



Council Meeting

Council Chambers
Municipal Building - Jubilee Centre
9909 Franklin Avenue, Fort McMurray

Tuesday, September 26, 2006

Agenda

Call to Order – 7:00 p.m.

Opening Prayer

Adoption of Agenda

Minutes of Previous Meetings

- A. Regular Meeting – September 19, 2006
- B. Public Hearing – September 19, 2006

Delegations

None Scheduled

(The Chair will provide an opportunity for those attending the meeting and wishing to address an item on the agenda, to identify themselves and come forward to speak to Council. Consistent with all delegations, each presentation will be allowed a maximum of five minutes. This does not apply to Public Hearings or Bylaws for which a Public Hearing is required to be held, as the process for these items is governed by the Municipal Government Act.)

Public Hearings

None Scheduled

Updates

- A. Reporting of Councillors on Boards and Committees
(Deputy Mayor Carbery, Councillors Slade, Vyboh, Wiltzen and Chadi)
- B. Mayor's Update

Reports

- A. 2006 AUMA Resolutions – Administrative Analysis
- B. Tender Award - Fort Chipewyan Fire Hall Expansion

Bylaws

- A. Bylaw No. 06/036 – Text Amendment to Highway 63 North Area Structure Plan – Graymont (2nd and 3rd readings)
- B. Bylaw No. 06/037 – Text Amendment to the Land Use Bylaw – Graymont (2nd and 3rd readings)

New and Unfinished Business

Adjournment

REGIONAL MUNICIPALITY OF WOOD BUFFALO COUNCIL REPORT

To:	Mayor and Council
From:	Legislative and Legal Services
Date:	September 26, 2006
Subject:	2006 AUMA Resolutions – Administrative Analysis

ISSUE:

To confirm Council support for the proposed 2006 AUMA Resolutions that have an impact on the Regional Municipality of Wood Buffalo.

REFERENCE:

AUMA Resolutions Handbook

HISTORY:

The Alberta Urban Municipalities Association (AUMA) holds its annual conference each Fall. One of the key features of the annual conference is the addressing of resolutions submitted by member municipalities. Administration has reviewed each of the proposed resolutions and determined that many may have an impact on the Municipality, therefore administrative recommendations have been provided to assist the Council delegates attending the resolution sessions.

ALTERNATIVES:

1. Do not support the administrative recommendations.
2. Support the administrative recommendations.

ANALYSIS:

It is essential that the Council delegates attending the 2006 AUMA Conference are representing the Municipality's position and interests in a consistent and unified manner. As such, it is recommended that Council confirm its position on resolutions that have an impact on municipal business.

ATTACHMENTS:

1. Administrative Analysis – 2006 AUMA Resolutions

ADMINISTRATIVE RECOMMENDATION:

THAT the Administrative Analysis of the 2006 AUMA Resolutions, dated September 20, 2006, be approved and utilized by conference delegates for voting purposes.

**Regional Municipality of Wood Buffalo
ADMINISTRATIVE ANALYSIS
2006 AUMA Convention Resolutions**

Administration has reviewed the 2006 AUMA convention resolutions and determined that many of the following resolutions may have an impact on the Municipality. As such, administrative recommendations have been provided to assist the Council delegates attending the resolution sessions. Those resolutions that are not applicable to the RMWB have been marked as N/A.

Resolution #	Pg.	Name	Summary	Recommendation
Policy Paper 2006.1	10	Alberta Municipal Affairs Targeted Investment Program	The resolution calls for continuation of the funding for 2007 and beyond based on a maximum equalized assessment per capita (or per parcel for summer villages) and a minimum grant allocation for municipalities with low equalized assessments. The funding is aimed at assisting smaller municipalities such as counties, towns and summer villages.	SUPPORT
Policy Paper 2006.2	17	MGA Review – General Ministerial Powers	This resolution urges the AUMA 2006 General Assembly to adopt the proposed changes to the <i>MGA</i> that are contained in the “AUMA MGA REVIEW Related to the General Ministerial Powers in the <i>MGA</i> ”.	SUPPORT
2006.A.1	28	What Defines an Urban Municipality?	This resolution seeks to define what an urban community is and how it is difference from a rural municipality. From a planning perspective, the best way to tackle the root issue is to plan without the political boundaries in play. This is where tax sharing strategies and intermunicipal development plan are useful. In the end, since we are a regional municipality, we do not have in interest in this.	N/A
2006.A.2	31	Linear Property Rates	Edmonton & Calgary have challenged the Provincial Government to update regulated linear property rates to reflect 100 percent of current market value. The RMWB supports the resolutions for two reasons. First, at the municipal level, we re not able to equitably distribute the tax levy amongst our taxpayers. Second, linear properties are used in calculating the provincial school requisition. Therefore, failing to update linear property rates creates an inequitable distribution of the education tax province wide.	SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.A.3	33	Mandatory Requirement for Intermunicipal Development Plans	While we don't have the same issues as other municipalities since we are a regional municipality, there may be issues emerge with our neighbours. This kind of document makes sense since it ensures a common understanding and helps deal with conflict.	SUPPORT
2006.B.1	36	Reducing the Cost of the SuperNet	The Alberta SuperNet provides municipalities with the opportunity to electronically collaborate with other government offices and to assist in the provision of standardized reporting to the Government of Alberta. The fees for monthly access to the SuperNet are prohibitive for many municipalities. A reduced aggregated rate for monthly access fees for all municipalities would encourage more participation by those municipalities not currently subscribing.	SUPPORT
2006.B.2	37	Insurance Renewal	<p>The intent of this resolution is for members to be provided with the information necessary to budget appropriately for insurance renewal premiums by October 31st of each year. Because renewal rates are determined at the end of the year, it would be beneficial for the Alberta Municipal Services Corporation to provide budget direction to municipalities by reviewing market conditions, broker stewardship reports and evaluating the reserves remaining in the reciprocal fund to provide a forecast as to the expected general renewal increase.</p> <p>The resolution could have been worded better to reflect the intent. As such, the resolution should be amended as follows: NOW THEREFORE BE IT RESOLVED THAT the Alberta Municipal Services Corporation provide members with direction on budget allocations for insurance premiums by no later than October 31st of each year for the subsequent fiscal year.</p>	SUPPORT (WITH PROPOSED AMENDMENT)

