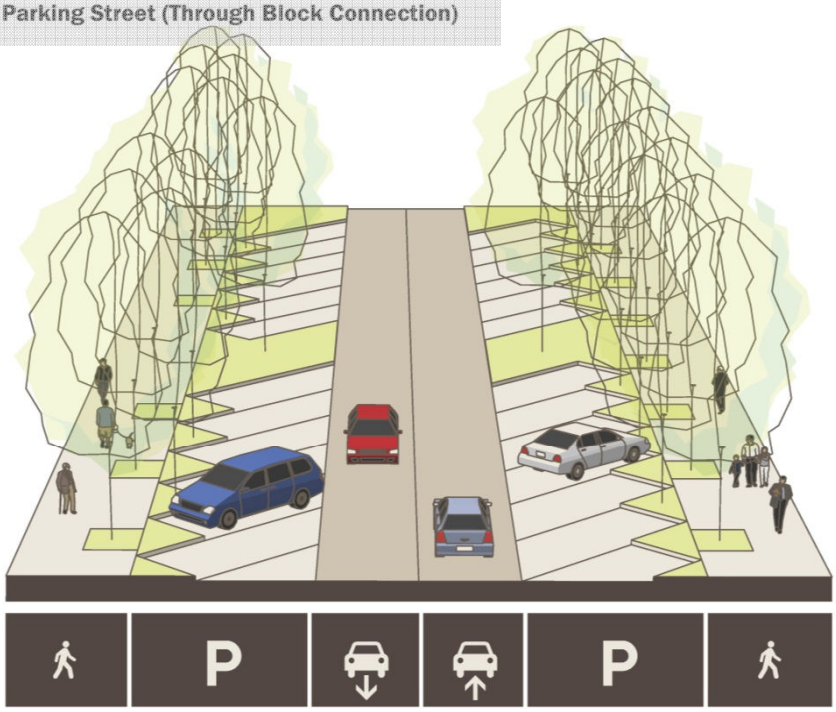


Type	Multimodal
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	12m
Shared lane width	6.1m (curbs optional)
Travel Lanes	2
Travel Lane Width	na
Parking Lanes	none
Bike Facilities	Shared lanes
Sidewalks	3m
Planting Strips	1.5m

Notes:

- "Narrow Street 2" may be used as a private street or drive aisle. Private drive aisles are private streets on commercial or residential developments which access either buildings or parking areas. These streets are used to improve connectivity and pedestrian access on large development sites, and must connect at both ends to any one of the Street Types listed in this section.
- Travel lanes are narrow and travel speeds are slow, to improve pedestrian and bicycle safety and the safety of turning movements.
- Street lighting and landscaping shall be designed at a pedestrian scale.

Figure 19.11.4-7 Parking Street (Through Block Connection)

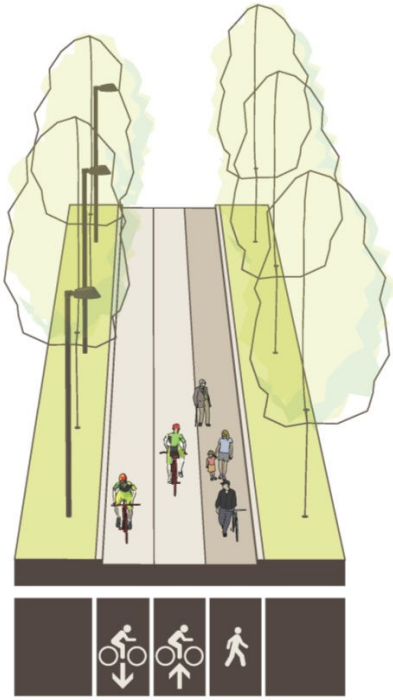


Type	Multimodal
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	24.4m
Curb-to-curb width	17m
Travel Lanes	2
Travel Lane Width	3m
Parking Lanes	5.5m
Bike Facilities	Shared lanes
Sidewalk	3.7m
Planting Strips	1.7m

Notes:

- "Parking Street" may be used as a public or private street or private drive aisle. Private drive aisles are public or private streets on commercial or residential developments which access either buildings or parking areas. These streets are used to improve connectivity and pedestrian access on large development sites, and must connect at both ends to any one of the Street Types listed in this section.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Street lighting and landscaping shall be designed at a pedestrian scale.

Figure 19.11.4-8 Multi-Use Path (Through Block Connection)

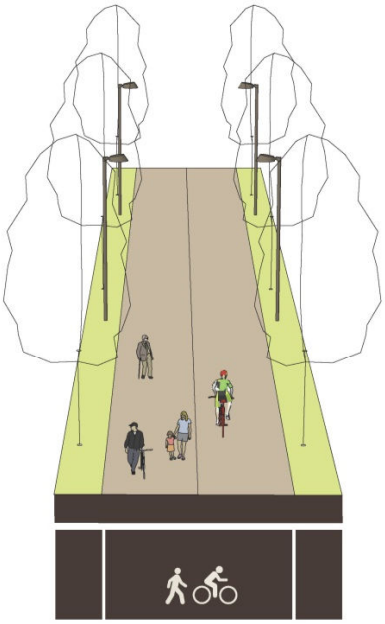


Type	Bike and Pedestrian Only
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	9.1m
Shared lane width	6.1m (curbs optional)
Travel Lanes	na
Travel Lane Width	na
Parking Lanes	na
Bike Facilities	Shared lanes
Sidewalks	na
Planting Strips	1.5m

Notes:

- "Multi-Use Paths" are private pedestrian and bicycle only pathways which cross through large development sites. These pathways are used to improve connectivity and to satisfy the requirement for "Through-Block Connections." A "Multi-Use Path" shall connect at both ends to any one of the Street Types listed in this section.
- Provide landscaping and add pedestrian-scaled lighting to improve safety and attractiveness.

Figure 19.11.4-9 Lane/Universal Access Street (Through Block Connection)



Type	Bike and Pedestrian Only
Character	Mixed-Use
Role in Network	Through Block Connection; Emergency Access
Right-of-Way Width / Easement	9.1m
Curb-to-curb width	6.1m (curbs optional)
Travel Lanes	na
Travel Lane Width	na
Parking Lanes	na
Bike Facilities	Shared lanes
Sidewalks	6.1m
Planting Strips	1.5m

Notes:

- Lanes and/or "Universal Access Streets" are private or public multi-use pathways designed for pedestrian and bicycle users, while simultaneously allowing for occasional vehicular access to individual buildings within the same street/alley space.
- Space shall be provided for landscaping, trees, lighting, and street furniture. These streetscape elements should reinforce the shared nature of these streets.
- Street lighting and landscaping shall be designed at a pedestrian scale.

9.11.5 Building and Landscape Frontage Types

9.11.5.1 Overview of Building and Landscape Frontage Types

Refer to the Regulating Plan and the Development Standards tables to determine which Building and Landscape Frontage Types are permitted along each Street. Each Street-facing Build-To Line shall comply with the Development Standards listed under the applicable Building and Landscape Frontage Type.

.1 Linear Building Frontage

.1 A Linear Building Frontage, as set out in Figure 9.11.5.1, is characterized by a façade that is built up to the Build-To Line. The Building entrance is at sidewalk grade. Linear Building Frontages have substantial glazing on the Ground Floor, and often provide awnings or canopies cantilevered over the sidewalk. Building entries must either provide a canopy or awning and/or be recessed behind the front Building façade.

.2 Along Corridors in the Franklin Re-Urbanization Zone, the Linear Building has a minimum Height of 6m or 2 Storeys.

.2 Podium Forecourt Building Frontage

.1 A Forecourt Building Frontage, as set out in Figure 9.11.5.2, may be created by recessing a portion of the façade for a portion of the Building frontage. The Forecourt Building Frontage should be used in conjunction with the Linear Building Frontage. A Forecourt Building Frontage may be suitable for gardens and/or outdoor seating.

.2 Along Corridors in the Franklin Re-Urbanization Zone, the Forecourt Building has a minimum Height of 6m or 2 Storeys.

.3 Podium Porch / Stoop / Terrace Building Frontage

.1 The Setback Building Frontage, as set out in Figure 9.11.5.3, is characterized by a façade which is set behind the Build-To Line and a Building entry Threshold, such as a porch or terrace, set between the Building and the Build-To Line. The Threshold may be elevated above or sunken below grade. The Building entry is accessed from this Threshold. Landscaping may be provided in the setback area between the Building and the sidewalk.

.2 Along Corridors in the Franklin Re-Urbanization Zone, the Porch / Stoop / Terrace Building has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20m.

.4 Wrap Building Frontage

.1 The Wrap Building Frontage, as set out in Figure 9.11.5.4, is a façade that forms the perimeter of a large single use Building that occupies an entire block, or most of a block. It can meet the Linear, Forecourt or Porch / Stoop / Terrace frontage requirements. The Wrap Building has a minimum depth of 10m from the Build-To Line. It has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20m.

.2 Along Corridors in the Franklin Re-Urbanization Zone, the Wrap Building has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20m.

.5 Landscape Building

.1 A Landscape Building Frontage, as set out in Figure 9.11.5.5, is set back from the Street-facing Lot line by a wide landscaped strip between the Building and the sidewalk. This frontage type is appropriate along Streets where the existing streetscape may not be conducive to pedestrian-oriented Ground Floor retail or Residential, such as where there is no on-street parking or where Streets are very wide. Ground floor entries must still be provided along and connected to the sidewalk.

.2 Along Corridors in the Franklin Re-Urbanization Zone the Landscape Building has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20m.

.6 Low Wall and Trellis Landscape Frontage

.1 As set out in Figure 9.11.5.6, Street-facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be screened with a low masonry or concrete wall and overhanging trellis structure.

.7 Urban Wall or Fence

.1 As set out in Figure 9.11.5.7, Street-Facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be screened with an open framework wall or fence of either metal, wood, masonry, or a combination.

.8 Landscape Setback

.1 As set out in Figure 9.11.5.8, Street-facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be set back behind a planted landscape area consisting of trees, shrubs, and groundcover plants.

9.11.5.2 Medium sized Developments on existing Sites

.1 The Building and Landscape Frontage types shall be provided as set out in this Bylaw for Development that meets the lesser of the following criteria:

.1 the total cumulative additions or new Buildings on the Site exceeds 15% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9 ; or

.2 additions and/or new Buildings exceed 1,000m^2 in Gross Floor Area.

.2 For Developments less than or equal to 1,000m^2 in Gross Floor Area, or where the total cumulative additions and/or new Buildings on the Site is less than or equal to 15% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9, the following requirements apply:

.1 As an exception to providing the Building Frontage Type on the entire Site, the Building Frontage Type is only required on the front of the addition and /or new Building ; and

.2 As an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the entire Street frontage faced by the addition and/or new Building; or

.3 If the Site is adjacent to a Corridor, as an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the Corridor.

9.11.5.3 Linear Building Frontage

Linear Building Frontages shall conform to Figure 9.11.5-1 and the following standards:

.1 Ground Floor height: The Ground Floor must measure a minimum of 4.5m, floor to ceiling.

.2 Minimum Building Height: 6m.

.3 Ground Floor. The Ground Floor shall have a minimum depth of 10m.

.4 Weather Protection: Awnings/canopies must be provided for a minimum of 50% of the overall Building frontage and must comply with the following:

a. Awnings/canopies must project a minimum of 1.5m and a maximum of 2.5m over the sidewalk.

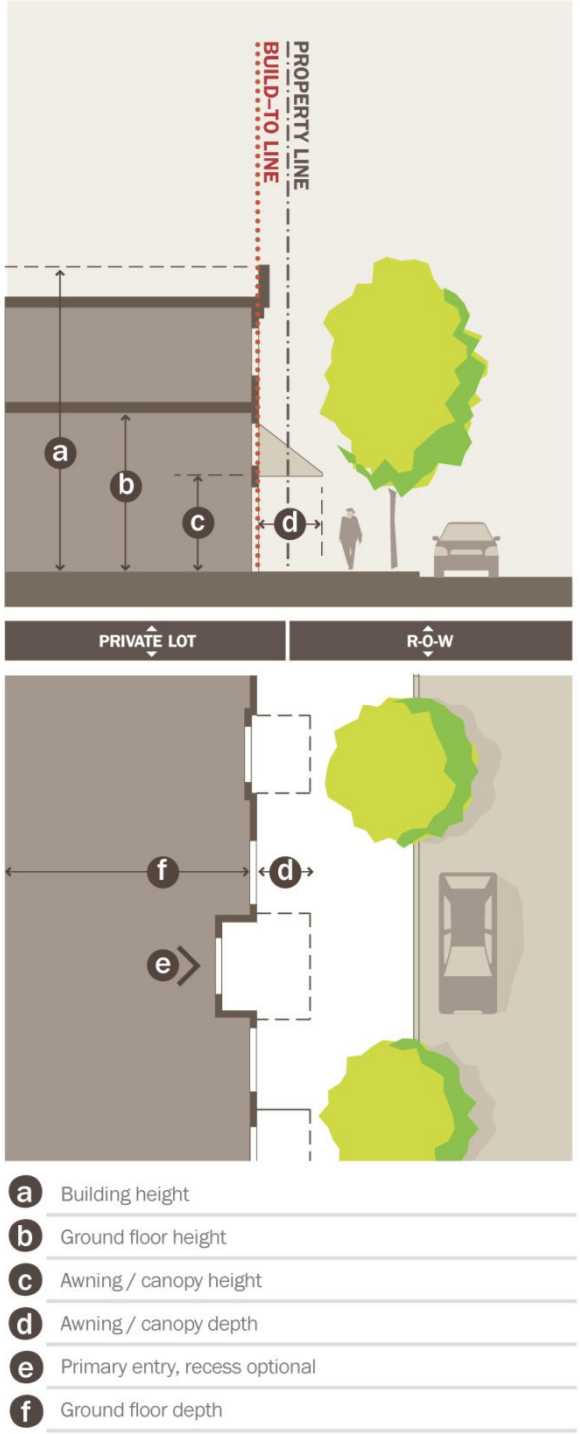
b. Awnings/canopies must provide a minimum of 2.5m and a maximum of 4m of vertical clearance over the sidewalk.

.5 Building Entrances: Building entrances must either be covered by an awning or canopy or be covered by being recessed behind the front Building façade. If only a recessed entry is provided, it must be recessed behind the front façade a minimum of 1m and a maximum of 1.8m.

.6 Windows: Transparent Ground Floor windows must be provided along a minimum of 60% of the Ground Floor, Street-facing façade area.

.7 Primary Entry Doors: Primary Building entries must face the Street, and a minimum of 40% of each primary entry shall be transparent.

Figure 9.11.5-1 Linear Building Frontage



9.11.5.4 Forecourt Building Frontage

Forecourts shall conform to Figure 9.11.5-2 and the following standards:

.1 Courtyard Setback: The Courtyard portion of a Forecourt shall be set back from the Primary Street Frontage (and Secondary Street Frontage) Lot line/Principal Building façade a minimum of 3m and a maximum of 9m. The Courtyard portion of a Forecourt shall be open to the sky. Courtyards shall be landscaped and/or hardscaped.

.2 Courtyard Length: The Courtyard portion of a Forecourt shall span a minimum of 6m along the Primary Street Frontage façade and shall comprise no more than 50% of the Primary Street Building Frontage. Courtyards may also span a minimum of 6m along the Secondary Street Frontage façade and shall comprise no more than 50% of the overall Secondary Street Building Frontage.

.3 Forecourt Frontage: The Forecourt Frontage shall incorporate the Linear Frontage type for Building faces on the Primary and Secondary Street Frontages that are not part of the Courtyard.

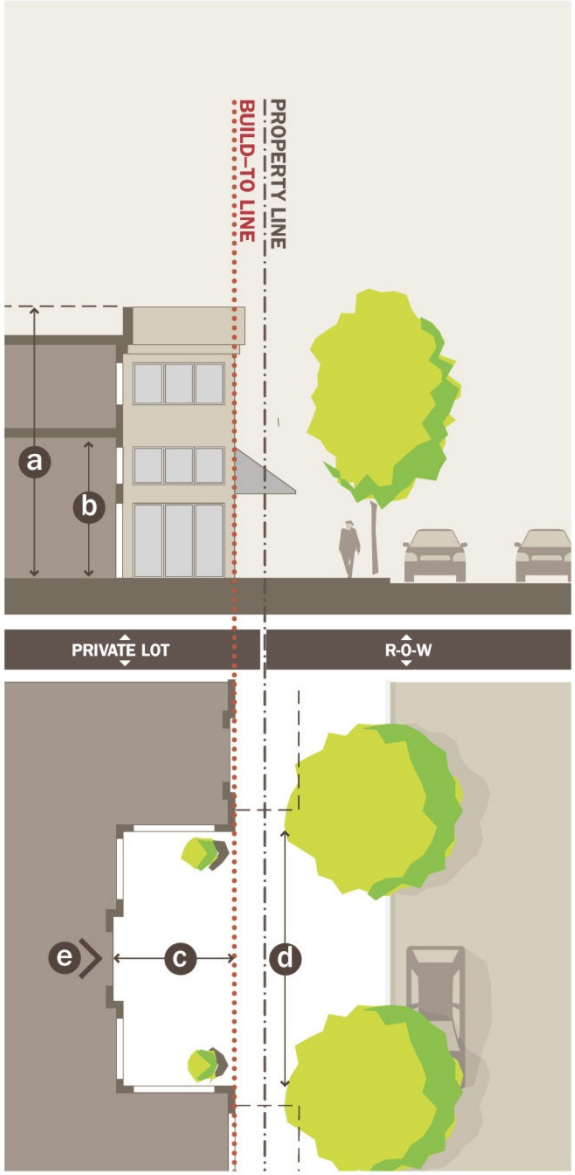
.4 Ground Floor height: The Ground Floor must measure a minimum of 4.5m, floor-to-ceiling.

.5 Minimum Building Height: 6m or two Storeys.

.6 Windows: Transparent windows must be provided along at least 50% of the Courtyard-facing Ground Floor façade area. See "Linear Frontage" for window requirements for the remainder of the façade.

.7 Primary Entry Doors: Primary Building entries must face the Street and/or the Courtyard, and a minimum of 40% of each primary entry shall be transparent.

Figure 9.11.5-2 Forecourt Building Frontage



a Building height
b Ground floor height
c Forecourt setback
d Forecourt length
e Primary entry

.8 Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but may be no greater than 0.9m high and must be a minimum of 20% transparent.

.9 Parking: Parking is not allowed in the Courtyard portion of a Forecourt; nor is parking allowed on the Lot between the Building and the Street.

9.11.5.5 Porch/Stoop/Terrace Frontage

Porch/Stoop/Terrace Frontages shall conform to Figure 9.11.5-3 and the following standards:

.1 Street-Facing Setback: The Building shall be set back a minimum of 1.5m and a maximum of 4.5m from the Build-To Line. The entry Threshold, including a roof over the Threshold, and steps to the Threshold may extend up to the Build-To Line.

