



## Council Meeting

Jubilee Centre Council Chamber  
9909 Franklin Avenue, Fort McMurray

Tuesday, September 22, 2009  
6:00 p.m.

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### Agenda

#### **Call to Order**

#### **Opening Prayer**

#### **Adoption of Agenda**

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

1. Regular Meeting – August 25, 2009

#### **Delegations**

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

#### **Public Hearings**

2. Public Hearing re: Bylaw No. 09/017 – Land Use Bylaw Amendment: Increase Floor Area Ratio in the C5 – Central Business District

#### **Bylaws**

3. Bylaw No. 09/017 – Land Use Bylaw Amendment: Increase Floor Area Ratio in the C5 – Central Business District (2<sup>nd</sup> and 3<sup>rd</sup> readings)

### **Reports**

4. 2009 Capital Budget Amendment – Spruce Drive Road, Conklin
5. 2009 Capital Budget Amendments – Cancelled, Consolidated and New Projects
6. 2009 Capital Budget Amendments – Revised Projects

### **New and Unfinished Business**

### **Updates**

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

### **Adjournment**

whetzelenvironomics

September 16, 2009

transmitted electronically only

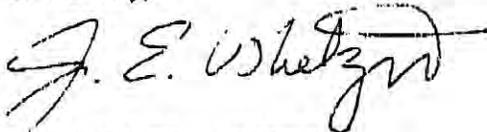
Attention: Surekha Kanzig, Chief Legislative Officer  
Regional Municipality of Wood Buffalo

Re: Land Use Bylaw Amendment No. 09/017 – Increase FAR in C5 district

This is to advise that J.E.(Jolie) Whetzel MCIP would like to speak in favor of the proposed bylaw change, at the public hearing scheduled for September 22<sup>nd</sup> 2009.

Specifically I will address areas where the proposed amendment aligns with the Lower Townsite Area Redevelopment Plan, accepted by Council late this spring, and is in support of a proposed application to redevelop the existing Fort Theatre site, located at the corner of Morrison Street and MacDonald Avenue, Lots 20-25, Block 13, Plan 616AO.

Yours truly,



J.E. (Jolie) Whetzel MCIP  
Whetzel Environomics Inc.

**Subject: Bylaw No. 09/017 – Land Use Bylaw Amendment: Increase Floor Area Ratio in the C5 – Central Business District.**

**APPROVALS:**

Dennis Peck, General Manager, Planning and Development  
Patty King, Acting Deputy Chief Administrative Officer  
Kelly Kloss, Acting Chief Administrative Officer

**Administrative Recommendation(s):**

THAT Bylaw No. 09/017, being a Land Use Bylaw Amendment, be read a second time.

THAT Bylaw No. 09/017 be read a third time.

**Summary:**

The intent of the proposed amendment is to increase the maximum allowable “Floor Area Ratio” within the Central Business District. The authority to amend the Land Use Bylaw is vested with Council under the Municipal Government Act.

**Background:**

The Lower Townsite Area Redevelopment Plan promotes the intensification and infilling of vacant and underutilized sites with retail, office and service type uses, and further promotes a diversity of uses in the Lower Townsite.

This amendment rises from a Development Permit application received to redevelop the existing Fort Theatre site, located at the corner of Morrison Street and MacDonald Avenue, Lots 20-25, Block 13, Plan 616AO (Attachment 2). The applicant proposes to construct a ten storey building, providing over 16,000m<sup>2</sup> of office space and an additional 1,000m<sup>2</sup> of commercial retail space.

The Planning and Development Department does not support spot zoning (ie. an amendment for a specific development site) as it goes against solid planning principles of ensuring that a sense of common land use activities are established and to provide surety of land use. However, the Department does support the concept of increased density of land use in the C5 district. Therefore, in response to the application for an existing site, the proposed bylaw will redesignate the entire C5 – Central Business District (Attachment 2).