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.i.1	40	Addressing the Shortage of Skilled and Unskilled Workers	This resolution requests that the Provincial and Federal Governments provide incentives for workers to relocate to Alberta, provide improved skills training, ensure professional associations properly credit credentials from other provinces, reduce barriers to immigration, and implement strategies to include Aboriginal peoples in the labour market. This initiative would be beneficial in opening up new labour markets to Alberta.	SUPPORT
2006.C.ii.1	42	Compensation to Rural Health Professionals	This resolution advocates that the Province accept responsibility for the recruitment, attraction and retention of health professionals into rural communities. Increased access to health care professionals in rural areas would add to the community's quality of life, and also act as a recruitment and retention tool for other employers.	SUPPORT
2006.C.ii.2	45	Tourism Tax Levy	This proposal offers a municipality the authority to levy and collect the accommodation tax for economic development and tourism initiatives. The choice remains with the municipality. The resolution implies that currently the accommodation is voluntary for the hotel industry.	SUPPORT
2006.C.ii.3	46	Drug Enforcement	This resolution requests that the Province increases its initiatives and funding to more appropriately address the production and distribution of illegal drugs. In order to enhance current municipal drug enforcement at a detachment level this is supported. A caution however is if the Province replaces the current municipal drug enforcement with a Provincial drug enforcement. The Regional Municipality of Wood Buffalo doesn't want to lose the drug enforcement we currently have within our detachment that are exclusive to this region, rather a Provincial service to enhance our current services.	SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.ii.4	47	Increased Financial Support for Social Infrastructure Priorities	<p>This resolution requests that the Government of Alberta increase funding for social infrastructure priorities. Due to our massive population growth, it is becoming increasingly difficult to provide adequate recreational opportunities for our residents and in particular the youth of the Municipality of Wood Buffalo. Increasing construction costs and rising population are limiting our ability to accomplish our mission of continually improving the quality of life within our community</p> <p>Quality of life is vital in attracting and retaining employees. Sports and recreation play a vital role in the overall health and wellness of individuals and communities.</p>	SUPPORT
2006.C.ii.5	49	Increased Funding for Family and Community Support Services (FCSS)	<p>FCSS provides funding and direct programming for social preventative services to help strengthen individuals, families, and community. The program strongly relies on partnerships and supports the volunteer and non-profit sector. The increased demand for services among all sectors of the population but especially among the more vulnerable members of our community ; youth, seniors, low income families, immigrants and aboriginal people has placed increased stress on the social supports and the overarching social fabric of communities.</p>	SUPPORT
2006.C.ii.6	51	Child Care Resolution	<p>This resolution requests that the Province remain committed to its Five-Point Investment Plan for Child Care. The Alberta Early Childhood Development and Child Care five point plan implemented this year in 2006 is a plan that was designed from feedback from Albertans. Therefore it is essential that the Alberta Government remains committed to this plan in order to ensure enhanced quality child care services for a growing number of families who require access to affordable quality childcare.</p>	SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.ii.7	53	Debt-Free Municipalities	<p>The resolution requests the Province of Alberta to provide grants to municipalities solely for municipal debt reductions.</p> <p>Although we are in support of the overall concept of the debt reduction resolution. Additional investigation must be undertaken to determine the impact of early debt reduction on the ACFA (Alberta Capital Finance Authority).</p>	SUPPORT
2006.C.ii.8	55	Amounts Added to Tax Roll – Parking Fines	<p>Increased administrative costs to ensure that person fined is property owner. Fines are used as a “Bylaw Enforcement Action”. Unpaid parking fines are processed through the court. The vehicle cannot be re-registered until the fine is paid. Non payment should not be collected through municipal tax rolls.</p>	NON-SUPPORT
2006.C.ii.9	56	Amounts Added to Tax Roll – Animal Control	<p>Increased administrative costs to ensure that person fined is property owner. Fines are used as a “Bylaw Enforcement Action”. Unpaid parking fines are processed through the court. The vehicle cannot be re-registered until the fine is paid. Non payment should not be collected through municipal tax rolls.</p>	NON-SUPPORT
2006.C.ii.10	57	Photo Radar	<p>The resolutions requested that the Province amend existing legislation to allow municipalities with a population under 5000 to utilize photo radar and receive the fine revenue so generated. Within the Regional Municipality of Wood Buffalo, fine revenue is used for cost of operations (photo radar van, personnel manning the van) and remainder goes to fund community organizations such as Victims Services, DARE Program, etc. There is a risk that if the fine revenues are used for more than cost reimbursement of operations that the photo radar system may be seen as a “cash cow”.</p>	NON-SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.ii.11	58	Alberta Foundation for Funding of the Arts	This resolution requests that funding by the Alberta Government to the Alberta Foundation for the Arts be adjusted to reflect inflation and population growth. The adjusted funding to the Foundation for the Arts may increase the ability for the Municipality to partner with groups within our community to provide a broad range of cultural experiences. Funding that supports Cultural Expression through art and cultural centers, community events, and celebrations is vital to maintain and enhance the health and wellness and quality of life of our citizens.	SUPPORT
2006.C.ii.12	60	Family & Community Support Services (FCSS)	The resolution requests that the Province be urged to continue its support of the FCSS partnership with municipalities utilizing local autonomy and that the province be further urged to renew and strengthen its support and commitment to FCSS. The FCSS foundation of local autonomy and decision making has demonstrated positive social preventative outcomes in communities. Municipalities support the continuance and enhancement of this partnership.	SUPPORT
2006.C.ii.13	61	Homelessness and Affordable Housing	Municipalities support a housing framework focused on minimizing homelessness by increasing housing and support options for our most vulnerable citizens; people living with or at risk of living with homelessness.	SUPPORT
2006.C.ii.14	62	Municipal Fiscal Sustainability	The resolution requests priority be given to the work of the Minister's Council on Municipal Sustainability.	SUPPORT
2006.C.ii.15	63	Urban Parks Program Re-Establishment	This resolution proposes that the Government of Alberta re-establish the Urban Parks Program as well as a parallel program for municipal districts and smaller cities. In the past this initiative by the Alberta Government was extremely successful. This level of commitment will increase our ability to accomplish our mission of continually improving the quality of life within our community.	SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.ii.16	66	Recycling and Extended Product Stewardship	The resolution requests that the Government of Alberta extend Alberta's product stewardship programs to include high volume municipal waste streams (i.e. packaging, cardboard, paper products) and that any funding derived from such programs be redirected to municipalities to sustain and expand local recycling programs. The cost to operate and maintain a recycling program can be cost-prohibitive due to commodity prices for recycled materials being at a rate below cost recovery point.	SUPPORT
2006.C.ii.17	68	Inclusionary Zoning for Affordable Housing	This proposal allows a Council to provide for (or require) affordable housing right at the outset of planning a development. There are number of ways to implement this but the resolution leaves that up to the municipality.	SUPPORT
2006.C.ii.18	70	Provincial Targeted Investment Grant	The resolution requests that unconditional municipal assistance grants be provided on a fair and equitable basis. The background information refers to the one time Targeted Investment Grant Program that was available in 2006 to smaller municipalities (Municipal Districts, towns, and Summer Villages) and claims that the funding formula is too specific, thus some municipalities did not receive any funding under the program.	SUPPORT
2006.C.iii.1	72	Special Constables and Side-Arms	This resolution requests that legislation be changed to allow special constables to carry side-arms as part of their personal protection gear. Within the Regional Municipality of Wood Buffalo Bylaw Officers' role and function is to enforce municipal bylaws. Side-arms are not required as part of municipal bylaw enforcement.	NON-SUPPORT
2006.C.iii.2	74	Prohibit Smoking in Public Places	This resolution requests the Provincial Government to amend the Smoke Free Places Act to prohibit smoking in all public places. Legislation that prohibits smoking in public places will promote the health, safety and welfare of all citizens as well as protect non-smokers from the dangers of second-hand smoke. Alberta is one of the few provinces that does not adequately regulate smoking!	SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.iv.1	76	Domestic Fertilizer Herbicide Combination Products Sales Restriction	This resolution requests that the Govt. of Alberta impose a provincial sales restriction on domestic fertilizer-herbicide combination products for use by homeowners within municipalities.	N/A
2006.C.iv.2	78	Affordable Housing Funding	This resolution urges the Government of Alberta to work with municipalities and the federal government to continue to implement an ongoing federal/provincial funding program for affordable housing; that federal funding for housing be allocated to municipalities on a per capita or block funding basis as opposed to a project by project basis, and finally that the resolution be forwarded to FCM as an AUMA-sponsored resolution. Municipalities support the Federal and Provincial government allocation of multiyear funding based on a per capital or block funding model for capital and operating funding for affordable housing initiatives in order to maintain and enhance affordable housing options for our citizens. This would also serve as a recruitment and retention tool for employers.	SUPPORT
2006.C.iv.3	81	Punishment for Drug Production and Dealing Convictions	The resolution proposed that the Government of Canada significantly increase the penalties for those convicted of the production and/or distribution of illegal drugs. The Regional Municipality supports the resolution. In many cases, because penalties are not severe, we see repeat offenders.	SUPPORT
2006.C.iv.4	82	Introduction of an Urban Affordable Supportive Living Program	This resolution proposes that the Ministers for Seniors and Community Supports introduce an Urban Affordable Supportive Living Program for seniors that will provide adequate funding for their health care and home care needs to keep them functionally independent in their own homes for as long as possible. Municipalities support initiatives that encourage and enhance senior's ability to live independently with supports focused on health, wellness and quality of life.	SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.iv.5	84	Tools that would allow the Chief of Police to Foster Ethics and Professionalism	This resolution requests an amendment to the Alberta <i>Police Act</i> and <i>Police Service Regulation</i> to include a broader set of disciplinary tools available to Chiefs of Police in order to allow more effective and timely discipline. Within the Regional Municipality of Wood Buffalo, the police force is the RCMP. The RCMP work within the guidelines of the <i>Police Act</i> but discipline matters fall within the <i>RCMP Act</i> .	N/A
2006.C.iv.6	86	Inequity in Police Contracts	This resolution requests the Provincial Government to implement a single policing model for all municipalities supported by a provincial police grant of \$100 per capita for all municipalities. The Regional Municipality of Wood Buffalo supports the resolution. The funding formula proposed would cover approximately 42% of the 2006 policing expenditures. The current provincial police grant covers 4.5% of the 2006 policing expenditures.	SUPPORT
2006.C.iv.7	88	Municipal Risk Management Processes in Alberta	<p>This resolution requests firstly, an amendment to the Municipal Government Act to reduce the possible liability exposure of a municipality for actions taken when responding to emergencies, or providing services. Secondly, it requests the establishment of a Provincial risk management process and a loss insurance fund which is to be accessible to Municipalities in the event they are found grossly negligent when responding to such emergencies, and when such liability exceeds the insurance limits of the Municipality.</p> <p>The Regional Municipality of Wood Buffalo is in support of this resolution if the sponsoring Municipality amends the resolution, deleting the latter portion as follows: “NOW THEREFORE BE IT RESOLVED THAT the AUMA request that the Minister of Municipal Affairs initiate changes to the Municipal Government Act to reduce the possible exposure of municipalities for actions taken when responding to emergencies or providing services inside and outside the municipality, including limiting the exposure to those situations in which the municipality can be shown to be grossly</p>	<p>Conditional SUPPORT</p> <p>(WITH PROPOSED AMENDMENT)</p>