.2 Threshold Dimensions: The entry Threshold (such as a Porch, Stoop, Terrace, patio, or light court) shall conform with the following minimum standards (note: dimensions may vary from the standards below to accommodate universal access ramps if necessary):

a. Minimum of 1.5m depth (clear) from Building façade to front of Threshold.

b. Minimum 1.8m width (clear) along the Building façade.

c. The Threshold height shall be no more than 1.8m above grade. An additional Threshold may be provided to access a lower level and shall be no more than 1.5m below grade.

d. The Threshold shall cover an area of no more than 14 m^2 per Building entry.

e. The entry Threshold may be covered by a roof no larger than the Threshold itself.

.3 Minimum Building Height: 6m or 2 Storeys.

.4 Primary Entry Doors: In order to provide adequate "eyes" on the Street, Ground Floor Residential Uses shall provide individual Building entries to individual Residential Dwelling Units. Building entries shall face the Street and be a minimum 10% transparent.

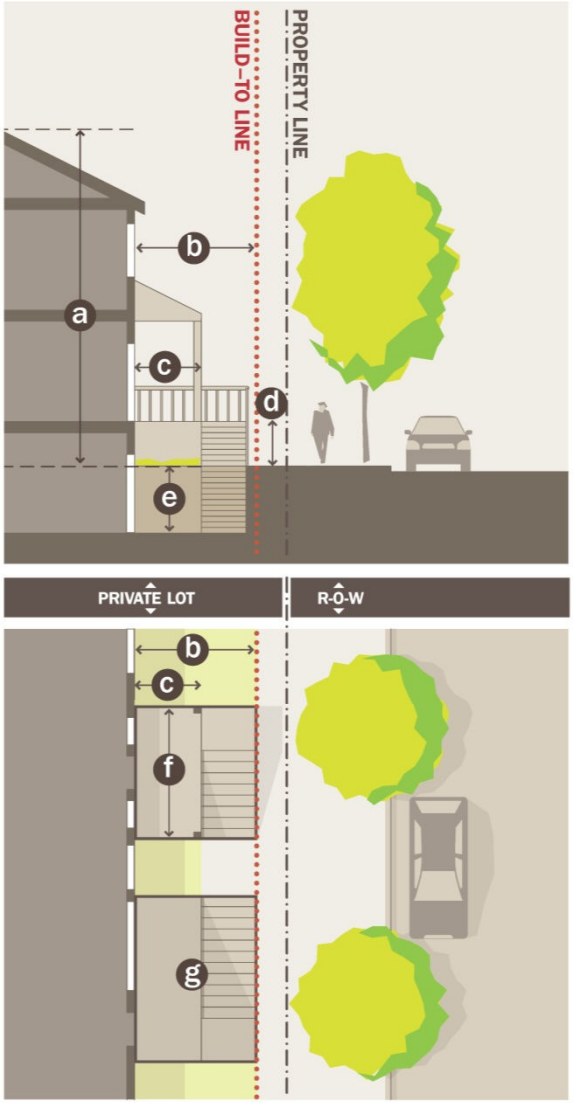
.5 Windows: Transparent windows shall be provided along at least 20% of the Street-facing façade area. Windows shall be vertically oriented. Vertical windows may be grouped together to create square or horizontally-oriented rectangular windows.

.6 Fences: Fences are permitted within the Primary Frontage Setback and Secondary Frontage Setback but shall be no greater than 0.9m high and shall be a minimum of 50% transparent.

.7 Landscaping: Landscaping shall be provided in the Primary Frontage Setback and Secondary Frontage Setback. Hardscaping is permitted only to provide access to the Threshold; all other areas shall be planted.

.8 Surface Parking: Surface Parking shall not be permitted on the Lot in between the Building and the Street.

Figure 9.11.5-3 Porch/Stoop/Terrace Frontage



a Building height
b Setback from Build To Line
c Threshold depth
d Threshold height above grade
e Threshold depth below grade
f Threshold width
g Threshold area

9.11.5.6 Wrap Building Frontage

Wrap Buildings shall conform to Figure 9.11.5-4 and the following standards:

.1 Frontage Type: The Wrap Frontage shall incorporate the Linear Frontage, the Forecourt Frontage Type or the Porch / Stoop / Terrace Frontage Type standards for Building façades adjacent on the Build-To Line.

.2 Minimum Building Height: 6m or 2 Storeys.

.3 Ground floor height: The Ground Floor shall measure a minimum of 4.5m, floor-to-ceiling.

.4 Minimum depth: The Ground Floor shall have a minimum depth of 10m.

.5 Weather Protection: Awnings/canopies must be provided for a minimum of 80% of the overall Building frontage and must comply with the following:

a. Awnings/canopies must project a minimum of 1.5m and a maximum of 2.5m over the sidewalk.

b. Awnings/canopies must provide a minimum of 2.5m and a maximum of 4m of vertical clearance over the sidewalk.

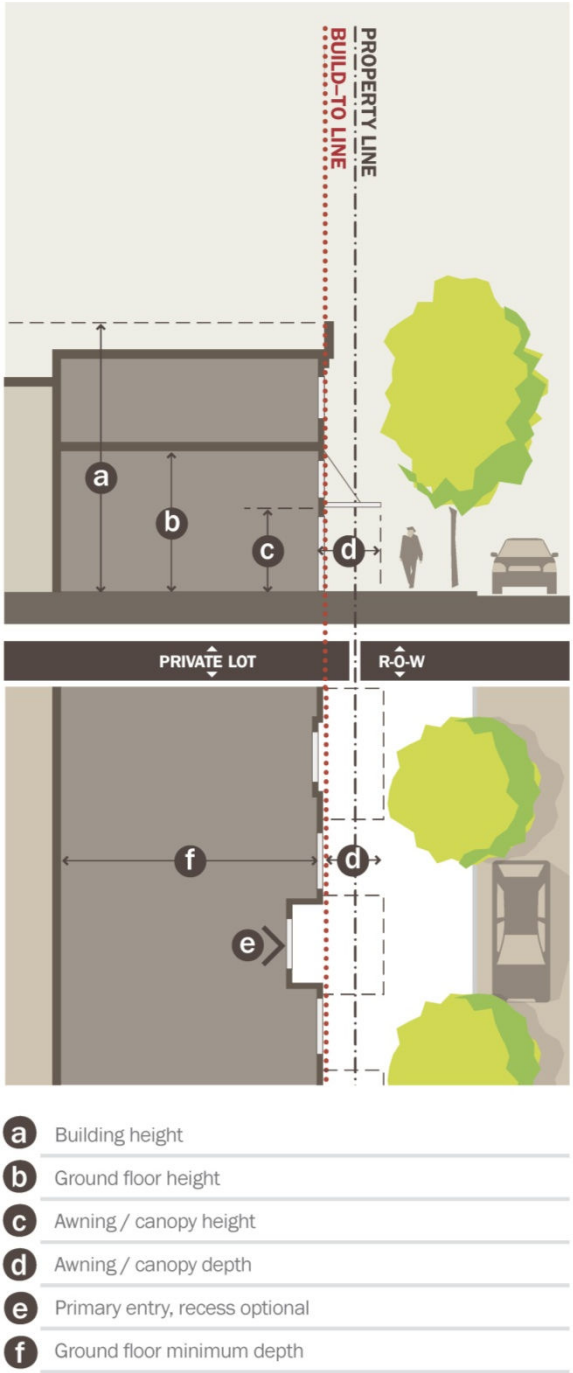
.6 Windows: Transparent windows must be provided along at least 50% of the Courtyard-facing Ground Floor façade area.

.7 Primary Entry Doors: Primary Building entries must face the Street and/or the Courtyard, and a minimum of 40% of each primary entry shall be transparent.

.8 Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but may be no greater than 0.9m in height and must be a minimum of 20% transparent. Fences used to screen parking areas shall follow the Surface Parking Screening Options standards.

.9 Parking: Parking is not allowed in the Courtyard portion of a Forecourt; nor is parking allowed on the Lot between the Building and the Street.

Figure 9.11.5-4 Wrap Building Frontage



9.11.5.7 Landscape Building Frontage

Landscape Building Frontages shall conform to Figure 9.11.5-5 and the following standards:

.1 Front Setback: The front façade of the Building must be set back from the Street-facing Lot line a minimum of 3m and a maximum of 4.5m.

.2 Ground Floor height: The Ground Floor shall measure a minimum of 4.5m, floor-to-ceiling.

.3 Minimum Building Height: 6m.

.4 Minimum Building Depth: Buildings must be a minimum of 10m deep.

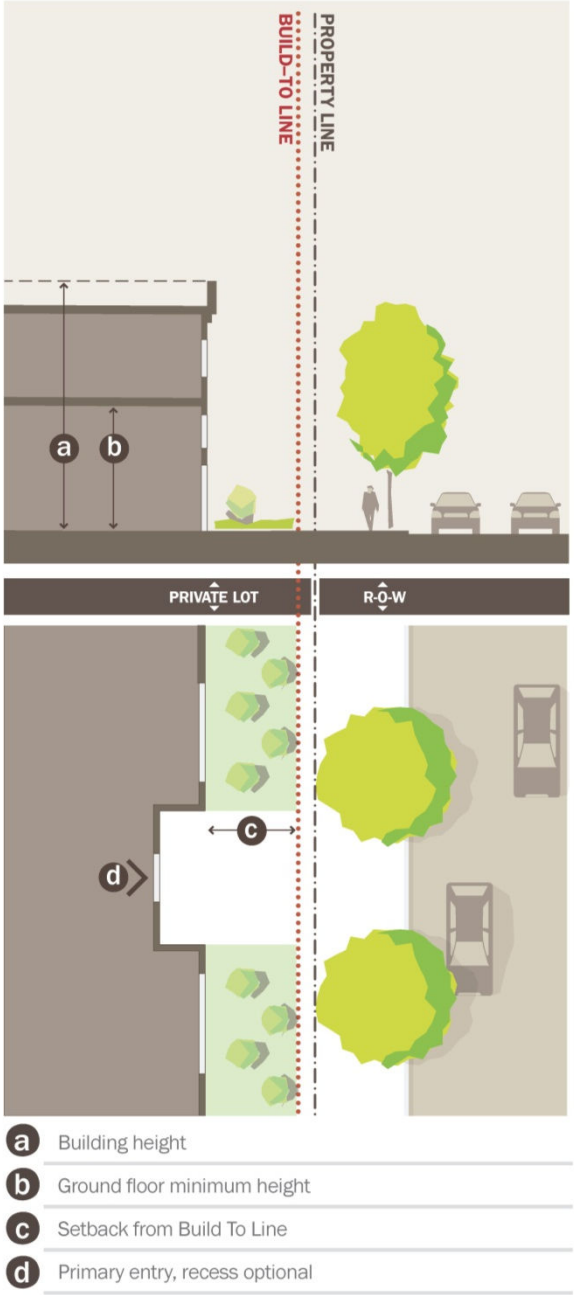
.5 Building Entrances: Building entrances must either be covered by an awning or canopy or be covered by being recessed behind the front Building façade. If an awning or canopy is provided, it must provide a minimum vertical clearance of 2.5m and a maximum clearance of 4.5m. If only a recessed entry is provided, it must be recessed behind the front facade a minimum of 1m and a maximum of 1.8m.

.6 Windows: Transparent Ground Floor windows must be provided along a minimum of 60% of the Ground Floor, Street-facing façade area.

.7 Primary Entry Doors: All Buildings must provide at least one Building entrance that faces the Street and is directly connected to the public sidewalk via a sidewalk measuring a minimum of 1.8m wide. A minimum of 40% of each primary entry shall be transparent.

.8 Service and Utility Equipment: Building service and utility equipment and outdoor storage of garbage and/or recycling is not permitted along the Street-facing Building façade or within the required setback from Build-To Line.

Figure 9.11.5-5 Landscape Building Frontage



9.11.5.8 Low Wall and Trellis Landscape Frontage

Low Wall and Trellis Landscape Frontage shall conform to Figure 9.11.5-6 and the following standards:

.1 Along all public or private Street-facing frontages, surface parking areas shall be screened with a Low Wall and Trellis along the Build-To Line. The Low Wall and Trellis shall be set back a minimum of 0m and a maximum of 1.5m from the Build-To Line. Any setback area between the sidewalk and the wall shall be planted or paved with stamped concrete or masonry pavers.

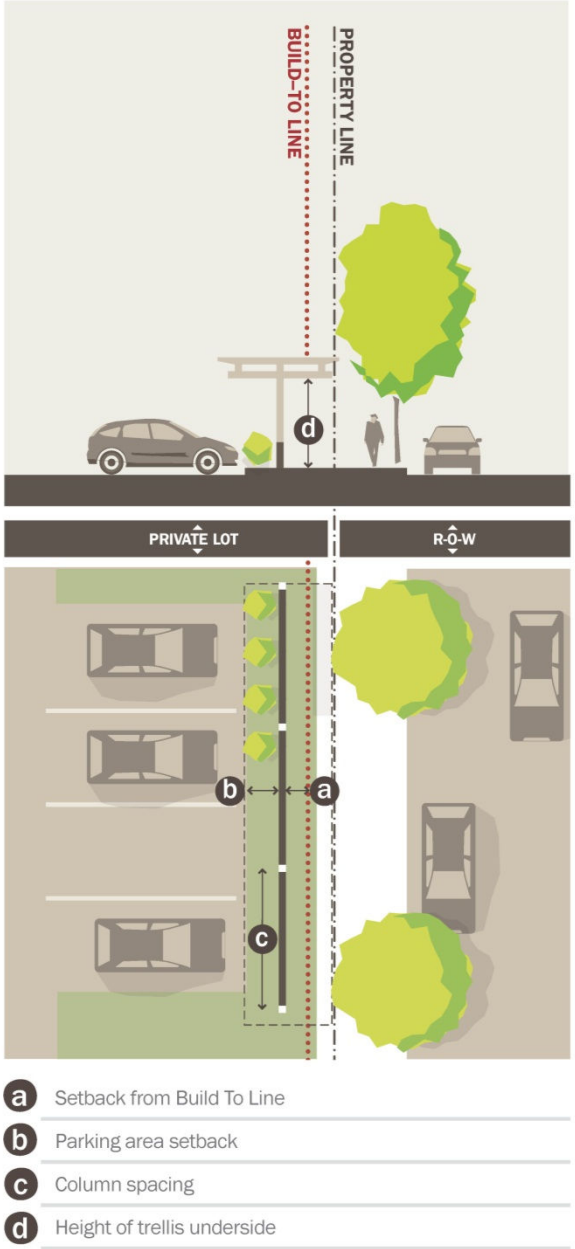
.2 The underside of the Trellis portion of a Low Wall and Trellis shall be a minimum of 2.4m above grade and a maximum of 4.1m above grade. The Trellis shall be heavy timber or steel (or a similar material) and shall consist of open structure with no decking or awning material. The Trellis shall have masonry, heavy timber, or steel (or similar metal) supporting columns spaced no more than 9m on center.

.3 The Low Wall portion of a Low Wall and Trellis shall be a minimum of 0.5m and a maximum of 0.9m and have a minimum depth of 0.4m. The Low Wall shall be wood, masonry, and/or concrete.

.4 Surface Parking shall be set back a minimum of 1.0m from the Low Wall and Trellis. Low shrubs, groundcover, and climbing plants shall be provided in this area.

.5 Openings in the Low Wall and Trellis are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

Figure 9.11.5-6 Low Wall and Trellis Landscape Frontage



9.11.5.9 Urban Fence or Wall Landscape Frontage

Urban Fence or Wall Screening shall conform to Figure 9.11.5-7 and the following standards:

.1 Along all public or private Street-facing frontage, surface parking areas shall be screened with a wall and/or fence along the Build-To Line. Walls shall be wood masonry, and/or concrete; fences shall be made of wrought iron, steel, or a similar material (but not chain-link) and must be dark in color. The fence shall be at least 0.6m high and no more than 0.9m high. Fences may be no more than 50% sight obscuring. The wall shall be at least 0.6m high and no more than 0.9m high.

.2 The Urban Fence or Wall shall be set back a maximum of 1.5m from the sidewalk. The area between the Urban Fence or Wall shall be hardscaped with either masonry pavers or stamped concrete.

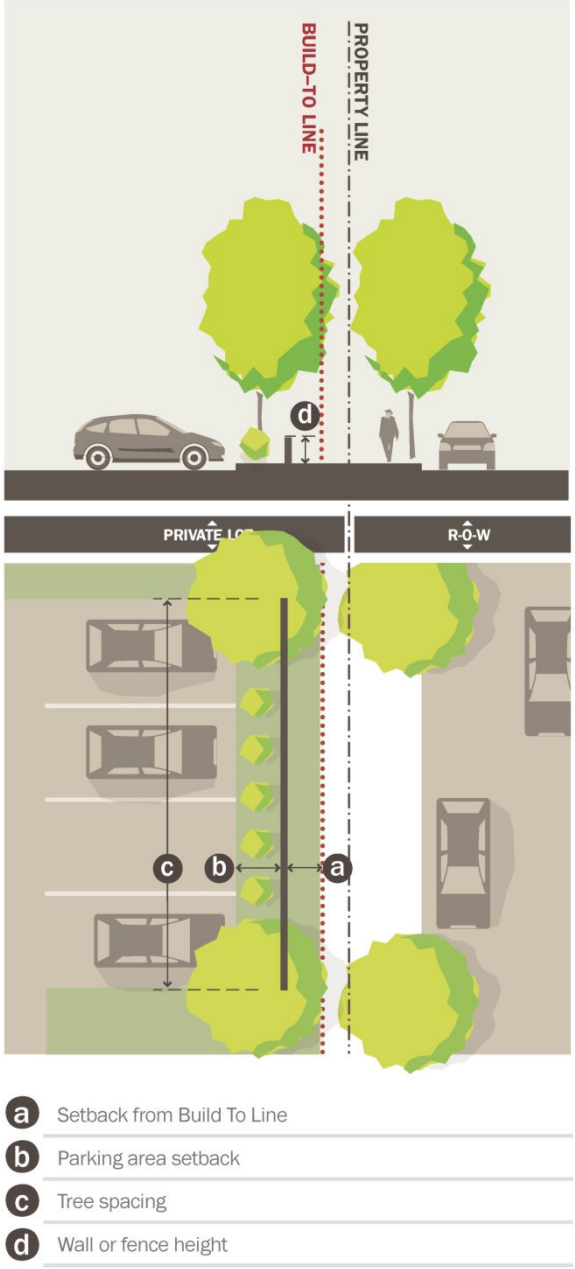
.3 The surface parking area shall be set back, at a minimum, an additional 1.5m to provide room for required landscaping and stormwater infiltration and/or retention.

.4 In addition to the required fence or wall, trees and shrubs shall be provided. One large tree is required every 9 linear metres minimum along all public or private Street-facing frontages, except where it is necessary to ensure adequate traffic visibility. The minimum shrub height shall be the same as the height of the wall or fence, and the maximum height shall be no more than 1.8m.

.5 Openings in the Urban Fence or Wall are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

.6 Ground cover plants must fully cover any remaining landscaped area between the parking area and the Urban Fence or Wall.