The application proposed a Floor Area Ratio of 4.91 which would exceed the current maximum allowable Floor Area Ratio of 3.0 within the C5 – Central Business District. The Land Use Bylaw defines Floor Area Ratio to mean the numerical value obtained by dividing the gross floor area of all buildings on a site, excluding parking structures, by the total area of the site.

**Rationale for Recommendation(s):**

The Planning and Development Department supports the increase of Floor Area Ratio to a maximum of 5.0 within the C5 – Central Business District as it is in keeping with policies within the Municipal Development Plan and the Lower Townsite Area Redevelopment Plan.

The increased floor area ratio will not impact a developer’s requirement to provide parking, as it will remain based on a ratio of parking spaces to gross floor area of land use(s). No property is negatively impacted by this amendment in the sense of a loss of development potential. Rather, all C5 designated property will have a greater development potential.

**Attachments:**

1. Proposed Bylaw No. 09/017
2. Subject Area Map

**BYLAW No. 09/017**

**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) Deleting the existing text from Section 109.5 (e), and inserting the following:

“Floor Area Ratio (maximum): 5.0”
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 25<sup>th</sup> day of August, A.D 2009.

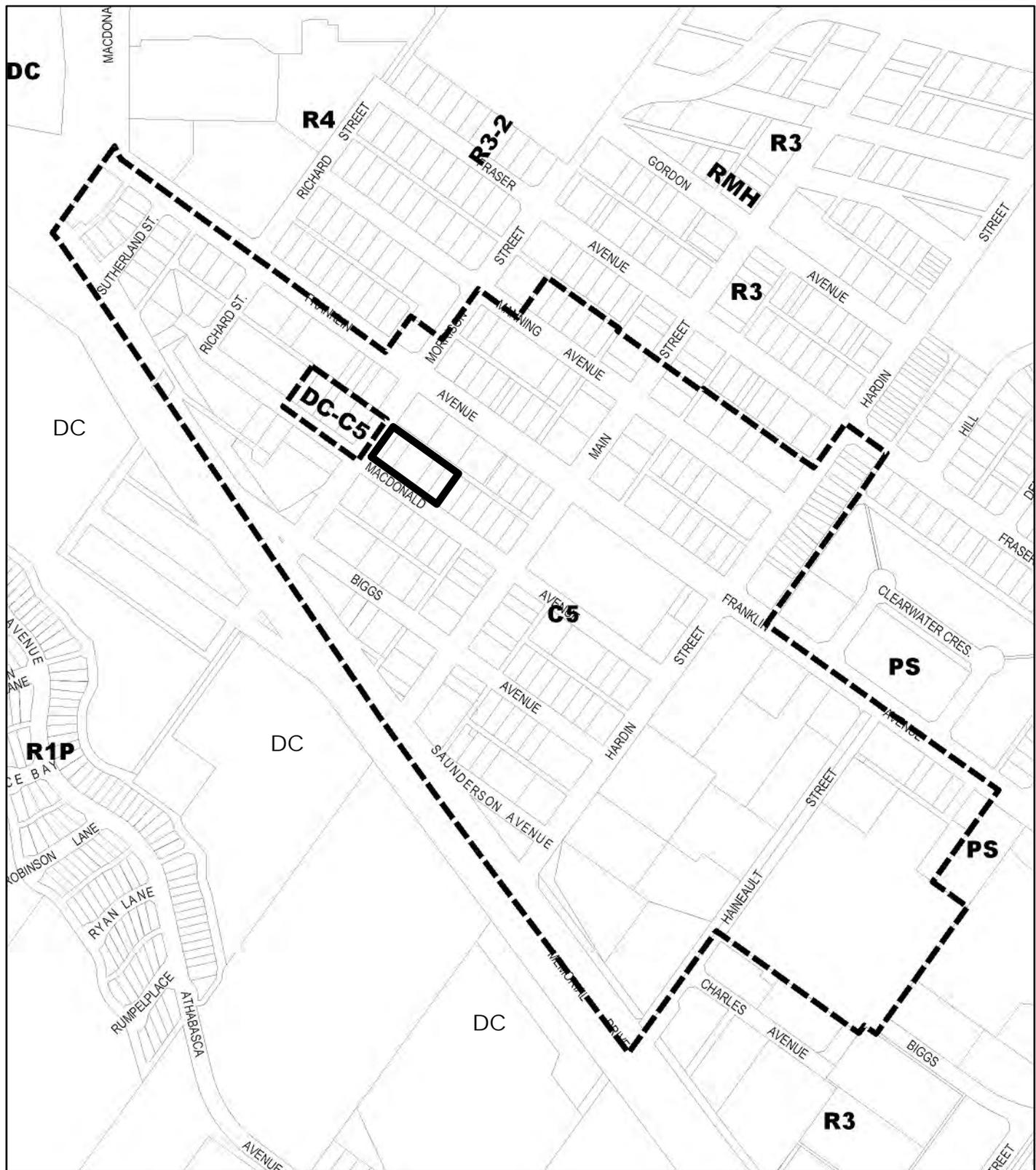
READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2009.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2009.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2009.