Resolution #	Pg.	Name	Summary	Recommendation
			<p>negligent.”</p> <p>If the resolution is not amended, the Municipality does not support the resolution as no Municipality should contribute towards a fund to pay for the gross negligence of another.</p>	
2006.C.iv.8	91	Federal Income Tax on Rental Housing	<p>The resolution requests the Government of Canada to implement changes to the federal income tax system for rental investment, thereby encouraging affordable rental housing unit development.</p> <p>Although support should be offered for the overall encouragement of affordable rental housing unit development, a broader review should be undertaken to determine the circumstances that lead to the original changes to the Income Tax Act. In addition, municipalities should seek to understand what the overall impact would be on local governments that have already invested in the significant development of affordable rental housing units (ie: Wood Buffalo Housing and Development Corporation).</p>	SUPPORT
2006.C.v.1	94	Environmental Building Standard for New Residential Housing	This resolution requests that building codes be amended to the equivalency of “Built Green” Alberta standards for new buildings to ensure the future reduction of energy, water, greenhouse gases, and the health and welfare of new home occupants are met	SUPPORT
2006.C.v.2	96	Definition of Marriage	This resolution proposes that the AUMA request the Government of Canada to define “that only marriage between a man and a woman” is valid or recognized in Canada.	
2006.C.v.3	97	Alberta Building Code Changes	This resolution proposes improvements to the Alberta Building Code. Each proposal will improve life safety as well as building integrity. They will likely increase the cost of construction.	SUPPORT