Figure 9.11.5-7 Urban Fence or Wall Landscape Frontage



9.11.5.10 Landscape Setback Frontage

Landscape Setback Frontages shall conform to Figure 9.11.5-8 and the following standards:

.1 Along all public or private Street-facing frontages, surface parking shall be set back a minimum of 3m behind the Build-To Line.

.2 The surface parking area shall be screened with a continuous row of hedges or shrubs immediately adjacent to the parking area, except where there is a driveway. The shrubs shall be a minimum of 0.9m high and must be mostly opaque year round.

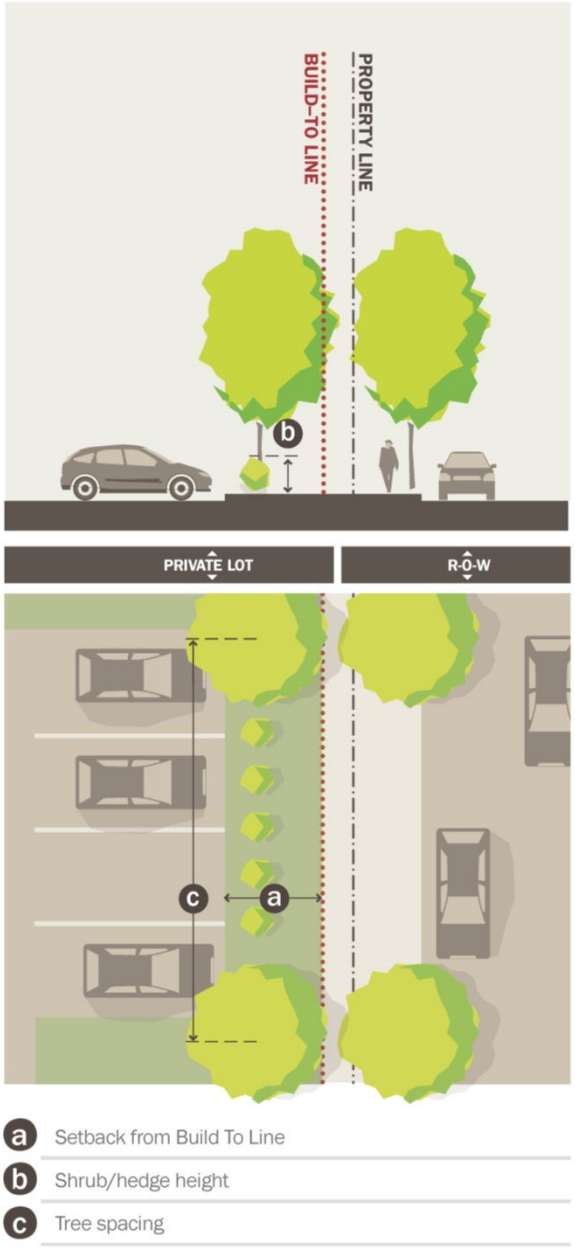
.3 In addition to the required shrubs, one large tree is required every 9 linear metres minimum along all public or private Street-facing frontages. The shrubs/hedge shall be interrupted with a gap of up to 0.6m wide in order to accommodate trees.

.4 Grass or ground cover plants must fully cover the remainder of the landscaped area between the parking area and the sidewalk.

.5 A 0.9m high masonry wall may be substituted for the shrubs but the trees and groundcover plants are still required.

.6 Openings in the Setback are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

Figure 9.11.5-8 Setback Landscape Frontage



9.12 NEIGHBOURHOOD STABILIZATION ZONE DEVELOPMENT STANDARDS

9.12.1 General Standards Required for All Development in the Neighbourhood Stabilization Zone.

.1 Introduction

a. Notwithstanding that it is contained in this Part 9, the development standards and regulations set out in Parts 1 to 8 of this Bylaw apply to the Neighbourhood Stabilization Zone.

b. Except as specifically set out in this section 9.12.1., the standards and regulations set out in this Part 9 do not apply to the Neighbourhood Stabilization Zone.

c. The Control of Development regulations set out in section 9.5 of this Part 9, and the City Centre General Regulations set out in section 9.7 of this Part 9, apply to the construction of new Buildings with a Gross Floor Area in excess of 1,000m^2 in the Neighbourhood Stabilization Zone, except that the following Districts are exempt from sections 9.5 and 9.7:

   i. LDL-R4 – Longboat Landing District.

d. The standards that apply to the Development on Prairie Loop Boulevard and Franklin Re-Urbanization General set out in table 9.11-1 shall apply to Development in the SR1 South Riverfront District.

e. The standards set out in section 9.11.1 – General Standards Required for All Development in the Franklin Avenue Re-Urbanization Zone, apply to Development in the SR1 South Riverfront District.

.2 Dwelling Units Permitted

a. For the SR1 South Riverfront District, the maximum number of Dwelling Units permitted is the number of Dwelling Units that can be achieved while complying with the Uses and applicable development standards, which may include but are not limited to, the maximum Height, maximum Floor Area Ratio, Building Frontage type, parking requirements, Permitted Uses and Discretionary Uses, and all other regulations that may apply to the Development.

9.13 RECREATION ZONE DEVELOPMENT STANDARDS

9.13.1 General Standards Required for All Development in the Recreation Zone

.1 Introduction

a. Notwithstanding that it is contained in this Part 9, the development standards and regulations set out in Parts 1 to 8 of this Bylaw apply to the Recreation Zone.

b. Except as specifically set out in this section 9.13.1., the standards and regulations set out in this Part 9 do not apply to the Recreation Zone.

c. The Control of Development regulations set out in section 9.5 of this Part 9, and the City Centre General Regulations set out in section 9.7 of this Part 9, apply to the construction of new Buildings with a Gross Floor Area in excess of 1,000m^2 in the Recreation Zone.

.2 Dwelling Units Permitted

No Dwellings are permitted in the Recreation Zone.

9.14 HEIGHT

.1 The maximum Height of Buildings is set out in the City Centre Height Map in Appendix 3. On the City Centre Height map:

(a) For areas indicated with Height as Up to 5 Storeys, the maximum Height is 5 Storeys.

(b) For areas indicated with Height as Up to 10 Storeys, the maximum Height is 10 Storeys.

(c) For areas indicated with Height as Up to 15 Storeys, the maximum Height is 15 Storeys.

(d) For areas indicated with Height as Up to 25 Storeys, the maximum Height is 25 Storeys.

(e) For areas indicated with Height as unlimited, no maximum Height shall apply.

.2 As an exception to the maximum Heights set out on the City Centre Height Map, in order to create a gateway feature, one tall Building, of unlimited Height, is permitted in each of the following locations:

(a) Within 100m of the Highway 63 Right of Way for Sites fronting on Hardin Street at the intersection of Hardin Street and Highway 63;

(b) Within 100m of the Highway 63 Right of Way for Sites fronting on Morrison Street at the intersection of Morrison Street and Highway 63; and

(c) Within 100m of the Macdonald Drive Right of Way for Sites fronting on Franklin Avenue at the intersection of Franklin Avenue and Macdonald Drive.

.3 After one tall Building, higher than the maximum Height set out on the City Centre Height Map, is approved within 100m of the Highway 63 Right of Way for Sites fronting on Hardin Street at the intersection of Hardin Street and Highway 63, no further Buildings that exceed the maximum Height are permitted in this location.

.4 After one tall Building, higher than the maximum Height set out on the City Centre Height Map, is approved within 100m of the Highway 63 Right of Way for Sites fronting on Morrison Street at the intersection of Morrison Street and Highway 63, no further Buildings that exceed the maximum Height are permitted in this location.

.5 After one tall Building, higher than the maximum Height set out on the City Centre Height Map, is approved within 100m of the Macdonald Drive Right of Way for Sites fronting on Franklin Avenue at the intersection of Franklin Avenue and Macdonald Drive, no further Buildings that exceed the maximum Height are permitted in this location.

9.15 FLOOR AREA RATIO

1. The maximum permitted Floor Area Ratio is set out in the City Centre Floor Area Ratio Map - Appendix 2. On the City Centre Floor Area Ratio Map:

   (a) For areas indicated with a maximum Floor Area Ratio of 5, the maximum Floor Area Ratio is 5.0.

   (b) For areas indicated with a maximum Floor Area Ratio of 7.5, the maximum Floor Area Ratio is 7.5.

   (c) For areas indicated with a maximum Floor Area Ratio of 10, the maximum Floor Area Ratio is 10.0.

2. Areas located within the area identified with a maximum Floor Area Ratio of 10, as shown on the City Centre Floor Area Ratio Map – Appendix 2, shall have a maximum Floor Area Ratio of 2.0 for Sites less than or equal to 0.3 hectares in area; and a maximum Floor Area Ratio of 10.0 for Sites greater than 0.3 hectares in area.

3. Areas located within the area identified with a maximum Floor Area Ratio of 7.5, as shown on the City Centre Floor Area Ratio Map – Appendix 2, shall have a maximum Floor Area Ratio of 2.0 for Sites less than or equal to 0.3 hectares in area; and a maximum Floor Area Ratio of 7.5 for Sites greater than 0.3 hectares in area.

4. In cases where Floor Area Ratio boundaries do not follow Lot lines, the Floor Area Ratio that applies to a specific potion of the Site shall be calculated by scaling the area from the City Centre Floor Area Ratio Map and applying the Floor Area Ratio to the portion of the Site scaled from the map. In these cases an averaging of Floor Area Ratios over the Site is not permitted.

9.16 DOWNTOWN MAJOR REDEVELOPMENT ZONE USES

9.16.1 Regulations

.1 The Permitted and Discretionary Uses for each Land Use District in the Downtown Major Redevelopment Zone are set out in Table 9.16-1, and 9.16-2. In the tables, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.

.2 The applicable Land Use Districts are set out in the Regulating Plan: City Centre Districts and Corridors Map, Appendix 1.

Table 9.16-1
Land Use Districts within the Downtown Major Redevelopment Zone

Land Uses	Land Use Districts			
	CBD1 – Central Business District	BOR1 - Borealis	SCL1 – Snyeside /Clearwater Core	SCL2 – Snyeside /Clearwater High Density
● = Permitted Use		○ = Discretionary Use		
Food and Beverage Commercial	●	●	○	○
Institutional and Civic	●	●	●	●
Neighbourhood Commercial	●	●	○	○
Office Commercial	●	●		
Park	●	●	●	●
Parking Structure	●	●	●	●
Recreation Commercial	●	●	○	○
Residential	●	●	●	●
Retail Commercial (<5,000m^2 GFA)	●	●		○
Retail Commercial, Large Format (>5,000m^2 GFA)	○			
Restricted Commercial	○			
Service Commercial	○			
Tourism Commercial	●	○		○
Home Occupation	●	●	●	●
Home Business	○	○	○	○
Accessory Surface Parking	○	○	○	○
Accessory Building or Use	●	●	●	●

Table 9.16-2
Additional Land Use Districts within the Downtown Major Redevelopment Zone

Land Uses	Land Use Districts PR-CC – Parks and Recreation City Centre
● = Permitted Use ○ = Discretionary Use	
Cemetery	○
Community Recreation Facility	○
Food and Beverage Commercial	○
Festival	●
Institutional and Civic	○
Recreation Commercial	○
Recyclable Materials Drop-Off Centre	○
Retail Commercial (<5,000m^2 GFA)	○
Outdoor Recreation Facility	○
Park	●
Parking Lot/Structure	●
Public Use	●
Public Utility	●
Resort Facility	○
Accessory Surface Parking	○
Accessory Building or Use	●

9.16.2 Downtown Primary Office Employment Area

.1 Within the area designated as Downtown Primary Office Employment Area on the City Centre Districts and Corridors Map, Appendix 1, the following regulations apply:

a. Office Commercial shall be the Principal Use in any Building and shall occupy at least 60% of the Gross Floor Area.

b. Residential, Food and Beverage Commercial, Institutional and Civic, Recreation Commercial, Retail Commercial (<5,000m^2 GFA), Neighbourhood Commercial, Restricted Commercial, Service Commercial, and Tourism Commercial, and other uses not defined as Office Commercial will be considered at the discretion of the Development Authority only if secondary to Office Commercial use, where the Gross Floor Area of all these above named uses combined is less than 40% of the Gross Floor Area of the Building.

c. Retail Commercial, Large Format (>5,000m^2 GFA) is not permitted within the Downtown Primary Office Employment Area.

d. Notwithstanding the foregoing, sections 9.16.2.1.1 and 9.16.2.1.2 do not apply to:

i. The Lots within the Downtown Primary Office Employment Area on the lands bounded by Hardin Street, Franklin Avenue, Haineault Street, and Highway 63, if the primary use on the Ground Floor, and the Storey above the Ground Floor, continues to be Retail Commercial, Retail Commercial Large Format, or Food and Beverage Commercial, and these uses form part of a Shopping Centre.

ii. Buildings existing at the date of adoption of this Part 9.

iii. Buildings of 2 storeys or less; these Buildings are permitted to have Food and Beverage Commercial, Recreation Commercial, Retail Commercial (<5,000m^2 GFA), Neighbourhood Commercial, and Tourism Commercial on the Ground Floor, occupying up to 60% of the Gross Floor Area of a Building.

9.16.3 Snyeside Clearwater Residential Area

.1 Within the Snyeside Clearwater Residential area shown on the City Centre Districts and Corridors map, Appendix 1, the following regulations apply:

a. The R1 Single Detached Residential District regulations shall apply to any Sites with either an area of less than or equal to 0.3 hectares or a Lot frontage or depth of less than or equal to 50m.

b. For Sites with both an area greater than 0.3 hectares and a Lot frontage or depth of greater than 50m, a Site plan shall be submitted showing the ultimate build-out of the entire Site and demonstrating how the overall Development will meet the requirements of this Bylaw. The Uses, Heights, and Floor Area Ratios set out in Part 9 shall not be allowed until a Site plan has been submitted, in addition to all other requirements.

9.16.4 Site Provisions for PR-CC Parks and Recreation City Centre District

.1 In addition to the General Regulations contained in Part 5, the following regulations shall apply to every Development in the PR-CC Parks and Recreation City Centre District.

c. Front Yard (minimum): 6.0m

d. Side Yard (minimum): 6.0m

e. Rear Yard (minimum): 6.0m

.2 In addition to the above regulations, the development of a float plane base in the PR-CC Parks and Recreation City Centre District is subject to the following:

a. Side Yard, Interior (minimum): 1.2m

b. Side Yard, Exterior (minimum): 3.0m

c. Accessory Development may include office Buildings, fuel storage, and maintenance facilities integral to the operation of the base.

d. Notwithstanding Tables 9.16-1 and 9.16-2 even where Accessory to a Principal Use that is a Permitted Use, in all cases, fuel storage shall be considered to be a Discretionary Use.

e. Further to Section 9.16.2.4, the Development Authority may require that any fuel storage be located and developed to the satisfaction of the Development Authority in accordance with Provincial Regulations.

9.17 FRANKLIN AVENUE RE-URBANIZATION ZONE USES

9.17.1 Regulations

.1 The Permitted and Discretionary Uses for each Land Use District in the Franklin Avenue Re-Urbanization Zone are set out in Table 9.17-1 and 9.17-2. In the tables, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.

.2 The applicable Land Use Districts are set out in the Regulating Plan: City Centre Districts and Corridors Map, Appendix 1.

Table 9.17-1
Land Use Districts within the Franklin Avenue Re-Urbanization Zone:

Land Uses	Land Use Districts		
	PRA1 – Prairie West of Queen Mixed Use	**PRA2 – Prairie East of Queen Mixed Use**	**FRA1 – Franklin Core**
● = Permitted Use		○ = Discretionary Use	
Food and Beverage Commercial	●	●	●
Institutional and Civic	●	●	●
Limited Commercial	○	○	○
Office Commercial	●	●	●
Park	●	●	●
Parking Lot/ Structure	●	●	●
Recreation Commercial	●	●	●
Residential	●	●	●
Restricted Commercial	○	○	○
Retail Commercial (<5,000m^2 GFA)	●	●	●
Retail Commercial, Large Format (>5,000m^2 GFA)	●		○
Service Commercial	●	●	●
Tourism Commercial	○	○	●
Home Occupation	●	●	●
Home Business	○	○	○
Accessory Surface Parking	●	●	●
Accessory Building or Use	●	●	●

Table 9.17-2
Additional Land Use Districts within the Franklin Avenue Re-Urbanization Zone

Land Uses	Land Use Districts	
	PR-CC – Parks and Recreation City Centre	**PS-CC – Public Services City Centre**
● = Permitted Use o = Discretionary Use		
Apartment Building		o
Cemetery	o	o
Community Recreation Facility	o	
Festival	●	
Food and Beverage Commercial	o	o
Institutional and Civic	o	o
Recreation Commercial	o	o
Recyclable Materials Drop-Off Centre	o	o
Retail Commercial (<5,000m^2 GFA)	o	o
Outdoor Recreation Facility	o	●
On-site security	●	●
Park	●	●
Parking Lot/ Structure	●	●
Public Use	●	●
Public Utility	●	●
Resort Facility	o	
Accessory Surface Parking	●	●
Accessory Building or Use	●	●

9.17.2 Site Provisions

.1 In addition to the regulations contained in Part 5 of this Bylaw, the following regulations shall apply to every Development in the PR-CC Parks and Recreation City Centre District, and the PS-CC Public Services City Centre district.

a. Front Yard (minimum): 6.0m

b. Side Yard (minimum): 6.0m

c. Rear Yard (minimum): 6.0m

.2 In addition to the above regulations, the development of a float plane base in the PR-CC Parks and Recreation City Centre district is subject to the following:

a. Side Yard, Interior (minimum): 1.2m

b. Side Yard, Exterior (minimum): 3.0m

c. Accessory Development may include office Buildings, fuel storage, and maintenance facilities integral to the operation of the base.

d. Notwithstanding Tables 9.17-1 and 9.17-2 even where Accessory to a Principal Use that is a Permitted Use, in all cases, fuel storage shall be considered to be a Discretionary Use.

e. Further to Section 9.17.2.d, the Development Authority may require that any fuel storage be located and developed to the satisfaction of the Development Authority in accordance with Provincial Regulations.

9.18 NEIGHBOURHOOD STABILIZATION ZONE USES

9.18.1 Regulations

.1 The applicable Land Use Districts are set out in the land use map incorporated as Appendix A referred to in Part 1 of this Bylaw, except that if a Land Use District is displayed on the City Centre Districts and Corridors Map Appendix 1, then the District on that map shall apply.

.2 The Permitted and Discretionary Uses for each Land Use District in the Neighbourhood Stabilization Zone are set out in Part 6 of this Bylaw, except for those applicable Districts that are displayed on the City Centre Districts and Corridors Map Appendix 1.

.3 The Permitted and Discretionary Uses for the applicable Land Use Districts in the Neighbourhood Stabilization Zone are set out in Table 9.18-1. In the table, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.