\_\_\_\_\_  
Mayor

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



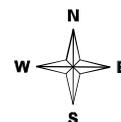
### LAND USE BYLAW (99/059) AMENDMENT



Lot 20 to 25, Block 13, Plan 616AO  
(Original Application Site)



C5 - Central Business District



**Subject: Capital Budget Amendment Request – Spruce Drive Road  
Development, Conklin****APPROVALS:**

D'arcy Elliott, Deputy Chief Administrative Officer

Rodney Burkard, Chief Administrative Officer

**Administrative Recommendation(s):**

THAT the 2009 Capital Budget be amended as summarized in Attachment #1 – Capital Budget Amendment Request – Spruce Drive Road Development, Conklin, September 22, 2009 and;

THAT the provisions of Attachment #1 – Capital Budget Amendment Request – Spruce Drive Road Development, Conklin, September 22, 2009 remain confidential pursuant to sections 16 and 25 of the Freedom of Information and Protection of Privacy Act, R.S.A., 2000 c. F-25, as amended.

**Summary:**

Council approved a capital budget request on July 14, 2009 for the construction of Spruce Drive in Conklin, based on the May 25, 2009 cost estimate supplied by Wood Buffalo Housing and Development Corporation. Tenders closed on August 25, 2009, which were much higher than the original supplied cost estimate. Wood Buffalo Housing and Development Corporation is still committed to continue with the project and have agreed to increase their funding amounts to maintain our agreed cost-sharing proportions. Council approval is required to fund the amended budget from the Capital Infrastructure Reserve.

**Background:**

Spruce Drive is a cul-de-sac in an existing subdivision in Conklin in which most of the roads exist and lots were approved decades ago under another jurisdiction. Wood Buffalo Housing and Development Corporation purchased six lots in the easterly end of the road and constructed houses on the lots. The houses have been completed and occupancy certificates issued; however there is no developed roadway into this end of the cul-de-sac. There is no developer of record for this subdivision, which was approved in 1971, who might be clearly assigned responsibility for infrastructure such as roadways, and none was established when the property was assigned to the Municipality at the time of amalgamation. When the lots were sold by the Municipality to the Corporation, no development agreement was entered into and responsibility for the construction and financing of roadways was not formally defined.

Administration explored choices with the Corporation and negotiated a tentative agreement in which the Corporation would contribute 25% to the cost of the road and the Municipality would pay the remaining 75%.

The Corporation supplied a cost estimate on May 25, 2009, for the construction of a gravel standard road. The Municipality approved a capital budget amendment on July 14, 2009 for 75% of the Corporations cost estimate. Project tendering commenced immediately, and bids were received on August 25, 2009. Three bids were submitted and each bid was much higher than the original cost estimate.

The Corporation is committed to proceed with the project based on the negotiated agreement of 75/25% split.

