



COUNCIL MEETING
MONDAY, SEPTEMBER 22, 2014
7:00 P.M.

**FOR THE REGULAR MEETING OF THE REDCLIFF TOWN COUNCIL
MONDAY, SEPTEMBER 22, 2014 – 7:00 P.M.
REDCLIFF TOWN COUNCIL CHAMBERS**

<u>AGENDA ITEM</u>	<u>RECOMMENDATION</u>
1. GENERAL	
A) Call to Order	
B) Adoption of Agenda *	Adoption
C) Accounts Payable *	For Information
2. MINUTES	
A) Council meeting held September 8, 2014 *	For Adoption
B) Subdivision and Development Appeal Board hearing held September 4, 2014 *	For Information
3. REQUEST FOR DECISIONS	
A) Heavy Truck Exemption *	For Consideration
B) Budget Process *	For Consideration
C) Tax Recovery Auction *	For Consideration
D) Encroachment Permit Application * Re: Lot 4, Ptn Lot 5, Block 22, Plan 1117V (433 – 7 Street SE)	For Consideration
E) Ensminger, Beck & Thompson Chartered Accountants * Re: Request for additional fees	For Consideration
4. POLICIES	
A) Policy 69, Remuneration and Benefits for Management Personnel Re: Calculation (Remuneration Rates) Error Correction	For Approval
5. CORRESPONDENCE	
A) Farwest Land & Properties Inc. Re: SDAB Decision	For Information
B) Alberta Municipal Affairs * Re: Federal Gas Tax Fund	For Information

6. OTHER

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|-----------|---------------------------------------|-------------------|
| A) | Municipal Manager Report to Council * | For Information |
| B) | Important Dates * | For Information |
| C) | Subdivision Application 2014 SUB 03 | For Consideration |

7. RECESS

8. IN CAMERA

- A)** Legal (2)

9. ADJOURN

ACCOUNTS PAYABLE			
COUNCIL MEETING SEPTEMBER 22, 2014			
CHEQUE #	VENDOR	DESCRIPTION	AMOUNT
75691	GREYHOUND COURIER EXPRESS	SHIP - CEM HEAVY EQUIPMENT	\$24.27
75692	PRITCHARD & COMPANY LLP	TITLE TRANSFERS PLAN 1411879 & 1411880	\$269.06
75693	DEJONG, PATSY	LIONS PARK FEE, FACILITY & KEY DEPOSIT REFUNDS	\$277.50
75694	TRICO LIGHTING PRODUCTS	SAFETY LIGHT & BACKUP BATTERIES	\$334.87
75695	PUROLATOR	SHIP - CORIX (WATER METERS)	\$74.16
75696	RED HAT COOPERATIVES	LIONS PARK FACILITY & KEY DEPOSIT REFUND	\$225.00
75697	SPATIAL TECHNOLOGIES	MAGNETIC LOCATOR	\$939.75
75698	ST. JOHN AMBULANCE	REDCLIFF DAYS FIRST AID COVERAGE	\$200.00
75699	SUMMIT MOTORS LTD	FITTINGS	\$10.25
75700	TELUS COMMUNICATION INC.	TELEPHONES - OFFICE	\$1,670.40
75701	TELUS MOBILITY	TELEPHONES - CELL & PAGERS	\$750.83
75702	CZEMBER, CHRIS	BALL DIAMOND KEY DEPOSIT REFUND	\$125.00
75703	MBSI CANADA	COMPUTER SOFTWARE	\$3,607.98
75704	STAFFORD, AMY	SUMMER ART CLASSES	\$1,025.00
75705	THE PRINTER	BUS CARDS (RAY GRADWELL)	\$90.30
75706	HARV'S JANITORIAL SERVICES	MONTHLY JANITORIAL SERVICES	\$3,386.25
75707	REDCLIFF HOME HARDWARE	SCREWS, WASHERS, ETC.	\$68.22
75708	INDUSTRIAL BACKHOES LTD.	PORTABLE HYDRANT DEPOSIT REFUND	\$2,000.00
75709	JOE JOHNSON EQUIPMENT	AIR, OIL & HYDRAULIC FILTERS	\$707.75
75710	LETHBRIDGE MOBILE SHREDDING	SHREDDING	\$65.89
75711	LIFESAVING SOCIETY	NATIONAL LIFEGUARD & FIRST AID PACKAGES	\$458.66
75712	MINHAS, KHALIL	SEMINAR EXPENSES	\$405.15
75713	MURRAY, CINDY	CANADA DAY EXPENSES	\$223.25
75715	ALTA-WIDE BUILDERS SUPPLIES (M	PRESSURE TREATED POSTS & POST CAPS	\$36.86
75716	BROWNLEE LLP	PROFESSIONAL & LEGAL FEES	\$35.75
75717	C.E.M. HEAVY EQUIPMENT	SUPPLIES,. TRAVEL RATE & FIELD LABOUR	\$895.75
75718	CIBC VISA	VISA - JUL 22 TO AUG 21, 2014	\$8,305.20
75719	CITY OF MEDICINE HAT	UTILITIES	\$17,159.85
75720	EPCOR ENERGY SERVICES INC.	LANDFILL ELEC UTILITIES	\$114.98
75721	FEDERAL EXPRESS CANADA LTD.	SHIP - FROM AL-JON TO LANDFILL	\$16.58
75722	FORTY MILE GAS CO-OP LTD.	LANDFILL GAS UTILITY	\$51.83
75723	FOUNTAIN TIRE	FLAT REPAIR ON BOBCAT	\$38.80
75724	GAR-TECH ELECTRICAL	RECTANGLE ELEC UPGRADE & RELAMP HWY SIGNS	\$3,874.46
75725	GRAND RENTAL STATION	CELEBRITY NIGHT & PENNY CARNIVAL SUPPLIES	\$398.97
75726	PROVINCIAL TREASURER - LAP	LAPP CONTRIBUTIONS	\$14,899.13
75727	SUMMIT MOTORS LTD	BATTERIES & CORE CHARGE	\$245.60
75728	REDCLIFF LADIES FASTBALL	BALL DIAMOND KEY DEPOSIT REFUND	\$125.00
75729	XEROX CANADA LTD.	COPIER MAINTENANCE	\$229.02
75730	UNITED WAY	EMPLOYEE JULY-SEPT DONATIONS	\$74.00
75732	COMMISSIONAIRES	HOUSE FIRE SECURITY	\$316.05

