



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

Council Meeting

Jubilee Centre Council Chamber
9909 Franklin Avenue, Fort McMurray

Tuesday, January 11, 2011
5:00 p.m.

Agenda

Call to Order

Opening Prayer

Adoption of Agenda

Minutes of Previous Meetings

1. Regular Meeting – December 14, 2010

Delegations

2. Wood Buffalo Communities in Bloom Committee – Presentation of 2010 National Communities in Bloom Results
 - Olyfunmilola ‘Funmi’ Baiyewun, Wood Buffalo Communities in Bloom
 - Karen Puga, Regional Municipality of Wood Buffalo

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.

Reports

3. 2010 Sewer Main Project – Extension Request

Bylaws

4. Bylaw No. 11/001 – Land Use Bylaw Amendment – Parsons Creek – Parts of Lot 1, Block 1, Plan 092 4694 (1st reading)
5. Bylaw No. 11/002 – Closure of Undeveloped Government Road Allowance – Proposed Conklin Cemetary Expansion (1st reading)

Reporting - Boards and Committees

Adjournment



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

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 | January 11, 2011 |
| Name of Presenter(s) | Olyfunmilola "Funmi" Baiyewun Karen Puga |
| Organization Represented | Wood Buffalo Communities in Bloom |
| Topic | Presentation of 2010 National Communities in Bloom results |
| Please List Specific Points/Concerns | 1. Overview of 2010 Program 2. Presentation of "5 Bloom" Communities in Bloom Finalist Award and 2010 Turf & Ground covers Outstanding Achievement Award |
| Action Being Requested of Council | Information |
| Are you providing any supporting documentation (ie: Powerpoint)? Yes <input checked="" type="radio"/> No <input type="radio"/> | |
| If yes, the documentation <u>must</u> 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.



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

WOOD BUFFALO COMMUNITIES IN BLOOM COMMITTEE January 11, 2011

Presenter

**Olufunmilola “Funmi” Baiyewun –
Wood Buffalo Communities in Bloom Committee Member**

Karen Puga –
RMWB staff



Community Involvement

Community Events, Flower of the Year and Promotions



- Tidiness
- Environmental Action
- Heritage Conservation
- Urban Forestry
- Landscape
- Floral Displays



Community Involvement

Community Events and Promotions



Community Involvement

Hosting the National Judges & Party in the Park



Community Involvement

Hosting the National Judges & Party in the Park



**Tidiness
Environmental
Action
Landscape**



**Urban Forestry
Floral Displays
Heritage
Conservation**

Community Involvement

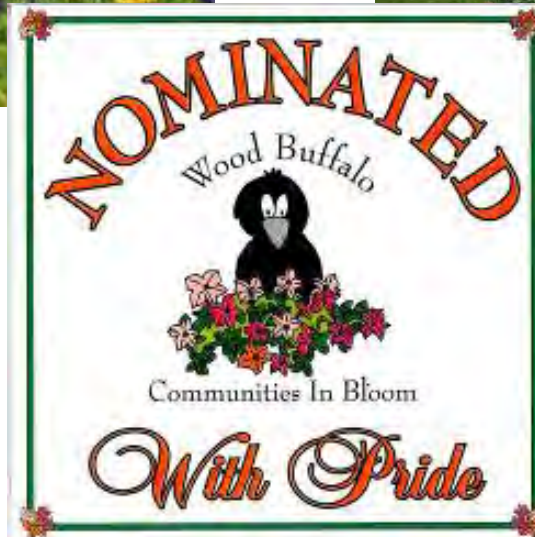
Recognition Programs – Nominated with Pride!



**Nominate
your Neighbour**



**Business
in Bloom**



Community Involvement

2010 Nominate your Neighbour Finalist



WinterLights Celebrations

Parks and Community light up the for the holidays



Nominate your Neighbour

December 1 – 15, 2010

www.woodbuffalo.ab.ca/cib

WinterLights Celebrations

Parks and Community light up the for the holidays



Nominate your Neighbour
December 1 – 15, 2010

www.woodbuffalo.ab.ca/cib

OUTSTANDING ACHIEVEMENT AWARD

Turf & Groundcovers




National Edition
*Outstanding
Achievement Award*

Édition nationale
*Prix de mérite
exceptionnel*



*Turf and Groundcovers
Regional Municipality
of Wood Buffalo
Alberta*


Turf Builder


E.S. "Ted" Blowes
National Chairman


Raymond Carrière
Président fondateur

Halifax Regional Municipality, Nova Scotia
October 2010

NATIONAL 5 BLOOM FINALIST

THANK YOU WOOD BUFFALO

National Edition

Édition nationale



*Regional Municipality
of Wood Buffalo
Alberta*

50,001 – 150,000



*Recognition for
Sustainable Community Development*

Ted Blowes

E.S. "Ted" Blowes
National Chairman

Raymond Carrière

Raymond Carrière
Président fondateur

Halifax Regional Municipality, Nova Scotia
October 2010





REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**



**Communities
in Bloom**

**Collectivités
en fleurs**

Wood Buffalo



Communities In Bloom

Subject: 2010 Sewer Main Replacement Project- Extension Request**APPROVALS:**

D'arcy Elliott, Chief Operating Officer
Wes Holodniuk, Divisional Manager, Public Infrastructure

Administrative Recommendation:

THAT the completion date for the 2010 Sewer Main Replacement capital project be extended to October 31, 2011, to ensure the continuation of funding from the Infrastructure Stimulus Fund for Communities, as per the requirements of the funding and delivery agents (Infrastructure Canada and the Province of Alberta).

Summary:

As a condition of the Infrastructure Stimulus Fund for Communities agreement for the 2010 Sewer Main Replacement project, Infrastructure Canada and the Province of Alberta have requested that Council approve the extension and completion date to October 31, 2011.

Background:

Through Canada's Economic Action Plan, the federal government established a \$4-billion Infrastructure Stimulus Fund that provides funding to provincial, territorial and municipal capital infrastructure projects. Infrastructure Canada partnered with the Province of Alberta to manage and deliver the Fund to approved projects in the province. To be eligible, the projects must be cost ready and able to be completed by March 31, 2011.

The Regional Municipality of Wood Buffalo prepared an Urban Service area Wastewater Master Plan to analyze the capacity of the existing sewage collection system to accommodate both the existing population and planned growth. The plan identified areas for improvement and rehabilitation. The need for the 2010 Sewer Main Replacement project was identified as a result of the Municipality's annual Sewer Rehabilitation program.

In March 2010, Council approved funding for the 2010 Sewer Main Replacement project, which addresses deficiencies in the trunk sewers in the Lower Townsite area to be funded by this program. As a result of rapid growth in the area, the Manning Avenue sanitary trunk is one of the limiting segments in the sewer trunk.

Infrastructure Canada has recognized that there are a number of projects in most jurisdictions that will benefit from a seven month extension to October 31, 2011. This extension will ensure timely and responsible project completion. It will also allow project proponents to benefit from an additional construction season to complete projects underway.

To grant the seven month extension and to ensure that the project continues to receive funding, Infrastructure Canada and the Province of Alberta require that Council approve the October 31, 2011, completion date.

The project commenced in May, 2010. Due to poor weather and other unforeseen circumstances, work on the project did not progress as planned and the deadline can not be met.

As a result, the Municipality granted the contractor an extension to August 30, 2011.

Budget/Financial Implications:

The 2010 Capital Budget provides funding for the 2010 Sewer Main Replacement project. Total project costs are estimated to be \$6.5 million.

All associated project costs after March 31, 2011, will be at the Municipality's expense if Council does not grant the extension.

Rationale for Recommendation(s):

The extension is required to secure Infrastructure Stimulus Fund for Communities funding for the 2010 Sewer Main Replacement project.