**Alternatives:**

1. The Municipality to fund the additional cost from the 2010 capital budget according to the agreed funding of 75/25% split. Houses will be vacant until such time as the road is developed.
2. Wood Buffalo Housing and Development Corporation to fund all costs above the original municipal approved funding of July 14, 2009.

**Budget/Financial Implications:**

Funding is available from the Capital Infrastructure Reserve (CIR). Details of the project costs are provided in Attachment 1(Capital Budget Amendment Request- Spruce Drive Road Development, September 22, 2009).

**Rationale for Recommendation(s):**

There is an urgent need for affordable housing in Conklin to support the growth within the community. The Municipality has a responsibility to its residents and potential residents ensuring appropriate infrastructure is developed to meet the needs of access to affordable housing such as roads.

**Attachments:**

1. Capital Budget Amendment Request – Spruce Drive Road Development, Conklin, September 22, 2009 (**CONFIDENTIAL**)
2. Wood Buffalo Housing and Development Corporation Letter – Dated May 25, 2009, including Site Plan



May 25, 2009

D'Arcy Elliott  
Deputy CAO  
Regional Municipality of Wood Buffalo  
7th Floor, 9909 Franklin Avenue  
Fort McMurray, AB T9H 2K4

**Re: Conklin, Spruce Drive Road Development**

Dear Mr. Elliott:

Further to our discussion with regards to the construction of a roadway in the cul-d-sac at Spruce Drive in Conklin, and the potential sharing of the costs on 75% Regional Municipality of Wood Buffalo (RMWB) and 25% Wood Buffalo Housing & Development Corporation (WBHDC) cost sharing basis, attached please find our estimated costs.

The road will provide access to the six new homes that we have completed on these previously subdivided lots. WBHDC was not the developer who created the subdivision. We purchased subdivided lots from the Province and RMWB and therefore did not include the costs to build the road in our cost projection for these homes. Appropriate permits were obtained prior to the construction and now the six homes have been ready to occupy since April of this year.

The costs reflect having the road designed and constructed to fit in the existing 20m road right-of-way. The existing right-of-way was established when the lots were created by a sub-division in approximately 1971. The RMWB Engineering Department has indicated that they would prefer to have the roadway meet the existing Engineering Standards, which requires a 30m right-of-way. This would not be possible without the RMWB having to incur the costs of relocating the homes on the lots and expropriating and compensating for the additional lands to accommodate the widening.

The cost for the design and construction of the roadway is based on the existing 20m right-of-way and a gravel surface. The design allows for a 14m radius turnaround area in the cul-d-sac by creating a smaller ditch area. While this design does not meet the current RMWB Engineering Standards, we believe that it will provide appropriate and safe access to the new homes.

It is our understanding that the costs of the project will be shared 75% RMWB and 25% WBHDC, and these costs do not contemplate a maintenance retention or construction deposits.

Please note, in order to facilitate the timely installation of the road access, WBHDC will forgo charging the project our normal administrative charges and have not included any amounts to accommodate

warranty and maintenance periods for this work. The work will be completed by WBHDC on behalf of the RMWB and we assume that the RMWB does not charge its self these fees. If it is a requirement of the RMWB to have these fees included in the budget, we will have the budget updated to reflect these changes.

In order to have the work completed this year, a quick reply to this matter would be greatly appreciated.