Resolution #	Pg.	Name	Summary	Recommendation
2006.C.v.4	99	Support for Trail Systems	<p>This resolution requests recognition of trails as an important part of our transportation infrastructure (locally and provincially). The resolution proposes that a policy framework be developed by the GOA with municipalities.</p> <p>This initiative supports “active transportation” and can offer the following benefits:</p> <ol style="list-style-type: none"> 1. Increase in population health 2. Increase in transportation alternatives 3. Improved transportation and social connections between neighbourhoods and communities 4. Decrease in greenhouse gas emissions 5. Vehicular traffic reduction 	SUPPORT
2006.C.v.5	101	Urban/Rural Cost Sharing	<p>This resolution urges the GOA to take a lead role in creating a strategy to implement the rural/urban cost sharing work that has previously been done by AUMA and AAMD&C. This work appears to support improved coordination of development in neighbouring municipalities and the cost sharing framework that can support coordinated development planning.</p>	SUPPORT

REGIONAL MUNICIPALITY OF WOOD BUFFALO COUNCIL REPORT

To:	Mayor and Council
From:	Manager, Planning & Development
Date:	September 26, 2006
Subject:	Tender Award - Fort Chipewyan Fire Hall Expansion Project

ISSUE:

To award Tender No. QU1832 for the expansion and renovation of the Fort Chipewyan Fire Hall.

REFERENCE:

1. 2006 Capital Budget
2. Rural Fire And Emergency Medical Services Study
3. Council Report PSFD 02-2006

HISTORY:

The Fort Chipewyan Fire Hall expansion and renovation project was approved in the 2006 Capital Budget for one million dollars (\$1,000,000). A Debenture Bylaw No. 06/002 for \$1,000,000.00 was given final reading on April 11th, 2006. This project follows the recommendations in the Rural Fire and Emergency Medical Services Study, to provide sufficient space to meet the operational requirements of the Fire Department to achieve the adopted rural fire service standard.

Sahuri Hutchinson Brezezinski (SHB) was engaged to design and tender this project. Tenders were issued on June 30, 2006 and closed on August 10, 2006. Two contractors attended the pre-bid site meeting on July 11, 2006 in Fort Chipewyan; however only one bid was received from GENEVIEVE CONTRACTORS LTD in the amount of \$2,234,899.00.

The bid received from Genevieve was reviewed and evaluated by SHB and Regional Municipality of Wood Buffalo staff and it was found to be in compliance with bid submission requirements.

ALTERNATIVES:

1. Award the tender
2. Re-tender the project
3. Do not award the tender

ANALYSIS:

The first alternative is considered to be the best option in order to meet the operational requirements of the Fort Chipewyan Fire Department and achieve the rural service standard adopted by Council.

Re-tendering the project will not realize any benefits. Based on the recent tendering experiences and the construction market re-tendering would result in higher costs. Also because of the availability of contractors and the remoteness of Fort Chipewyan it is a possibility that we may not receive any bids if re-tendered.

Impacts of not proceeding with the project:

1. Liability and risk associated with not achieving the service standard
2. Public and volunteer dissatisfaction as other rural areas have received the apparatus and station renovations to achieve the standard.
3. Loss of volunteers
4. Loss of life and structures

Council adopted a Rural Fire Department Service Standard of a fifteen (15) minute intervention within the community boundaries in 80% of the responses. The Fort Chipewyan station does not have sufficient bays to hold current vehicles or classroom/meeting room; there are more vehicles than storage space. The Fort Chipewyan fire station lacks sufficient space to operate a successful volunteer fire department.