Subject: Bylaw No. 11/001 – Land Use Bylaw Amendment – Parsons Creek – Parts of Lot 2, Block 1, Plan 102 1640**APPROVALS:**

Glen Laubenstein, Chief Administrative Officer
Carol Theberge, Divisional Manager
Dennis Peck, Director, Planning and Development

Administrative Recommendation(s):

THAT Bylaw No. 11/001, being a Land Use Bylaw amendment for parts of Lot 2, Block 1, Plan 102 1640 (Parsons Creek), be read a first time.

Summary:

Land Use Bylaw amendments are required to implement Phase One of the Parsons Creek development. The authority to amend the Land Use Bylaw is vested with Council under the Municipal Government Act.

Background:

On May 25, 2010, Council approved the Land Use Bylaw amendment for Phase One of Parsons Creek (Bylaw No. 10/017) as well as the Urban Design Plan and Phase One Outline Plan to facilitate the development of Parsons Creek. At that time, Urban Development Institute – Wood Buffalo (UDI – Wood Buffalo) stated that they had concerns with parts of the Bylaw as presented. They recommended that Council approve Bylaw No. 10/017 with the understanding that they request Administration to refine the Bylaw in consultation with UDI – Wood Buffalo.

Since the approval of Bylaw No. 10/017, Administration and the proponent have been engaging UDI – Wood Buffalo, as well as a number of internal and external stakeholders, to review and refine the Land Use Bylaw approved on May 25th.

A number of changes are proposed to refine the Land Use Bylaw; therefore, Administration recommends that Bylaw No. 10/017 be repealed and replaced with Bylaw No. 11/001. Major changes to Part 8 of the Land Use Bylaw include:

- removing the specific design guidelines for each land use district;
- adding permitted uses in various districts;
- adjusting various setbacks to support suggestions made during the engagement sessions; and
- adding a number of General Regulations.

The specific design guidelines for each land use district are proposed to be removed from the Land Use Bylaw and will be included in the Parsons Creek Community Design Guidelines. The Guidelines will include all of the architectural regulations that have been removed from the Land

Use Bylaw, as well as a number of additional guidelines designed to support the vision for the Parsons Creek community. All uses in Part 8 of the Land Use Bylaw are proposed as discretionary uses so that Administration may use the Parsons Creek Community Design Guidelines as a tool to approve permits and ensure the vision of the Parsons Creek Community is achieved.

A number of uses which are typically within a residential neighbourhood were added to the proposed amendment.

Provisions for lot areas or lot widths in the Neighbourhood District were not included in the approved Land Use Bylaw. These provisions were refined and added to Part 8 to ensure orderly development and determine the servicing requirements for the neighbourhood.

The General Regulations proposed for Section 8.3 of the Land Use Bylaw include:

30% Variance Authority was added to allow for greater flexibility and the ability to approve a development which may not meet the provisions of the Land Use Bylaw, but will meet the intent of the vision for Parsons Creek.

Parking Requirements in Part 7 of the Land Use Bylaw identifies the required number of parking stalls based on land use; however, a number of the uses in Parsons Creek do not have defined parking requirements under Part 7, and these provisions are proposed in the General Regulation section of Part 8.

Discretionary uses that require advertising on the approval of a development permit have been added to the General Regulations section of the Land Use Bylaw.

Height restrictions, change of use provisions, and corner lot restrictions were added to the General Regulations section to ensure orderly development of the Parsons Creek community.

Rationale for Recommendation(s):

When presented to Council on May 25th, the Land Use Bylaw for Parsons Creek had not been vetted. Since that time, Administration has been engaged with a number of internal and external stakeholders to review and refine the approved Land Use Bylaw for Parsons Creek. Based on comments from this engagement, a number of changes are recommended which will permit the orderly development of Parsons Creek in a manner that is in keeping with the original vision of the neighbourhood. UDI-Wood Buffalo is satisfied with the proposed changes to Part 8 of the Land Use Bylaw.

Attachments:

1. Bylaw No. 11/001
2. Subject Area Map
3. Parsons Creek Background

BYLAW NO. 11/001

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 Land Use Bylaw No. 99/059 is hereby amended by adding the attached Schedule A as Part 8 – Parsons Creek Land Use Regulations and forming part of the Land Use Bylaw.
2. THAT Bylaw No. 10/017 is hereby repealed.
3. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.
4. 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 _____ day of _____, A.D 2011.

READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.

SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

Chief Legislative Officer

PART 8 Parsons Creek Land Use Regulations

8.1 Application

8.1.1 Notwithstanding Part 1, Section 3, the following regulations apply to all lands and buildings within the area shown in Schedule D to this Land Use Bylaw.

8.1.2 If not referenced or contained within a definition or regulation provided below, definitions and regulations as provided in Parts 1 through 5 inclusive shall apply.

8.1.3 If not referenced or contained within parking requirements provided below, requirements and regulations as provided in Part 7, Parking and Loading Requirements, shall apply.

8.2 Definitions

In this Part of the Bylaw unless the context requires:

8.2.1 Automotive Sales and Service means a place of business where the prevailing use is the service, washing, maintenance, sales, storage or rental of motor vehicles and related accessories and parts, or the provision of services to consumers in motor vehicles. This includes gas bars, service stations, recreational vehicle sales and rental facilities, transmission shops, tire shops, body shops, automotive glass shops and drive thru restaurant or service uses.

8.2.2 Boardwalk – means a walkway usually along a waterfront.

8.2.3 Community Facility means a building or premises intended for use by the general public. This includes community recreational facilities, community service facilities, places of religious assembly, educational service facilities, and medical or health service centres.

8.2.4 Entertainment is a building or premises where the prevailing use is for enjoyment of the public. This includes galleries, movie cinemas/theatres, nightclubs, casinos and drinking lounges - but does not permit adult entertainment facilities.

8.2.5 Façade is the exterior of any side of a building facing a public street or for the purposes of this Part a waterfront property line.

8.2.6 Frontage means that part of a lot that abuts a street or waterfront

8.2.7 Government Use means any use by any level of government or any agency or crown or municipal corporation.

8.2.8 Lodging means a place of business where the principle use is the provision of lodging/sleeping facilities. This includes hotels, hostels, bed and breakfasts, apartment hotels, country inns, and motels - but does not permit project accommodations or campgrounds.

8.2.9 Office is a place of business where the principle use is the execution of professional or clerical duties.

8.2.10 Parapet means a wall-like barrier at the edge of a roof. Where extending above a roof, it may be the portion of an exterior wall that continues above the line of the roof surface.

8.2.11 Parking Structure means an area of land or a structure providing for the parking of motor vehicles.

8.2.12 Pedway means a walkway, usually enclosed, permitting pedestrians to go from building to building, without passing through traffic.

8.2.13 Prominent Architectural Feature means standing out beyond the façade.

8.2.14 Residential Use means a dwelling unit or group of dwellings units. This includes, but is not limited to single and semi-detached dwellings, townhouses, apartments, senior citizen housing, youth assessment centres, visiting students supervised housing units, boarding houses, child care facilities and group homes.

8.2.15 Retail means a place of business where the principle use is the sale of goods or commodities directly to consumers.

8.2.16 Restaurant means a place of business where the principle use is the preparation and serving of food to the public for consumption either on or off the premises - but does not include a drive thru.

8.2.17 Seasonal Uses means a place of business including retail, services, and restaurant uses

- a) that operates for no more than four (4) continuous months, without seasonal renewal;
- b) that is located entirely within non-permanent buildings;
- c) that has a maximum gross floor area not exceeding 25 square metres.

