



REGIONAL MUNICIPALITY  
OF **WOOD BUFFALO**

## **Council Meeting**

Jubilee Centre Council Chamber  
9909 Franklin Avenue, Fort McMurray

Tuesday, May 11, 2010  
6:00 p.m.

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### **Agenda**

#### **Call to Order**

#### **Opening Prayer**

#### **Adoption of Agenda**

#### **Minutes of Previous Meetings**

1. Regular Meeting – April 27, 2010

#### **Delegations**

2. Ms. Anna Gerecs, Cerebral Palsy Association Alberta, re: Cerebral Palsy Awareness Month
3. Ms. Sheila Bailey re: Bylaw 10/002 – Roads and Transportation Bylaw - Alternating Flashing Lights on School Buses
4. Adele Thomson, Oil Sands Developers Group re: Bylaw 10/010 - Tax Rate Bylaw
5. Fort McMurray Chamber of Commerce/Fort McMurray Construction Association re: Bylaw No. 10/010 – Tax Rate Bylaw

*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.*

#### **Presentations** – None Scheduled

**Public Hearings** – None Scheduled

**Bylaws**

6. Bylaw No. 10/002 – Roads and Transportation Bylaw Amendment (*1<sup>st</sup> reading*)
7. Bylaw No. 10/012 – Land Use Bylaw Amendment re: Portion of N1/2 Section 15, Township 88, Range 8, W4M (along Highway 69) (*1<sup>st</sup> reading*)
8. Bylaw No. 10/013 – Land Use Bylaw Amendment – Portion of Lot 1A, Plan 012 3208 (Stonecreek – Parcel F) (*1<sup>st</sup> reading*)
9. Bylaw No. 10/017 – Land Use Bylaw Amendment – Parsons Creek - parts of Lot 1, Block 1, Plan 092 4694 (*1<sup>st</sup> reading*)
10. Bylaw No. 10/010 – 2010 Tax Rate Bylaw (*2<sup>nd</sup> and 3<sup>rd</sup> readings*)

**Reports**

**New and Unfinished Business**

11. Notice of Motion re: Request for Report on Employee Statistics
12. Notice of Motion re: Request for Report on Reorganizations

**Updates**

- Mayor's Update
- Reporting of Councillors on Boards and Committees
- Administrative Update

**Adjournment**



REGIONAL MUNICIPALITY  
OF WOOD BUFFALO

## Request To Make A Presentation At A Council Meeting Or Public Hearing

Requests to make a public presentation must be received by 12:00 noon on the Wednesday immediately preceding the scheduled meeting/hearing. *Presentations are a maximum of 5 minutes in duration.* Additional information may be submitted to support your presentation.

CONTACT INFORMATION	
Name of Presenter:	CEREBRAL PALSY ASSOC. ALBERTA
Mailing Address:	
Telephone Number:	(Day) If we cannot confirm your attendance, your request may be removed from the Agenda.
E-Mail Address (if applicable):	
PRESENTATION INFORMATION	
Preferred Date of Presentation:	MAY 11, 6PM COUNCIL MEETING
Topic:	PROCLAIMING MAY AS CEREBRAL PALSY AWARENESS MONTH
Please List Specific Points/Concerns:	1. PROCLAMATION TEXT ATTACHED FOR MAYOR TO READ 2. ONE OF OUR MEMBERS WHO HAS CP AND LIVES IN FORT McMURRAY WOULD ATTEND 3. PHOTO OPPORTUNITY OF THE MAYOR WITH OUR MEMBER
If speaking at a Public Hearing, clearly state your support or opposition to the bylaw along with any related information:	
Action Being Requested of Council:	MAYOR TO READ ATTACHED PROCLAMATION AT COUNCIL MEETING, OUR MEMBER TO ATTEND

*As per Procedure Bylaw No. 06/020, a request to make a presentation may be referred or denied.*

Please return completed form, along with any additional information, to:

Chief Legislative Officer  
Regional Municipality of Wood Buffalo  
9909 Franklin Avenue  
Fort McMurray, AB T9H 2K4  
Telephone: (780) 743-7001  
Fax: (780) 743-7028



Please Note: All presentations are heard at a public meeting; therefore, any information provided is subject to FOIP guidelines and may be released upon request.



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CONTACT INFORMATION	
Name of Presenter:	Sheila Bailey P.Eng PRSP
Mailing Address:	
Telephone Number:	(Day) If we cannot confirm your attendance, your request may be removed from the Agenda.
E-Mail Address (if applicable):	
PRESENTATION INFORMATION	
Preferred Date of Presentation:	May 11 2010
Topic:	Alternating Flashing Lights on School Buses
Please List Specific Points/Concerns:  If speaking at a Public Hearing, clearly state your support or opposition to the bylaw along with any related information:	<ol style="list-style-type: none"> <li>1. Fort McMurray is one of a few municipalities in AB that prohibit flashing lights on buses within city limits; all other cities at least use yellow lights</li> <li>2. Alberta, Saskatchewan &amp; B.C are only provinces in Canada that allow the requirement to be waived - most of our population come from areas where buses use lights</li> <li>3. My son witnessed a serious near miss</li> <li>4. We need to be consistent in the rules.</li> </ol>
Action Being Requested of Council:	Modify Bylaw 02/079 "Roads & Transportation Bylaw" section 40.9

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MAY 05 2010

REGIONAL MUNICIPALITY  
OF WOOD BUFFALOLEGISLATIVE & LEGAL  
SERVICES

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CONTACT INFORMATION	
Name of Presenter:	Adele Thomson, Oil Sands Developers Group
Mailing Address:	
Telephone Number:	(Day) If we cannot confirm your attendance, your request may be removed from the Agenda.
E-Mail Address (If applicable):	
PRESENTATION INFORMATION	
Preferred Date of Presentation:	Tuesday, May 11, 2010
Topic:	Support for mill rate bylaw
Please List Specific Points/Concerns:  If speaking at a Public Hearing, clearly state your support or opposition to the bylaw along with any related information:	1. <u>The OSDG would like to provide support for the tax rate bylaw proposed by Administration on Apr. 29, 2010</u> 2. <u>The bylaw is supported by planning tools and processes endorsed by Council and Administration</u> 3. <u>OSDG has engaged with RMWB Council and Admin. to ensure the latest project info is included in the tools</u>
Action Being Requested of Council:	Recognition of support

*As per Procedure Bylaw No. 06/020, a request to make a presentation may be referred or denied.*

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 Regional Municipality of Wood Buffalo  
 9909 Franklin Avenue  
 Fort McMurray, AB T9H 2K4  
 Telephone: (780) 743-7001  
 Fax: (780) 743-7028

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RECEIVED  
MAY 05 2010  
LEGISLATIVE & LEGAL  
SERVICES



**Request To Make A Presentation  
At A Council Meeting Or Public Hearing**

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**Contact Information**

Name of Presenter:	Fort McMurray Chamber of Commerce/Fort McMurray Construction Association
Mailing Address:	
Telephone Number:	DAY (If we cannot confirm your attendance, your request may be removed from the Agenda)
Email Address (If applicable):	

**Presentation Information**

Preferred Date of Presentation:	May 11, 2010
Topic:	Bylaw No. 10/010 - 2010 Tax Rate Bylaw
Please List Specific Points/Concerns: If speaking at a Public Hearing, clearly state your support or opposition to the bylaw along with any related information:	1. Support of the bylaw as presented
Action Being Requested of Council:	

As per Procedure Bylaw No. 06/020, a request to make a presentation may be referred or denied.

Please return completed form, along with any additional information, to:

Chief Legislative Officer  
Regional Municipality of Wood Buffalo  
9909 Franklin Avenue, Fort McMurray, AB T9H 2K4  
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**Subject: Bylaw No. 10/002 – Roads and Transportation Bylaw  
Amendment****APPROVALS:**

Darcy Elder, Director  
Carol Theberge, Divisional Manager  
Kelly Kloss, Interim Chief Administrative Officer

**Administrative Recommendation(s):**

THAT Bylaw 10/002, being an amendment to the Roads and Transportation Bylaw, be read a first time.

**Summary:**

The Roads and Transportation Bylaw No.02/079 requires revisions in several areas to better align with current community needs and with current transportation, legislative, and regulatory standards. Administration is proposing amendments to the Roads and Transportation Bylaw to incorporate the usage of stop arms on school buses within the Urban Service Area and to implement related fines for non-compliance. It will also address Mackenzie Boulevard speed limit reductions and administrative changes. The proposed amendments to the Roads and Transportation Bylaw are as follows: to delete Section 4.09 in its entirety and allow for the use of stop arms and flashing red lights in the Urban Service Area; establish fines of \$500 for non-compliance to stop arms and flashing lights; lower the speed limit on MacKenzie Boulevard to 50 km/hr; and to add to the bylaw the newly acquired section of Highway 69 that extends from 500 meters east of Mackenzie Boulevard to the airport access road. General administrative changes will also be addressed to increase clarity on sidewalk snow removal, littering, street advertising and on-street parking.

**Background:****School Bus Flashing Red Lights and Stop Arms**

Prior to 1986, it was unlawful for school buses to display flashing red lights or a stop arm within municipal boundaries. In 1986, the *Highway Traffic Act* was changed to make flashing red lights mandatory, except for those municipalities of 10,000 or more who passed a bylaw to prohibit such use on roadways of 50 km/hr or less. The exemption recognized that in low speed urban situations municipalities may wish to require riders on school buses to use existing traffic controls, such as stop signs, signals, or crosswalks. The former City of Fort McMurray (now the

Urban Service Area) did pass a bylaw in September, 1986, which prohibited the use of flashing red lights and stop arms where the speed limit was 50 km/hr or less.

In October, 1987, the use of flashing red lights or a stop arm was revisited and a public meeting held. The result was that Council maintained the status quo.

Over the years, the Municipality has received repeated requests from the public to allow the usage of stop arm and flashing red lights in the Urban Service Area. Many residents who have relocated to Wood Buffalo come from communities that require the use of flashing red lights and stop arms. The Fort McMurray Catholic School Board, the Fort McMurray Public School Board and Sparksman Transportation Company were consulted and all parties supported the use of flashing red lights and stop arms for the Urban Service Area. Based on this consultation, Administration supports the school boards and the public request to allow the use of stop arms and flashing lights in the Urban Service Area.