ATTACHMENTS:

1. Funding Requirements
2. Bid evaluation

ADMINISTRATIVE RECOMMENDATION:

1. That Tender No. QU1832 for the Fort Chipewyan Fire Hall Expansion Project be awarded to Genevieve Contractors Ltd. in the amount of \$2,234,889.00 (excluding GST).
2. That the shortfall of \$1,532,889.00 (excluding GST) be funded from the Capital Infrastructure Reserve.

Attachment 1

**FORT CHIPEWYAN FIRE HALL EXPANSION
FUNDING REQUIREMENTS (excluding GST)
September 11, 2006**

BUDGET APPROVED	\$1,000,000.00
Less total project costs (see below)	<u>\$2,532,889.00</u>
SHORTFALL REQUIRED	<u>\$1,532,889.00</u>

Project Costs Breakdown

1. Genevieve Contractors Ltd.	\$ 2,234,889.00
2. Consultant fee	\$ 85,000.00
3. Consultant disbursements	\$ 25,000.00
4. Extra for foundation modification	\$ 105,000.00
5. Geotechnical (Including barging cost)	\$ 55,000.00
6. Building Permit	\$ 13,000.00
7. Quality Control	\$ 15,000.00



Partners Ken Hutchinson,* Architect, AAA, AIBC, SAA, FRAIC
Henryk Brzezinski,* Architect, AAA, SAA, MRAIC
* denotes corporations

Tim Sahuri,* Architect,AAA, AIBC, SAA, MRAIC, LEED
Keesa Hutchinson,* Intern Architect, MRAIC

September 8, 2006

Regional Municipality of Wood Buffalo
Engineering Services Division
9909 Franklin Avenue
Fort McMurray, AB T9H 2K4

Attention: Mr. Joseph Zachariah

Re: Fort Chipewyan Fire Hall Renovation and Expansion

Dear Mr. Zachariah

The following bids were received prior to bid closing at 2:01:00 p.m. on August 10th, 2006.

Genevieve Contractors Ltd. \$2,234,899.00

The low bid submitted was by Genevieve Contractors Ltd.

We have reviewed the bid submitted by Genevieve Contractors Ltd. and find that it appears to be in order, with all required attachments submitted at time of Bid submission.

It is our recommendation that you accept the bid from Genevieve Contractors Ltd., provided of course you also find it in order, and prepare to enter into contract for construction of the Fort Chipewyan Fire Hall Renovation and Expansion.

I trust this is satisfactory. Please call if you have any questions or concerns.

Sincerely,

Allan J. Law, Senior Associate
per Sahuri Hutchinson Brzezinski Architects Inc.

REGIONAL MUNICIPALITY OF WOOD BUFFALO COUNCIL REPORT

To:	Mayor and Council
From:	Manager, Planning and Development
Date:	September 26, 2006
Subject:	Text Amendment to Highway 63 North Area Structure Plan – Graymont

ISSUE:

An application to amend the Highway 63 North Area Structure Plan (ASP) has been received to allow natural resource extraction within the “Industrial Land Use” policies section of the ASP, on a strip of land located between the Athabasca River and Highway 63, adjacent to the north of the Urban Service Area.

REFERENCE:

1. Municipal Government Act (MGA)
2. Municipal Development Plan (MDP) Bylaw 00/005 as amended by Bylaw 06/025
3. Highway 63 North Area Structure Plan (ASP) Bylaw 99/037
4. Land Use Bylaw (LUB) Bylaw 99/059
5. Discussion Paper-Natural Resource Extraction in Parks and Recreation District (June 2006)

HISTORY:

Graymont Western Canada Inc. and Inland Aggregates Ltd. have been working together since March 2004 to develop the Parson’s Creek Resources Project on portions of Section 5, 6, 7, 8, 18, 19, 30, and 31 of 90-9-W4 and also NE 36 of 90-10-W4. The project is to extract the rich resources of sand, gravel and limestone in phases.

The Provincial Government has stated that without municipal support (as expressed through to MDP and ASP) leases to permit development will not be issued. The proposed ASP Amendment covers both the Surface Materials Lease (SML) and Metallic and Industrial Materials Lease (MAIM) areas which are approximately 66.36 hectares (164 acres) and 820 hectares (2026.26 acres) respectively.

The amendment process began with MDP and ASP proposals submitted to the Municipality on April 4, 2006. The proponent held an open house on May 31, 2006 to present the project and gather public comments on the project prior to Council review. The meeting was attended by 25 people. The open house provided a valuable opportunity to share information and significant support for the project was noted in the discussions. The MDP amendment proposal has been approved by the Regional Council on July 11, 2006. A related LUB amendment application has also been received and if approved would allow for sand and gravel extraction within the 66.36 hectares (164 acres) SML area.

Council held a hearing on September 19, 2006. After conducting the hearing, the bylaw was referred to Administration to explore a separation distance from Urban Service Area boundary.

ALTERNATIVES:

1. Proceed with the amendment to the Highway 63 North Area Structure Plan.
2. Modify the proposed amendment to the Highway 63 North Area Structure Plan.
3. Deny the application

ANALYSIS:

To permit Natural Resource Extraction activity in Parks and Recreation District, the ASP needs to be amended. The MDP was amended to allow Natural Resource Extraction in Major Recreational Policy Areas under certain conditions. The subject land falls both in “Recreation and Open Space” and “Environmental Protection” areas in the ASP. The LUB designates the subject land as “Parks and Recreation District”. The ASP does not allow Natural Resource Extraction activity in these zones. ASP does not define “Natural Resource Extraction”, although it includes supportive policies for this kind of activity.