Table 9.18-1
Land Use Districts within the Neighbourhood Stabilization Zone

Land Uses	Land Use Districts SR1 South Riverfront
● = Permitted Use o = Discretionary Use	
Institutional and Civic	o
Office Commercial	●
Park	●
Parking Lot/ Structure	●
Residential	●
Retail Commercial (<5,000m² GFA)	●
Home Occupation	●
Home Business	o
Accessory Surface Parking	●
Accessory Building or Use	o

9.19 RECREATION ZONE USES AND REGULATIONS

9.19.1 Regulations

.1 The Permitted and Discretionary Uses for each Land Use District in the Recreation Zone are set out in Table 9.19-1. In the table, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.

.2 The applicable Land Use Districts are set out in the Regulating Plan: City Centre Districts and Corridors Map, Appendix 1.

Table 9.19-1
Land Use Districts in Recreation Zone

Land Uses	Land Use Districts RIVF - Riverfront
● = Permitted Use ○ = Discretionary Use	
Community Recreation Facility	○
Festival	●
Food and Beverage Commercial	○
Institutional and Civic	○
Recreation Commercial	○
Retail Commercial (<5,000m^2 GFA)	○
Outdoor Recreation Facility	●
Park	●
Parking Lot and Parking Structure	●
Public Use	●
Public Utility	●
Accessory Surface Parking	○
Accessory Building or Use	●

9.19.2 Site Provisions

.1 In addition to the regulations contained in Part 5 of this Bylaw, the following standards shall apply to every Development in the RIVF Riverfront district.

a. Front Yard (minimum): 6.0m

b. Side Yard (minimum): 6.0m

c. Rear Yard (minimum): 6.0m

d. Building Height (maximum): 12.2m for principal Building.

.2 In addition to the above regulations, the development of a float plane base in the RIVF Riverfront district is subject to the following:

a. Side Yard, Interior (minimum): 1.2m

b. Side Yard, Exterior (minimum): 3.0m

c. Building Height (maximum): 6.0m for principal Building

d. Accessory Development may include office Buildings, fuel storage, and maintenance facilities integral to the operation of the base.

e. Notwithstanding Table 9.19-1 even where Accessory to a Principal Use that is a Permitted Use, in all cases, fuel storage shall be considered to be a Discretionary Use.

f. Further to Section 9.19.2.e, the Development Authority may require that any fuel storage be located and developed to the satisfaction of the Development Authority in accordance with Provincial Regulations.

9.20 PARKING AND LOADING

9.20.1 Parking and Loading Facilities

.1 Notwithstanding the provisions of Part 7 of this Bylaw pertaining to parking and loading requirements, each Development in any District in this Part shall provide vehicular and Bicycle Parking in accordance with Table 9.20-1 Number of On-site Parking Stalls Required, and Table 9.20-2 - Number of Bicycle Parking Spaces Required.

9.20.2 Vehicular Parking

.1 A Parking Structure that is part of the Building Podium shall be screened in a way that does not disrupt the continuity of the Street Wall and the character of the District. Screens may include, but are not limited to, public art and Street fronting Retail uses.

.2 A Parking Structure developed below grade shall be permitted to be built to the Lot line.

.3 Surface Parking Lots:

a. The storage of materials inclusive of accumulated snow on non-Accessory Surface Parking Lots shall be in a location away from the Public Road to improve safety and visibility; and

b. Lighting for the non-Accessory surface Parking Lots shall be a minimum of 6 LUX.

9.20.3 Access

.1 Driveway ramps for underground Parking Structures shall not exceed a slope of 6% for the first 4.5m from the Lot line, or as may be prescribed by the Engineering Department of the Municipality from time to time.

.2 For Residential, Hotel, and Institutional Uses, passenger drop-off areas and lay-bys may be located within the Front Setback, provided there is adequate space available and that sidewalk continuity is maintained to the satisfaction of the Engineering Department.

Table 9.20-1 - Number of On-Site Parking Stalls Required

Legend: DRZ - Downtown Major Redevelopment Zone
FRZ – Franklin Avenue Re-Urbanization Zone

GFA - Gross Floor Area
du - Dwelling Unit

Residential Uses		
	Number of Required Parking Spaces by Zone	
Land Use Accommodation:	**DRZ**	**FRZ**
Bachelor Suite Minimum parking requirement per unit Maximum parking requirement per unit	 0.5 1	 0.5 1
1 Bedroom Dwelling Unit Minimum parking requirement per unit Maximum parking requirement per unit	 0.5 1	 1 1.5
2 Bedroom Dwelling Unit Minimum parking requirement per unit Maximum parking requirement per unit	 1 1.5	 1 1.5
3 or more Bedroom Dwelling Unit Minimum parking requirement per unit Maximum parking requirement per unit	 1 2	 1 2
Visitor Parking Minimum parking requirement per unit Maximum parking requirement per unit	 1.0 per 10 units 1.0 per 5 units	 1.0 per 10 units 1.0 per 5 units

Non-Residential Uses		
	Number of Required Parking Spaces by Zone	
Land Use	**DRZ**	**FRZ**
Food Service / Restaurant Minimum parking space requirement Maximum parking space requirement	 1.0 per 100m^2 Public Floor Area 2.0 per 100m^2 Public Floor Area	 1.0 per 100m^2 Public Floor Area 2.0 per 100m^2 Public Floor Area
Hotel Minimum parking space requirement	0.5 per guest room plus additional stalls in accordance with the parking requirements in this Part	1.0 per guest room plus additional stalls in accordance with the parking requirements in this Part
All Retail Uses (goods and services) under 5,000 m^2 GFA Minimum parking space requirement Maximum parking space requirement	 1.0 per 100m^2 GFA 2.0 per 100m^2 GFA	 1.0 per 100m^2 GFA 4.0 per 100m^2 GFA
Large Format Retail (5,000 m^2 GFA and greater) Minimum parking space requirement Maximum parking space requirement	 1.0 per 100m^2 GFA 4.0 per 100m^2 GFA	 1.0 per 100m^2 GFA 4.0 per 100m^2 GFA
Shopping Centre Minimum parking space requirement Maximum parking space requirement	 1.0 per 100m^2 GFA 4.0 per 100m^2 GFA	 1.0 per 100m^2 GFA 4.0 per 100m^2 GFA
Offices / Professional Services Minimum parking space requirement Maximum parking space requirement	 1.4 per 100m^2 GFA 2.8 per 100m^2 GFA	 1.4 per 100m^2 GFA 2.8 per 100m^2 GFA
Elementary / Junior High Schools Minimum parking space requirement	 1.0 per employee, plus auditorium requirements set out below	 1.0 per employee, plus auditorium requirements set out below

Non-Residential Uses		
	Number of Required Parking Spaces by Zone	
Land Use	**DRZ**	**FRZ**
Senior High School Minimum parking space requirement	1.0 per employee, plus 1.0 per 12 students, plus auditorium requirements set out below	1.0 per employee, plus 1.0 per 12 students, plus auditorium requirements set out below
College / University Minimum parking space requirement	1.0 per 12 seats plus auditorium requirements set out below	1.0 per 10 seats plus auditorium requirements set out below
Government Services / Library Minimum parking space requirement Maximum parking space requirement	1.4 per 100m^2 GFA 2.8 per 100m^2 GFA	1.4 per 100m^2 GFA 2.8 per 100m^2 GFA
Hospital Minimum parking space requirement	1.0 per bed	1.0 per bed
Nursing Home / Congregate Care Minimum parking space requirement	0.2 per bed	0.2 per bed
Church Minimum parking space requirement Maximum parking space requirement	5 per 100m^2 GFA 10 per 100m^2 GFA	5 per 100m^2 GFA 10 per 100m^2 GFA
Arena / Auditorium / Conference Centre / Exhibition Hall Minimum parking space requirement Maximum parking space requirement	1 space per 10 seats or 1 per 5m^2 of floor area used by patrons, whichever is less 1 space per 3.5 seats or 1 per 3m^2 of floor area used by patrons, whichever is greater	1 space per 10 seats or 1 per 5m^2 of floor area used by patrons, whichever is less 1 space per 3.5 seats or 1 per 3m^2 of floor area used by patrons, whichever is greater

9.20.4 Number of Bicycle Spaces Required

.1 In addition to the required vehicular parking, Bicycle Parking shall be provided in accordance with Table 9.20.2.

9.20.5 Size and Location of Bicycle Parking Facilities

.1 Each Bicycle Parking space shall be a minimum of 0.6m in width with a minimum clear length of 1.8m. Bicycle Parking spaces shall have a vertical clearance of at least 2.0m.

.2 Required Bicycle Parking spaces shall be wholly provided on the same Site as the Development for which the Bicycle Parking is being provided.

.3 Adequate access to and exit from individual Bicycle Parking spaces shall be provided with an aisle of not less than 1.5m in width, to be provided and maintained beside or between each row of Bicycle Parking.

.4 Required Bicycle Parking spaces and accesses shall be located on hard paved surfaces.

.5 Bicycle Parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5m of open space.

.6 Bicycle Parking spaces shall be visibly located where possible and provided in one or more of the following ways:

a. Secure bicycle storage rooms, lockers, racks, railings or other such device inside the Building, preferably at the ground level;

b. Secure bicycle storage rooms, lockers, racks, railings or other such device in any Accessory Parking Structure or surface Parking Lot; or

c. Within any Yard of a Site but not more than 15.0m from a principal entrance of the Building.

.7 Where Bicycle Parking is not visibly located on Site, directional signage shall be displayed indicating its location.

.8 All Bicycle Parking spaces shall be situated to maximize visibility so as to discourage theft and vandalism, and shall be illuminated.

Table 9.20-2 - Number of Bicycle Parking Spaces Required

	Number of Required Bicycle Parking Spaces by Zone	
Land Use:	**DRZ**	**FRZ**
All Residential Uses of 20 Dwellings or more.	10% of the number of vehicular parking spaces required under Table 9.20-1 to a maximum of 50 Bicycle Parking spaces.	5% of the number of vehicular parking spaces required under Table 9.20-1 to a maximum of 50 Bicycle Parking spaces
All Non-Residential Uses except for Educational Service Facilities	10% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided.	5% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided.
Education Service Facilities	10% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided.	10% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided.

9.21 URBAN DESIGN REGULATIONS

9.21.1 Fundamental Design Regulations

Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-Urbanization Zone, where a Development follows the Fundamental Design Regulations (set out below), the Development Officer may vary the Building and Landscape Frontage types required in section 9.10 and 9.11 and set out in sections 9.10.5 and 9.11.5.

The Fundamental Design Regulations are as follows:

.1 High quality public realm. Create a high quality public realm that supports the culture of walking. This means that the pedestrian access is convenient, and the environment is comfortable, memorable and attractive. Streets, Through Block Connections and public spaces work together to provide opportunities for civic, cultural, economic and social activities.

.2 Pedestrian-friendly features. Create a pedestrian-friendly environment by orienting façades, entrances, outdoor seating areas, canopies, Landscaping and other features that lend visual interest and a human scale to the Street.

.3 Visual and physical connections. Develop visual and physical connections into Buildings' active interior spaces from adjacent sidewalks. Face main entries, lobbies and other pedestrian-oriented Building elements to the sidewalk. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

.4 Flexible sidewalk-level spaces. Develop flexible spaces at the sidewalk-level of Buildings that can accommodate a variety of active uses.

.5 Corners. On corner Lots wrap the façade treatment around the side of the Building to provide a consistent profile facing both Streets.

9.21.2 Special Urban Design Regulations

The regulations in this Section are required for all Development in the Downtown Major Redevelopment Zone and the Franklin Avenue Re-Urbanization Zone. The regulations in this section are also required for Buildings greater than 1,000m^2 in the Neighbourhood Stabilization Zone and the Recreation Zone These regulations are applied in addition to the Development Standards for Site design, Street Types, Through Block Connections and Building and Landscape Frontage Types. In conjunction with the other applicable Development Standards, the purpose of these Design Regulations is to ensure achievement of a high quality public realm and Building design.

The Special Urban Design Regulations are as follows:

Regulations for high quality public realm

.1 Design quality. Plan rights-of-way, Through Block Connections and public open space as if they were outdoor rooms, designed with the same care to circulation, proportion of space, quality of materials, comfort, safety and attractiveness as indoor rooms.

.2 Through Block Connection frontage. Orient Building elements such as main entries, lobbies, windows, and balconies to face Through Block Connections and public open space. Create a pedestrian-friendly environment within Through Block Connections and adjoining public spaces by orienting façades, entrances, outdoor seating areas, canopies, Landscaping and other features that lend visual interest and a human scale.

.3 Seating opportunities. Include a wide variety of seating opportunities in the design of public open space, including benches, widened windowsills, widened edges of landscape planters, or wide steps. Integrated seating for pedestrians should be oriented to the active edge of the Site, the main entry of the Building, or toward a corner.

.4 Through Block Connection weather protection. Develop integrated weather protection systems at the sidewalk-level to mitigate the effects of harsh weather, glare, shadow and reflection on pedestrian environment.

.5 Public Art. Include public art that meets a high standard of quality and permanence as part of the Building and Site, ensuring that while the public art may be located on private land, it is visible and accessible to the public.

Regulations for Buildings

.6 Quality and permanence. Use design principles, construction techniques and building materials that promote quality, permanence and adaptability in Buildings.

.7 Location of services and equipment. Building mechanical equipment that produces offensive odours, noise, and/or air movement should be located so as not to negatively impact the pedestrian environment. Incorporate service areas for large vehicle access in a manner that does not detract from the pedestrian environment. These service and equipment areas include loading areas, recycling dumpsters, trash collection and storage areas, and vehicle access locations.

.8 Pedestrian-scaled signage and lighting. Develop integrated identification, sign, and sidewalk oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian.

.9 Barrier free access. Integrate access systems for all people with the Building's overall design concept. Ensure barrier-free design features that facilitate movement for all people, such as elevators, lifts, and ramps, are well integrated into the overall design concept.

.10 Parking Structure design. Orient and screen Parking Structures to minimize exposure and visibility of parking floors along the Street-facing façade. Incorporate materials, colours and façade articulation to de-emphasize the visual difference between Parking Structure screening and habitable space within the same or adjacent Buildings.

.11 Building location. Locate Buildings to frame the public spaces and Streets, and create strong edges to the outdoor urban realm. Locate Buildings in the perimeter of the block, allowing for Courtyards in the interior.

.12 Weather protection. Incorporate features like covered sidewalks, walkways and atriums that provide shelter from the extreme cold weather conditions that characterize the local climate.

.13 Skyline. Design individual Building roofs to create visual interest and to ensure they work together to form a cohesive and attractive skyline. Consider tall Buildings that cluster together, particularly in the Downtown unlimited Height area, the Franklin transit nodes and gateways, as sculptural peaks that mark a specific neighborhood in the City Centre Special Area. These neighborhood markers work together as sculptural features to create a sense of drama, enhance the image of and call attention to the City Centre Special Area as a whole.

.14 Building rooftops. Design rooftops to contribute positively to the skyline and to establish a signature image for the District and the city as a whole. Locate necessary Building functions such as heating, ventilating and air conditioning systems, elevator penthouses, and other structures such as transmission towers to mitigate visual impacts, and to integrate them into the design of rooftop architecture. Develop rooftops as habitable space to offer special view opportunities from the tops of Buildings.

.15 Corners. Highlight Building corners by varying Building Heights, changing the façade plane, with large windows, awnings, canopies, marquees, signs, or pedestrian entrances. Locate flexible sidewalk-level retail opportunities at Building corners.

.16 Towers. Design and orient Towers to maximize views, sun exposure at the Street level, Through Block Connection and adjoining open space, and to articulate the downtown skyline.

.17 Podiums. Enhance Podium roofs when they are visible from adjacent Developments through the use of patios, gardens or green roofs.

Regulations for Specific Streets and Gateways

.18 MacDonald Avenue. Located Buildings along MacDonald Avenue to provide a rhythm of fine-grained retail establishments with direct access to the Street that contain numerous shop fronts, entrances, and a variety of textures and Building materials to enhance the pedestrian environment.

.19 Gateways. Orient Building and Landscaping features toward designated gateways to identify district entrances and transitions from one Land Use District to another. Building features such as arches, arcades, columns and landscape features such as fountains, planting and sculptural art can be used to define gateways.

ADDITIONAL Land Use Bylaw Amendments

1. The following text is to be added to the end of Section 22.2

   (g) Sun/ shadow impact study, prepared by a qualified, registered Professional Engineer or Architect, to professional standards;
   (h) Wind impact study:
      (i) A preliminary Wind Impact Statement shall be prepared by a qualified, registered Professional Engineer, to professional standards, or
      (ii) A detailed Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, and shall be based on a scale model simulation analysis, prepared to professional standards;
   (i) Conceptual Site Development plans;
   (j) Details regarding architectural design;
   (k) Detailed sketches and 3-dimensional graphics showing all aspects of the proposed Development;
   (l) A comprehensive sign design plan setting out the type, size, location, design and character of signage proposed for the site
   (m) Comprehensive reports demonstrating how the Development meets the applicable Urban Design Regulations;
   (n) Building Height impact assessment;
   (o) Pedestrian circulation study.