Educating the public is critical to supporting the use of flashing red lights and stop arms. The Municipality and school boards will develop a public awareness campaign around school bus safety even if no change is made to the bylaw. To enforce this change, the Administration is proposing a fine for non-compliance of \$500 per incident, which incorporates the fee schedule of the *Traffic Safety Act*.

It has been also agreed by all parties involved within the consultations that the effective date of the amendment will be August 16, 2010.

### **MacKenzie Boulevard Reduced Speed Limit**

In consultation with RCMP/Bylaw Services, Administration is proposing a lower speed limit for all of MacKenzie Boulevard in an attempt to reduce concern about the severe collision potential along this street.

Schedule 1 of the *Roads and Transportation Bylaw* No.02/079 will be amended by removing reference to the 70 km/hr speed limit. This will result in the speed of the roadway defaulting to 50 km/hr.

### **Newly acquired portion of Highway 69 Speed Limit excluded from default speed limit**

The bylaw needs to be amended to reflect the newly acquired portion of Highway 69 that extends from 500 meters east of MacKenzie Boulevard to the Urban Service Area limit, located on the east side of Airport Road access intersection. This section of roadway is to be excluded from the 50 km/hr default speed limit and be designated at a speed limit of 100 km/hr in Schedule 1 to remain consistent with existing highway speed limits.

### **General Items**

In reviewing the Roads and Transportation Bylaw, there were several housekeeping items that required clarity. Changes are as follows:



- Section 7.03 - addition: Within one and one-half (1.5) metres of an access to a garage, private road or driveway, or vehicle crossway over a sidewalk; (this will enable peace officers to have accurate measurements for violations).

- Section 7.38 - addition: parallel parking - this section has been added to provide peace officers more clarity of measurement for parking violations.

- Section 7.39 - addition: this section deals with parking a motorcycle that was previously not included in the roads and transportation bylaw.

- Section 7.38 and 7.39 fines for failure to parallel park and failure to angle park - were not previously listed in the schedule and there is a need to speak to the specific parking offence whether it is parallel parking or angle parking.

- Section 7.41 and 7.42 - addition: this section deals with angle parking which was not addressed in the previous bylaw. It is consistent with other municipalities in the province.

- Section 7.43 - addition: this section pertains to advertising on highways and was previously not included in the bylaw. This is also consistent with other municipalities in the province.

- Fines - Schedule 5 - Section 7.37 was added - parking a vehicle without subsisting license plate displayed - fine \$120 - was not in the previous bylaw. This is consistent with other municipalities.

- Section 13.09 - Littering - slight changes in wording to ensure consistency in the message with respect to weight and volume.

-Section 13.26.1 – Sidewalk Snow Removal – removal of section due to duplication of wording with 13.26.

-Insertion of new title “Part 16 – Administration” because of the addition of a new section.

### **Alternatives:**

1. No amendments to the bylaw.
2. Adopt the proposed amendments.
3. Amend the bylaw to adopt only some of the proposed changes.

### **Budget/Financial Implications:**

Costs for an eight week public awareness campaign on school bus flashing red lights and stop arm usage are estimated at \$15,212 and are included in the 2010 Operating Budget.

Cost for new signage of \$2,000 on MacKenzie Boulevard is included in the 2010 Operating Budget.

### **Rationale for Recommendation(s):**

#### **School Bus Flashing Lights and Stop Arms**

The changes being proposed are to align the *Roads and Transportation Bylaw* with safety cultures observed throughout Canada. Amendments to Bylaw 10/002 will meet the requirements of Fort McMurray residents that support flashing lights and stop arms as increasing the safety of students entering and exiting school buses on our roadways.

The Municipality asked the school boards what their preference was as this pertained to the transportation system for their students; both the school boards and Sparksman Transportation Company support this amendment. Sparksman Transportation Company will monitor the conduct of their bus drivers to ensure they adhere to the local laws and ensure any modifications to the school buses are made. The school boards will embark on a public awareness campaign of their own, targeting parents and students.

The Municipality obtained a legal opinion as to whether amending the bylaw to allow usage of flashing red lights and stop arms would change the liability of the Municipality. The legal opinion reflected that changing the bylaw did not increase the Municipality's liability.

#### **MacKenzie Boulevard Reduced Speed Limit**

The reduction in speed would complement the current section of road from MacAlpine Crescent north junction to Highway 69 which is already established at 50 km/hr.

#### **Newly acquired portion of Highway 69 Speed Limit excluded from default speed limit**

This section of roadway is currently posted at the 100 km/hr speed limit and there is no engineering evidence for a reduction in speed at this location.

#### **General**

There are several housekeeping changes that are proposed to assist the RCMP and Bylaw Services Division when enforcing sidewalk snow removal, on-street parking, advertising of goods for sale, and littering offences. The officers have experienced difficulty enforcing the current provisions of the bylaw because of ambiguities.

### **Attachments:**

1. Bylaw No 10/002
2. Map of MacKenzie Boulevard (MacKenzie Industrial Park) Nov 5, 2009
3. Hwy 69 Roads Bylaw Amendment 2010

**BYLAW NO. 10/002**

**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, c.T-6, and the *Municipal Government Act*, R.S.A. 2000, c.M-26, empowers a municipal council to pass bylaws dealing with the regulation, control and management of highways;

**AND WHEREAS** Section 191 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, provides that Council may amend or repeal a bylaw;

**AND WHEREAS** Council deems it expedient and in the public interest to pass this bylaw;

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

1. THAT Bylaw No.02/079 is hereby amended by:

- a) Replace the text in Section 3.01 “Z. “Rural Service Area” as defined in Order in Council 817/94” with “Z. “Rural Service Area” as defined in Order in Council 817/94, as amended from time to time;
- b) Replace the text in Section 3.01 “GG. “Urban Service Area” as defined in Order in Council 817/94” with “GG. “Urban Service Area” as defined in Order in Council 817/94”, as amended from time to time;
- c) Deleting clause Section 4.09 in its entirety.
- d) Deleting the following from Schedule 1 (70 KM./HOUR):

	FROM	TO
“MacKenzie Boulevard	MacAlpine Crescent	Highway #69”;

- e) Inserting the following into Schedule 1 (100KM/HOUR)

	FROM	TO
“Highway 69	500m east of Mackenzie Blvd	Urban Service Area limit access intersection; east side of Airport Road”;

- e) Inserting the following into Section 7.03:

H. within one and one-half (1.5) metres of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;

f) Inserting the following immediately after Section 7.37:

“Parallel Parking

7.38 When parking a vehicle on a roadway, a person may only park a vehicle

- A. with the sides of the vehicle parallel to the curb or edge of the roadway, and the right wheels of the vehicle not more than five hundred (500) millimetres from the right curb or edge of the roadway; or
- B. in the case of a one-way highway where parking on either side is permitted, with the sides of the vehicle parallel to the curb or edge of the roadway, the wheels that are the closest to a curb or edge of the roadway not more than five hundred (500) millimetres from that curb or edge, and the vehicle facing in the direction of travel authorized for the highway.

7.39 Notwithstanding Section 7.38, a person may park a motorcycle

- A. at an angle, other than perpendicular, to the curb or edge of the roadway; and
- B. with the nearest wheel of the motorcycle not more than five hundred (500) millimetres from the curb or edge of the roadway, and the motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is parked.

7.40 Section 7.38 does not apply where angle parking is permitted or required.

Angle Parking

7.41 When a sign indicates that angle parking is permitted or required, and parking guidelines are visible on the roadway:

- A. a person may only park a vehicle with the vehicle's sides centered between and parallel to any two of the guidelines; and
- B. in the case of a vehicle other than a motorcycle, with one front wheel not more than five hundred (500) millimetres from the curb or edge of the roadway; or
- C. in the case of a motorcycle, with the nearest wheel of the motorcycle not more than five hundred (500) millimetres from the curb or edge of the roadway, and the motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to

the lane on which the motorcycle is parked.

- 7.42 When a sign indicates that angle parking is permitted or required, and no parking guidelines are visible on the roadway,
- A. a person may only park a vehicle with the vehicle's sides at an angle of between thirty (30) and sixty (60) degrees to the curb or edge of the roadway; and
  - B. in the case of a vehicle other than a motorcycle, with the nearest wheel not more than five hundred (500) millimetres from the curb or edge of the roadway; or
  - C. in the case of a motorcycle, with the nearest wheel of the motorcycle not more than five hundred (500) millimetres from the curb or edge of the roadway, and the motorcycle angled adjacent to the lane on which the motorcycle is parked.”;

Advertising on Highways

- 7.43 A person shall not do any of the following on a highway, excluding private driveways and private land:
- A. display any goods for sale;
  - B. offer any goods for sale;
  - C. sell any goods; or
  - D. park a vehicle that is being displayed for sale or that is displaying advertising directing persons to a commercial premises.”;
- g) Deleting Section 13.26.1;
- h) Inserting the following into Schedule 5 (Penalties and Fines):
- Section “7.37”, Offence – “Parking a vehicle without subsisting licence plate displayed.” Fine – “\$120”;
- i) Inserting the following into Schedule 5:
- Section “7.38”, Offence – “Failure to parallel park.” Fine – “\$120”;
- j) Inserting the following into Schedule 5:
- Section “7.39”, Offence – “Failure to Angle Park.” Fine – “\$120”;

- k) Inserting the following into Schedule 5:  
Section “7.41”, Offence – “Failure to Angle Park.” Fine – “\$120”;
  - l) Inserting the following into Schedule 5:  
Section “7.42”, Offence – “Failure to Angle Park.” Fine – “\$120”;
  - m) That the following title be inserted after section 15.13 “Part 16 – Administration”.
  - n) Re-numbering Sections 15.14, 15.15, and 15.16; as sections 16.01, 16.02 and 16.03, respectively.
  - o) Deleting the existing text from Schedule 5 Section 13.09 (first occurrence) and inserting the following:  
  
Section – “13.09”, Offence - “Littering where the amount of litter is less than or equals twenty (20) kilograms in weight or one half (0.5) cubic metres in volume.”, Fine – “Min \$500.00 + clean-up cost”;
  - p) Deleting the existing text from Schedule 5 Section 13.09 (second occurrence) and inserting the following:  
  