The subject property is in the Rural Service Area of the Municipality and adjacent to the Urban Service Area. An eventual large scale recreational use is proposed for the site. However, this land, being along the Athabasca River also provides significant potential for aggregate and limestone. Allowing extraction activities under certain conditions can create a flexibility in use and meet MDP and ASP objectives. This will allow land and resources to be utilized to their full potential. LUB Section 116.8. requires natural extraction area to be reclaimed after completion of the activity. The Provincial lease procedures, as well, protect the land after extraction. Reclamation of land after the activity fully saves the land for future recreational needs of the community.

Detailed text can be added to the Land Use Policies Section of the ASP such that only the subject land can be available for extraction activities. Approval of the ASP amendment will permit the applicant to proceed with the SML application. The company plans to develop sand, gravel and eventually limestone extraction activities in phases following the SML approval. A Conservation and Reclamation Business Plan (CRBP) is a requirement of lease approval. A CRBP will indicate in detail what is to be undertaken to reclaim the site to meet the ASP’s long term objective. A limestone extraction additionally requires an Environmental Impact Assessment (EIA) as a condition of lease approval. This amendment will provide a more flexible and efficient use of the subject land.

A Public Hearing was held on September 19, 2006, following which second reading of the bylaw was presented for consideration. Concerns were raised regarding the proximity of activity to the Urban Service Area boundary and a motion was subsequently passed to refer the matter to Administration for further review. Administration has since confirmed that the removal of Sections 5, 6, 7 & 8 of Twp 90-Rge 9-W4M would meet Council’s desire to buffer the activity from the Urban Service Area (1.5 miles) and the applicant’s sand and gravel extraction objectives. The applicant has provided a letter of support for the proposed amendment (Attachment 3).

The motion for second reading of the bylaw is automatically before Council for consideration. In order to effect the removal of Sections 5 through 8, it is necessary to adopt an amendment to the bylaw before voting on second reading. Once the amending motion is

successfully passed, Council may then proceed to vote on second reading of the bylaw, as amended.

ATTACHMENTS:

1. Proposed Bylaw
2. Subject Map
3. A letter of support for amendment from the applicant

ADMINISTRATIVE RECOMMENDATION:

1. THAT Bylaw No. 06/036, be amended by deleting the legal description “Sections 5, 6, 7, 8, 18, 19, 30 and 31 of Twp 90-Rge 9-W4M” and replacing with “Sections 18, 29, 30 and 31 of Twp 90-Rge 9-W4M”.
2. THAT Bylaw No. 06/036, as amended, be read a third time.

BYLAW NO. 06/036

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/037 BEING THE HIGHWAY 63 NORTH AREA STRUCTURE PLAN FOR THE REGIONAL MUNICIPALITY OF WOOD BUFFALO.

WHEREAS Section 633 of the Municipal Government Act, R.S.A., 2000, Chapter 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, Chapter M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

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

THAT the Highway 63 North Area Structure Plan (Bylaw 99/ 037) is hereby amended by adding the following text as a new policy (# 5.2.5.a) within the Industrial Land Use Policies section of the ASP:

“Sand and gravel extraction and limestone extraction activities may be appropriate within Sections 5, 6, 7, 8, 18, 19, 30 and 31 of Twp 90-Rge 9-W4M and NE 36 of Twp 90-Rge 10-W4M where operating and reclamation plans effectively retain and enhance the end use capability of the land. Prior to municipal land use or development approval for limestone extraction, appropriate authorizations must be obtained pursuant to the Alberta Environmental Protection and Enhancement Act (AEPEA) and Public Lands Act.”

READ a first time this 5th day of September, A.D. 2006

READ a second time this day of , A.D. 2006

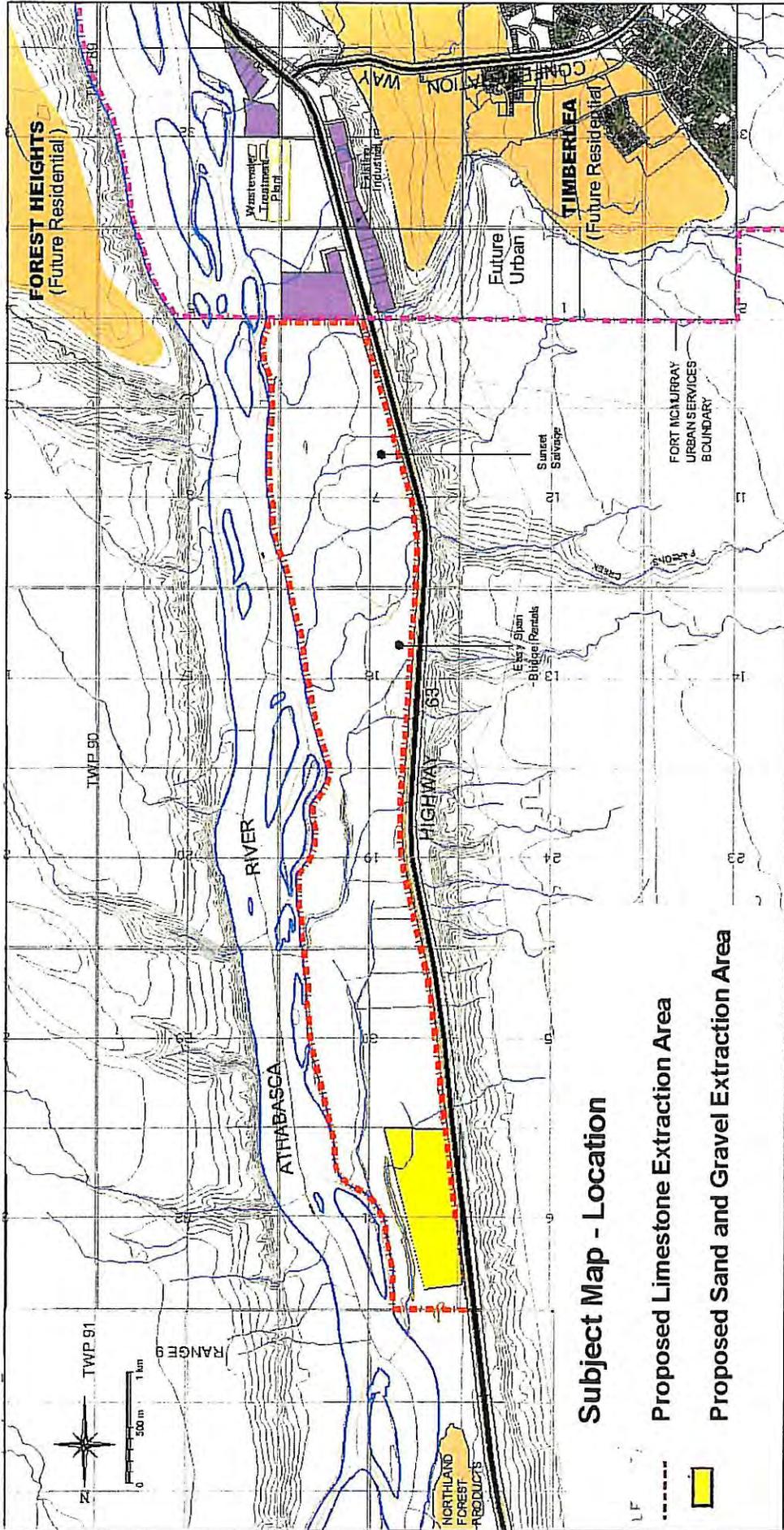
READ a third time this day of , A.D. 2006