8.2.18 Secondary Suite means an accessory dwelling unit

- a) that is located on the same parcel as a single detached dwelling or semi detached dwelling unit;
- b) which includes a kitchen, separate entrance, and a minimum of one (1) bedroom;
- c) without limiting the generality of the foregoing a secondary suite may include:
 - a. **Secondary Suite – Attached above Grade** – where the secondary suite is located above the first storey of a single detached dwelling or semi-detached dwelling
 - b. **Secondary Suite – Attached at Grade** – where the secondary suite is attached to the side or rear of a single detached dwelling or semi detached dwelling
 - c. **Secondary Suite – Attached Below Grade** – where the secondary suite is located below the first storey of a single detached dwelling or a semi detached dwelling

8.2.19 Service means a place of business where the principle use is the provision of services to a person or business. This includes professional, medical and financial services - but does not include adult entertainment facilities.

8.2.20 Soft Landscaping means consisting of vegetation such as trees, shrubs, hedges, ornamental plantings, grass and organic ground cover.

8.2.21 Storey means a level of a building above grade included between the surface of a floor and the ceiling or roof immediately above it.

8.2.22 Tandem Parking means allowing cars to park one behind the other.

8.2.23 Waterfront means the land on the edge of a body of water.

8.3 General Regulations

8.3.1 Permitted Encroachments

No encroachments may be permitted between the façade of any building and the street or waterfront above the first storey – except the following:

- a) Balconies, canopies, awnings, cantilevers, eaves, gutters, landings, window sills, steps, stairs, ramps, prominent architectural features, and verandahs maybe permitted to encroach to within 1.0 m of the abutting lot line.

8.3.2 Variance Authority

The Development Authority may allow a 30% variance and approve a development permit for a permitted use, with or without conditions, which does not comply with the regulations to Part 8 – Parsons Creek Land Use Regulations provided that the Development Authority determines that:

- a) the proposed variance would not result in a development that will:
 - (1) unduly interfere with the amenities of the neighbourhood;
 - (2) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
 - (3) A variance is a reasonable response to the physical characteristics of the lot which are not generally common to other lots in the immediate vicinity of the proposed use;
- b) the proposed development conforms with the use prescribed for the land or building in this Bylaw;
- c) the development would be consistent with the general purpose or character of the district; and
- d) there are mechanisms to mitigate the effects on adjacent lots;

8.3.3 Parking Requirements

a) Parkade Ramp Requirements

- (1) Entrance ramps shall be accessed from within the property. The approval for an entrance ramp directly off of a municipal road is at the sole discretion of the Engineering Services Divisions; and
- (2) The entrance ramp to an underground parkade shall commence at the property line and shall not be permitted to encroach onto the municipal road right-of-way or lane.

2) Number of On-Site Parking Stalls Required

| Land Use: | Minimum Parking Requirement |
|---------------------------------|--|
| Bed and Breakfast | 1 stall/guest room plus additional stalls in accordance with the parking requirements of Part 7 for any other uses which form part of the Bed and Breakfast. |
| Casino | 10 stalls / 100 m ² GFA |
| Community Recreational Facility | 4.7 stalls / 100 m ² GFA |
| Community Service Facility | 4 stalls / 100 m ² GFA |
| Country Inn | 1 stall/guest room plus additional stalls in accordance with the parking requirements of Part 7 for any other uses which form part of the Country Inn. |
| Gallery | 1.1 stalls / 100 m ² GFA |
| Hostel | 0.33 stalls /guest room plus additional stalls in accordance with the parking requirements of Part 7 for any other uses which form part of the Hostel. |

8.3.4 Development Requiring Advertisement

The following will require advertising to the general public through a public notice; a notice of the decision shall be mailed to the adjacent landowners or other affected parties or land owners as determined by the development authority, and are subject to appeal.

- a) Amateur Radio Antenna
- b) Bed and Breakfast
- c) Boarding House
- d) Child Care Facility
- e) Educational Service Facility (accessory to a Religious Assembly)
- f) Home Business
- g) Public Use
- h) Religious Assembly
- i) Residential Sales Centre
- j) Secondary Suite
- k) Visiting Students Supervised Housing Unit

8.3.5 Height Restrictions

The following will not be considered part of the height restrict, and may exceed the required building height:

- a) Parapet
- b) Spires, domes or other architectural feature that forms part of a Religious Assembly

8.3.6 Change of Use

For any change of use or change of occupancy within an existing commercial, industrial and institutional use, the parking requirements for the original development permit shall be deemed appropriate for the life cycle of that building. The proposed change of use shall not be required to provide any additional parking.

8.3.7 Corner Lot Restrictions

- a) In the case of a corner lot, no fence, wall, tree, hedge or other structure exceeding 0.6 metres in height shall be permitted in a corner visibility triangle created by the property line that form the corner and a straight line connecting two points 7.5 metres back along these property lines measured from their intersection; and
- b) Notwithstanding (a) in the case of a structure that exceeds two (2) storeys, the visibility triangle is only required from grade to the ceiling of the second storey.

8.4 Land Use Districts

8.4.1 MD Main Street District

8.4.1.1 Discretionary Uses – Development Officer

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

- a) Apartment Building (Residential not permitted on First Storey)
- b) Community Facility
- c) Entertainment
- d) Lodging
- e) Office
- f) Parking Structure
- g) Restaurant
- h) Retail
- i) Service
- j) Townhouse (Residential not permitted on First Storey)

8.4.1.2 Uses Not Permitted

The following uses are **NOT** permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive/Recreational Vehicle Sales & Rental
- c) Dating and Escort Services

8.4.1.3 General Site Provisions

- a) More than one (1) building may be developed on one lot.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.1.4 Site Provisions

In any MD Main Street District no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.1.4.1 The Front Yard Setbacks are:

- a) Minimum setback 0.0 – 1.0 metres for at least 50% of the façade of the building.
- b) Notwithstanding (a), where at least 50% of the façade of the building is located at or between 0.0 and 1.0 from the front property line, the remainder of the façade may be setback up to 5.0 metres.
- c) Where any courtyard space is created pursuant to (b) no such space may be used for storage, garbage, or parking.
- d) No utility servicing equipment shall be located within the front yard of any building.

8.4.1.4.2 The Rear Yard Setbacks are:

- a) Any main building may be located to a minimum of 2.5 metres from the rear property line

8.4.1.4.3 The Side Yard Setbacks are:

- a) Any main building may be located to a minimum of 0.0 metres from the side property line.

8.4.1.4.4 Building Height -

- a) No building shall be less than two (2) storeys above grade nor more than six (6) storeys.

8.4.1.4.5 First Storey Requirements

- a) No more than 20% of the first storey area shall be utilized for lobbies and/or elevator space.
- b) Notwithstanding the foregoing in the case of lodging, no lobby and elevator space shall exceed 50% of the first storey floor space.

8.4.1.4.6 Lot Coverage Requirements

- a) Maximum 90%

8.4.1.4.7 Parking Requirements

- a) No parking area shall be permitted between the façade of the building and the property line.
- b) All residential uses require a minimum of one (1) parking spot per dwelling unit.
- c) On-street parking may be counted in the final parking calculation for each development where such parking is directly abutting the development site.

8.4.1.4.8 Landscaping Requirements

In addition to Section 72:

- a) Minimum of 1 deciduous tree (min 50mm caliper, canopy occurring 2.0 meters above finish grade) every 10metres along the street frontage

8.4.2 MDD Mixed Development District

8.4.2.1 Discretionary Uses – Development Officer

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

- a) Apartment Building
- b) Community Facility
- c) Entertainment (first storey only)
- d) Lodging
- e) Office
- f) Parking Structure
- g) Restaurant (first storey only)
- h) Retail (first storey only)
- i) Retail store, convenience (first storey only)
- j) Service (first storey only)
- k) Townhouses

8.4.2.2 Uses Not Permitted

The following uses are **NOT** permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive/Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Warehouse and Storage

8.4.2.3 General Site Provisions

- a) More than one (1) building may be developed on one lot.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.2.4 Site Provisions

In any MDD Mixed Development District no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.2.4.1 The Front Yard Setbacks are:

- a) Minimum setback 1.0 metres – Maximum setback 4.0 metres.
- b) Where any courtyard space is created pursuant to (a) no such space may be used for storage, garbage, or parking.
- c) No utility servicing equipment shall be located within the front yard of any building.