Section – “13.09”, Offence - “Littering where the amount of litter exceeds twenty (20) kilograms in weight or one half (0.5) cubic metres in volume.” Fine – “Min \$1000.00 + clean-up cost”;
2. THAT the Chief Administrative Officer shall be authorized to consolidate this bylaw.
3. THAT this Bylaw shall become effective at 12:01 am, August 15, 2010.
- READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.
- READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.
- READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.
- SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

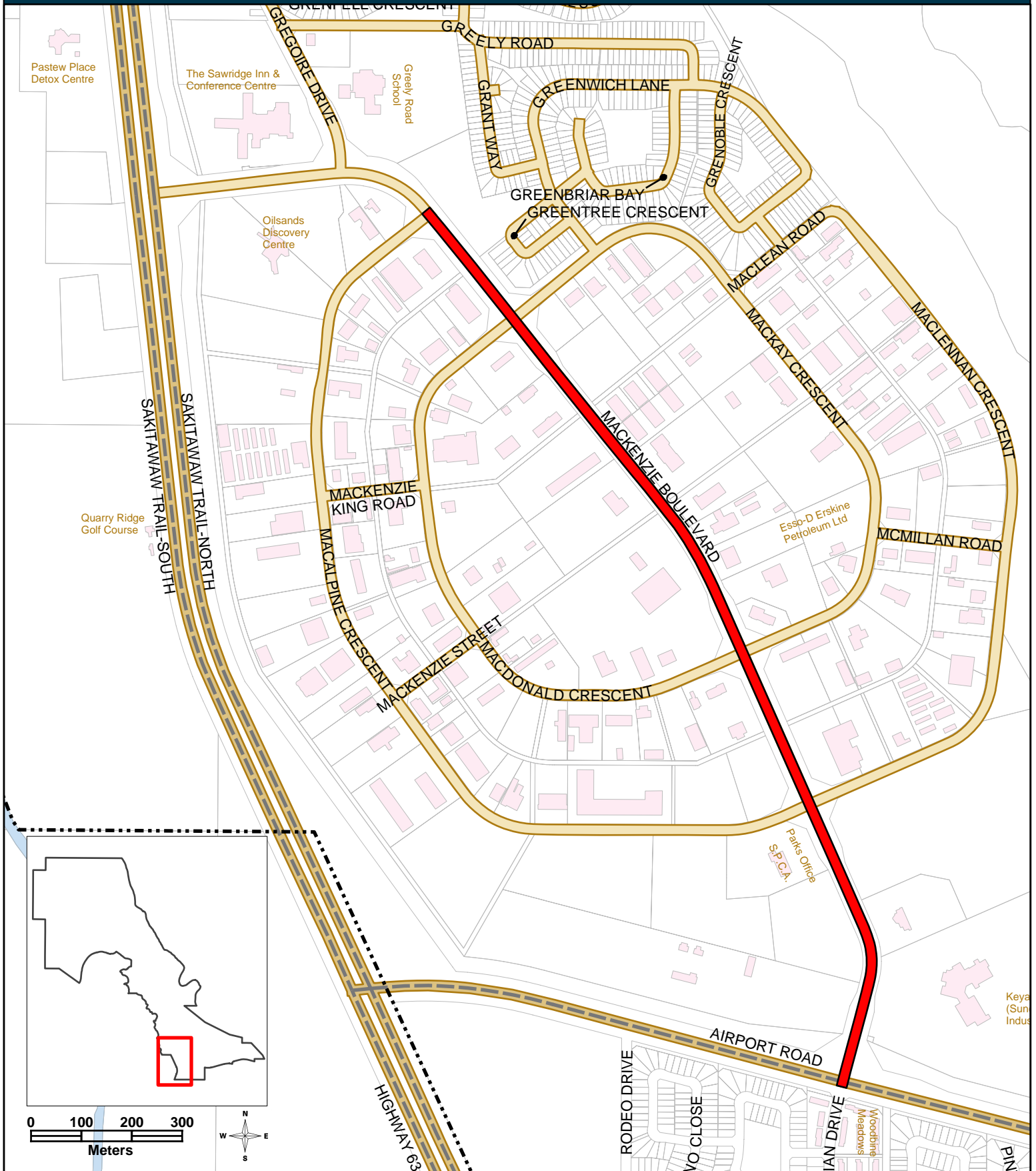
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MAYOR

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CHIEF LEGISLATIVE OFFICER

# MACKENZIE INDUSTRIAL PARK



Subject Road



Building



Parcel



Urban Area



Road



Highway

## MACKENZIE BOULEVARD



REGIONAL MUNICIPALITY  
OF WOOD BUFFALO

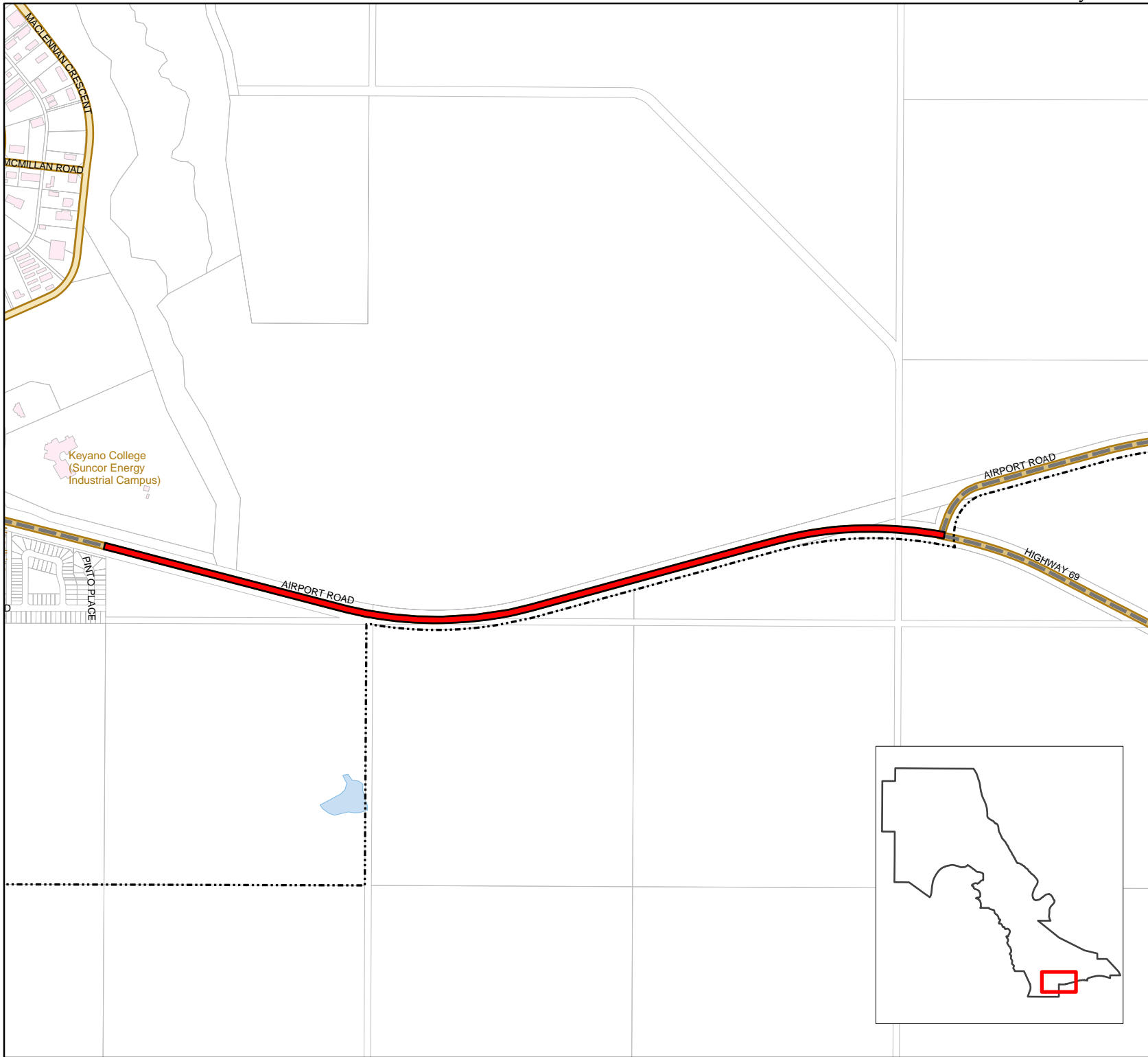
Map created by the Geographic Information  
Systems Branch on November 5, 2009  
Updated March 16, 2010  
ID0355



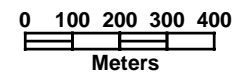


# HIGHWAY 69 ROADS BYLAW AMENDMENT

- Subject Road
- Building
- Parcel
- Urban Area
- Road
- Highway



1:16,000



**Subject: Bylaw No. 10/012 – Land Use Bylaw Amendment – Portion of N½ Section 15, Township 88, Range 8, W4M (along Highway 69)****APPROVALS:**

Dennis Peck, General Manager, Planning and Development  
Carol Theberge, Divisional Manager, Public Services  
Kelly Kloss, Chief Administrative Officer (Interim)

**Recommendation:**

THAT Bylaw No. 10/012, being a Land Use Bylaw Amendment to a portion of N½ Section 15, Township 88, Range 8, W4M (along Highway 69), be read a first time.

**Summary:**

An application has been received to amend Land Use Bylaw 99/059 to include the land uses “Campground” and “Resort Facility” as Discretionary Uses specific to N½ Section 15, Township 88, Range 8, W4M in the Urban Expansion District.

The authority to amend the Land Use Bylaw is vested with Council under the Municipal Government Act.

**Background:**

An application has been made to develop a campground and resort facility on the subject lands. The land is currently unleased Crown land on which the proponent has an application before the Crown. Issuance of a lease will depend upon municipal support for the intended land use.

The amendment application proposes the future development of a 75-stall RV campground supported by trails, ponds, and other amenities on-site – with the potential for further expansion. This proposed development is to provide recreational opportunities for residents of Fort McMurray and the surrounding area.