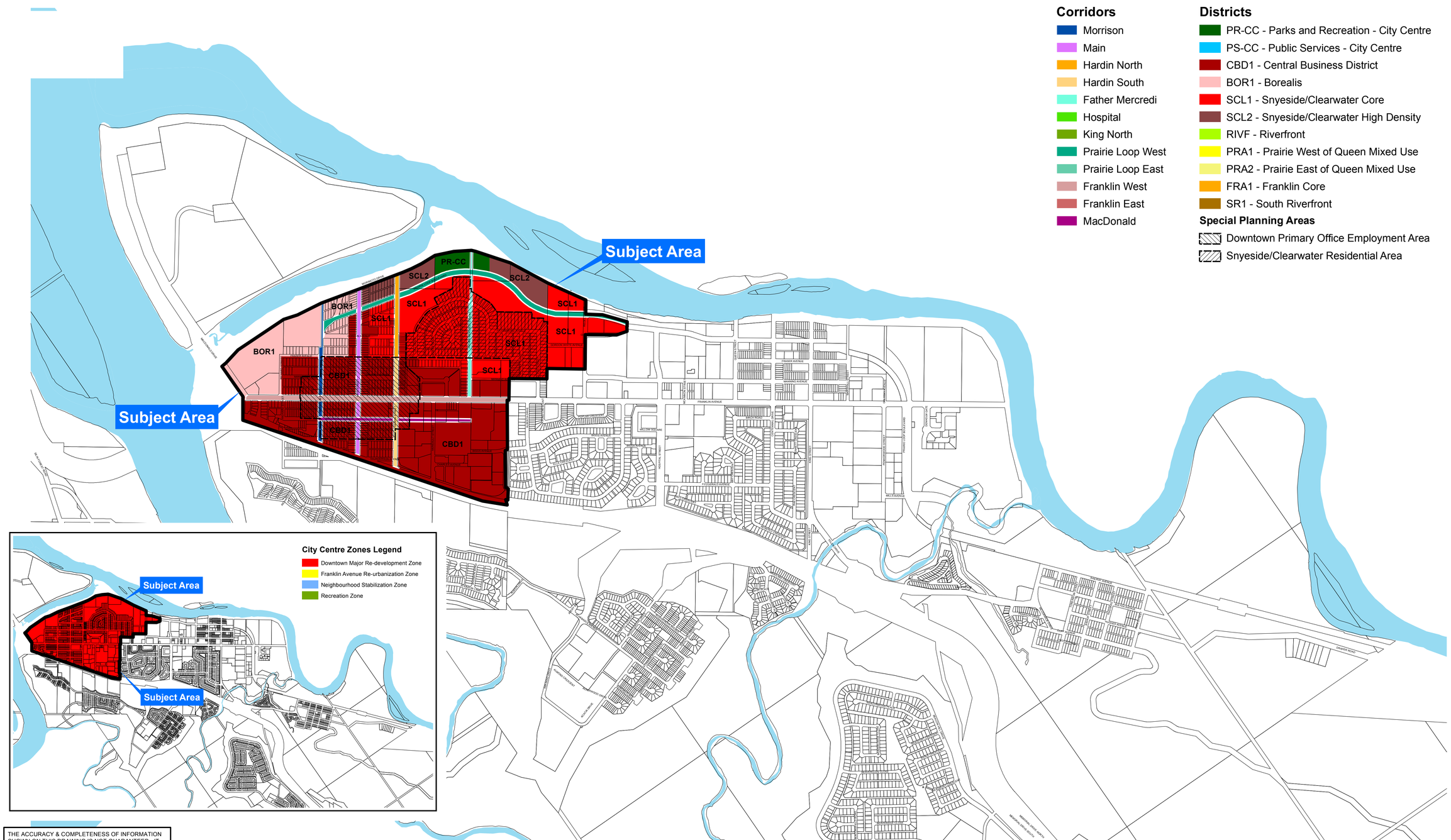
2. The existing 'Part 9 Appendices' is renamed 'Part 10 Appendices'.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Bylaw No. 12 / 012
CITY CENTRE LAND USE BYLAW

REGIONAL MUNCIPALITY OF WOOD BUFFALO

DATE: MARCH 2012
INFOSOURCE: REGIONAL MUNICIPALITY OF WOOD BUFFALO



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CITY CENTRE DISTRICTS AND CORRIDORS MAP

APPENDIX

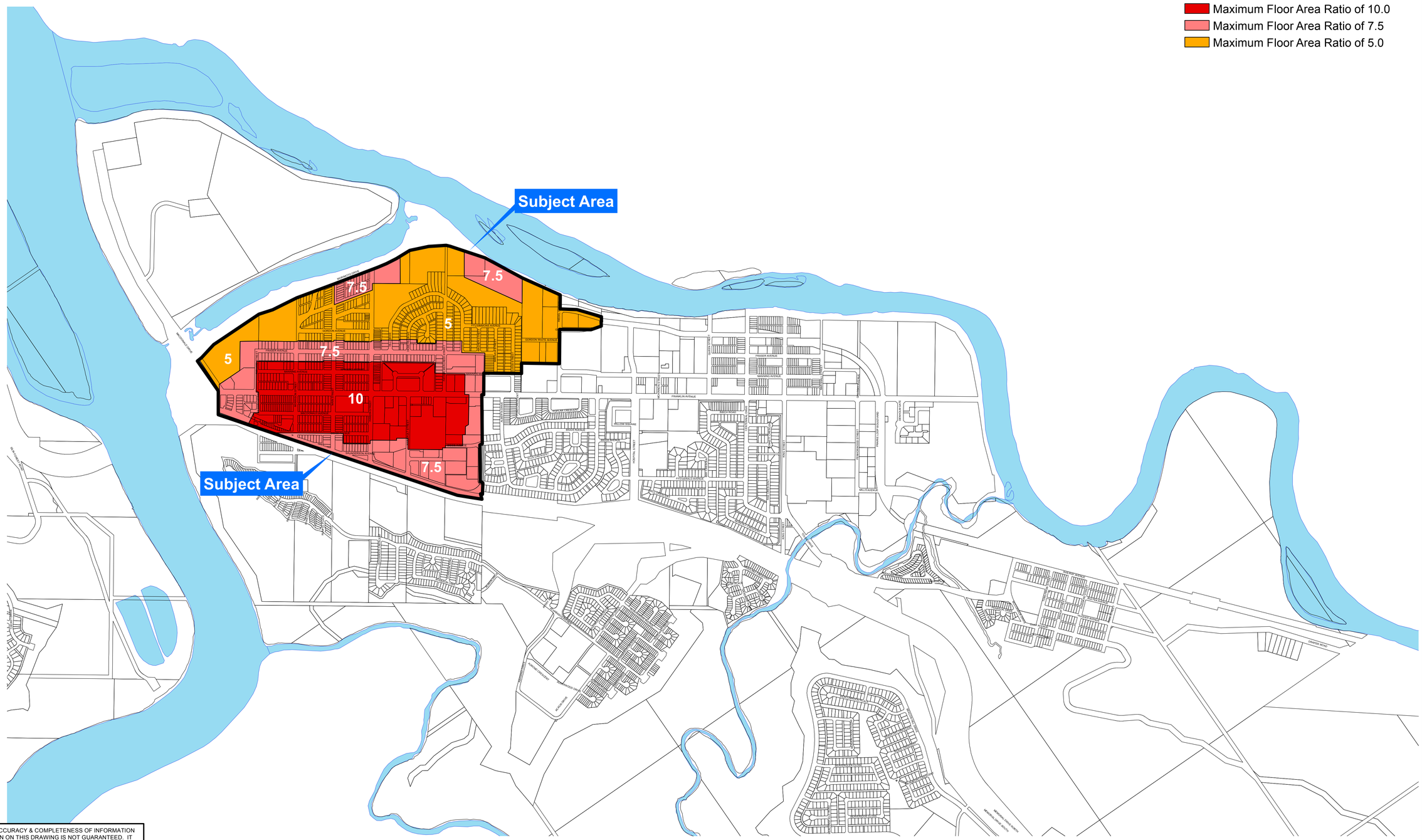
1

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Bylaw No. 12 / 012
CITY CENTRE LAND USE BYLAW

REGIONAL MUNCIPALITY OF WOOD BUFFALO

DATE: MARCH 2012
INFOSOURCE: REGIONAL MUNICIPALITY OF WOOD BUFFALO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Maximum Floor Area Ratio of 7.5
Maximum Floor Area Ratio of 5.0
Subject Area
Subject Area
7.5
7.5
5
5
7.5
10
7.5
FRANKLIN AVENUE
FRASER AVENUE
MANNING AVENUE
MORIMOTO CRESCENT
HUGH MACDONALD
MACDONALD DRIVE
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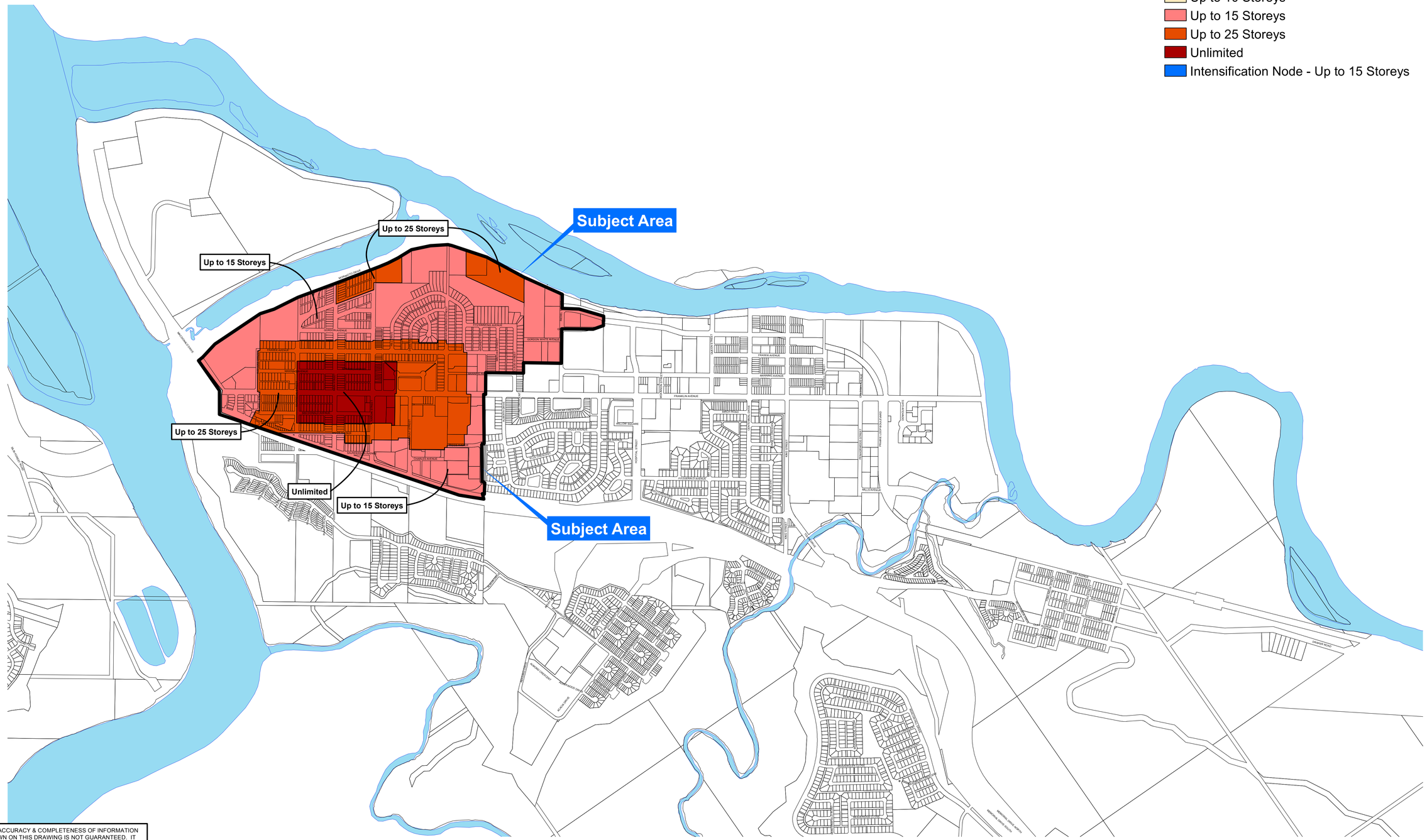
REGIONAL MUNICIPALITY OF WOOD BUFFALO

Bylaw No. 12 / 012
CITY CENTRE LAND USE BYLAW

REGIONAL MUNCIPALITY OF WOOD BUFFALO

DATE: MARCH 2012
INFOSOURCE: REGIONAL MUNICIPALITY OF WOOD BUFFALO

- Up to 10 Storeys
- Up to 15 Storeys
- Up to 25 Storeys
- Unlimited
- Intensification Node - Up to 15 Storeys



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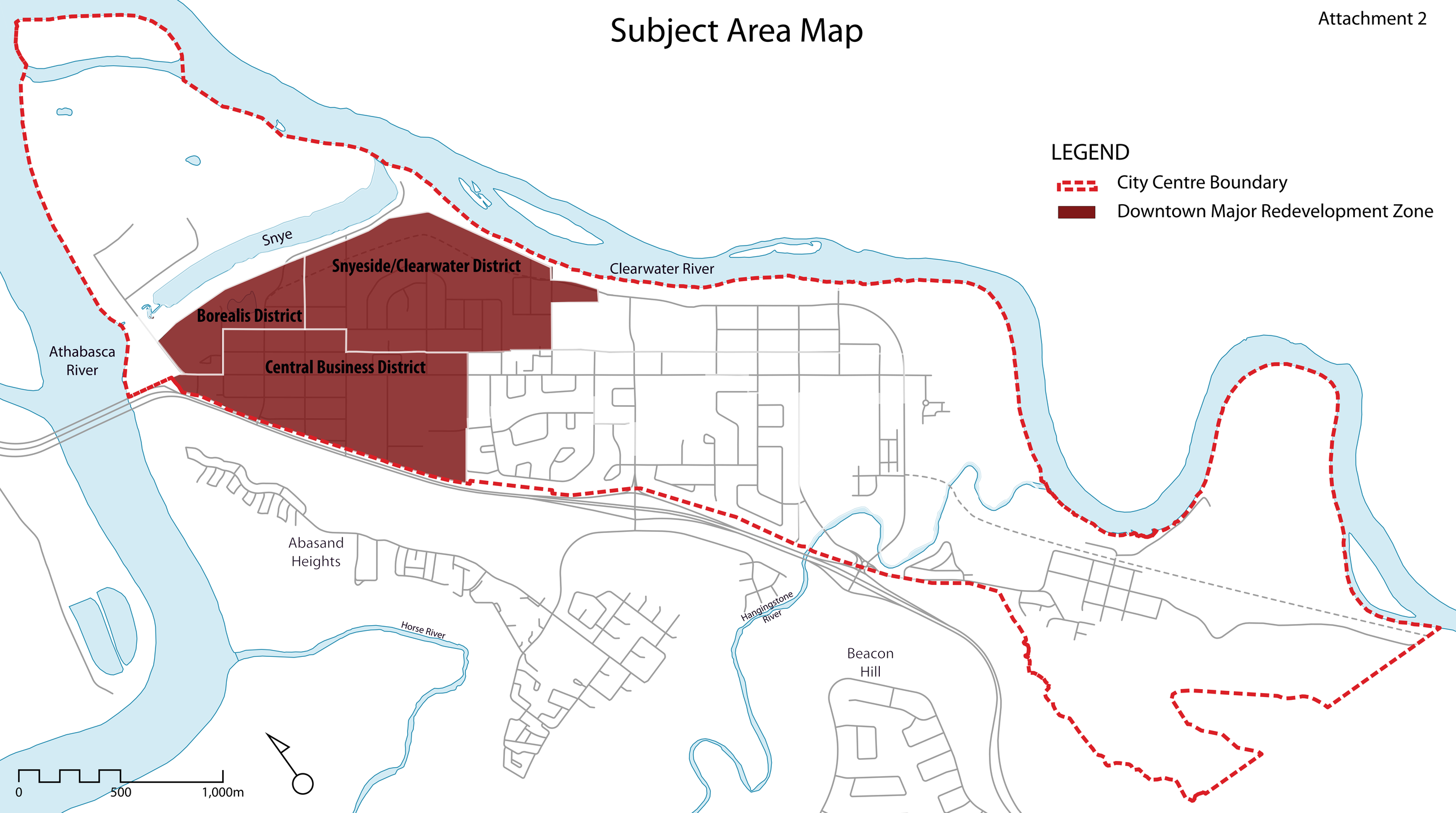
CITY CENTRE HEIGHT MAP

APPENDIX 3

Subject Area Map

Attachment 2



INTRODUCTION TO PART 9 – CITY CENTRE AREA REDEVELOPMENT PLAN SPECIAL AREA

Purpose of the Proposed Form Based Code / Land Use Bylaw

The purpose of the proposed Land Use Bylaw amendment / Form Based Code (LUB/FBC) for the City Centre is to implement the City Centre Area Redevelopment Plan (CCARP). The CCARP sets out four large zones and several districts within those zones. The four large zones are as follows:

- Downtown Major Redevelopment Zone;
- Franklin Avenue Re-urbanization Zone;
- Neighbourhood Stabilization Zone;
- Recreation Zone.

The LUB/FBC focuses primarily on the first three zones: Downtown, Franklin Avenue and Neighbourhood Stabilization. Within each of these three zones are specific Districts identified in the CCARP.

The Downtown Major Redevelopment Zone is comprised of the:

- Central Business District;
- Snyeside Clearwater District; and
- Borealis District.

The Franklin Avenue Re-urbanization Zone is comprised of the

- Prairie District; and
- Franklin Retail Core District.

The Neighbourhood Stabilization Zone is comprised of the

- Alberta Drive Birchgrove District;
- Riverside District; and
- Waterways District.

Although the Neighbourhood stabilization zone is shown on the overall map, at this time more information is required before making amendments to this important area. As a result, most of the Neighbourhood Stabilization Zone retains the same land use designations as before, and will be updated at a later date.

The LUB/FBC also provides land use regulations for a portion the Recreation Zone, in order to clarify the specific uses permitted in this area.

The CCARP sets out policies and actions for each of the Districts, along with some policies and actions specific to sub-areas within the Districts. The LUB/FBC works to implement the street character, public realm, built form, building design, height, floor area ratio and specific land use direction set out in the CCARP for each District.

General Approach

The general approach used to implement the LUB / FBC is to create a completely new part within the existing Regional Municipality of Wood Buffalo Land Use Bylaw. While other approaches were considered, such as replacing land use districts within the current bylaw framework, this approach will function more effectively as its own part. The current Land Use Bylaw will still provide the overall framework. Many of the definitions, control of development, enforcement provisions, amendment provisions, and general regulations of the existing Land Use Bylaw will apply to the LUB/FBC.

Future updates to the overall existing Land Use Bylaw can take direction from this Part, for other areas of the Municipality where the Form Based Code approach makes sense.

This Part of the Land Use Bylaw fits within the legislative framework set out in the Alberta Municipal Government Act, and is a combination of conventional land use bylaw components and new Form Based Code approaches. An overview of the Form Based Code approach is set out below.

Intent and Description of Form Based Codes

Overview of Form Based Codes

Form based codes are regulations that emphasize the physical character of development and de-emphasize the regulation of land use.

Form based codes are an alternative to conventional land use bylaws, and are becoming more widely used because they have been found to provide more predictable results and are more effective at implementing a community's desired urban form. Because they place greater emphasis on the relationship of buildings to streets and open spaces, form based codes create higher quality public spaces. A Form Based Code is more effective at communicating the intended result of the regulations to all users of the code, including the designer, developer and land owner applying for approvals, the municipality administering the bylaw, and interested members of the public.

Form based codes combine detailed, dimensional standards for buildings and streets with a site-specific zoning map, called a Regulating Plan, to regulate urban form. The Regulating Plan and development standards also regulate the use within buildings; however, form based codes offer more flexibility on land uses than many conventional land use bylaws.

Different from Conventional Land Use Bylaws

Conventional zoning, which was adopted by most North American cities during post-war suburban expansion, was developed to protect property values by separating incompatible uses. Separation was achieved by creating single or limited use zones, such as residential and commercial. Separation of uses, along with the automobile becoming the dominant transportation mode, created the character of suburban communities found in many North American cities today.

A major feature of a conventional land use bylaw is the list of land uses, consisting of highly detailed, often outdated land uses. Conventional land use bylaws might allow retail sales in one

district but not in another district. In an era where businesses of all kinds might sell products over the internet, dated distinctions like these can hamper business innovation, without addressing the root concerns of incompatible development, such as noise, pollution, hours of operation, parking and auto trips generated by a given use. Form based codes deal directly with the root concerns of incompatible development while allowing much greater flexibility regarding the uses allowed within buildings.