8.4.2.4.2 The Rear Yard Setbacks Are:

- a) Any main building may be located to a minimum of 2.5 metres from the rear property line

8.4.2.4.3 The Side Yard Setbacks are:

- a) Any main building may be located to a minimum of 1.2 metres from the side property line.

8.4.2.4.4 The Frontage Requirements are:

- a) The minimum building frontage shall be 6.0 metres.

8.4.2.4.5 Building Height

- a) No building shall be less than three (3) storeys above grade nor more than six (6) storeys.

8.4.2.4.6 Lot Coverage Requirements

- a) Maximum 75%

8.4.2.4.7 Parking Requirements

- a) No parking area shall be permitted between the façade of the building and the property line.
- b) All residential uses require a minimum of one (1) parking spot per dwelling unit.

8.4.2.4.8 Landscaping Requirements

In addition to Section 72

- a) For areas abutting streets, minimum 1 deciduous tree (min 50mm caliper, canopy occurring 2.0 meters above finish grade) every 10 metres along the street frontage

8.4.3 CD Civic District

8.4.3.1 Discretionary Uses – Development Officer

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

- a) Community Facility
- b) Entertainment
- c) Government Use
- d) Office
- e) Parking Structure
- f) Restaurant
- g) Retail
- h) Seasonal Uses

8.4.3.2 Uses Not Permitted

The following uses are **NOT** permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive/Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Residential Uses

8.4.3.3 General Site Provisions

- a) More than one (1) principal building may be developed on one lot.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.3.4 Site Provisions

In any CD Civic District, no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.3.4.1 The Front Yard Setbacks are:

- a) Minimum setback of 1.0 metres – Maximum setback of 4.0 metres from the public street
- b) A setback of 6.0 metres shall be required from the waterfront property line.
- c) Where any courtyard space is created pursuant to (a) or (b), no such space may be used for storage, garbage, or parking.
- d) No utility servicing equipment shall be located within the front yard of any building.

8.4.3.4.2 The Rear Yard Setbacks are:

- a) Any building may be located to a minimum of 2.5 metres from the rear property line.

8.4.3.4.3 The Side Yard Setbacks are:

- a) Any building may be located to a minimum of 1.2 metres from the side property line.

8.4.3.4.4 Building Height

- a) No building shall be less than two (2) storeys above grade nor more than four (4) storeys.

8.4.3.4.5 Building Separation

- a) Minimum 12.0 metres between any two (2) principal buildings located on the same lot.
- b) Where two buildings are adjoined by a pedway, the pedway must be a minimum of 5.0 metres from grade.

8.4.3.4.6 Lot Coverage Requirements

- a) Maximum 65%

8.4.3.4.7 Parking Requirements

- a) No surface parking shall be permitted.
- b) A parking structure will be permitted.
- c) On-street parking may be counted in the final parking calculation for each development where such parking is directly abutting the development site.

8.4.2.4.8 Landscaping Requirements

In addition to Section 72

- a) For areas abutting streets, minimum of 1 deciduous tree (min 50mm caliper, canopy occurring 2.0 meters above finish grade) every 10 metres along the street frontage

8.4.4 WD Waterfront District

8.4.4.1 Discretionary Uses – Development Officer

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

- a) Accessory Building
- b) Amateur Radio Antenna
- c) Educational Service Facility (accessory to a Religious Assembly only)
- d) Entertainment
- e) Home Business
- f) Home Occupation
- g) Lodging
- h) Office (first storey only)
- i) Park
- j) Parking Structure
- k) Public Use
- l) Public Utility
- m) Religious Assembly
- n) Residential Sales Centre (dwelling based or portable)
- o) Residential Uses
- p) Retail (first storey only)
- q) Satellite Dish Antenna
- r) Seasonal uses (on waterfront properties only)
- s) Secondary Suite
- t) Service (first storey only)

8.4.4.2 Uses Not Permitted

The following uses are **NOT** permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive/Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Manufactured Homes

8.4.4.3 General Site Provisions

- a) More than one (1) principal building may be developed on one lot except in the case of single family dwellings.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.4.4 Site Provisions

In any WD Waterfront District, no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.4.4.1 The Front Yard Setbacks

- a) Minimum setback of 1.0 metres – Maximum setback of 4 metres from the public street.
- b) A setback of 6.0 m shall be required from the waterfront property line.
- c) Notwithstanding (b), in the case of a seasonal use, a setback of 0.0 metres shall be permitted from the waterfront.
- d) Where any courtyard space is created pursuant to (a) and (b), no such space may be used for storage, garbage, or parking.
- e) No utility servicing equipment shall be located within the front yard of any building.

8.4.4.4.2 The Rear Yard Setbacks

- a) Any main building may be located to a minimum of 2.5 metres from the rear property line.

8.4.4.4.3 The Side Yard Setbacks

- a) Any main building may be located to a minimum of 1.2 metres from the side property line.

8.4.4.4.4 The Frontage Requirements

- a) The minimum building frontage shall be 12.0 metres excluding residential and residential associated uses.

8.4.4.4.5 Building Height

- a) No residential building shall be more than five (5) storeys.
- b) No non-residential building shall be less than two (2) storeys above grade, not more than (5) storeys.

8.4.4.4.6 Building Separation Requirements

- a) Minimum 12.0 metres between any two (2) principal buildings located on the same lot.
- b) Where two buildings are adjoined by a pedway, the pedway must be a minimum of 5.0 metres from grade.

8.4.4.4.7 Lot Coverage Requirements

- a) Maximum 75%

8.4.4.4.8 Parking Requirements

- a) All surface parking must be contained on site.
- b) A parking structure will be permitted.
- c) No parking area shall be permitted between the façade of the building and the property line.
- d) The first 10 percent of parking spaces may be surface parking; after 10 percent, 90 percent of the parking must be located underground or within a parking structure except in the case of a Single Family Dwelling, Semi-Detached Dwelling, Duplex, or Townhome.
- e) In the case of a Single Family Dwelling, Semi-Detached Dwelling, Duplex or Townhome, tandem parking is permitted.

8.4.4.4.9 Landscaping Requirements

In addition to Section 72

- a) For areas abutting streets, minimum of 1 deciduous tree (min 50mm caliper, canopy occurring 2.0 meters above finish grade) every 10 metres along the street frontage.

8.4.5 ND Neighbourhood District

8.4.5.1 Discretionary Uses – Development Officer

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

- a) Accessory Building
- b) Amateur Radio Antenna
- c) Duplex
- d) Educational Service Facility (accessory to a Religious Assembly only)
- e) Home Business
- f) Home Occupation
- g) Modular Home
- h) Park
- i) Public Use
- j) Public Utility
- k) Religious Assembly
- l) Residential Sales Centre (dwelling based or portable)
- m) Retail Store, Convenience
- n) Satellite Dish Antenna
- o) Secondary Suite
- p) Semi-Detached Dwelling
- q) Single Detached Dwelling

8.4.5.2 Uses Not Permitted

The following uses are **NOT** permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive/Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Manufactured Homes

8.4.5.3 Site Provisions

In any ND Neighbourhood District, no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.5.3.1 The Front Yard Setbacks

- a) Minimum setback 6.0 metres with front driveway.
- b) Minimum setback 4.5 metres - Maximum setback 6.0 metres with rear lane access.

8.4.5.3.2 The Rear Yard Setbacks

- a) Single Detached Dwelling – Minimum 4.6 metres with front driveway.
- b) Single Detached Dwelling – Minimum 6.0 metres with rear lane access.
- c) For all other uses – Minimum 7.5 metres.