The Highway 69/Clearwater River Valley Area Structure Plan (ASP) was adopted by Council on January 25, 2000 to direct future development of the area to the immediate southeast of the Urban Service Area. The ASP outlines the need and opportunities for development of parks, trails and camping facilities, and supports the recreational use of a campground at this location.

The land is currently designated as Urban Expansion District, which provides a transitional zoning district to protect land in the Rural Service Area from premature subdivision and development. The land uses “Campground” and “Resort Facility” have previously been considered for development in this land use district and supported by Council on a site-specific basis (Bylaws No. 03/019 and 07/034).

The existing land uses immediately surrounding the subject lands include undeveloped land, miscellaneous dry industrial / storage facilities, and the Fort McMurray Airport.

**Rationale for Recommendation(s):**

The proposed amendment provides for further development of a range of outdoor recreational opportunities. Administration believes that the development of a campground and resort facility on the subject lands will benefit the community without being in conflict with surrounding industrial developments.

**Policy 5.2.9 of the Highway 69/Clearwater River Valley ASP:**

“Require business industrial areas, through the provisions of the Land Use Bylaw and other municipal bylaws, to ensure quality development through the siting and design of buildings, landscape treatment, location and screening of storage and parking areas, and the appropriate scale and design of signing that recognizes the surrounding natural and/or industrial setting of the area.”

**Policy 5.4.2 of the Highway 69/Clearwater River Valley ASP:**

“Allow for the expansion of the Rotary Park Campground and consider proposals from private interests and public/private partnerships to develop a campground with full RV hook-ups at the Texaco stocked ponds to meet the demand for more camping facilities in the region.”

The Commercial and Industrial Land Use Study (CILUS) was presented to Council as information in January 2010 and identifies this area (south of Highway 69) for future industrial development. In the CILUS report, this area is identified as a "priority two" area for development.

However, future development within the area will still require, at minimum, the development of an implementation strategy, acquisition of land, and installation or upgrades of municipal infrastructure to service the area to an appropriate standard. Therefore, it is reasonable to expect that any industrial development in the area in the short/medium term will not be so intense as to impact the proposed recreational use.

Also, the current amendment application proposes to develop a service which has been identified (Highway 69/Clearwater River Valley ASP Policy 5.4.2) as a need within the Region, and the developed campground will not be an intensive use of the land. Due to these factors, Administration believes that there will be no foreseeable conflict in land use as a result of the implementation of the CILUS recommendations.

The applicant intends to meet all requirements of Municipal Plans and Bylaws. The specifics of these requirements will be dealt with at the Development Permit stage.

Administration supports the proposed amendment and recommends that Bylaw No. 10/012 be given first reading to allow for the scheduling of a public hearing. While Administration supports the concept, it is recommended that only first reading be given to the amending bylaw until confirmation that a lease will be issued by the Crown. If no lease is forthcoming, then the bylaw would lapse over time.

**Attachments:**

1. Bylaw No. 10/012

**BYLAW No. 10/012**

**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 Land Use Bylaw No. 99/059 is hereby amended by deleting the designation “Resort Facility - specific to parts of NW 1/4 Sec 17 and SW 1/4 Sec 20-88-9-W4M” in the UE – Urban Expansion District in Section 115.3, and replacing it with the following:  
  
“Resort Facility - specific to parts of N½ Sec 15-88-8, NW ¼ Sec 17, and SW ¼ Sec 20-88-9-W4M”
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 \_\_\_\_\_ day of \_\_\_\_\_, A.D 2010.

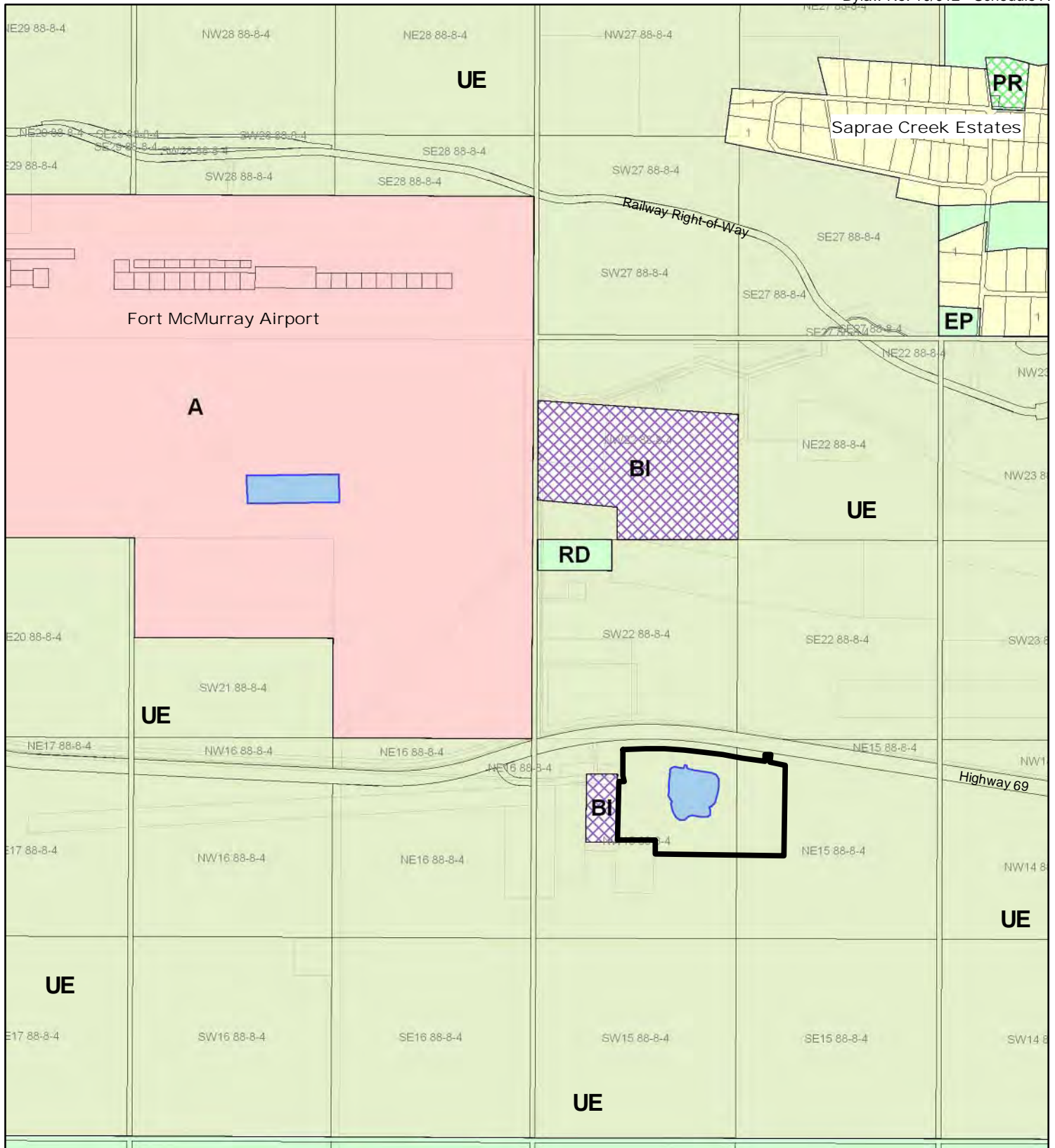
READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Legislative Officer



## Land Use Bylaw Amendment



N 1/2 Sec. 15-88-8-4

Add 'Campground' & 'Resort Facility' as discretionary uses in UE (Urban Expansion District)



**Subject: Bylaw No. 10/013 – Land Use Bylaw Amendment – Portion of Lot 1A, Plan 012 3208 (Stonecreek – Parcel F)**

**APPROVALS:**

Dennis Peck, General Manager, Planning and Development  
Carol Theberge, Divisional Manager, Public Services  
Kelly Kloss, Chief Administrative Officer (Interim)

**Administrative Recommendation:**

THAT Bylaw No. 10/013, being a Land Use Bylaw Amendment – Lot 1A, Plan 012 3208, (Stonecreek – Parcel F), be read a first time.

**Summary:**

An application has been received to amend the Land Use Bylaw to allow for reallocation of unit densities in multiple areas of Stonecreek.

The authority to amend the Land Use Bylaw is vested with Council under the Municipal Government Act.

**Background:**

The Timberlea Area Structure Plan was amended in 2007 to restrict Stonecreek to 1685 housing units. This restriction was based upon full utilization of available servicing capacity. The amendment further specified that 62% of the units would be medium density development, which is typified by townhouses and low-rise apartment buildings. The supporting Land Use Bylaw amendment also set specific maximum densities for selected Medium Density Residential (R3) parcels within Stonecreek. These densities represent more restricted development options than would be allowed under the Land Use Bylaw designation.

A number of changes to both land use designations and densities within Stonecreek are proposed. Specifically, the following is proposed:

- Increase the size of Site 7 (Attachment 2) by rezoning 14 Single Detached Residential units (R1) to Medium Density Residential (R3) (a reduction of 14 R1 units);
- Reduce the maximum developable units on Site 7 from 40 to 21 (a reduction of 19 R3 units);
- Increase the amount of Single Family Small Lot Residential (R1S) units by rezoning two sections of R1 units (a redesignation of 173 R1 units to permit 189 R1S units);
- Increase the size of the Parks and Recreation (PR) parcel along the eastern boundary of Stonecreek by rezoning one unit from R1 to PR (a reduction of one R1 unit and an increase in park space of 0.09 hectares); and,



- Increase the density of Site 1 from 102.5 to 105.1 units/hectare by permitting an increase of three units (an addition of three R3 units).

**Rationale for Recommendation(s):**

The Timberlea Area Structure Plan supports medium density development for Stonecreek - Parcel F. The proposed amendments to reallocate densities between parcels are in keeping with this design concept. This amendment, if adopted, will continue to allow for a maximum of 1685 units to be developed in Stonecreek.

The most significant change in this amendment is the redesignation of 188 R1 units to 189 R1S units. This will result in a reduction of 0.37 metres in the average lot width (from 12.62m per the original design, to 12.25m as a result of this amendment). This is not a significant reduction and will not impact the use, enjoyment, amenity or value of properties within the area. The lots are still intended to be developed as single detached dwellings (Attachment 3).