Sincerely,  
Wood Buffalo Housing & Development Corporation

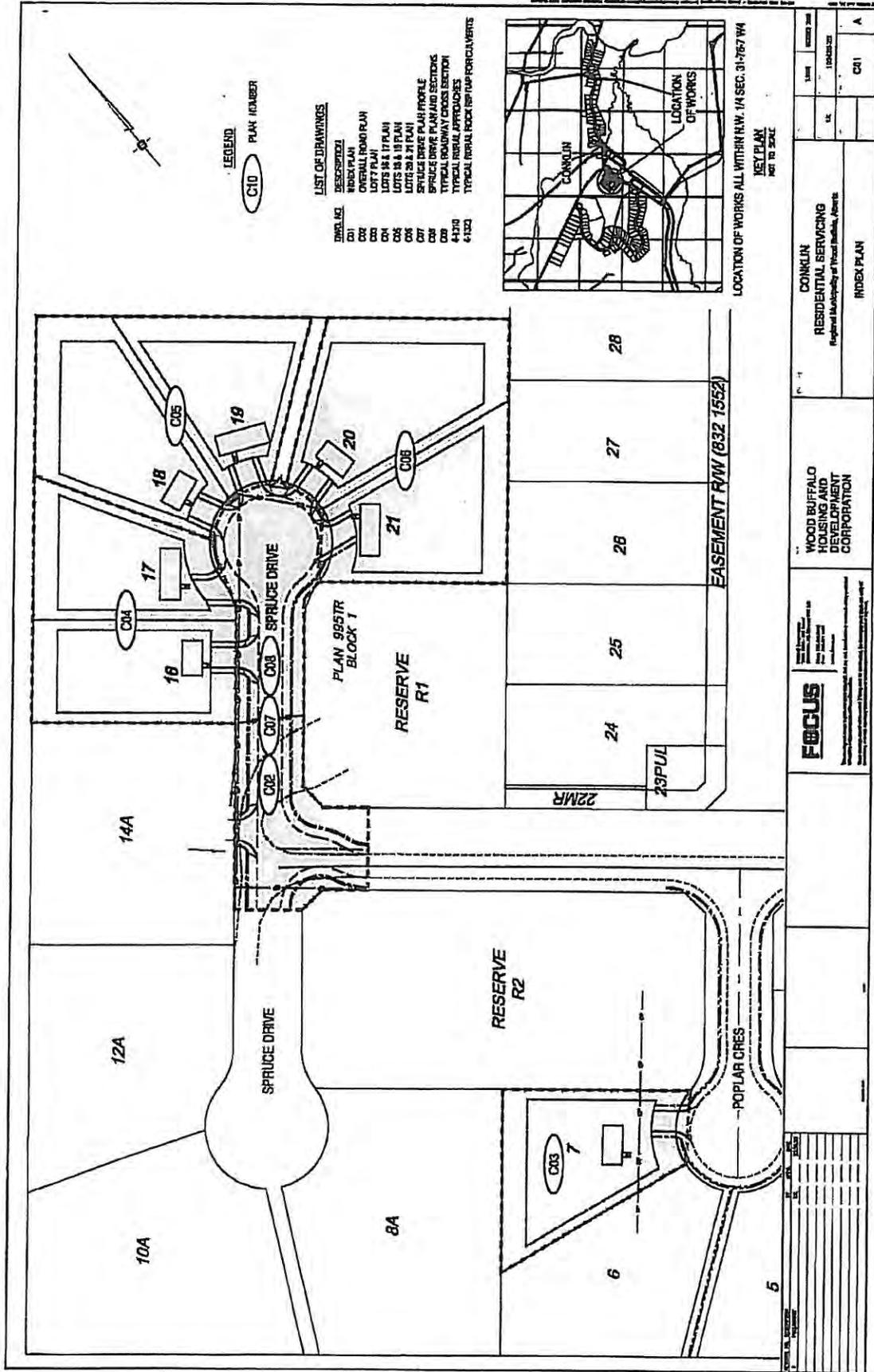
A handwritten signature in black ink, appearing to read "Bryan Lutes for". The signature is written in a cursive, flowing style.