8.4.5.3.3 The Side Yard Setbacks

- a) Minimum 1.2 metres, except for the following:
 - a. In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 (minimum) interior side yard to provide vehicular access to the rear yard.

8.4.5.3.4 Lot Area

- a) Single Detached Dwelling – Minimum 400.0 m².
- b) Semi-Detached Dwelling – Minimum 228.0 m² per unit.
- c) Duplex – 400.0 m².

8.4.5.3.5 Lot Width

- a) Single Detached Dwelling – Minimum 12.2 metres with front driveway.
- b) Single Detached Dwelling – Minimum 10.0 metres with rear lane access.
- c) Semi-Detached – Minimum 7.6 metres per unit.
- d) Duplex – Minimum 10.5 metres with front driveway
- e) Duplex – Minimum 7.0 metres with rear lane access

8.4.5.3.6 Lot Coverage

- a) 45 percent including accessory buildings.

8.4.5.3.7 Building Height

- a) No building shall be more than three (3) storeys.

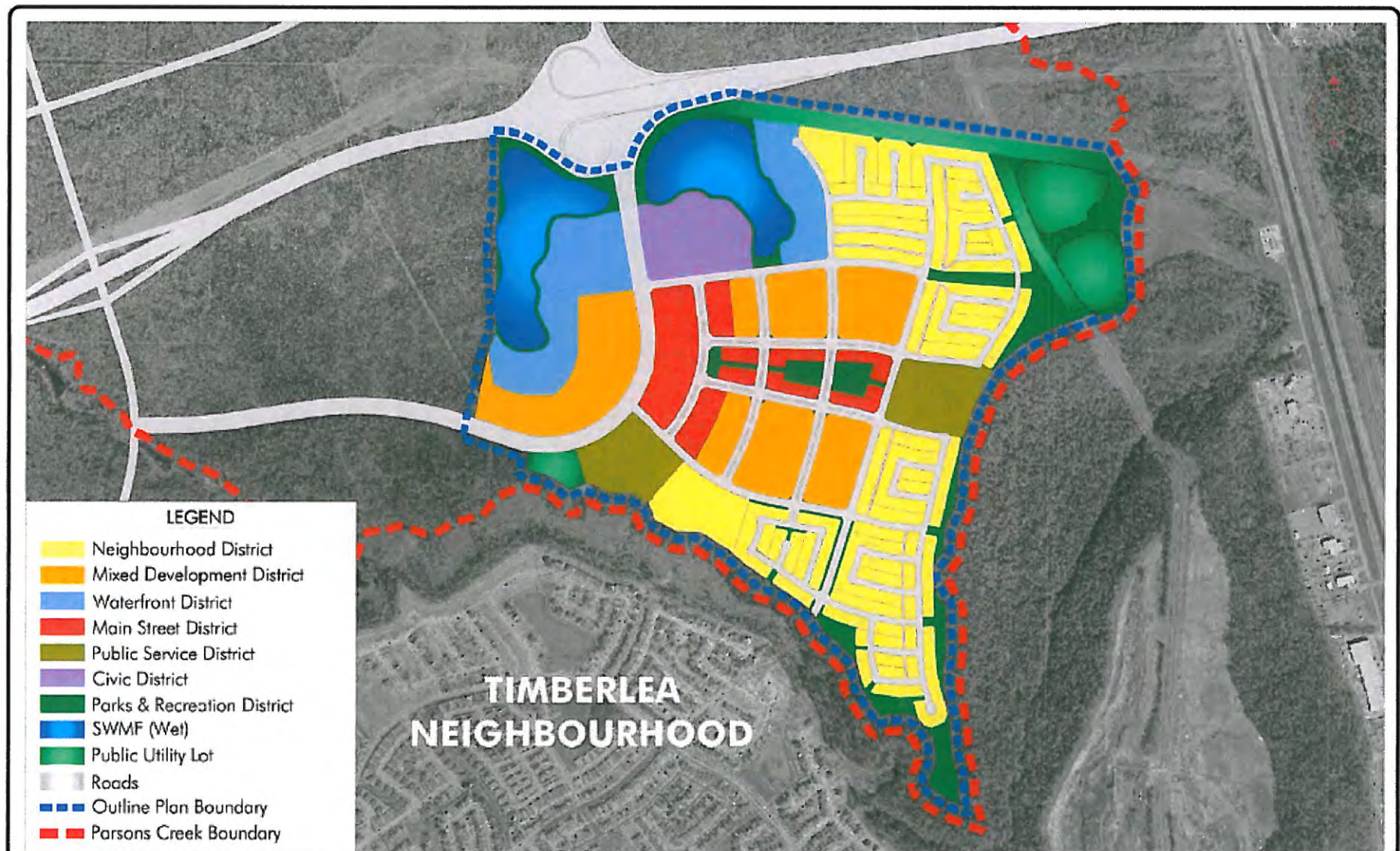
8.4.5.3.8 Parking Requirements

- a) Minimum two (2) spaces are required for all residential uses.
- b) Where a secondary suite is proposed, an additional one (1) parking stall is required for all one (1) and two (2) bedroom units, and two (2) additional stalls are required for all three bedroom units.
- c) Tandem parking is permitted.