Flexibility in site design, especially in a development area with topographical constraints as found in Stonecreek, is appropriate where the use, enjoyment, amenity and value of the neighbourhood remain unaffected. Administration maintains that the density reallocation proposed by this amendment will not negatively impact neighbouring parcels or the development area as a whole.

Administration supports the proposed amendment and recommends that Bylaw No. 10/013 be given first reading to allow for the scheduling of a public hearing.

**Attachments:**

1. Bylaw No. 10/013
2. Proposed Density Reallocation Map
3. R1S Development Concept

**BYLAW No. 10/013**

**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 Land Use Bylaw No. 99/059 is hereby amended by:
  - (a) Changing the land use designation of a portion of Lot 1A, Plan 012 3208 from R1 – Single Detached Residential District to R1S – Single Family Small Lot Residential District; R3 – Medium Density Residential District; and PR – Parks and Recreation District as shown on Schedule A, attached hereto and forming part of this Bylaw;
  - (b) Deleting the words “102.5 units/ha” from Section 98.5(i)(iii) and inserting “105.1 units/ha”;
  - (c) Deleting the words “29.7 units/ha” from Section 98.5(i)(vii) and inserting “7.75 units/ha.”
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 \_\_\_\_\_ day of \_\_\_\_\_, A.D 2010.

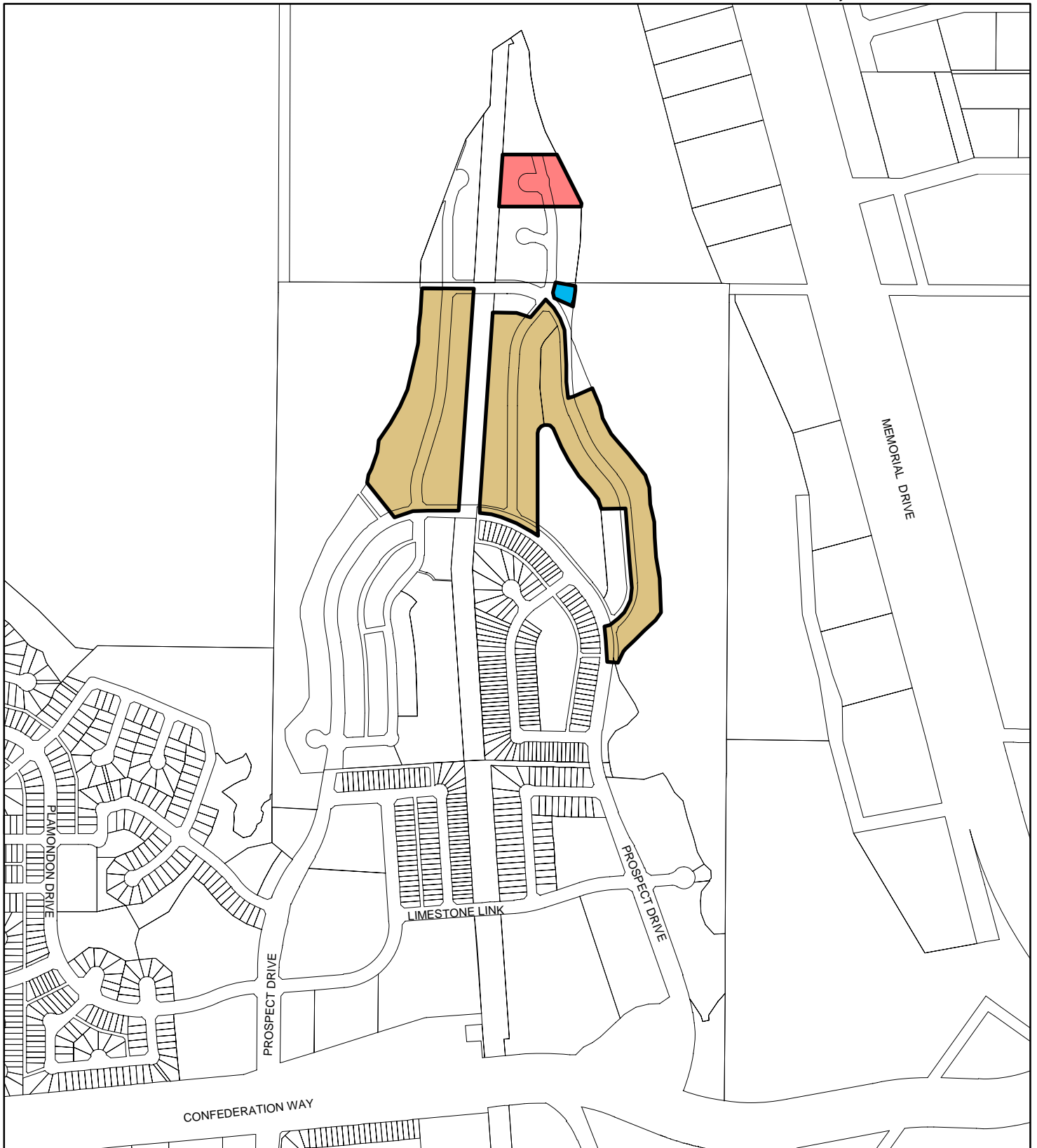
READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Legislative Officer



### LAND USE BYLAW AMENDMENT



From R1 (Single Detached Residential) to R3 (Medium Density Residential)

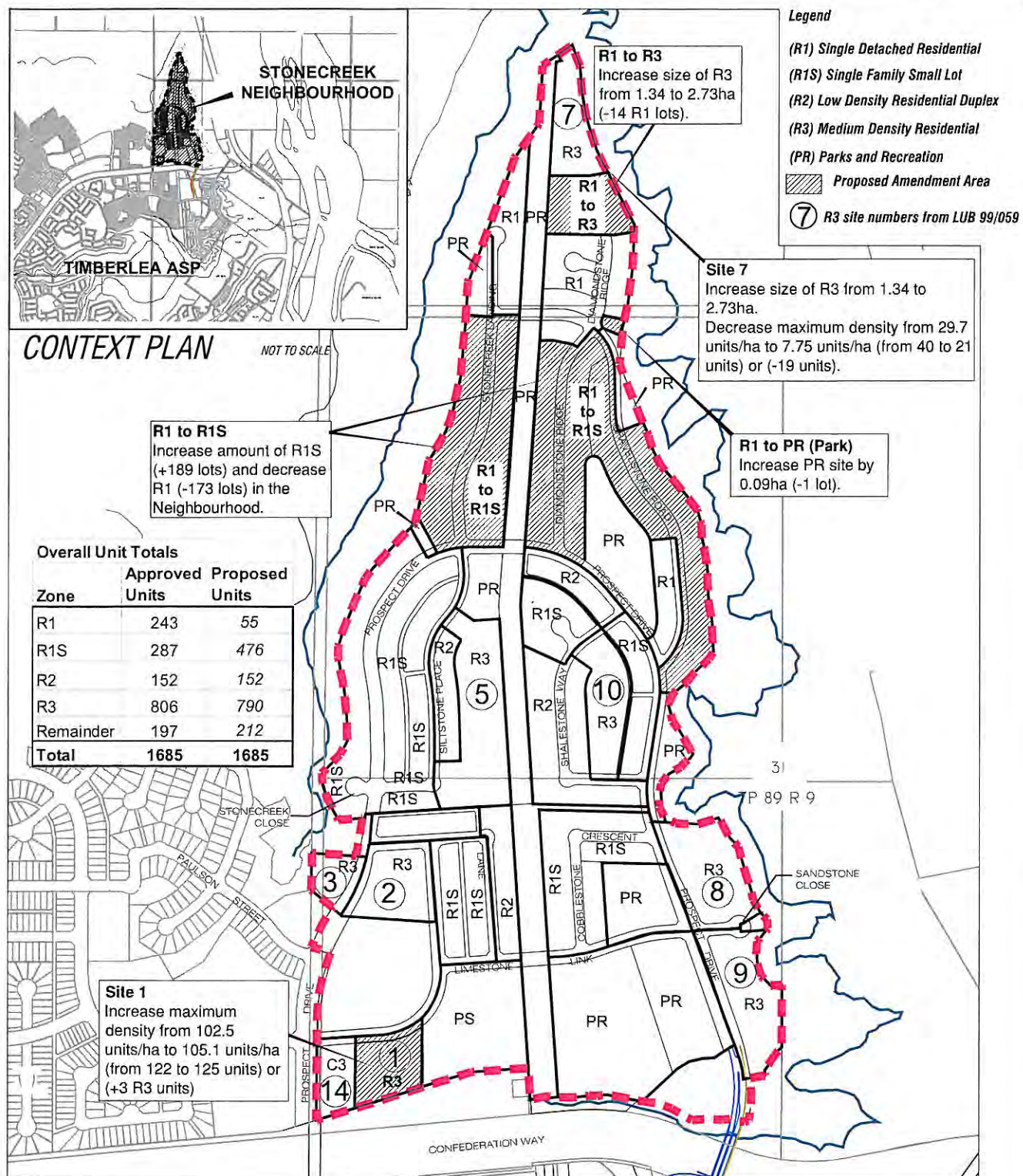


From R1 (Single Detached Residential) to PR (Parks and Recreation)



From R1 (Single Detached Residential) to R1S (Single Family Small Lot Residential)