75733	MILLER, NORMAN	LIONS PARK FACILITY & KEY DEPOSIT REFUND	\$225.00
75734	BOWEY, SHERI	POOL RENTAL REFUND	\$75.00
75735	BORG, KIM	POOL RENTAL REFUND	\$75.00
75736	PETTYJOHN, KRISTA	POOL RENTAL REFUND	\$75.00
75737	KLASSEN, BEN	LIONS PARK FACILITY & KEY DEPOSIT REFUND	\$225.00
75738	TULIP, MARY	CONTRACTED WAGES - FINANCE CLERK	\$1,062.50
75739	SCHEFFER ANDREW LTD.	PLANNING SERVICES	\$2,307.38
75740	RECEIVER GENERAL	STATUTORY DEDUCTIONS	\$25,815.80
75741	CIBC	SUPPLEMENTAL PENSION PLAN	\$1,614.98
75742	CITY OF MEDICINE HAT	AUGUST SEWAGE OUTLAY	\$87,932.04
75743	FAMILY & COMMUNITY SUPPORT	FCSS MEMBERSHIP	\$698.00
75744	FOX ENERGY SYSTEMS INC.	BOTTLES OF AIR	\$94.34
75745	JIM'S ELECTRIC (2006) LTD.	CAMPGROUND POWER OUTLETS	\$314.21
75746	LETHBRIDGE HERALD	AUG ADVERTISING	\$550.99
75747	MEDICINE HAT NEWS	AUG ADVERTISING	\$343.98
75748	SHAW CABLE	INTERNET FEES	\$254.89
75749	PAD-CAR MECHANICAL LTD.	MAINT. ON HVAC VEH IN RCMP BLDG	\$395.64
75750	PC CORP INC.	TECH SUPPORT & MAINTENANCE	\$1,539.56
75751	SUNCOR ENERGY PRODUCTS PARTNER	LANDFILL FUEL	\$1,651.42
75752	TOWN OF REDCLIFF	EMPLOYEE PROPERTY TAXES	\$450.00
75753	TOWN OF REDCLIFF	PAYROLL TRANSFER	\$66,643.47
61 CJHEQUES TOTAL:			\$256,101.57

**MINUTES OF THE REGULAR MEETING OF THE REDCLIFF TOWN COUNCIL
MONDAY, SEPTEMBER 8, 2014 7:00 P.M.**

PRESENT:

Mayor	E. Reimer
Councillors	C. Crozier, D. Kilpatrick, L. Leipert, J. Steinke, E. Solberg
Municipal Manager	A. Crofts
Director of Finance & Administration	J. Kwok
Manager of Legislative & Land Services	S. Simon (left at 9:20 p.m., ret at 9:40 p.m.)
Public Services Director	J. Garland (left at 9:20 p.m.)
Manager of Engineering	K. Minhas

ABSENT: Councillor C. Brown

1. GENERAL

Call to Order

A) Mayor Reimer called the regular meeting to order at 7:00 p.m.