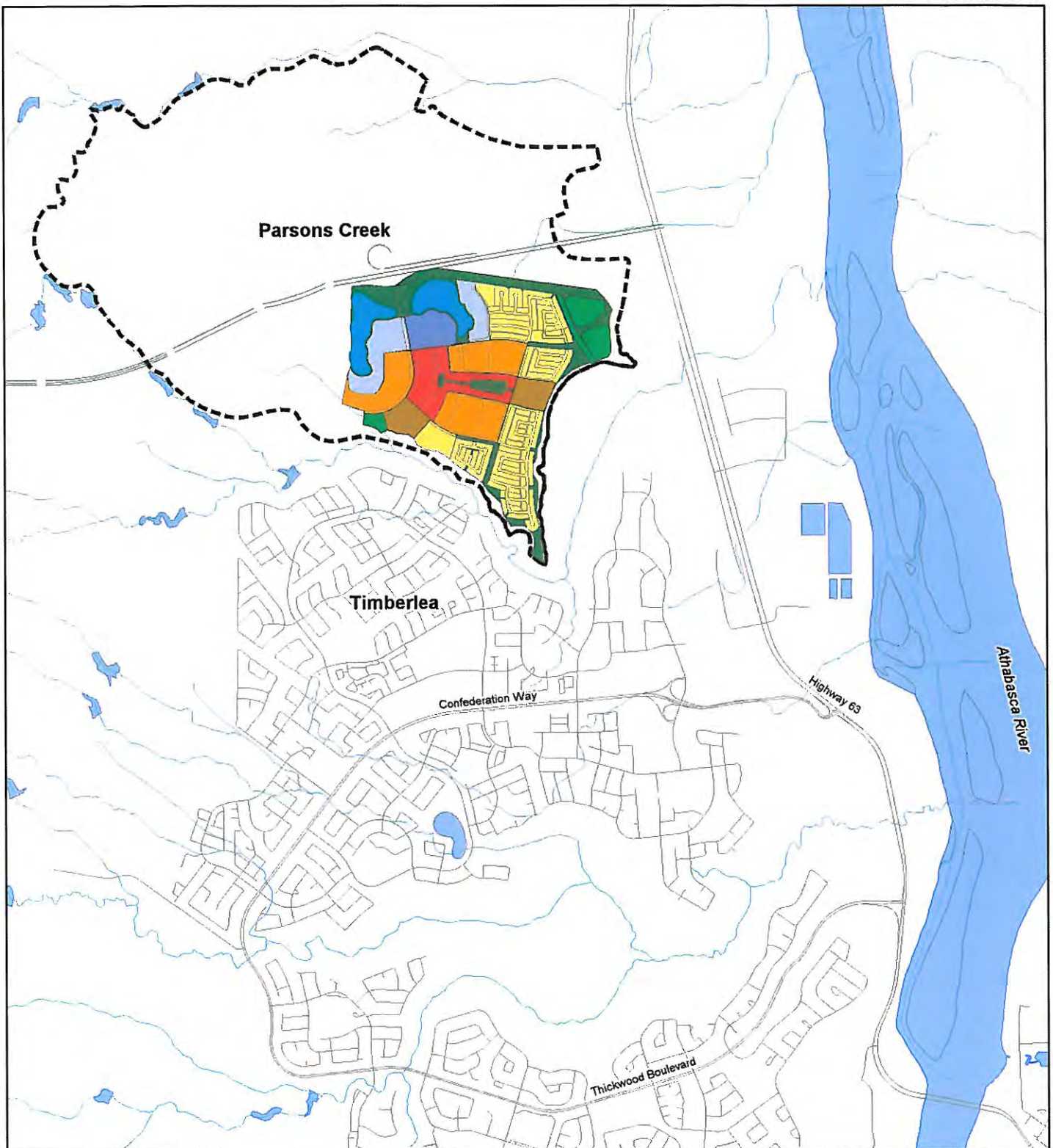
8.4.5.3.9 Landscaping Requirements

In addition to Section 72

- a) Minimum of 30% of the lot must be soft landscaped.



Parsons Creek Land Use Regulations Map of Subject Area



Subject Area Map - Parsons Creek - Phase One

Legend

| | | | |
|---|---------------------------------|---|-----------------------------|
|  | Public Service District |  | Public Utility Lot |
|  | Civic District |  | Mixed Development District |
|  | Waterfront District |  | Parks & Recreation District |
|  | Storm Water Management Facility |  | Neighbourhood District |
|  | Main Street District |  | Parsons Creek Boundary |



Parsons Creek Background

Intent:

Provide Council with background information regarding Parsons Creek.

Background:

March 27, 2001:

- Timberlea Area Structure Plan adopted by Council; and
- Recommendation that a Traffic Impact Assessment (TIA) is undertaken.

March 2006:

- TIA completed;
- The TIA identified two potential access points from Timberlea into Parsons Creek – from Stonecreek and Rainbow Creek Drive;
- Both access points require crossing Goats Head Creek; and
- Rainbow Creek Drive access (constructing a culvert) found to be more practical than from Stonecreek (constructing a bridge).

April 25, 2006:

- Council approved Phase 5 Paquette Heights (Timberlea) Plan of Subdivision; and
- Plan of Subdivision includes the extension of Rainbow Creek Drive and indicates the intention that Rainbow Creek Drive will be the future link to the undeveloped area to the north.

September 13, 2006:

- Plan of Subdivision for Phase 5 Paquette Heights legally registered by Alberta Land Titles; and
- Extension of Rainbow Creek Drive shown on registered plans.

July 2009:

- On July 14, Council approved the Parsons Creek Community Vision and Design Brief as a guiding document for the future development of the Parsons Creek area;
- On July 14, Council authorized the developer (Government of Alberta) to initiate an Outline Plan process specific to the Parsons Creek area, in lieu of an Area Structure Plan process; and
- Government of Alberta (Alberta Housing & Urban Affairs) appointed Stantec as the consultant for the development of the Parsons Creek community.

September 2009:

- Stantec prepared the Parsons Creek Access Management Study Final Report;
- Report examined four access options for the development of Phase One of Parsons Creek; and
- Recommended that the Rainbow Creek Drive extension is the best option.

October 29, 2009 – May 25, 2010:

- Stantec hosted five public open houses for the development of Parsons Creek;

- Three of the five public open houses were held to discuss the development of Parsons Creek, and specifically Phase One;
- Section 606 of the Municipal Government Act, "Requirements for advertising" states that the Municipality must follow certain notification requirements in order to hold a meeting; and
- Stantec followed the requirements for advertising set forth by the Municipal Government Act for all the public open houses.

March 16, 2010:

- At the fourth open house, Stantec shared information about the Parsons Creek project and obtained feedback on the Rainbow Creek Drive extension; and
- As the Transportation Access Management Study for the Rainbow Creek Drive extension had already been completed, the developer, Stantec and Administration decided that the Outline Plan could proceed to Council.

May 25, 2010:

- Council adopted The Parsons Creek – Phase One Outline Plan;
- The Outline Plan states that "a secondary access will need to be built prior to the development of the Highway 63/Highway 686 Interchange. This secondary access will be provided as an extension to Rainbow Creek Drive from the adjacent community of Timberlea." "Rainbow Creek Drive is not envisioned to be used for heavy equipment construction access";
- One of the key differences between an Outline Plan and an Area Structure Plan is that an Area Structure Plan has legislated notification requirements and is subject to three readings and a public hearing, whereas an Outline Plan can be adopted by Council resolution; therefore, no public hearing was held related to the Phase One Outline Plan as there was no legislative requirement for one;
- Council approved the Land Use Bylaw amendment for Phase One;
- The Public Hearing for the Land Use Bylaw amendment was conducted in accordance with Section 230 of the Municipal Government Act "When to hold public hearing";
- Further, Section 692, "Planning bylaws" in the Municipal Government Act requires that notice of a Public Hearing be given to adjacent property owners;
- As the Land Use Bylaw (Bylaw No. 99/059) defines 'adjacent,' it was determined that the adjacent land is owned by the Regional Municipality of Wood Buffalo and the Province of Alberta; as such, the subject property is not directly adjacent to residential properties;
- During the Public Hearing for the Land Use Bylaw amendment, Urban Development Institute – Wood Buffalo (UDI – Wood Buffalo) stated that they had concerns with parts of the Bylaw as presented; and
- Recommended that Council approve the Land Use Bylaw amendment with the understanding that Administration is requested to refine the Bylaw in consultation with UDI – Wood Buffalo.

September 16, 2010:

- At a public open house, Stantec updated the public on the design and construction schedule for the extension of Rainbow Creek Drive; and
- A number of residents requested that other options be examined.

September 30, 2010:

- The Chair of the Community Development Advisory Board for Parsons Creek requested that the construction on the roadway be postponed at this time due to the concerns raised by the public;
- Alberta Housing & Urban Affairs and Stantec agreed that all information regarding the Rainbow Creek Drive extension would be reviewed and the findings presented to the Regional Municipality of Wood Buffalo.

Current Status:

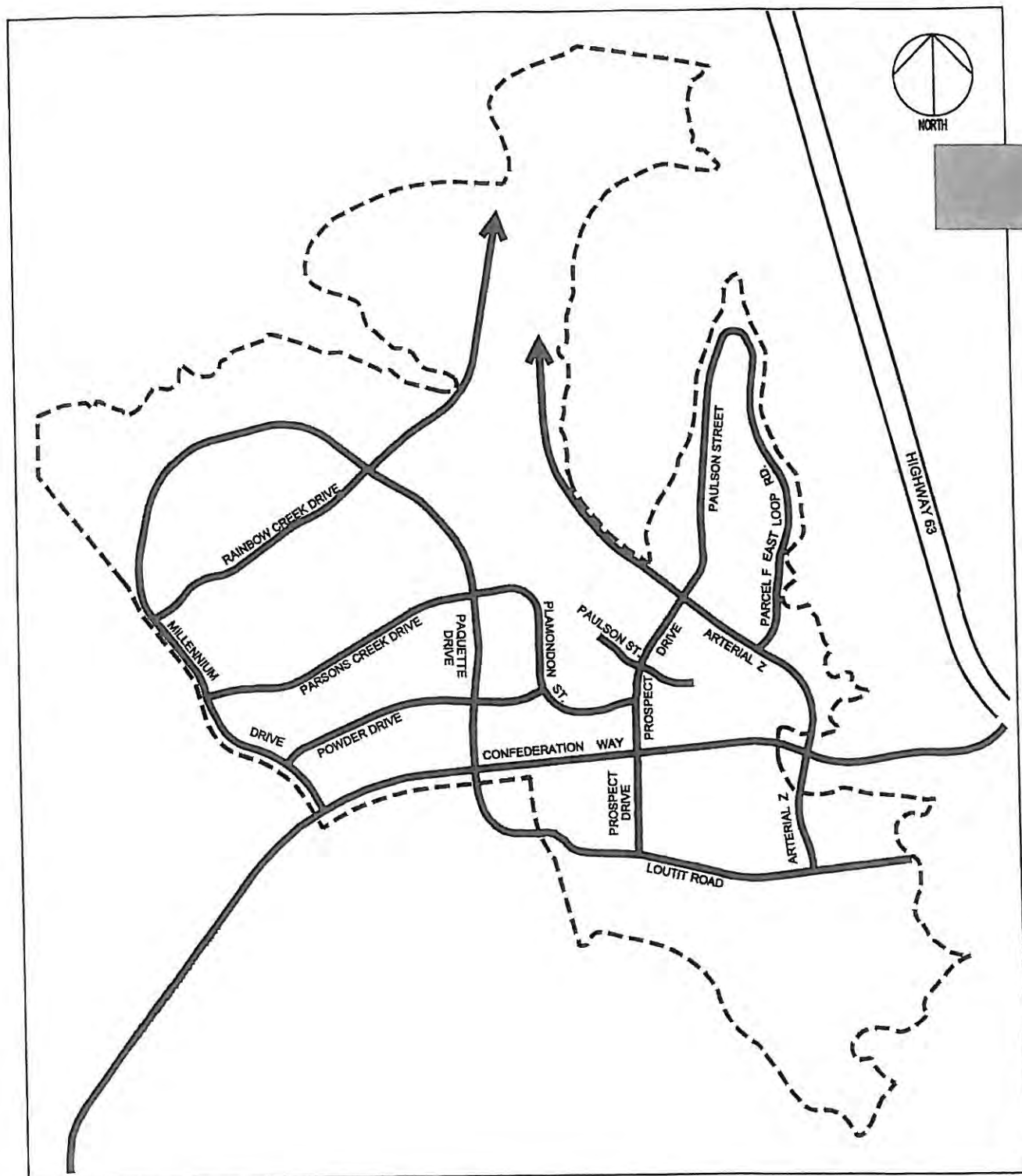
- The Public Hearing for the Parsons Creek Land Use Bylaw amendment will be held on January 25, 2011.

Key Considerations:

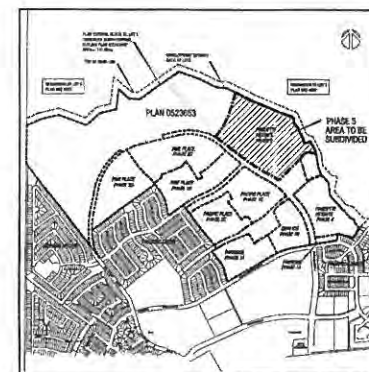
- A new interchange, to be constructed at the junction of Highway 63 and the proposed Highway 686, will provide the main access to Parsons Creek. Under current estimates, this will not be completed until 2014;
- The use of Rainbow Creek Drive is intended to permit the development of a portion of Parsons Creek Phase One while Highway 686 and the Parsons Creek interchange at Highway 63 are under construction;
- Administration supports the development of 800 to 1000 low density residential units in Phase One of Parsons Creek using Rainbow Creek Drive as access, but no more than 1000 units should be developed using this access;
- The remainder (majority) of Phase One and the rest of the Parsons Creek development will not proceed until the new interchange and highway are complete;
- The remainder of both Phase One and any additional phases should not proceed until the principle access is in place;
- It is anticipated that residents will express their concerns over the access into Parsons Creek at the Public Hearing;
- Administration would like to note that the Land Use Bylaw amendment and the extension of Rainbow Creek Drive are separate issues;
- The extension of Rainbow Creek Drive has been registered for four years; and
- Section 658 of the Municipal Government Act, "Cancellation of plan of subdivision," states that the whole plan of subdivision or a part of the subdivision plan may only be cancelled provided consent is given to Council from all registered owners and the Crown.

Appendices:

1. Exhibit 3-2
2. Plan of Subdivision



Proposed Roadway Network



CONTEXT PLAN
NOT TO SCALE

LAND USE SUMMARY

| | |
|--|-----------|
| TITLE AREA (PLAN 0523053, BLOCK 17, LOT 1) | 141.40 ha |
| SUBDIVISION APPROVAL (PHASE 1) (2005-WB-US-016) | 31.56 ha |
| SUBDIVISION APPROVAL (PHASE 2) (2005-WB-US-33) | 28.55 ha |
| SUBDIVISION APPROVAL (PHASE 3) (2005-WB-US-34) | 6.16 ha |
| SUBDIVISION APPLICATION (PHASE 4) (2005-WB-US-39) | 9.31 ha |
| REMAINDER OF TITLE AREA (GROSS DEVELOPABLE AREA) | 65.72 ha |

| | |
|---|-----------------|
| PROPOSED RESIDENTIAL (PHASE 5) | 17.37 ha |
| SINGLE DETACHED RESIDENTIAL (R1) 206 LOTS | 10.96 ha |
| MEDIUM DENSITY RESIDENTIAL (R3) 1 LOT | 1.48 ha |
| PARKS (PR) 2 LOTS | 0.55 ha |
| CIRCULATION | 4.40 ha |
| PUBLIC UTILITY (PUL) | 0.20 ha |
| LOCAL ROADS | 3.31 ha |
| COLLECTOR ROAD | 0.89 ha |
| TOTAL | 17.37 ha |

REMNANT 48.35ha

FROM TITLE SEARCHES DATED JANUARY 16, 2006
ALL AREAS ARE MEASURED AND ROUNDED OFF



PRELIMINARY SUBJECT TO REVISION

PRELIMINARY SUBJECT TO REVISION

| | | | | | | | |
|----|---------------------------|------|----|--------------|---------------------------|----|----------|
| 3 | AS BUILT | | 6 | | | | |
| 4 | APPROVED FOR CONSTRUCTION | | 5 | | | | |
| 5 | TENDERED | | 4 | | | | |
| 2 | APPROVED | | 3 | | | | |
| 1 | PRELIMINARY | | 2 | | | | |
| NO | DESCRIPTION | DATE | 1 | JAN 18, 2006 | SUBMITTED TO R.M. OF W.B. | RD | CCB |
| | ISSUE DATES | | NO | DATE | DESCRIPTION | BY | APPROVED |
| | | | | | REVISIONS | | |

IBI ENGINEERS
GROUP PLANNERS

DATE: JAN. 18, 2006
DESIGNED BY: T.M./B.D.
DRAWN BY: B.D.
CHECKED BY: C.C.B.
SCALE: 1:1500

REGIONAL MUNICIPALITY OF WOOD BUFFALO

PROPOSED SUBDIVISION OF
PLAN 0523053, BLOCK 17, LOT 1
TIMBERLEA NORTH CENTRAL
PHASE 5

APPROVED
FILE NO. EO-2698
DRAWING NO.
SHEET 01 OF 01

Subject: Bylaw No. 11/002 Closure of Undeveloped Government Road Allowance – Proposed Conklin Cemetery Expansion**APPROVALS:**

Glen Laubenstein, Chief Administrative Officer
Wesley Holodniuk, Divisional Manager
Marcel Ulliac, Director

Administrative Recommendation(s):

THAT Bylaw No. 11/002 being a bylaw to close an undeveloped government road allowance, be read a first time.