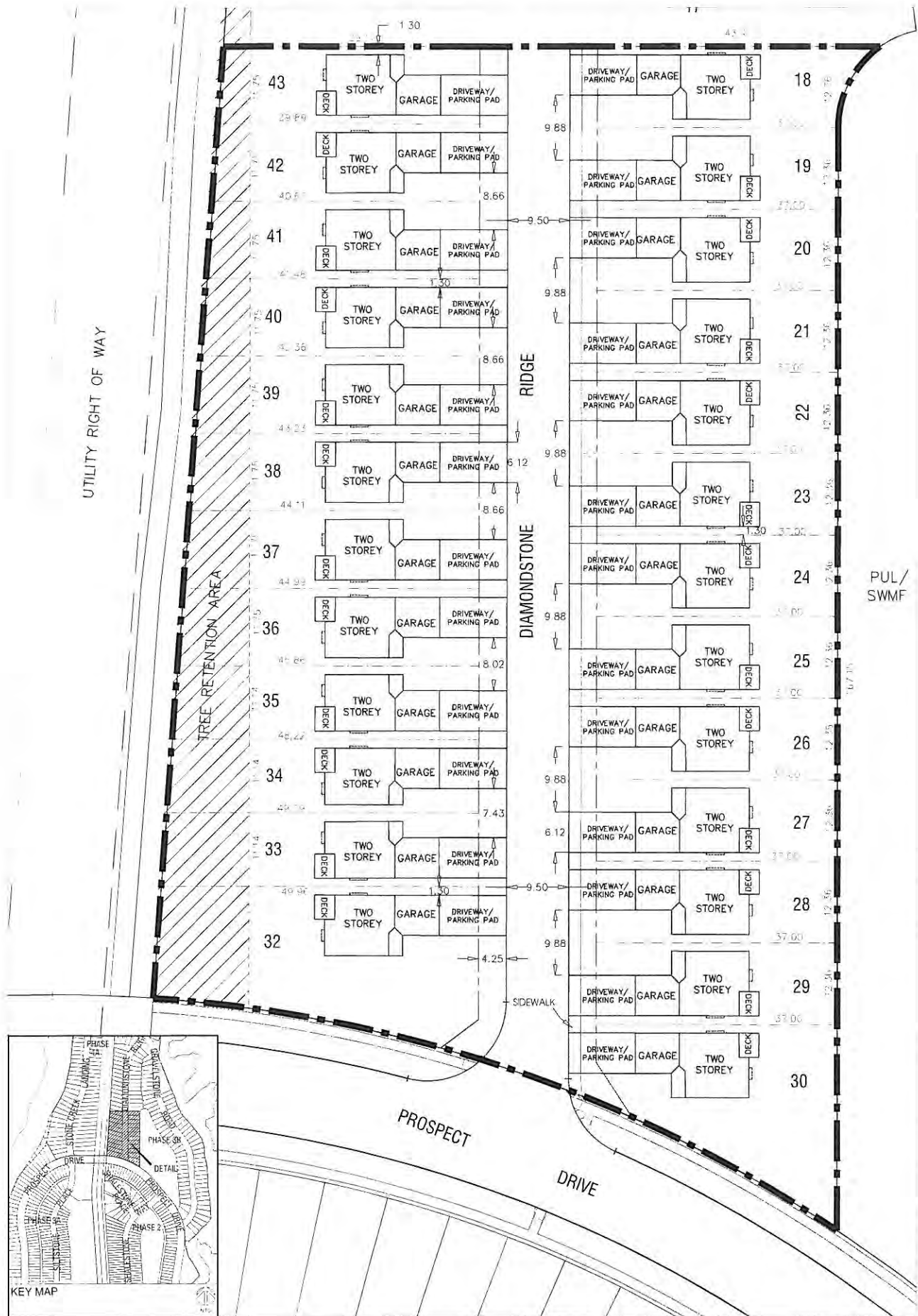
**LUB AMENDMENT FROM R1 (Single Detached Residential)  
TO R1S (Single Family Small Lot), R3 (Medium Density Residential), and  
PR (Parks and Recreation)**

**Part of Block 1, Lot 9, Plan 0625817 and Part of Lot A, Plan 0123208  
Stonecreek Neighbourhood, Ft. McMurray, Alberta**



May 5, 2009





**Subject: Bylaw No. 10/017 – Land Use Bylaw Amendment - Parsons Creek – Phase One****APPROVALS:**

Kelly Kloss, Chief Administrative Officer (Interim)

**Administrative Recommendation(s):**

THAT Bylaw No. 10/017, being a Land Use Bylaw amendment, 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 July 14, 2009, Council approved the extension of the Urban Service Boundary in the Municipal Development Plan to include the Parsons Creek area (Bylaw No. 09/025) and approved the Parsons Creek – Community Vision and Design Brief as a guiding document for the future development of the Parsons Creek area. In addition, Council authorized the developer to initiate an outline plan process specific to the Parsons Creek area in lieu of an Area Structure Plan process.

However, a number of design assumptions have changed since then. As a result, an Urban Design Plan to supplement the Parsons Creek – Community Vision and Design Brief has been prepared to reflect these changes.

The process resulting from these recent design assumption changes can be broken down into three components:

- Updating the Design Brief;
- Approving the Outline Plan for Phase One of the development area; and
- Amending the Land Use Bylaw.

Administration recommends that the Parsons Creek – Phase One Land Use Bylaw amendments be given a first reading on May 11<sup>th</sup> so that the public hearing coincides with the presentation of the Parsons Creek Urban Design Plan and the Parsons Creek – Phase One Outline Plan to Council. This will permit all related discussion and decisions to be made at the May 25<sup>th</sup> Council meeting.

Land Use Bylaw 99/059 presently designates the land in Parsons Creek that will be Phase One as UE – Urban Expansion District. Therefore in order to develop in this area, the subject land will need to be redesignated to the appropriate land use districts.

In detail, Bylaw No. 10/017 (Attachment 1) proposes the following:

- Insert a Parsons Creek Section (Part 8) into the Land Use Bylaw that will create five new land use districts:
  1. Main Street District
  2. Mixed Development District
  3. Waterfront District
  4. Civic District
  5. Neighbourhood District
- Renumber the Land Use Bylaw to insert Part 8; and
- Redesignate the land use designations in Parsons Creek – Phase One to match the new Part 8.

**Rationale for Recommendation(s):**

Administration's objective is to bring the updated Design Brief, the Outline Plan for Phase One and the amended Bylaw all to one meeting of Council to facilitate the development of Parsons Creek. Bringing these items to a single meeting of Council will assist in meeting the aggressive delivery schedule needed to ensure a steady supply of housing in Fort McMurray.

**Attachments:**

1. Bylaw No. 10/017



**BYLAW NO. 10/017**

**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:
  - (a) Renumbering the existing Part 8 as Part 9;
  - (b) Adding the attached Schedule A as Part 8 – Parsons Creek Land Use Regulations; and
  - (c) Changing the land use designation of parts of Lot 1, Block 1, Plan 092 4694 from UE – Urban Expansion District to MS – Main Street District, MDD – Mixed Development District, CD – Civic District, WD – Waterfront District, ND – Neighbourhood District, PS – Public Service District, and PR – Parks and Recreation District, as depicted in Schedule A, attached hereto and forming part of this Bylaw.
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 \_\_\_\_\_ day of \_\_\_\_\_, A.D 2010.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

\_\_\_\_\_  
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 Appendix A.

**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.

### **8.2 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 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.

**8.2.3 Entertainment** is a building or premises where the prevailing use is for the showing of art, theater, films and any other public display. This includes galleries, movie cinemas/theatres, nightclubs, casinos and drinking lounges - but does not permit adult entertainment facilities.

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

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

**8.2.6 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.

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

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

**8.2.9 Residential Multi-Unit** means a group of separate dwelling units that are contained within one building. This includes apartment buildings - but does include townhouses, semi detached dwellings, duplexes, triplexes or fourplexes.

**8.2.10 Residential Use** means a dwelling unit or group of dwellings units. This includes 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.

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

**8.2.12 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.

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

- a) that operates for no more than six (6) continuous months;
- b) that is located entirely within non-permanent buildings;
- c) that has a maximum gross floor area not exceeding 25 square metres.

**8.2.14 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) 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
  - d. **Secondary Suite – Detached Garage** – where the secondary suite is located above the first storey of a detached private garage

**8.2.15 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.

## **8.3 General Regulations**

### **8.3.1 Permitted Encroachments**

No encroachments may be permitted into the façade of any building abutting a street above the first floor – except the following:

- a) Balconies, canopies, awnings, cantilevers, eaves, gutters, landings, window sills, steps, stairs, and verandahs may be permitted to encroach to within 0.25 m of the abutting lot line.

### **8.3.2 Architectural Requirements**

All buildings shall be developed to the satisfaction of the Development Authority and include the following:

- a) No more than 10% of any façade shall be finished in metallic materials
- b)** No vinyl siding will be permitted in Parsons Creek on the façade of the first floors of buildings

## **8.4 Land Use Districts**

### **8.4.1 MD Main Street District**

#### **8.4.1.1 Permitted Uses**

The following are permitted uses:

- a) Community Facility
- b) Entertainment
- c) Lodging
- d) Residential Multi-Unit
- e) Office
- f) Residential Uses
- g) Restaurant
- h) Retail
- i) Service

#### **8.4.1.2 Uses Not Permitted**

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

- a) Adult Entertainment Facility
- b) Automotive Sales and Service
- c) Dating and Escort Services

#### **8.4.1.3 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:

##### **8.4.1.3.1 The Front Yard Setbacks are:**

- a) Minimum setback 1.0 m - Maximum setback 2.0 m for at least 50% of the building.
- b) Notwithstanding (a), where at least 50% of the façade of the building is located at or between 1.0 m or 2.0 m from the front property line, the remainder of the façade may be setback up to 5.0 m.
- c) Where any courtyard space is created pursuant to (b) no such space may be used for storage, garbage, or parking.

##### **8.4.1.3.2 The Rear Yard Setbacks are:**

- a) Any main building may be located to a maximum of 0.0 m. from the rear property line
- b) No portion of any yard between the façade of the building and the property line may be used for parking..