BRYAN LUTES  
President

Enclosures

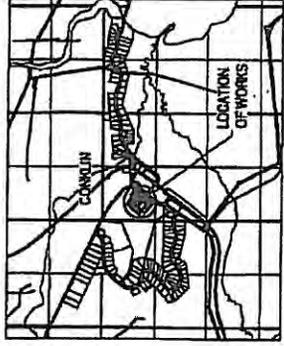
Conklin - Spruce Drive/Poplar Crescent

Development Costs	Engineering	Professional Fees	Planning (preliminary)	Outline plan/Construction		
	- Survey			Included in Engineering	0.000	\$0.00
	- Geotechnical			3.5% of Const. Cost	0.035	\$11,030.43
	- Engineering			15% of Construction Cost	0.150	\$47,273.25
						\$59,303.68
Sub-Total						\$5,930.37
Contingency of Soft Costs					0.10	\$64,134.04
						<u>\$64,134.04</u>
<b>Construction Costs</b>						
	1.00	Site Preparation and Earthwork				\$74,050.00
	3.00	Roadway				\$69,440.00
	4.00	Approaches				\$106,525.00
	5.00	Landscaping and Provisional Items				\$36,440.00
	6.00	Construction Contingency				\$22,700.00
						<u>\$315,155.00</u>
<b>Maintenance</b>						
		- Maintenance		1.5% of Const. Cost Including Landsc.	0.015	\$0.00 Inc above
		- Clean-Up		1% of Const. Cost Excl. Landsc. & Fence	0.01	\$0.00 Inc above
		- Miscellaneous		1.5% of Const. Cost Excl. Landsc. & Fence	0.015	\$0.00 Inc above
		- Contingencies		15% of Const. Cost Excl. Landsc. & Fence	0.15	\$0.00 Inc above
Sub-Total						<u>\$0.00</u>
<b>Total Development Costs</b>						
				off up costs		\$379,289.04
				Management charge	0%	\$0.00
<b>TOTAL ALL COSTS</b>						
						<u>\$379,289.04</u>



LEGEND  
 PLAN NUMBER  
 C10

- LIST OF DRAWINGS
- | DRAWING | DESCRIPTION                      |
|---------|----------------------------------|
| C01     | INDEX PLAN                       |
| C02     | OVERALL ROAD PLAN                |
| C03     | LOFT PLAN                        |
| C04     | LOTS 16 & 17 PLAN                |
| C05     | LOTS 18 & 19 PLAN                |
| C06     | SPRUCE DRIVE PLAN AND SECTIONS   |
| C07     | SPRUCE DRIVE PLAN AND SECTIONS   |
| C08     | TYPICAL ROADWAY CROSS SECTION    |
| 4-130   | TYPICAL RURAL ROCK TYP PAVEMENTS |



LOCATION OF WORKS ALL WITHIN R.W. 1/4 SEC. 31-767 WM  
 KEY PLAN  
 NOT TO SCALE

<b>FOCUS</b> <small>Engineering &amp; Surveying</small> <small>1000 Main Street, Suite 100, Conklyn, PA 15825</small> <small>Phone: 814-341-1111</small> <small>www.focusinc.com</small>		<b>WOOD BUFFALO HOUSING AND DEVELOPMENT CORPORATION</b>		<b>CONKLYN RESIDENTIAL SERVICES</b> <small>Regional Municipality of Wood Buffalo, Alberta</small>	
PROJECT NO. 15825-001 SHEET NO. C10 DATE: 10/20/2010		INDEX PLAN		C10 A	

## **Subject: 2009 Capital Budget Amendments – Cancelled, Consolidated and New Projects**

### **APPROVALS:**

Elsie Hutton, Chief Financial Officer

D'arcy Elliott, Deputy Chief Administrative Officer

Rodney Burkard, Chief Administrative Officer

### **Administrative Recommendation(s):**

1. THAT the 2009 Capital Budget be amended as summarized on Attachment 1 – Capital Budget Amendments, Projects Cancelled and Consolidated – September 22, 2009.
2. THAT the 2009 Capital Budget be amended as summarized on Attachment 2 – Capital Budget Amendments, New Projects – September 22, 2009.
3. THAT the provisions of Attachments 3 - 26 remain confidential pursuant to sections 16 and 25 of the Freedom of Information and Protection of Privacy Act, R.S.A., 2000 c. F-25, as amended.

### **Summary:**

A review of all capital projects was undertaken. The review has resulted in a number of capital budget amendments as provided by departments. Since Council is the approving authority for the Capital Budget, amendments must also be approved by Council.