Summary:

A portion of undeveloped government road allowance within the Conklin cemetery site, as highlighted in red on Attachment 1 (Conklin Cemetery Road Closure dated October 20, 2010) needs to be closed to enable the Conklin Cemetery expansion project to proceed.

In accordance with the *Municipal Government Act* (Act); a road closure must be effected by law, which requires Council approval.

Background:

Community Services is piloting a municipal wide cemetery master plan project termed the Municipality Urban and Rural Cemetery Project (Project). The Conklin cemetery is expected to reach maximum capacity in the near future. The project will expand the existing Conklin cemetery to accommodate projected burials over the next thirty years. The expansion would require an additional 1-hectare (2.5 acres) of land. The road allowance closure would provide for the additional land needed to expand the cemetery.

The proposed closure was circulated to internal municipal departments, Alberta Transportation, Alberta Sustainable Resources Development, along with franchise and utility companies. No objections were raised regarding the proposed road closure, and the closure will have no impact on municipal operations.

Section 18 of the Act states that the Municipality has direction, control and management of all roads, but ownership lies with the Crown. Therefore, upon the road closure, the land will be consolidated with the adjacent cemetery lands so that both lands can be treated as one contiguous parcel. Ministerial approval of the road closure is required prior to the Road Closure Bylaw being given a second reading as the subject area is located outside of the Municipality's Urban Service Area boundaries.

The Road Closure Bylaw has been reviewed by Alberta Land Titles to ensure the accuracy of legal descriptions.







Rationale for Recommendation(s):

The subject road allowance is currently undeveloped and does not serve a functional purpose. The closure will facilitate the incorporation of road allowances with adjacent municipal lands, thereby making administration and development of these lands more efficient. Such a closure is considered standard practice as it will allow the entire plot of land to be consolidated and treated as a contiguous parcel. Closure and consolidation of the road allowance with the adjacent municipal owned lands will provide increased planning flexibility in the design and expansion of the Conklin cemetery.

Attachments:

1. Subject Area Map
2. Proposed Bylaw No.

CONKLIN CEMETERY ROAD CLOSURE

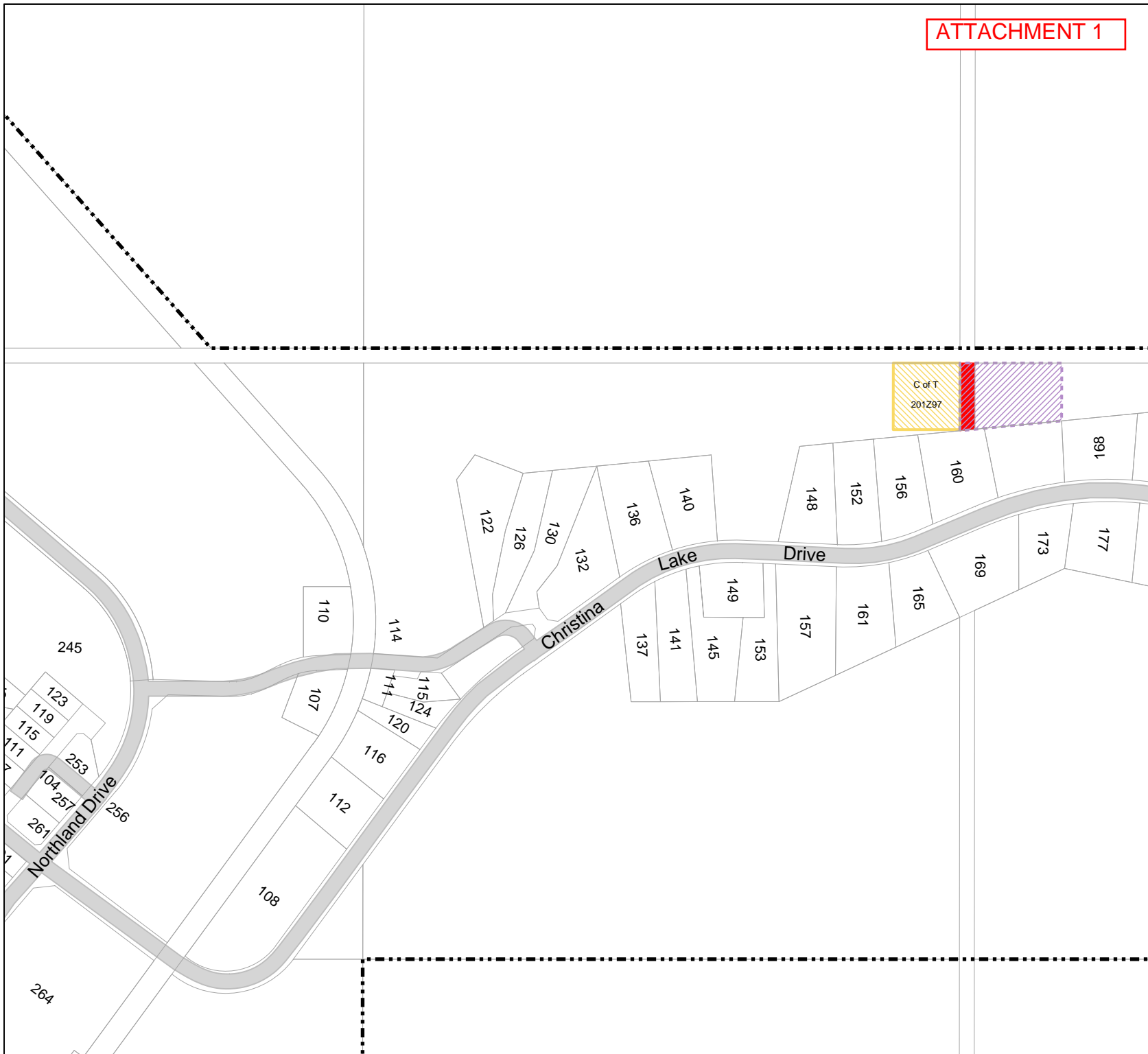
-  Road Closure
-  Conklin Cemetery
-  Cemetery Expansion
-  Survey Parcel
-  Road
-  Community Boundary



0 50 100 150 200
Meters

Map created by the Geographic Information
Systems Branch on October 20, 2010

SI0600



BYLAW NO. 11/002

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO FOR THE PURPOSE OF CLOSING AND CREATING TITLE TO UNDEVELOPED GOVERNMENT ROAD ALLOWANCES

WHEREAS application has been made to the Council of the Regional Municipality of Wood Buffalo to close undeveloped government road allowances pursuant to the requirements of section 22 of the *Municipal Government Act*, RSA 2000, c.M-26, as amended;

WHEREAS the Council of the Regional Municipality of Wood Buffalo deems it expedient to provide for the purpose of closing certain roads, or portions thereof, situated in the said municipality, and thereafter disposing of same;

WHEREAS, notice of the intention of Council to pass a bylaw has been given in accordance with Section 606 of the *Municipal Government Act*; and

WHEREAS, Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw,

NOW THEREFORE BE IT RESOLVED that the Council of the Regional Municipality of Wood Buffalo in the Province of Alberta hereby enact as follows:

1. The following described road allowances are hereby closed for the purpose of creating title subject to the right of access granted by other legislation:

MERIDIAN 4 RANGE 7 TOWNSHIP 76

ALL THAT PORTION OF THE ORIGINAL GOVERNMENT ROAD ALLOWANCE ADJOINING THE WEST BOUNDARY OF THE NORTH WEST QUARTER OF SECTION 32 WHICH LIES NORTH OF THE NORTH BOUNDARY OF LOT 49, PLAN 8321550

2. This bylaw shall become effective when it has received third and final reading and has been signed by the Mayor and Chief Legislative Officer.

READ a first time this _____ day of _____, A.D. 2011.

Mayor

Chief Legislative Officer

APPROVED this _____ day of _____, A.D. 2011.

Minister of Transportation

READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.

SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

Chief Legislative Officer