##### **8.4.1.3.3 Façade and Building Exterior Requirements**

No building shall be developed in any MD Main Street District except where:

- a) On any block where continuous building frontage shall exceed 75.0 m an opening of at least 8.0 m is required and such opening shall be at least two stories in height and provide visual if not physical access to the rear yard.
- b) No building façade shall exceed 7.5 m of linear frontage except where there is a change in the exterior finish material and a variation of the setback of at least 0.25 m to a height of at least 4.5 m
- c) The façade shall incorporate a minimum of 3 materials, colors, patterns and or textures, no one of which shall be less than 10% of the surface area.
- d) First floor façade of any building shall be at least 50% glass and
- e) No more than 10% of the first floor of any building shall be used for residential purposes.
- f) The rear of that building shall meet a minimum of 2 materials, colors, patterns, or textures

**8.4.1.3.4 The Side Yard Setbacks are:**

- a) Minimum 0.0 m

**8.4.1.3.5 Building Height**

- a) No building shall be less than 3 stories above grade nor more than 6
- b) Where any building in excess of 3 stories contains residential units in the upper stories; the stories utilized for residences shall be setback 2.0 m

**8.4.1.3.6 First Floor Requirements**

- a) The elevation of the first floor shall be at least 0.15 m and no more than 0.30 m above the elevation abutting the sidewalk
- b) No residences shall be permitted on the first floor
- c) No more than 20% of the first floor area shall be utilized for lobbies and/or elevator space
- d) Notwithstanding the foregoing in the case of a hotel, no lobby and elevator space shall exceed 50% of the first floor area.

**8.4.1.3.7 Lot Coverage Requirements**

- a) Maximum 90%

**8.4.1.3.8 Parking Requirements**

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

**8.4.1.3.9 Landscaping Requirements**

- a) Any land not used for buildings, structures or parking shall be landscaped at the rate of one tree or shrub for each 25 square meters of open lands

## **8.4.2 MDD      Mixed Development District**

### **8.4.2.1 Permitted Uses**

The following are permitted uses:

- a) Community Facility
- b) Lodging**
- c) Residential Multi-Unit**
- d) Townhouses

The first floor of any building may be used for:

- a) Entertainment
- b) Office
- c) Restaurant
- d) Retail

### **8.4.2.2 Uses Not Permitted**

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

- a) Adult Entertainment Facility
- b) Automotive Sales and Service
- c) Dating and Escort Services

### **8.4.2.3 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:

#### **8.4.2.3.1 The Front Yard Setbacks are:**

- a) The maximum setback shall be 4.0 m; minimum 1.0 m
- b) Where any courtyard space is created pursuant to (a) no such space may be used for storage, garbage, or parking.

#### **8.4.2.3.2 The Rear Yard Setbacks Are:**

- a) Any main building may be located to a maximum of 0.0 m from the rear property line
- b) All parking must be contained within the rear yard**

#### **8.4.2.3.3 The Frontage Requirements are:**

- a) The minimum building frontage shall be 6.0 m

#### **8.4.2.3.4 Façade and Building Exterior Requirements**

- a) On the first floor the façade of the building shall not exceed 60.0 m or 48.0 m in the case of Townhouses without a minimum break of at least 12.0 m
- b) The façade shall incorporate a minimum of 2 materials, colors, patterns and or textures, no one of which shall be less than 10% of the surface area.
- c) The façade elevation must be a minimum of 0.25 m for a width of 5.0 m



**8.4.2.3.5 The Side Yard Setbacks are:**

- b) Minimum 0.0 m

**8.4.2.3.6 Building Height**

- a) No building shall be less than 3 stories above grade nor more than 5

**8.4.2.3.7 First Floor Requirements**

- a) Commercial may only be permitted on the first floor
- b) Where a building is 100% residential the first floor elevation maybe up to 1.5 m of the abutting sidewalk.

**8.4.2.3.8 Lot Coverage Requirements**

- b) Maximum 75%

**8.4.2.3.9 Parking Requirements**

- a) All parking must be contained in the rear yard
- b) All residential uses require 1 parking spot per dwelling unit

**8.4.2.3.10 Landscaping Requirements**

- a) The area between the façade of the building and the front property line shall be landscaped at a rate of 1 tree or 1 shrub for every 25 square metres

### **8.4.3 CD Civic District**

#### **8.4.3.1 Permitted Uses**

The following are permitted uses:

- a) Community Facility
- b) Entertainment
- c) Government Use
- d) Office
- e) Parking Structure

The first floor of any building may be used for:

- a) Retail
- b) Restaurant

#### **8.4.3.2 Uses Not Permitted**

The following uses are NOT permitted in this zone:

Adult Entertainment Facility  
Automotive Sales and Service  
Dating and Escort Services  
Residential Uses

#### **8.4.3.3 General Site Provisions**

- a) No development permit is required for the development of a government use
- b) More than one building may be developed on one lot

#### **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) A set back of 6 m shall be required from the waters edge, however the entire set back may be occupied by boardwalk
- b) Where any courtyard space is created pursuant to (a) no such space may be used for storage, garbage, or parking.

##### **8.4.3.4.2 The Rear Yard Setbacks are:**

- a) Any main building may be located to a maximum of 0.0 m from the rear property line

##### **8.4.3.4.2 Façade and Building Exterior Requirements**

- a) 50% of the linear frontage of the lot shall be occupied by building façade

##### **8.4.3.4.3 The Side Yard Setbacks are:**

- a) Minimum 0.0 m

**8.4.3.4.4 Building Height**

- a) No building shall be less than 2 stories above grade nor more than 4

**8.4.3.4.5 Building Separation**

- a) Minimum 12.0 m
- b) Where two buildings are adjoined by a pedway, the pedway must be a minimum of 5.0 m 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, but not at the street façade (parking in structure or underground parking)

**8.4.3.4.8 Landscaping Requirements**

- a) Minimum 1 tree or 1 shrub for every 25 square metres of open space

## **8.4.4 WD Waterfront District**

### **8.4.4.1 Permitted Uses**

The following are permitted uses:

- Entertainment
- Lodging
- Office
- Residential
- Retail
- Seasonal uses (*on waterfront properties only*)
- Service

### **8.4.4.2 Uses Not Permitted**

The following uses are NOT permitted in this zone:

- Adult Entertainment Facility
- Automotive Sales and Service
- Dating and Escort Services

### **8.4.4.3 Site Provisions**

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

#### **8.4.4.3.1 The Front Yard Setbacks are:**

- a) Minimum setback of 1.0 m – Maximum setback of 4 m from the public street
- b) Minimum setback of 4.0 m from the waterfront
- c) Where any courtyard space is created pursuant to (a and b) no such space may be used for storage, garbage, or parking.

#### **8.4.4.3.2 The Rear Yard Setbacks are:**

- a) Minimum 0.0 m
- b) All parking must be contained within the rear yard

#### **8.4.4.3.3 Lot Frontage Requirements**

- a) Minimum 12 m

#### **8.4.4.3.4 Façade and Building Exterior Requirements**

- a) The façade is considered to be along the street frontage and the waterfront
- b) First floor of any building shall be at least 50% glass
- c) The façade shall incorporate a minimum of 2 materials, colors, patterns and or textures, no one of which shall be less than 10% of the surface area.

#### **8.4.4.3.5 The Side Yard Setbacks are:**

- a) Minimum 0.0 m

**8.4.4.3.6 Building Height**

- a) No building shall be less than 3 stories above grade nor more than 5

**8.4.4.3.7 Building Separation Requirements**

- a) Minimum 8.0 m
- b) Where two buildings are adjoined by a pedway, the pedway must be a minimum of 5.0 m from grade

**8.4.4.3.8 First Floor Requirements**

- a) Office, Retail, and Service uses shall be restricted to the first floor of any development

**8.4.4.3.9 Lot Coverage Requirements**

- c) Maximum 75%

**8.4.4.3.10 Parking Requirements**

- c) All parking must be contained in the rear yard
- d) The first 10 parking spaces may be surface parking; after 10 space, 75% of the parking must be located underground

**8.4.4.3.11 Landscaping Requirements**

- a) Minimum 1 tree and 1 shrub for every 25 square metres of open space

## **8.4.5 ND Neighbourhood District**

### **8.4.5.1 Permitted Uses**

The following are permitted uses:

- Residential Multi-Unit
- Residential Uses
- Retail store, convenience
- Secondary suites

### **8.4.5.2 Uses Not Permitted**

The following uses are NOT permitted in this zone:

- Adult Entertainment Facility
- Automotive Sales and Service
- Dating and Escort Services

### **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 are:**

- a) Minimum setback 3.0 m - Maximum setback 6.0 m

#### **8.4.5.3.2 The Rear Yard Setbacks are:**

- a) Any main building may be located to a maximum of 0.0 from the rear property

#### **8.4.5.3.3 Frontage Requirements**

- a) Minimum 6.0 m

#### **8.4.5.3.4 Façade and Building Exterior Requirements**

- a) The maximum continuous façade of one or more buildings is 36.0 m
- b) Where a garage is proposed, it must be set behind the façade of the residence

#### **8.4.5.3.5 The Side Yard Setbacks are:**

- a) minimum 0.0 m
- a) Where a side yard is proposed, it must be a minimum of 1.5 m

#### **8.4.5.3.6 Building Height**

- a) No building shall be less than 2 stories above grade nor more than 3

#### **8.4.5.3.7 First Floor Requirements**

- a) Retail store convenience commercial is permitted on the first floor of a multi unit building containing at least 8 units.