CERTIFIED A TRUE COPY

MAYOR

CHIEF LEGISLATIVE OFFICER

CHIEF LEGISLATIVE OFFICER



Subject Map - Location

- Proposed Limestone Extraction Area
- Proposed Sand and Gravel Extraction Area

September 19, 2006

Regional Municipality of Wood Buffalo
Planning and Development Department
9909 Franklin Avenue
Fort McMurray, Alberta
T9H 2K4

Attention: Dennis Peck

Dear Sir,

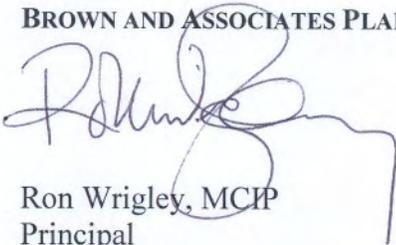
Re: Public Hearing Regarding Bylaw No. 06/036

We understand that Council has referred the Area Structure Plan Bylaw 06/36 to administration to delete Sections 5, 6, 7, and 8 from the amendment. Inland Aggregates and Graymont Western Canada Inc. have authorized us to advise you that the referred amendment, involving a reduced area, would meet the requirements of the companies to proceed at this time.

We also understand that Land Use Bylaw amendment 06/37 regarding sand and gravel operations in the West half of Section 31 will be considered for 2nd and 3rd reading in its original form as presented at the Public Hearing.

Yours truly,

BROWN AND ASSOCIATES PLANNING GROUP



Ron Wrigley, MCIP
Principal

cc: Jeff Higgs / Graymont Western Canada
Dave Clark / Inland Aggregates

1405, 101 – 6th Avenue SW. Calgary Alberta T2P 3P4

Phone (403) 269-4733 Fax (403) 269-4733

REGIONAL MUNICIPALITY OF WOOD BUFFALO COUNCIL REPORT

To:	Mayor and Council
From:	Manager, Planning and Development
Date:	September 26, 2006
Subject:	Text Amendment to the Land Use Bylaw – Graymont

ISSUE:

An application to amend the Land Use Bylaw has been received to allow sand and gravel extraction in the Parks and Recreation District, on a property located between the Athabasca River and Highway 63, approximately 8 km north of the Urban Service Area.

REFERENCE:

1. Municipal Government Act (MGA)
2. Municipal Development Plan (MDP) Bylaw 00/005 as amended by Bylaw 06/025
3. Highway 63 North Area Structure Plan (ASP) Bylaw 99/037
4. Land Use Bylaw (LUB) Bylaw 99/059
5. Discussion Paper-Natural Resource Extraction in Parks and Recreation District (June 2006)
6. The Council Report for the ASP Amendment; PD-049-2006.

HISTORY:

The proposed amendment to the LUB covers 5 separate Surface Material Leases (SML) covering 66.36 hectares (164 acres). This amendment, if approved, allows for sand and gravel extraction within the West ½ of Section 31, Township 90, Range 9, W4M.

The amendment process began with proposed amendments to the MDP and the ASP submitted on April 4, 2006. The proponent held an open house on May 31, 2006 to present the project and gather public comments on the project prior to Council review. The meeting was well attended by 25 people. Significant support for the project was noted in the discussions. The MDP amendment proposal has been approved by the Regional Council on July 11, 2006.

Alberta Sustainable Resource Development (ASRD), as the land owner, has given the Municipality written consent to process an LUB amendment application. Graymont will eventually also need the Regional Council's approval on the proposed amendments to proceed with its SML applications which it submitted to ASRD on February 15, 2005.

ALTERNATIVES:

1. Proceed with the amendment to the Land Use Bylaw.
2. Modify the proposed amendment to the Land Use Bylaw.
3. Deny the application.

ANALYSIS:

The LUB designates the subject land as “Parks and Recreation District”. The LUB does not allow natural resource extraction activity in this zone. It defines Natural Resource Extraction as “*The development of oil, gas, gas facilities, sand and gravel operations and logging operations.*” It is only permitted in the Urban Expansion and Rural District as a discretionary use.

A large scale recreational use for future is prescribed for the site by the ASP and the LUB. However, allowing extraction activities under certain conditions can create a flexibility in use and meet more than one plan objectives. If approved, this amendment allow land and resources to be utilized to their full potential. The LUB and Provincial lease procedures require reclamation and allows the land to be eventually developed for future recreational needs of the community.