Similarly, conventional zoning often segregates different types of housing into separate zones, such as apartments and detached single dwellings. This type of separation has often created isolated enclaves of single family and multi family uses, reduced housing choices for residents in different phases of their lives, and stifled innovation in the housing market. Neighbourhoods that blend different types of housing in close proximity, offering small units, apartments, and cottages near conventional detached single dwellings, and for rent housing near homeownership housing, offer more options for a changing population. This mixture of housing types has significant potential to appeal to a wide range of residents in areas close to the Downtown, where people can live and work in close proximity, reducing commute distances. Compared with conventional land use bylaws, form based codes also allow greater innovation and flexibility for homebuilders. Housing types and arrangements are the product of creative entrepreneurs appealing to consumer tastes in response to changing demographic and economic trends. To the extent that local codes allow, housing design will increasingly blur the line between what is built in multi-family districts and what is built in single-family districts.

A third distinction between form based codes and conventional land use bylaws is the way they integrate the design of private development and public areas. Conventional land use bylaws deal with private development, but typically do not include standards for the design or character of the streets that serve it. These standards are usually left to the engineering or public works department. Street standards are normally created with a distinct deference to accommodating automobile traffic. They are based on general street classifications (arterial, collector, local) with no special consideration of how these standards relate to the different areas the streets serve. For example, it is common for an arterial street to have the same design as it travels through employment, commercial and residential districts in a city. This general application of development and street standards does not allow bylaws to promote development envisioned by community plans. In fact, conventional land use bylaws and typical engineering street classifications often have the effect of undermining the very plans they are supposed to support. A Form Based Code, on the other hand, sets out the design for the street types and building types, working together to form an integrated cohesive whole.

Critical Components

The critical components of the Form Based Code include:

- Regulating Plan (a map or set of maps)
- Development Standards Table
- Easy-to-understand graphics and tables used to array the Development Standards. Form based codes emphasize illustrations over text.

Benefits of Form Based Codes

Form based codes have many advantages over conventional land use bylaws, including:

- They are the result of a public design process, which creates a clear and articulate vision for a defined district or neighbourhood.
- They focus on what the community likes and not what it dislikes, making it easier for developers, citizens and decision-makers to be on the same page when individual development projects are proposed.
- They pay greater attention to the design of the public realm and the importance that streetscape design and individual building character have in defining public spaces and a special sense of place.
- Development standards are tailored to fit a specific place by reflecting its desired architecture and overall character, therefore, form based codes work better than conventional land use bylaws in helping communities retain and strengthen their identity.
- Form based codes address economic conditions by allowing flexibility in land uses, allowing developers and municipalities to respond to changing market forces.
- By emphasizing site design and building form over density and use regulations, form based codes build in long term value. Form based codes pay more attention to the buildings, which will last many years, instead of uses that change over time.
- By encouraging a mix of uses and housing types, form based codes reduce the need to travel as part of one's daily routine.
- Form based codes provide information that is easier to use than conventional zoning codes because it emphasizes illustrations and tables in addition to text. Therefore, form based codes are more engaging and comprehensible to non-professionals.

Overview of the Land Use Bylaw / Form Based Code

The Land Use Bylaw / Form Based Code is set out as Part 9 of the Regional Municipality of Wood Buffalo Land Use Bylaw. Within this Part are several sub sections:

1. General Purpose
2. Application
3. Special Area Provisions
4. Definitions
5. Control of Development
6. Variance Powers
7. City Centre General Regulations
8. The City Centre Districts and Corridors Maps
9. Interpretation of Development Standards Tables
10. Downtown Major Redevelopment Zone Development Standards
11. Franklin Avenue Re-Urbanization Zone Development Standards
12. Neighbourhood Stabilization Development Standards

13. Recreation Zone Development Standards
14. Height
15. Floor Area Ratio
16. Downtown Major Redevelopment Zone Uses
17. Franklin Avenue Re-urbanization Zone Uses
18. Neighbourhood Stabilization Zone Uses
19. Recreation Zone Uses
20. Parking And Loading
21. Urban Design Regulations

As shown above, the standards for the Downtown Major Redevelopment Zone are grouped together, as are the standards for the Franklin Avenue Re-urbanization Zone, the Neighbourhood Stabilization Zone and the Recreation Zone. This allows for easy reference in one section. Similarly, the permitted and discretionary uses for the Downtown Major Redevelopment Zone are set out in one section, with a similar approach for the Franklin Avenue Re-urbanization Zone, the Neighbourhood stabilization Zone, and the Recreation Zone.

There are three key maps that act to guide development and interpretation of the bylaw:

1. Corridors and Land Use Districts Map (also called the Regulating Plan)
2. Height Map
3. Floor Area Ratio Map

To understand this Part overall, it is useful to consider the major elements:

<u>City Centre General Regulations</u>

The City Centre General Regulations apply to the entire City Centre Area covered by this Part. They address items such as drive-thru services, landscaping, signage, and lighting. This section supplements the General Regulations in Part 5 of the Land Use Bylaw.

<u>Corridors Types</u>

The Corridors types are critical to the LUB / FBC. Many of the regulations that apply to a Site depend upon the Corridor in front of the Site. To determine which regulations apply:

1. the Corridors and Land Use Districts Map sets out the name of the Corridor in front of the Site;
2. the tables set out which regulations apply to the Site based on the Corridor;
3. if the Site is not located on a designated Corridor, the general regulations applicable to the area in which the Site is located apply.

Diagrams and Illustrations

The tables refer to different Building and landscape frontage types, and the types are illustrated in specific diagrams. The diagrams provide the clear regulations that guide how the front of the Building looks or how the Landscaping looks.

Land Use Districts

The Land Use Districts are set out in the Corridors and Land Use Districts Map. To determine the permitted and discretionary uses for a Site:

1. the map sets out the name of the Land Use District within which the Site is located;
2. the land use table determines which uses are permitted or discretionary in the applicable Land Use District.

Height and Floor Area Ratios

The applicable maximum Heights and Floor Area Ratios are based on the Height Map and the Floor Area Ratio Map. The maps set out the Heights and Floor Area Ratios that apply to various areas of the City Centre.

How to Use the Regulating Plan Part 9 of the Land Use Bylaw

The format of this Part differs from the rest of the Land Use Bylaw. The steps set out below could be provided in a guide to this part of the Land Use Bylaw. By following specific steps users can readily determine the regulations that apply to specific Sites. The standards applicable to a given Site may be determined by the following steps:

1. the Regulating Plan as set out in the City Centre Districts and Corridors Map in Appendix 1 identifies whether the Site is in the Downtown Major Redevelopment Zone, Franklin Avenue Re-Urbanization Zone, Neighbourhood Stabilization Zone, or Recreation Zone, which will assist in determining the appropriate set of regulations that apply to the Site;

2. the Regulating Plan as set out in the City Centre Districts and Corridors Map in Appendix 1 identifies the designated Corridor on which the Site fronts, if any;

3. the appropriate Development Standards Table sets out the development standards applicable to the Corridor on which the Site fronts, it also sets out standards that apply if the Site does not front on a Corridor;

4. once the Corridor is determined, the Street Types in Sections 9.10.4 or 9.11.4 set out the street types applicable to that Corridor;

5. the Building and Landscape Frontage Types in Sections 9.10.5, or 9.11.5, set out the applicable Building and landscape frontage types for Sites fronting that particular Corridor;

6. the Regulating Plan as set out in the City Centre Districts and Corridors Map in Appendix 1 sets out the Land Use District that applies to the Site;

7. once the Land Use District is determined, the permitted and discretionary uses for the Site are set out in Sections 9.16, 9.17, 9.18, or 9.19.

BYLAW SECTION

The specific bylaw wording follows in the next section. As noted earlier, the LUB/FBC will form Part 9 of the current Regional Municipality of Wood Buffalo Land Use Bylaw. The numbering system used in the next section is designed to fit within a new Part 9 of the Land Use Bylaw.

4. Public Hearing re: Bylaw No. 12/013 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone

A. Introduction and Opening Statement

- Carol Theberge, Executive Director, Community Development
- Samuel Alatorre, Director, Planning and Development
- Ron Taylor, Senior Vice President, Arcturus Realty Corporation

B. Written Presentations

- Jan and Astrid Dezentje, residents
- Dr. Keith Lawson, President Redvers Developments Ltd.

C. Verbal Presentations

- None received

D. Other Verbal Presentations (Time Permitting and with Consent of Council)

E. Questions of Council

F. Closing Statement

Surekha Kanzig.
Chief Legislative Officer.
Regional Municipality of Wood Buffalo.
9909 Franklin Avenue.
Fort McMurray, AB T9H 2K4.

RECEIVED
APR 18 2012
LEGISLATIVE SERVICES

Re: In support of the City Center Land Use Bylaw.

Dear Madam Mayor and Councillors,

Please take note, that after having studied the City Center Land Use Bylaw, we fully support this feasible, detailed City Center Area Redevelopment Plan.
We appreciate the well-thought-out work of the City Planning Department under a new Management that knows how important it is to finally not merely introduce a comprehensive long term Plan, but a Plan that can and needs immediately to be enacted.
Further we thank the Mayor, the Councillors and the City Planning Department, that interested citizens and stakeholders were invited to actively participate in the various stages of this Redevelopment Plan.
We look forward to a favourable councillors' vote so that we all can look forward to a a flourishing buoyant redevelopment of the down town core compatible with other large modern cities.
Thank you for your attention.

Sincerely yours,

Jan and Astrid Dezentjé.
65 Fitzsimmons Avenue.
Fort McMurray, AB. T9H 1Z3
Tel. no: 780-747-6941.
e-mail: jadez@shaw.ca

My name is Dr. Keith Lawson and I strongly object to the proposed bylaw amendment to the downtown redevelopment plan.

One part of this bylaw amendment only targets and affects smaller land owners whose property is less than .3 hectares which is 32,291.73 square feet.

Being a smaller land owner this would effectively eliminate my site from ever being developed as there are only five lots in the entire block each around 5400 square feet which is only 27000 square feet in total!

It would be very difficult to acquire all of the adjacent lots and even if I could it would still not meet the criteria for development.

Instead of increasing the density as is outlined in the redevelopment plan to high density the bylaw amendment proposes to decrease it to low density.

which is only two times the build site square footage.

This will effectively decrease all small land owners property values in the downtown high density core area and eliminate any incentive for their development.

It may be that the intent is to depreciate the smaller sites land value so that perhaps a bigger developer may then attempt to buy the property to develop a larger site.

The flaw with this thinking is the assumption firstly that the smaller land owners would sell and secondly if these landowners decide to build a small building and lease it, which is easy enough to do with current rates at 45 dollars a square foot or higher, this will only further stall any high density development in the downtown core.

On a stronger note this bylaw amendment also effectively eliminates any current plans by small to medium developers to move forward with developing there sites.

I am very supportive of the city`s redevelopment plan but against this amendment to the bylaw for the reasons I have stated.

I would plead with council to reject this bylaw amendment so that the redevelopment of the downtown core can proceed as was planned.

This would allow smaller developers such as myself who have already invested a lot of time and money to move forward with there plans

to develop there properties with the vision that the city has created for the downtown core.

Sincerely,

Dr. Keith R. Lawson BSc. DDS
Associate Fellow AAID
President Redvers Developments Ltd.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

COUNCIL REPORT

Meeting Date: April 24, 2012

Subject:	**Bylaw No. 12/013 – Land Use Bylaw Amendment – City Centre Area Redevelopment Plan Special Area: Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone**
APPROVALS:	Glen Laubenstein, Chief Administrative Officer Carol Theberge, Executive Director Samuel Alatorre, Director

Administrative Recommendation:

1. THAT Bylaw No. 12/013, being an amendment to the Land Use Bylaw specific to the Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone, and Recreation Zone as outlined in the City Centre Area Redevelopment Plan, be read a second time.

2. THAT Bylaw No. 12/013, be read a third and final time.

Summary:

The proposed amendment to the Land Use Bylaw takes specific directions from the City Centre Area Redevelopment Plan (CCARP) on matters pertaining to land uses, built form, public space, pedestrian amenities, density, and parking. This amendment proposes to add a new section to the Land Use Bylaw that is exclusive to the Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone and is referred to as *Part 9, City Centre Area Redevelopment Plan Area Special Area* (highlighted sections in Schedule A).

Since a number of Councillors have indicated that they have a pecuniary interest within the City Centre, the proposed amendments will be presented in two reports and distinguished by zones as identified in the CCARP. The objective is to allow an equitable decision-making process and to maximize Council's ability to participate in discussion and voting on this matter. The authority to amend the Land Use Bylaw is vested with Council under the Municipal Government Act.

Background:

The City Centre Area Redevelopment Plan (Bylaw No. 12/003) was adopted by Council on February 14, 2012. The long-term goal for the City Centre is to be the model of an intelligent, sustainable, and vital 21st century community. The CCARP contains a number of implementation measures to ensure the City Centre evolves according to the Plan's vision and objectives. One of the essential measures in implementing the CCARP is to adopt a land use bylaw that will facilitate sustainable growth in the City Centre.

Author: Christy Fong
Department: Planning & Development

This land use amendment proposes to insert *Part 9, City Centre Area Redevelopment Plan Special Area* into the existing Land Use Bylaw for the Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone (Attachment 2). Part 9 includes provisions, regulations and development standards, in both text and illustrations, that are applicable to the Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone, and Recreation Zone.

Rationale for Recommendation:

The current Land Use Bylaw was adopted in 1999 and does not yet align with the vision that is outlined in the recently adopted Municipal Development Plan, Strategic Plan, and CCARP. This proposed amendment will implement the CCARP, and it will also align municipal guiding documents to provide the foundation for a consistent decision-making process for development in the City Centre.

In alignment with the implementation strategy that is identified in the CCARP, the proposed amendment to the Land Use Bylaw will establish a flexible regulatory framework for development in the City Centre. This flexibility will ensure that development complies with the mobility, land use, and urban design objectives established in the CCARP for each zone.

The proposed amendment to the Land Use Bylaw will place emphasis on the relationship of buildings to streets and open spaces with more flexibility on land uses as compared to the existing Land Use Bylaw (Attachment 3). This approach will allow for higher quality urban design, provide flexibility in responding to changing market conditions, support sustainable built forms, improve accessibility to amenities, reduce travel needs for daily routines, and help retain and strengthen the identity of the communities in the City Centre.

Administration supports the proposed bylaw amendment and recommends that Bylaw No. 12/013 be given second and third readings.

Attachments:

1. Bylaw No. 12/013
2. Subject Area Map – Franklin Avenue Re-urbanization Zone, Neighbourhood Stabilization Zone and Recreation Zone
3. Introduction to Part 9 – City Centre Area Redevelopment Plan Special Area

Attachment 1

BYLAW NO. 12/013

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND LAND USE BYLAW NO. 99/059

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Land Use Bylaw.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 99/059 is hereby amended by inserting Part 9, City Centre Area Redevelopment Plan Special Area, as shown in Schedule A, as highlighted in grey.

2. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.

3. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 10th day of April, A.D 2012.

READ a second time this _____ day of _____, A.D. 2012.

READ a third and final time this _____ day of _____, A.D. 2012.

SIGNED and PASSED this _____ day of _____, A.D. 2012.

_____
Mayor

_____
Chief Legislative Officer

Please see tab 3 for
City Centre Land Use Bylaw

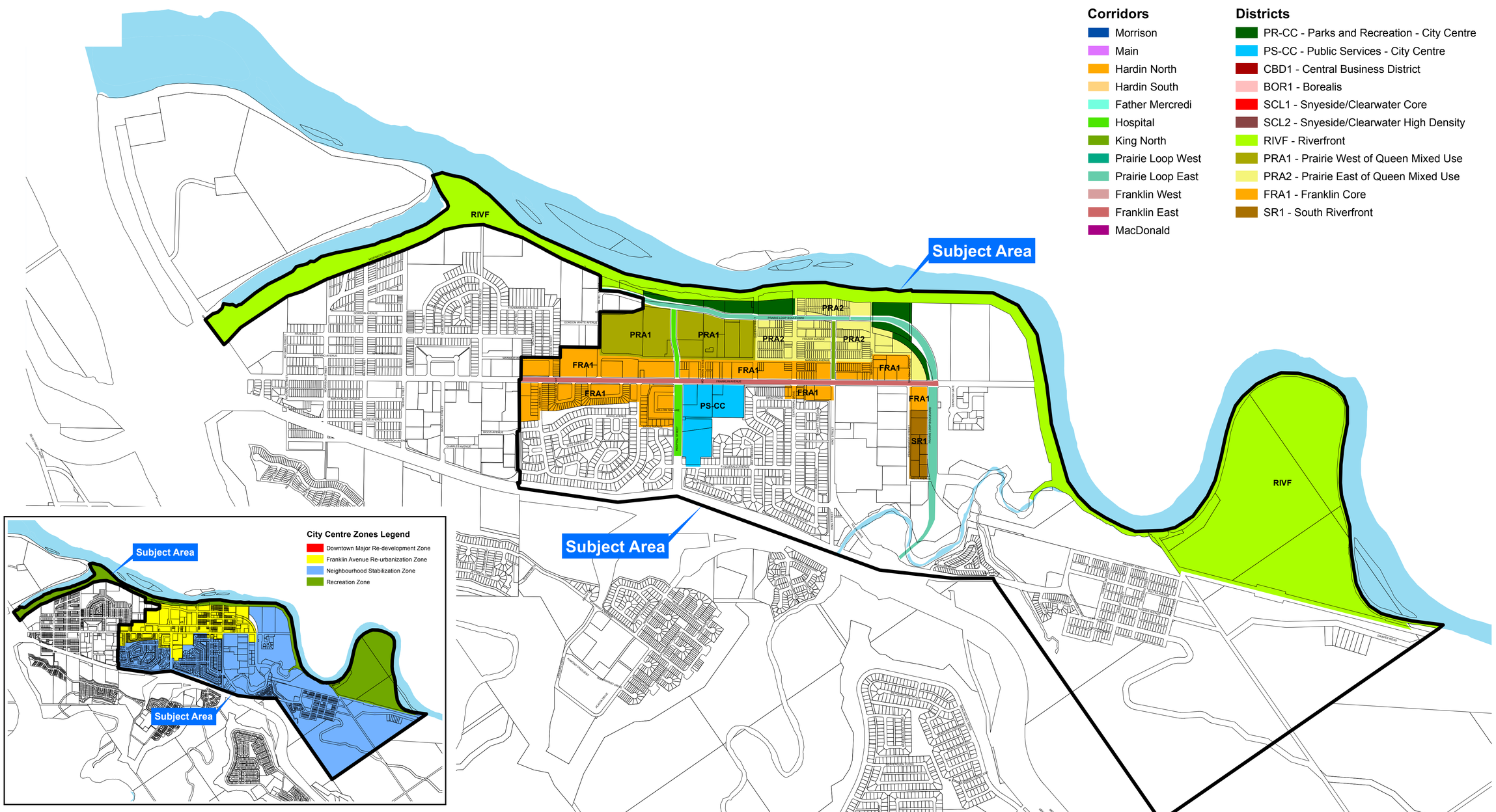
REGIONAL MUNICIPALITY OF WOOD BUFFALO

Bylaw No. 12 / 013
CITY CENTRE LAND USE BYLAW

O

REGIONAL MUNCIPALITY OF WOOD BUFFALO

DATE: MARCH 2012
INFOSOURCE: REGIONAL MUNICIPALITY OF WOOD BUFFALO



THE ACCURACY & COMPLETENESS OF INFORMATION SHOWN ON THIS DRAWING IS NOT GUARANTEED. IT WILL BE THE RESPONSIBILITY OF THE USER OF THE INFORMATION SHOWN ON THIS DRAWING TO LOCATE & ESTABLISH THE PRECISE LOCATION OF ALL EXISTING INFORMATION WHETHER SHOWN OR NOT.