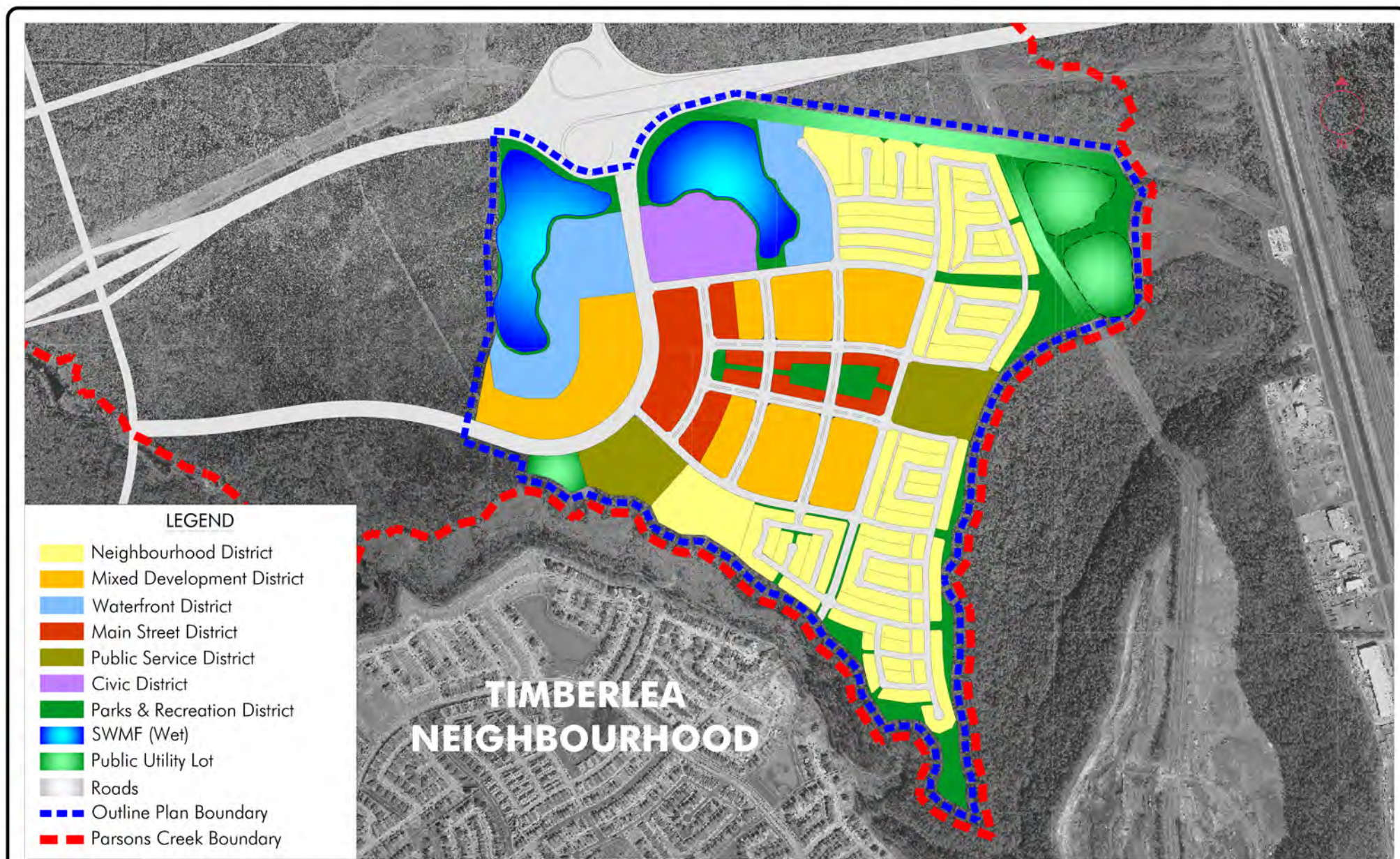
**8.4.5.3.8 Parking Requirements**

- a) Minimum 2 spaces are required for all residential uses
- b) Where a secondary suite is proposed, an additional 1 parking stall per bedroom is required
- c) Notwithstanding the above, in the case of a Multi-unit dwelling 1 parking stall is required for all one and two bedroom units; and where 3 or more bedroom units exist, a minimum of 2 parking stalls are required

**8.4.5.3.9 Landscaping Requirements**

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





Parsons Creek Land Use Regulations Map of Subject Area



**Subject: Bylaw No. 10/010 – 2010 Tax Rate Bylaw****APPROVALS:**

Kelly Kloss, Chief Administrative Officer (Interim)

**Administrative Recommendation(s):**

1. THAT Bylaw No. 10/010, being the 2010 Tax Rate Bylaw, be read a second time.
2. THAT Bylaw No. 10/010 be read a third and final time.
3. THAT in the event complaints filed against the 2010 Assessment Roll are successful, the Capital Infrastructure Reserve transfer be adjusted accordingly.

**Summary:**

In accordance with the *Municipal Government Act*, the Regional Municipality of Wood Buffalo is required, annually, to pass a Tax Rate Bylaw.

**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 the 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.

In order to assist with the understanding of the following 2010 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 2010 tax year as it did in the 2009 tax year on properties which existed in 2009.
- The residential property tax class has experienced differing market value decreases due to factors such as locational influences, size, and as such, individual properties may experience differing increases or decreases in taxes.
- The other-residential property class has experienced differing market values decreases 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 will increase as a result of new properties being taxed for the first time in the 2010 taxation year. New properties are referred to as “construction growth”.

In establishing tax rates for the 2010 Tax Rate Bylaw, Administration has used the approach that taxes for all property classes (for properties existing in 2009) will remain tax revenue neutral, with additional taxes being collected as a result of construction growth.

Since Council approval of the 2010 Operating Budget in late 2009, taxation revenue expectations for the 2010 taxation year based on tax revenue neutral plus new growth have been exceeded.

### **Budget/Financial Implications:**

The 2010 property tax revenue budget was determined based on property tax revenue neutral methodology for all property classes (properties existing in 2009) with additional tax revenue budgeted for estimated new growth. The finalized assessment roll will generate approximately \$20.4M more than the estimated 2010 property tax revenue budget. The additional property tax revenue represents more growth than originally budgeted, not a property tax increase.

The municipality has a strong financial position for 2010 as a result of prior years operating budget surpluses and uncommitted capital infrastructure reserve balances. The mid-term financial analysis has not been completed. While future capital projects will require funding, it is premature to increase 2010 property taxation until we can quantify the needs and timing. The transfer of the additional \$20.4M to the Capital Infrastructure Reserve would be a step towards funding these projects.

The deadline for assessment complaints is April 30, 2010. There is a possibility that a portion of the \$20.4M additional tax revenue may not be realized upon a successful court decision in favour of the complainant. Therefore, if the entire \$20.4M is not realized, the transfer to the Capital Infrastructure Reserve should be reduced accordingly to ensure that 2010 operating programs do not bear the burden for the reduction.

**Rationale:**

In the past few years, the municipality has experienced operating budget surpluses, and delays in capital project delivery leading to capital infrastructure reserve funds being held and actual debt limits that are lower than budgeted. The 2010 tax year has been labeled a transition year as the organization incorporates a number of changes that will enhance capacity to deliver. As the success of these changes is evaluated, the determination of future operating and capital budgets will be developed and will establish the platform for a mid and longer term funding strategy.

**Attachments:**

1. Bylaw No. 10/010 - 2010 Tax Rate Bylaw

## **BYLAW NO. 10/010**

### **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 2010 FISCAL YEAR.**

WHEREAS the operating expenditures for the Regional Municipality of Wood Buffalo as approved in the 2010 Operating Budget total \$515,701,192; and

WHEREAS Local Improvement Program levies total \$463,687 as approved in the 2010 Operating Budget; and

WHEREAS the operating revenues for the Regional Municipality of Wood Buffalo from sources other than taxation levies as approved in the 2010 Operating Budget total \$84,737,496; and

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 | \$ 15,215,086 |
| (ii) | for non-residential           | \$ 17,525,618 |

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 | \$ 719,571 |
| (ii) | for non-residential          | \$ 118,067 |

WHEREAS the Ayabaskaw House has made the following Requisition to the Regional Municipality of Wood Buffalo, namely:

- |     |                        |            |
|-----|------------------------|------------|
| (i) | for all property types | \$ 129,000 |
|-----|------------------------|------------|

WHEREAS the Rotary House Senior Lodge has made the following Requisition to the Regional Municipality of Wood Buffalo, namely:

- |     |                        |              |
|-----|------------------------|--------------|
| (i) | for all property types | \$ 1,420,000 |
|-----|------------------------|--------------|

WHEREAS Section 10 of the Order in Council No. 817-94 bringing about the amalgamation of Improvement District 143 and the City of Fort McMurray, which became effective on the 1<sup>st</sup> 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; and

WHEREAS the net annual tax levy requirements of the Regional Municipality of Wood Buffalo for the 2010 Fiscal Year are estimated to be:

MUNICIPAL PURPOSES	\$430,500,009
--------------------	---------------

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 total \$22,014,806,789; and

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 total \$13,054,928,385; and

WHEREAS it is deemed necessary to impose several rates of taxation for the 2010 Fiscal Year, 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, pursuant to Sections 353 and 354 of the Municipal Government Act the following:

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	0.0013752
- Non-Residential	0.0029110
- Fort McMurray R.C.S.S.D. # 32	
- Residential and Farmland	0.0013752
- Non-Residential	0.0029110

SENIORS' FACILITIES

- Ayabaskaw Home	0.0000037
- Rotary House	0.0000407

MUNICIPAL PURPOSES - RURAL SERVICE AREA

- Residential and Farmland	0.0015766
- Non-Residential	0.0180344

MUNICIPAL PURPOSES - URBAN SERVICE AREA

- Residential and Farmland	0.0026633
- Other Residential	0.0057429
- Non-Residential	0.0067642

2. THAT 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, Ayabaskaw Home and the Rotary House tax payable, and the balance paid and deemed to 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 27<sup>th</sup> day of April, A.D. 2010.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Legislative Officer

**Subject: Notice of Motion re: Request for Report on Employee Statistics****APPROVALS:**

Councillor Mila Byron

**Recommendation:**

THAT Administration be directed to prepare a report advising the total number of municipal employees whose employment has been terminated (this includes employees who resigned, who were let go and whose portfolios have been altered) since January 2008, and the total number of dollars this has cost the organization, including legal fees.

**Background:**

At the Council meeting held on Tuesday, April 27, 2010, Councillor Byron served notice that the following motion will be brought forward for Council's consideration on May 11, 2010:

“THAT Administration be directed to prepare a report advising the total number of municipal employees whose employment has been terminated (this includes employees who resigned, who were let go and whose portfolios have been altered) since January 2008, and the total number of dollars this has cost the organization, including legal fees.”

**Subject: Notice of Motion re: Request for Report on Reorganizations****APPROVALS:**

Councillor Mila Byron

**Recommendation:**

THAT Administration be directed to prepare a report advising the total number of reorganizations this municipality has undergone since January 2008 and included in the report be disclosed the total number of positions that have been created, how those positions have been advertised to the public and the total cost to the municipality in salary increases including benefits.

**Background:**

At the Council meeting held on Tuesday, April 27, 2010, Councillor Byron served notice that the following motion will be brought forward for Council's consideration on May 11, 2010:

“THAT Administration be directed to prepare a report advising the total number of reorganizations this municipality has undergone since January 2008 and included in the report be disclosed the total number of positions that have been created, how those positions have been advertised to the public and the total cost to the municipality in salary increases including benefits.”