Detailed text can be added to Section 114.3 of the LUB such that only the subject land within “Parks and Recreation District” can be available for sand and gravel extraction activities as long as the MDP, the ASP and the LUB requirements are met. Spot developments will be prevented. Approval of the plan amendments will permit the applicant to proceed with its 5 SML applications. In case the land use has not been amended, the subject land will remain underutilized until the community needs a large scale recreational use in the outskirts of the community.

ATTACHMENTS:

1. Proposed Bylaw
2. Subject Map

ADMINISTRATIVE RECOMMENDATION:

1. THAT Bylaw No. 06/037, being a bylaw to amend the Land Use Bylaw to allow sand and gravel extraction within the Parks and Recreation District prescribed in Section 114.3 of the LUB, within West ½ of Section 31, Township 90, Range 9, W4M, be read a second time.
2. THAT Bylaw No. 06/037, being a bylaw to amend the Land Use Bylaw to allow sand and gravel extraction within the Parks and Recreation District prescribed in Section 114.3 of the LUB, within West ½ of Section 31, Township 90, Range 9, W4M, be read a third time.

BYLAW NO. 06/037

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

WHEREAS Section 633 of the Municipal Government Act, R.S.A., 2000, Chapter 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, Chapter M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

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

THAT the Land Use Bylaw (Bylaw 99/ 059) is hereby amended by adding the following text to the Discretionary Uses of the Parks and Recreation District prescribed in Section 114.3 of the LUB:

“Sand and gravel extraction and associated processing and shipping activities within the West ½ of Section 31, Township 90, Range 9, W4M.”

READ a first time this 5th day of September, A.D. 2006

READ a second time this day of , A.D. 2006

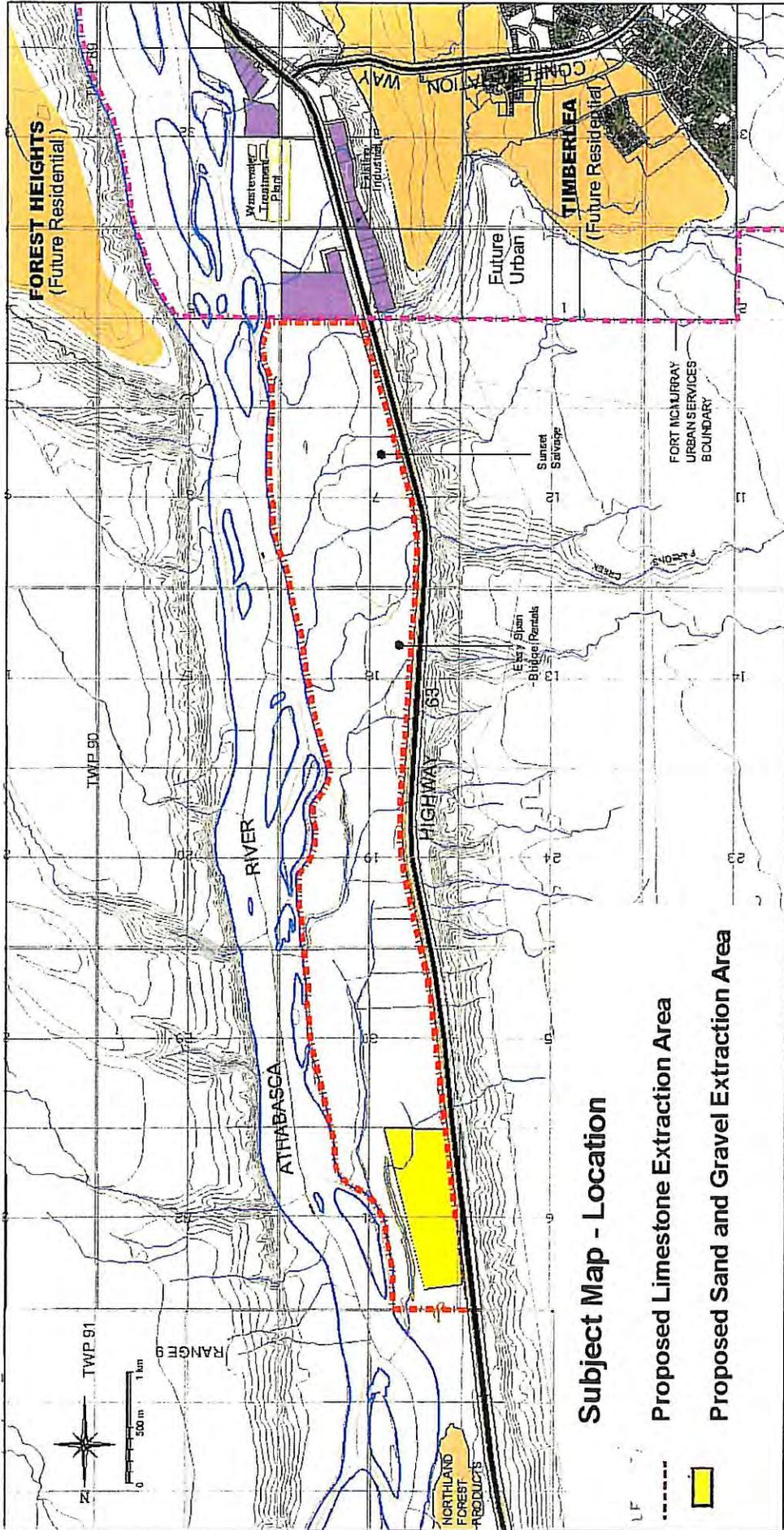
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MAYOR

CHIEF LEGISLATIVE OFFICER

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Subject Map - Location

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