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CITY CENTRE DISTRICTS AND CORRIDORS MAP

APPENDIX

1

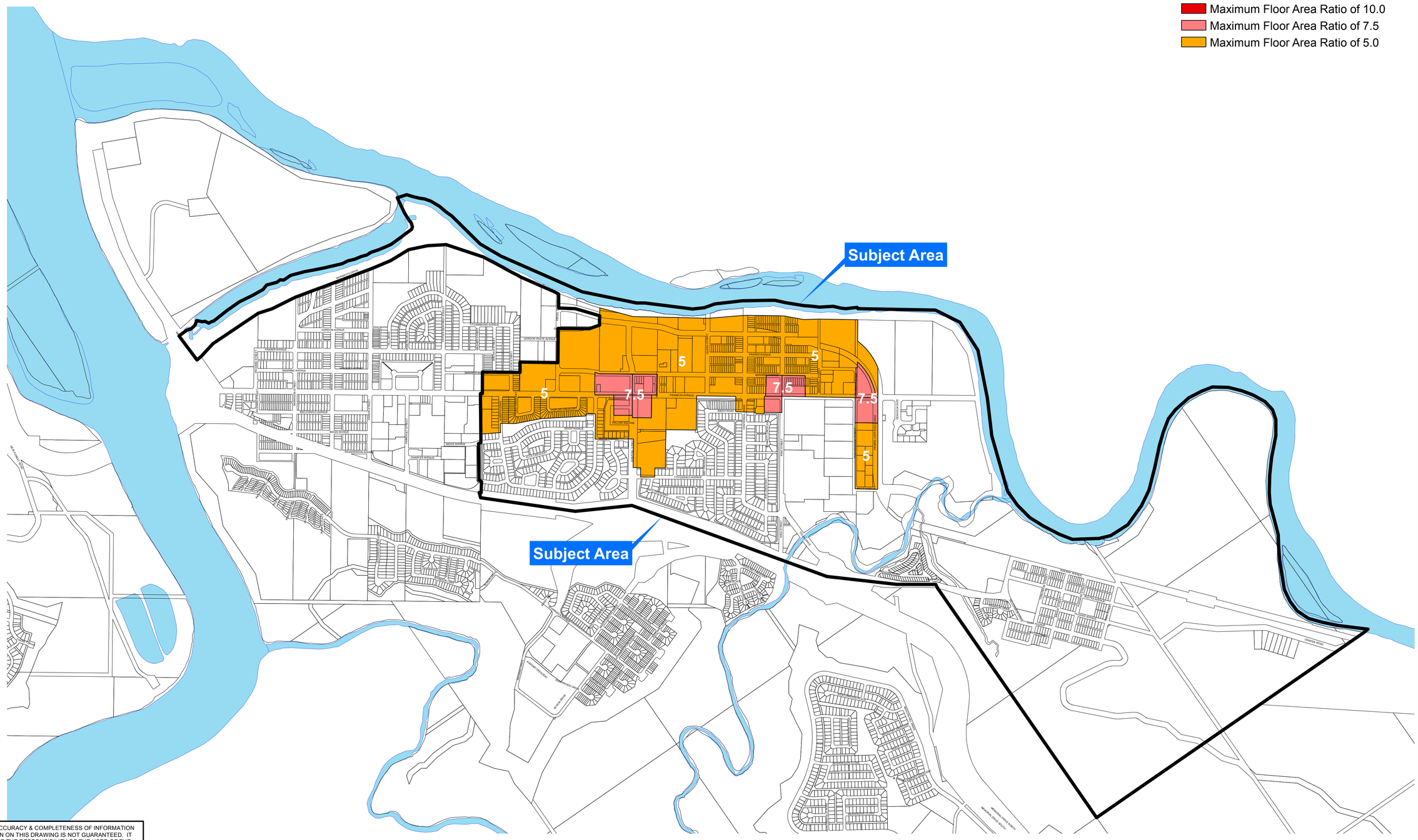
REGIONAL MUNICIPALITY OF WOOD BUFFALO

Bylaw No. 12 / 013
CITY CENTRE LAND USE BYLAW

O

REGIONAL MUNCIPALITY OF WOOD BUFFALO

DATE: MARCH 2012
INFOSOURCE: REGIONAL MUNICIPALITY OF WOOD BUFFALO



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CITY CENTRE FLOOR AREA RATIO MAP

APPENDIX

2

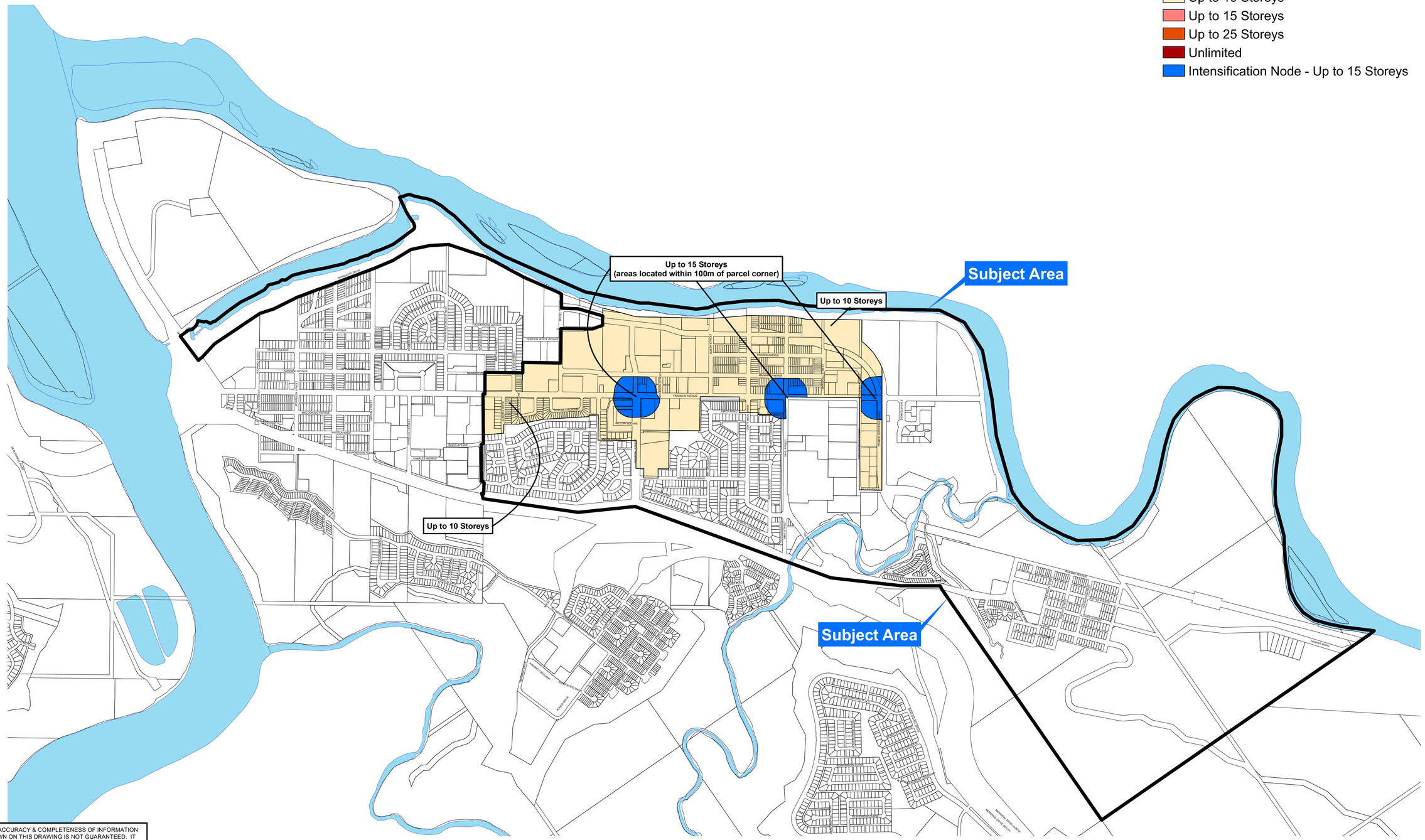
REGIONAL MUNICIPALITY OF WOOD BUFFALO

Bylaw No. 12 / 013
CITY CENTRE LAND USE BYLAW

REGIONAL MUNCIPALITY OF WOOD BUFFALO

DATE: MARCH 2012
INFOSOURCE: REGIONAL MUNICIPALITY OF WOOD BUFFALO

- Up to 10 Storeys
- Up to 15 Storeys
- Up to 25 Storeys
- Unlimited
- Intensification Node - Up to 15 Storeys



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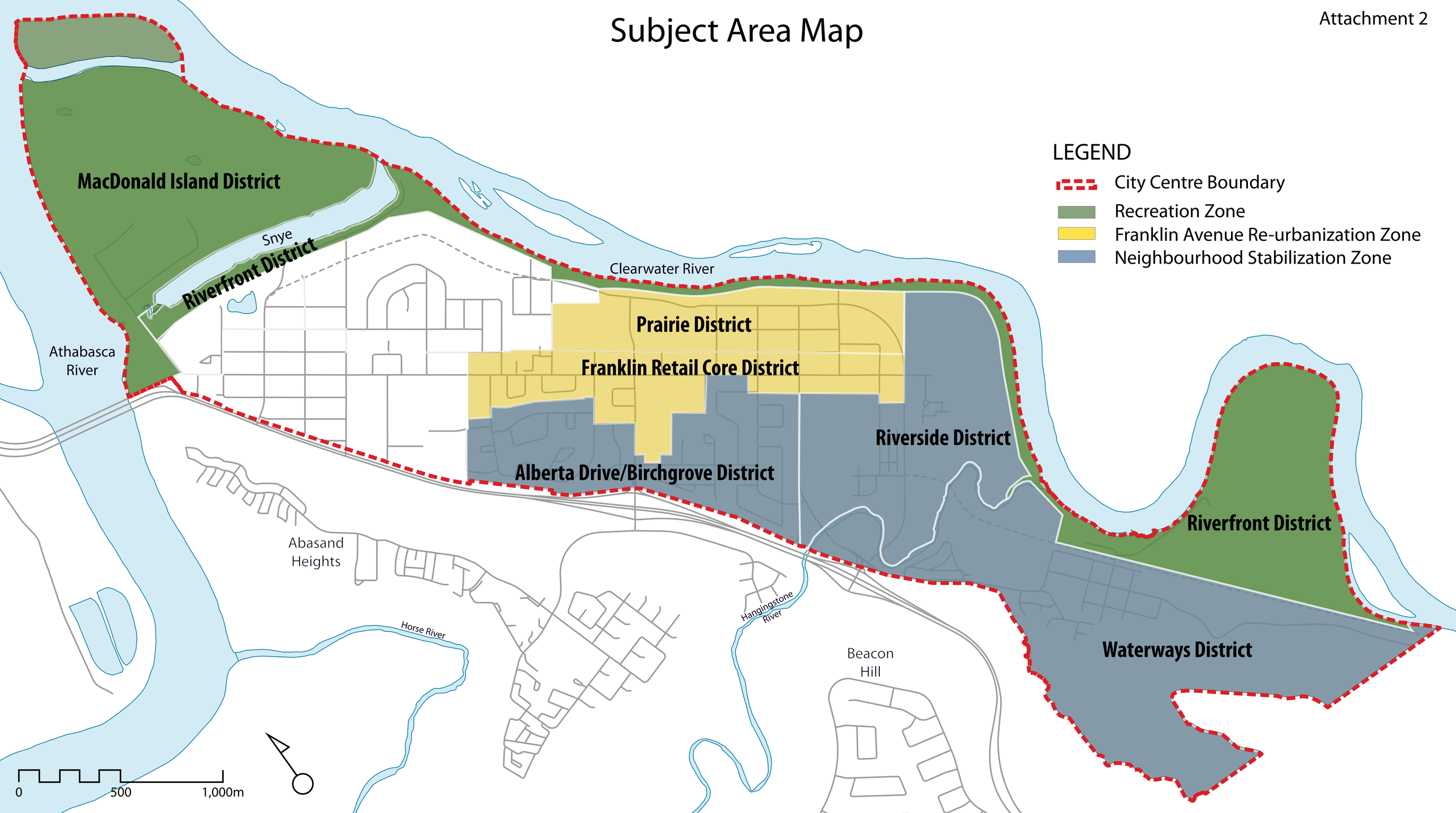
CITY CENTRE HEIGHT MAP

APPENDIX

3

Subject Area Map

Attachment 2



INTRODUCTION TO PART 9 – CITY CENTRE AREA REDEVELOPMENT PLAN SPECIAL AREA

Purpose of the Proposed Form Based Code / Land Use Bylaw

The purpose of the proposed Land Use Bylaw amendment / Form Based Code (LUB/FBC) for the City Centre is to implement the City Centre Area Redevelopment Plan (CCARP). The CCARP sets out four large zones and several districts within those zones. The four large zones are as follows:

- Downtown Major Redevelopment Zone;
- Franklin Avenue Re-urbanization Zone;
- Neighbourhood Stabilization Zone;
- Recreation Zone.

The LUB/FBC focuses primarily on the first three zones: Downtown, Franklin Avenue and Neighbourhood Stabilization. Within each of these three zones are specific Districts identified in the CCARP.

The Downtown Major Redevelopment Zone is comprised of the:

- Central Business District;
- Snyeside Clearwater District; and
- Borealis District.

The Franklin Avenue Re-urbanization Zone is comprised of the

- Prairie District; and
- Franklin Retail Core District.

The Neighbourhood Stabilization Zone is comprised of the

- Alberta Drive Birchgrove District;
- Riverside District; and
- Waterways District.

Although the Neighbourhood stabilization zone is shown on the overall map, at this time more information is required before making amendments to this important area. As a result, most of the Neighbourhood Stabilization Zone retains the same land use designations as before, and will be updated at a later date.

The LUB/FBC also provides land use regulations for a portion the Recreation Zone, in order to clarify the specific uses permitted in this area.

The CCARP sets out policies and actions for each of the Districts, along with some policies and actions specific to sub-areas within the Districts. The LUB/FBC works to implement the street character, public realm, built form, building design, height, floor area ratio and specific land use direction set out in the CCARP for each District.

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district but not in another district. In an era where businesses of all kinds might sell products over the internet, dated distinctions like these can hamper business innovation, without addressing the root concerns of incompatible development, such as noise, pollution, hours of operation, parking and auto trips generated by a given use. Form based codes deal directly with the root concerns of incompatible development while allowing much greater flexibility regarding the uses allowed within buildings.

Similarly, conventional zoning often segregates different types of housing into separate zones, such as apartments and detached single dwellings. This type of separation has often created isolated enclaves of single family and multi family uses, reduced housing choices for residents in different phases of their lives, and stifled innovation in the housing market. Neighbourhoods that blend different types of housing in close proximity, offering small units, apartments, and cottages near conventional detached single dwellings, and for rent housing near homeownership housing, offer more options for a changing population. This mixture of housing types has significant potential to appeal to a wide range of residents in areas close to the Downtown, where people can live and work in close proximity, reducing commute distances. Compared with conventional land use bylaws, form based codes also allow greater innovation and flexibility for homebuilders. Housing types and arrangements are the product of creative entrepreneurs appealing to consumer tastes in response to changing demographic and economic trends. To the extent that local codes allow, housing design will increasingly blur the line between what is built in multi-family districts and what is built in single-family districts.

A third distinction between form based codes and conventional land use bylaws is the way they integrate the design of private development and public areas. Conventional land use bylaws deal with private development, but typically do not include standards for the design or character of the streets that serve it. These standards are usually left to the engineering or public works department. Street standards are normally created with a distinct deference to accommodating automobile traffic. They are based on general street classifications (arterial, collector, local) with no special consideration of how these standards relate to the different areas the streets serve. For example, it is common for an arterial street to have the same design as it travels through employment, commercial and residential districts in a city. This general application of development and street standards does not allow bylaws to promote development envisioned by community plans. In fact, conventional land use bylaws and typical engineering street classifications often have the effect of undermining the very plans they are supposed to support. A Form Based Code, on the other hand, sets out the design for the street types and building types, working together to form an integrated cohesive whole.

Critical Components

The critical components of the Form Based Code include:

- Regulating Plan (a map or set of maps)
- Development Standards Table
- Easy-to-understand graphics and tables used to array the Development Standards. Form based codes emphasize illustrations over text.

Benefits of Form Based Codes

Form based codes have many advantages over conventional land use bylaws, including:

- They are the result of a public design process, which creates a clear and articulate vision for a defined district or neighbourhood.
- They focus on what the community likes and not what it dislikes, making it easier for developers, citizens and decision-makers to be on the same page when individual development projects are proposed.
- They pay greater attention to the design of the public realm and the importance that streetscape design and individual building character have in defining public spaces and a special sense of place.
- Development standards are tailored to fit a specific place by reflecting its desired architecture and overall character, therefore, form based codes work better than conventional land use bylaws in helping communities retain and strengthen their identity.
- Form based codes address economic conditions by allowing flexibility in land uses, allowing developers and municipalities to respond to changing market forces.
- By emphasizing site design and building form over density and use regulations, form based codes build in long term value. Form based codes pay more attention to the buildings, which will last many years, instead of uses that change over time.
- By encouraging a mix of uses and housing types, form based codes reduce the need to travel as part of one's daily routine.
- Form based codes provide information that is easier to use than conventional zoning codes because it emphasizes illustrations and tables in addition to text. Therefore, form based codes are more engaging and comprehensible to non-professionals.

Overview of the Land Use Bylaw / Form Based Code

The Land Use Bylaw / Form Based Code is set out as Part 9 of the Regional Municipality of Wood Buffalo Land Use Bylaw. Within this Part are several sub sections:

1. General Purpose
2. Application
3. Special Area Provisions
4. Definitions
5. Control of Development
6. Variance Powers
7. City Centre General Regulations
8. The City Centre Districts and Corridors Maps
9. Interpretation of Development Standards Tables
10. Downtown Major Redevelopment Zone Development Standards
11. Franklin Avenue Re-Urbanization Zone Development Standards
12. Neighbourhood Stabilization Development Standards

13. Recreation Zone Development Standards
14. Height
15. Floor Area Ratio
16. Downtown Major Redevelopment Zone Uses
17. Franklin Avenue Re-urbanization Zone Uses
18. Neighbourhood Stabilization Zone Uses
19. Recreation Zone Uses
20. Parking And Loading
21. Urban Design Regulations

As shown above, the standards for the Downtown Major Redevelopment Zone are grouped together, as are the standards for the Franklin Avenue Re-urbanization Zone, the Neighbourhood Stabilization Zone and the Recreation Zone. This allows for easy reference in one section. Similarly, the permitted and discretionary uses for the Downtown Major Redevelopment Zone are set out in one section, with a similar approach for the Franklin Avenue Re-urbanization Zone, the Neighbourhood stabilization Zone, and the Recreation Zone.