### **Background:**

Capital budget amendments are an ongoing process. Many amendments are identified and presented to Council on an individual basis due to the specific nature and timing of the request. The consolidation of amendments into two reports to Council saves considerable administrative time to prepare and review. The capital budget amendments addressed in this report include capital projects recommended for cancellation and consolidation. Two new projects were also considered. Projects were identified for cancellation if they were no longer viable and the scope of the original project was not incorporated into another project. The majority of projects classified in the consolidation category have their scope included with another project as detailed in the capital budget amendment form. The amended budget appears in the capital budget amendment report - revised projects.

A multitude of meetings were held to discuss project status, schedules and cash flow impacts. These meetings supplemented discussions to create the project status report as well as the initial

2010 capital planning activities. Subsequent to these meetings, departments submitted capital budget amendments for projects as required.

The rationale for cancellation, consolidation and new capital projects are included in the attached individual capital budget amendment forms as prepared by the individual departments responsible.

**Budget/Financial Implications:**

The approval of the capital budget amendments identified will allow the allocation of funding from the cancellation of projects to new projects, projects experiencing cost pressures, or changes in scope requirements. Attachment 2 includes the financial impacts of the amendments included in this report.

**Attachments:**

1. Capital Budget Amendments, Projects Cancelled and Consolidated – September 22, 2009
2. Capital Budget Amendments, New Projects – September 22, 2009
- 3-26. Capital Budget Amendment Requests – September 22, 2009 - CONFIDENTIAL

Regional Municipality of Wood Buffalo

Capital Budget Amendments, Projects Cancelled and Consolidated - September 22, 2009

Project Description	Dept / Branch	Total Annual Cost	Federal Grants	Provincial Grants	Reserve	Other	Operating Budget	Debt/ure	Additional Details	Act. #
<b>PROJECTS CANCELLED AND CONSOLIDATED</b>										
<b>PROJECTS CANCELLED</b>										
Satellite Office Space	Planning & Dev.								Office space outside of region not a requirement.	3
Storm Pond (MacDonald Island)	Part IX								Storm ponds not required; can use existing outfall	4
Water Capacity Upgrade (MacDonald Island)	Part IX								Current water capacity is sufficient for facility	5
<b>Total Projects Cancelled</b>										
<b>PROJECTS CONSOLIDATED</b>										
Athabasca WTP Raw Water Pumps Design	Public Works								Scope of work included in existing WTP expansion project	6
Central Traffic Management System	Public Works								Project may come forward at later date	7
Community Development Plan Infrastructure Implementation	Deputy CAO								Reallocation of grant funding to other CDP projects	8
Decommissioning Stony Mountain Sewage Lagoon Design	Public Works								Project will be completed through operations	9
Emergency Management Operating System	Emergency Mgmt.								Project not required, to be incorporated into new facility	10
Equipment Storage Athabasca River WTP	Public Works								Insufficient space at existing site, alternate site selection may be reviewed	11
Fort Chipewyan Lift Station #1 New Pumps	Public Works								Cancel project duplication	12
Fort Chipewyan Water Valves Upgrade	Public Works								Project is part of regular operating maintenance program	13
Fort Chipewyan Truck Fill Pavement	Public Works								Project is component of a roads project	14
Franklin Avenue Connector to New Bridge Pre-Design	Public Works								Alberta Transportation doing pre-design	15
MCI Emergency Preparedness Unit	Emergency Services								Cancel and consolidate with RCMP/RES Unified Mobile Command project	16
Storage Shed for Facilities Maintenance	Public Works								Project originally planned for WTP area for storage; need was reevaluated	17
Upgrade Pressure Reducing Valves	Public Works								Cancel and consolidate with Upgrade Pressure Reducing Valves 2008 project	18
Urban Roadway Rehabilitation 2005	Public Works								Funding was reallocated to Urban Roadway Rehab 2006 project	19
Vista Ridge Expansion	Community Services								Cancel and consolidate with Vista Ridge Lodge Expansion project	20
Water Supply SE - Lower Townsite Reservoir and Expansion	Engineering								Cancel project duplication	21
WTP High Voltage Rehabilitation	Public Works								Cancel and consolidate with Athabasca Water Treatment Plant Expansion project	22
WTP High Voltage Rehabilitation - 2009	Public Works								Cancel and consolidate with Athabasca Water Treatment Plant Expansion project	23
WTP Security System Upgrade	Public Works								Security included in existing WTP expansion project	24
<b>Total Projects Consolidated</b>		32,852,168	-	1,367,225	15,867,943	100,000	137,000	15,380,000		
<b>Total - Projects Cancelled and Consolidated</b>		<b>39,052,168</b>	<b>-</b>	<b>1,367,225</b>	<b>22,067,943</b>	<b>100,000</b>	<b>137,000</b>	<b>15,380,000</b>		

**Regional Municipality of Wood Buffalo**  
 Capital Budget Amendments, New Projects - September 22, 2009

Project Description	Dept / Branch	Total Annual Cost	Federal Grants	Provincial Grants	Reserve	Other	Operating Budget	Debtenture	Additional Details	Att.#
<b>NEW PROJECTS</b>										
Self Contained Breathing App. Replace.	Emergency Services									25
Screener Stackler Replacement	Public Works									26
<b>Total - New Projects</b>		<b>744,311</b>	<b>-</b>	<b>-</b>	<b>744,311</b>	<b>-</b>	<b>-</b>	<b>-</b>		
<b>Net impacts of Cancelled, Consolidated and New Projects</b>		<b>(38,307,857)</b>	<b>-</b>	<b>(1,367,225)</b>	<b>(21,323,632)</b>	<b>(100,000)</b>	<b>(137,000)</b>	<b>(15,380,000)</b>		

## **Subject: 2009 Capital Budget Amendments – Revised Projects**

### **APPROVALS:**

Elsie Hutton, Chief Financial Officer

D'arcy Elliott, Deputy Chief Administrative Officer

Rodney Burkard, Chief Administrative Officer

### **Administrative Recommendation(s):**

1. THAT the 2009 Capital Budget be amended as summarized on Attachment 1 –Capital Budget Amendments, Revised Projects – September 22, 2009.
2. THAT the provisions of Attachments 2 - 32 remain confidential pursuant to sections 16 and 25 of the Freedom of Information and Protection of Privacy Act, R.S.A., 2000 c. F-25, as amended.

### **Summary:**

A review of all capital projects was undertaken. The review has resulted in a number of capital budget amendments as provided by departments. Since Council is the approving authority for the Capital Budget, amendments must also be approved by Council.

### **Background:**

Capital budget amendments are an ongoing process. Many amendments are identified and presented to Council on an individual basis due to the specific nature and timing of the request. The consolidation of amendments into two reports to Council saves considerable administrative time to prepare and review. The capital budget amendments addressed in this report include capital projects recommended revision. Projects were considered for revision if there were scope and/or funding changes required.

A multitude of meetings were held to discuss project status, schedules and cash flow impacts. These meetings supplemented discussions to create the project status report as well as the initial 2010 capital planning activities. Subsequent to these meetings, departments submitted capital budget amendments for projects as required.

The rationale for revised capital projects are included in the attached individual capital budget amendment forms as prepared by the individual departments responsible.

**Budget/Financial Implications:**

The approval of the capital budget amendments identified will allow the allocation of funding from the cancellation of projects to new projects, projects experiencing cost pressures, or changes in scope requirements. The amendments proposed reduce debt and Capital Infrastructure Reserve commitments for 2009. In addition, amending capital projects to include the most recent grant information was also undertaken.

**Attachments:**

1. Capital Budget Amendments, Revised Projects – September 22, 2009  
CONFIDENTIAL
- 2-32 Capital Budget Amendment Requests – September 22, 2009 - CONFIDENTIAL