There are three key maps that act to guide development and interpretation of the bylaw:

1. Corridors and Land Use Districts Map (also called the Regulating Plan)
2. Height Map
3. Floor Area Ratio Map

To understand this Part overall, it is useful to consider the major elements:

<u>City Centre General Regulations</u>

The City Centre General Regulations apply to the entire City Centre Area covered by this Part. They address items such as drive-thru services, landscaping, signage, and lighting. This section supplements the General Regulations in Part 5 of the Land Use Bylaw.

<u>Corridors Types</u>

The Corridors types are critical to the LUB / FBC. Many of the regulations that apply to a Site depend upon the Corridor in front of the Site. To determine which regulations apply:

1. the Corridors and Land Use Districts Map sets out the name of the Corridor in front of the Site;
2. the tables set out which regulations apply to the Site based on the Corridor;
3. if the Site is not located on a designated Corridor, the general regulations applicable to the area in which the Site is located apply.

Diagrams and Illustrations

The tables refer to different Building and landscape frontage types, and the types are illustrated in specific diagrams. The diagrams provide the clear regulations that guide how the front of the Building looks or how the Landscaping looks.

Land Use Districts

The Land Use Districts are set out in the Corridors and Land Use Districts Map. To determine the permitted and discretionary uses for a Site:

1. the map sets out the name of the Land Use District within which the Site is located;
2. the land use table determines which uses are permitted or discretionary in the applicable Land Use District.

Height and Floor Area Ratios

The applicable maximum Heights and Floor Area Ratios are based on the Height Map and the Floor Area Ratio Map. The maps set out the Heights and Floor Area Ratios that apply to various areas of the City Centre.

How to Use the Regulating Plan Part 9 of the Land Use Bylaw

The format of this Part differs from the rest of the Land Use Bylaw. The steps set out below could be provided in a guide to this part of the Land Use Bylaw. By following specific steps users can readily determine the regulations that apply to specific Sites. The standards applicable to a given Site may be determined by the following steps:

1. the Regulating Plan as set out in the City Centre Districts and Corridors Map in Appendix 1 identifies whether the Site is in the Downtown Major Redevelopment Zone, Franklin Avenue Re-Urbanization Zone, Neighbourhood Stabilization Zone, or Recreation Zone, which will assist in determining the appropriate set of regulations that apply to the Site;

2. the Regulating Plan as set out in the City Centre Districts and Corridors Map in Appendix 1 identifies the designated Corridor on which the Site fronts, if any;

3. the appropriate Development Standards Table sets out the development standards applicable to the Corridor on which the Site fronts, it also sets out standards that apply if the Site does not front on a Corridor;

4. once the Corridor is determined, the Street Types in Sections 9.10.4 or 9.11.4 set out the street types applicable to that Corridor;

5. the Building and Landscape Frontage Types in Sections 9.10.5, or 9.11.5, set out the applicable Building and landscape frontage types for Sites fronting that particular Corridor;

6. the Regulating Plan as set out in the City Centre Districts and Corridors Map in Appendix 1 sets out the Land Use District that applies to the Site;

7. once the Land Use District is determined, the permitted and discretionary uses for the Site are set out in Sections 9.16, 9.17, 9.18, or 9.19.

BYLAW SECTION

The specific bylaw wording follows in the next section. As noted earlier, the LUB/FBC will form Part 9 of the current Regional Municipality of Wood Buffalo Land Use Bylaw. The numbering system used in the next section is designed to fit within a new Part 9 of the Land Use Bylaw.

REGIONAL MUNICIPALITY OF WOOD BUFFALO

COUNCIL REPORT

Meeting Date: April 24, 2012

Subject:	Bylaw No. 12/008 – Roads and Transportation Bylaw Amendment
APPROVALS:	Glen Laubenstein, Chief Administrative Officer Henry Hunter, Executive Director Glen Smith, Director

Administrative Recommendation:

1. THAT Bylaw No. 12/008, being an amendment to the Roads and Transportation Bylaw, be read a second time.

2. THAT Bylaw No. 12/008, be read a third and final time.

Summary

A comprehensive review of the current Roads and Transportation Bylaw 02/079 is expected to be completed by Fall 2012. In the meantime, there are several immediate amendments and changes considered necessary, in part to bring the bylaw in line with the Alberta Traffic Safety Act and the Land Use Bylaw.

Background:

Bylaw Services and Legal Services have identified a number of changes to the Roads and Transportation Bylaw that need to be implemented immediately to ensure successful litigation, clarifying wording that enables offenders to have their cases withdrawn by the court system. Proposed changes to the bylaw are detailed below:

Current Situation	Proposed Amendment
The current bylaw does not hold registered vehicle owners responsible for offences, which often results in charges being dismissed	Add a provision to the bylaw to ensure that the registered owner of a vehicle will be responsible for any offence.
The bylaw does not specify a fine for "failing to obey a traffic control device".	Amend Schedule 5 – Penalties and Fines by adding a specified fine of $172.00 for offences relating to traffic control devices.
The Land Use Bylaw and Roads and Transportation Bylaw contain conflicting provisions with regard to load limits.	Increase the load limit specified in the Roads and Transportation Bylaw from 5000 kg to 7000 kg to make it consistent with the Land Use Bylaw
The Roads and Transportation Bylaw can not be enforced on Airport property	Delete the Fort McMurray Airport from the list of areas that the bylaw does not apply to.
Schedules 5 contains an incorrect section reference	Amend Schedule 5 – Penalties and Fines by changing "9.02" to "9.01".

Author: William Lyons
Department: Public Operations, Roads Maintenance Branch

Rationale for Recommendation(s):

The proposed amendments have been requested by the RCMP Support/Bylaw Services and Legal Services Departments to facilitate enforcement of current bylaws.

Attachment

1. Bylaw No. 12/008

Attachment 1

BYLAW NO. 12/008

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND ROADS AND TRANSPORTATION BYLAW NO. 02/079

WHEREAS the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, and the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, empowers the Municipal Council to pass bylaws regulating highways under its direction, control and management;

AND WHEREAS Section 191 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, provides that Council may amend or repeal a bylaw;

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. Bylaw No. 02/079 is amended by:

   a) deleting the existing text from section 2.01 and inserting the following:

      2.01 This Bylaw shall not apply to:
      - A. Primary Highways;
      - B. Secondary Highways; or
      - C. Public roads within Indian Reserves pursuant to clause 9(c) of the Transportation Transitional Funding Agreement executed between The Province of Alberta and the Municipality.

   b) deleting the existing text from section 3.01(J) and inserting the following:

      "Heavy Vehicle" means a vehicle, with or without a load, exceeding any one of the following:
      I. two axles;
      II. eleven (11) metres in length; or
      III. a maximum allowable weight of 7,000 kilograms

      but does not include a municipal service vehicle."

   c) inserting the following as section 14.18:

      "If a vehicle is involved in an offence under this Bylaw, the owner of that vehicle is guilty of an offence."

   d) inserting the following as section 14:19:

      "Section 14.18 does not apply if the owner of the vehicle satisfies the court that, at the time that the vehicle was involved in an offence:

A. in the case of a vehicle that was in motion,

(I.) the owner of the vehicle was not driving the vehicle, and

(II.) no other person was driving the vehicle with the owner's expressed or implied consent, and

B. in the case of a vehicle that was parked,

(I.) the owner did not park the vehicle, and

(II.) no other person parked the vehicle with the owner's expressed or implied consent."

e) adding the following to Schedule 5 - Penalties and Fines, immediately above Section 4:02:

"4.01 Failure to obey traffic control device $172"

f) deleting the reference to Section 9.02 from Schedule 5 – Penalties and Fines, and replacing it with 9.01.

"9.01 Operating heavy vehicles off specified "Truck Routes". $200"

2. This bylaw shall become affective when it has received third and final reading and is signed by the Mayor and Chief Legislative Officer.

3. The Chief Administrative Officer is authorized to consolidate this bylaw.

READ a first time this 10th day of April, A.D 2012.

READ a second time this _____ day of _____, A.D. 2012.

READ a third and final time this _____ day of _____, A.D. 2012.

SIGNED and PASSED this _____ day of _____, A.D. 2012.

_____
Mayor

_____
Chief Legislative Officer

REGIONAL MUNICIPALITY OF WOOD BUFFALO

COUNCIL REPORT

Meeting Date: April 24, 2012

Subject: Bylaw No. 12/014– 2012 Property Tax Rate Bylaw

APPROVALS:

Glen Laubenstein, Chief Administrative Officer
Elsie Hutton, Executive Director

Administrative Recommendation(s):

1. THAT the 2012 Operating Budget be amended by decreasing transfer to Capital Infrastructure Reserve by $1,161,011.

2. THAT Bylaw No.12/014, being the 2012 Property Tax Rate Bylaw, be read a first time.

Summary:

In accordance with the *Municipal Government Act*, the Regional Municipality of Wood Buffalo is required, annually, to pass a Property Tax Rate Bylaw for the purpose of completing the work set out in the approved Operating and Capital budgets.

Background:

A Tax Rate Bylaw establishes the rates at which various property classes are to be taxed and is calculated based on the total assessment value of all properties within each of the property classes throughout the Municipality (Urban and Rural Service Areas).

Assessment valuation methods are prescribed by the Provincial Government and vary between property types. The tax levied on all residential and commercial properties is calculated by applying the tax rate against the individual property's market value assessment as of July 1st of the previous year. Machinery and equipment and linear property are assessed based on a regulated cost approach.

Property taxes are levied to raise revenue to fund municipal expenditures and external requisitions from Alberta Education, and seniors' housing (Ayabaskaw and Rotary House). With respect to requisitions for provincial education and seniors' housing, the requisitioning authority's tax rates are calculated based on the amounts they request. In imposing this necessary tax levy, it is important to note that the Municipality simply acts as a collector of the funds and has no authority to refuse or change the amount requested by external requisitions.

A typical residential property tax notice will consist of three components: a municipal levy, an Alberta Education requisition levy, and a levy for seniors' housing. The total amount of property taxes paid will vary based on the actual assessment value, and the respective tax rate applied against the various property classes.

Author: Linda Ngomesia
Department: Financial Services

In order to assist with the understanding of the following 2012 Property Tax Rate recommendations, the following clarifications are provided:

- Property tax remaining tax revenue neutral simply means that the Municipality will collect the same municipal tax revenue for the 2012 tax year as it did in the 2011 tax year on properties which existed in 2011.

- The residential property tax class has experienced differing market value changes due to factors such as location influences, size, and as such, individual properties may experience differing increases or decreases in taxes.

- The other-residential property class has experienced differing market value changes due to factors such as vacancy, rents and as such, individual properties may experience differing increases or decreases in taxes.

- Market values in the non-residential property class experienced increases and decreases due to factors such as vacancy, availability, rents and as such, individual properties may experience differing increases or decreases in taxes.

- The overall total tax revenue collected for the residential, other residential and non-residential property classes for 2012 will increase relative to 2011 as a result of new properties being taxed for the first time in the 2012 taxation year. New properties are referred to as "new construction growth".

In establishing tax rates for the 2012 Property Tax Bylaw, Administration has used the "tax revenue neutral plus new construction growth" approach for all property classes.

Estimates for additional revenue from new construction growth were incorporated into the 2012 approved Operating Budget. However, since Council approval of the 2012 Operating Budget in late 2011, taxation revenue estimates for the 2012 taxation year based on tax revenue neutral plus new construction growth approach are slightly less than anticipated.

For more information see Attachment 2 – 2012 Property Tax Rate Bylaw Questions and Answers

Budget/Financial Implications:

The 2012 property tax revenue budget was determined based on property tax revenue neutral methodology for all property classes (properties existing in 2011). At the time of developing the 2012 budget in the fall of 2011, property tax revenue from new construction growth was estimated at $33,237,268. Estimated potential additional property tax revenue from new growth is now $32,076,257, resulting in a reduction of $1,161,011 from the approved 2012 budget.

The Regional Municipality of Wood Buffalo lost approximately $9.2M in revenue for 2012 as a result of the boundary changes effected by the Province of Alberta effective January 1, 2012.

Assessment notices were sent out on March 1st, 2012 and the deadline for assessment complaints is April 30, 2012.

Rationale:

The proposed property tax rates are consistent with the previously adopted tax revenue neutral plus new construction growth strategy proposed in the 2011-2013 fiscal management strategy. The previously adopted strategy, based on current conditions and assumptions will maintain uncommitted fiscal reserves within recommended levels.

The new 2012 – 2014 fiscal management strategy has also validated that the best course of action is to proceed with the "property tax revenue neutral plus new construction growth" approach. However, funding requirements for the City Centre and Macdonald Island projects are still being determined and may require an adjustment of the 2012-2014 Fiscal Management Strategy in the future.

Attachments:

1. Bylaw No. 12/014 – 2012 Property Tax Rate Bylaw
2. 2012 Property Tax Rate Bylaw Questions and Answers.

BYLAW NO. 12/014

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AUTHORIZE THE SEVERAL RATES OF TAXATION TO BE IMPOSED FOR THE RURAL AND URBAN SERVICE AREAS FOR THE 2012 FISCAL YEAR.

WHEREAS sections 353 and 354 of the *Municipal Government A*ct, c.M-26, RSA 2000, requires that a municipality adopt a property tax bylaw annually and establishes guidelines for the setting of tax rates;

WHEREAS operating expenditures for the Regional Municipality of Wood Buffalo in the 2012 fiscal year total $606,359,125;

WHEREAS Local Improvement Program levies total $177,000;

WHEREAS operating revenues for the Regional Municipality of Wood Buffalo from sources other than taxation levies total $101,644,174;

WHEREAS Section 357 (1) of the Municipal Government Act provides that the Municipal Tax Bylaw: "may specify a minimum amount payable as property tax ..." and the Regional Municipality of Wood Buffalo has resolved to establish a minimum tax;

WHEREAS the Alberta School Foundation has issued the following requisitions to the Regional Municipality of Wood Buffalo, namely:

(i)	for residential and farm land	$ 19,085,803.77
(ii)	for non-residential	$ 21,840,043.72

WHEREAS the Fort McMurray R.C.S.S.D. #32 has made the following requisitions to the Regional Municipality of Wood Buffalo, namely:

(i)	for residential and farmland	$ 902,630.11
(ii)	for non-residential	$ 147,132.38

WHEREAS the Ayabaskaw House has made the following requisition to the Regional Municipality of Wood Buffalo, namely:

(i)	for all property types	$ 0

WHEREAS the Rotary House Senior Lodge has made the following requisition to the Regional Municipality of Wood Buffalo, namely:

(i)	for all property types	$ 1,739,400.00

WHEREAS Section 10 of the Order in Council No. 817-94 regarding the amalgamation of Improvement District 143 and the City of Fort McMurray, which became effective on the 1st day of April, 1995, allows the Municipality, by Bylaw, to establish different rates of taxation for the Fort McMurray Urban Service Area and the Rural Service Area for each assessment class or sub-class referred to in Section 297 of the Municipal Government Act;

WHEREAS the net annual tax levy requirements of the Regional Municipality of Wood Buffalo for 2012 are estimated to be:

MUNICIPAL PURPOSES	$508,473,283

WHEREAS the total Regional Municipality of Wood Buffalo Rural Service Area assessment of land, buildings, and improvements from which tax levy requirements may be raised totals $25,676,062,395**;**

WHEREAS the total Regional Municipality of Wood Buffalo Urban Service Area assessment of land, buildings, and improvements from which tax levy requirements may be raised totals $16,074,161,132;

AND WHEREAS it is deemed necessary to impose several rates of taxation for the 2012, as hereinafter set out, against those properties from which the tax levy requirements may be raised;

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, duly assembled, hereby enacts, as follows:

1. THAT the Director of Assessment and Taxation shall be authorized and required to levy the rates of taxation as shown following against the assessed value of all lands, buildings, and improvements as shown upon the Municipal Assessment Roll.

EDUCATION	
- Alberta School Foundation Fund	
Rural and Urban Service Area	
- Residential and Farmland	0.0014190
- Non-Residential	0.0028558
- Fort McMurray R.C.S.S.D. # 32	
- Residential and Farmland	0.0014190
- Non-Residential	0.0028558
SENIORS' FACILITIES	
- Ayabaskaw Home	0
- Rotary House	0.0000417
MUNICIPAL PURPOSES - RURAL SERVICE AREA	
- Residential and Farmland	0.0013067
- Non-Residential	0.0183209
MUNICIPAL PURPOSES - URBAN SERVICE AREA	

- Residential and Farmland	0.0023322
- Other Residential	0.0057543
- Non-Residential	0.0053058

2. All properties not otherwise exempt from taxation subject to assessment shall be subject to a minimum tax of $50.00. Where the application of the tax rates established by this Bylaw to the assessment of any taxable property would result in a total tax payable of less than $50.00, the total tax shall be assessed at $50.00, with the tax allocated to pay firstly the amount of Education, the Rotary House tax payable, and the balance paid and deemed to be the municipal tax payable.

3. This Bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this _____ day of _____, A.D. 2012

READ a second time this _____ day of _____, A.D. 2012

READ a third and final time this _____ day of _____, A.D. 2012

SIGNED and PASSED this _____ day of _____, A.D. 2012

_____
Mayor

_____
Chief Legislative Officer

2012 Tax Rate Bylaw Questions and Answers

What do we mean by "Tax Revenue Neutral"?

Property taxes' remaining tax revenue neutral simply means that the Municipality will collect the same tax revenue for the 2012 tax year as it did in the 2011 tax year on properties which existed in 2011. In context to the recommended 2012 Tax Rate Bylaw, residential, other residential and non-residential properties are recommended to remain tax revenue neutral. Market values in the residential property tax classes experienced differing market value decreases due to market influences. Although the Municipality is collecting the same tax revenue in 2012 from all classes of properties "which existed in 2011", there will be both tax increases and decreases within the property classes. The overall total tax revenue collected for all property classes will increase as a result of new properties (new construction) being taxed for the first time in the 2012 taxation year.

How do property taxes in Fort McMurray compare to municipal residential taxes in other urban centers with a population of 50,000 or greater?

As of 2011 the Municipality has the 3rd lowest residential property taxes in comparison to 9 Alberta urban centers with a population of 50,000 or greater.

How do property taxes in Fort McMurray compare to municipal non-residential taxes in other urban centers with a population of 50,000 or greater?

As of 2011 the Municipality has the lowest non-residential property taxes in comparison to urban centers with a population of 50,000 or greater.

Has the Provincial Education Requisition levy (school taxes) changed?

The 2011 Provincial Education property requisition and resulting school taxes for both non-residential and residential properties has ***increased***. For the average residential home, the 2012 school tax increase is 9.3% which translates into an $80 increase.

Is the current property tax revenue enough to address future capital requirements?

The municipality currently has a strong financial position. Additional funding will be required in the medium term for the City Centre and MacDonald Island projects. Administration is currently evaluating optimal financing and will make recommendations to council in due course.