2014-0457 Adoption of Agenda

B) Councillor Kilpatrick moved the agenda be adopted as amended. - Carried.

2014-0458 Accounts Payable

C) Councillor Leipert moved the following 112 general vouchers in the amount of \$1,000,950.48 be received for information. – Carried Unanimously.

ACCOUNTS PAYABLE

COUNCIL MEETING SEPTEMBER 8, 2014

CHEQUE #	VENDOR	DESCRIPTION	AMOUNT
75508	REDCLIFF HOME HARDWARE	SAFETY EQUIPMENT	\$165.81
75509	RECEIVER GENERAL	STAT DEDUCTIONS	\$29,701.68
75510	TOWN OF REDCLIFF	REGULAR PAYROLL	\$74,970.75
75511	XEROX CANADA LTD.	PHOTOCOPIER MAINTENANCE	\$194.41
75512	ZEP SALES & SERVICE OF CANADA	SOAP, DISPENSERS	\$530.55
75513	RECEIVER GENERAL RCMP	POLICING COSTS	\$263,586.90
75514	ROSENAU TRANSPORT LTD	FREIGHT AQUATIC CENTRE & WTP CHEMICALS	\$662.80
75515	SAFETY CODES	SAFETY CODES FEES JAN-JUN	\$400.67
75516	STEHR, BRIAN	SPECIAL MPC MEETING LUNCH	\$66.99
75517	SOLID WASTE ASSOCIATION	LANDFILL EQUIPMENT OPERATOR JOB POSTING	\$206.23
75518	TELUS COMMUNICATION INC.	POOL & LIFT STATION PHONE	\$347.72
75519	TELUS MOBILITY	AUGUST CELL PHONES	\$749.98
75520	DIAMOND LINK FENCING INC.	TENNIS COURT FENCES	\$124.75
75521	TULIP, MARY	CONTRACTED WAGES	\$1,337.50
75522	TOWN OF REDCLIFF	PETTY CASH	\$435.78

75523	ISL ENGINEERING & LAND SERVICE	I&I PROGRESS PAYMENT	\$7,632.61
75524	LIFESAVING SOCIETY	FIRST AID RECERTIFICATION	\$75.00
75525	MACDESIGN SCREENWORKS INC.	POOL UNIFORMS	\$1,033.20
75526	MCL - WASTE SYSTEMS ENVIRONMEN	HYDRAULIC FILTERS & ELEMENTS	\$1,049.38
75527	MPE ENGINEERING LTD.	WTP PROGRESS PAYMENTS	\$90,263.42
75528	PC CORP INC.	TECH SUPPORT AND OFFSITE BACKUP	\$6,033.56
75529	SUNCOR ENERGY PRODUCTS PARTNER	LANDFILL FUEL	\$2,297.39
75530	PRIME PRINTING	ENVELOPES	\$782.00
75531	THE PRINTER	BUSINESS CARD JG EH	\$117.60
75532	PROVINCIAL TREASURER - LAP	LAPP CONTRIBUTIONS	\$15,001.26
75533	ACKLANDS - GRAINGER INC	CONSPICUITY TAPE	\$184.75
75534	AMSC INSURANCE SERVICES LTD.	JUNE HEALTH SPENDING ACCOUNT	\$332.81
75535	C.E.M. HEAVY EQUIPMENT	HYDRAULIC PUMP	\$7,611.24
75536	CITY OF MEDICINE HAT	JUNE/JULY UTILITIES & SEWAGE OUTLAY	\$89,767.94
75537	CITY OF MEDICINE HAT - GAS UTI	NEW GAS SERVICE WTP	\$1,764.00
75538	CITY OF MEDICINE HAT ELECTRIC	NEW ELECTRIC SERVICE WTP	\$53,541.08
75539	CLEARTECH INDUSTRIES INC.	NACL, CL, ALGYSOLVE	\$26,331.07
75540	CANADIAN PACIFIC RAILWAY	FLASHER CONTRACT	\$616.00
75541	CYPRESS COUNTY	AB SUMMER GAMES REGISTRATION	\$135.00
75542	EPCOR ENERGY SERVICES INC.	LANDFILL ELECTRIC UTILITIES	\$108.31
75543	ALBERTA GFOA	AB GFOA CONFERENCE RO	\$598.50
75615	A & B STEEL LTD	NYLON SLING, GRAB HOOK	\$156.29
75616	ACTION PARTS	LAMP, FILTER, LUBRICANT, FUEL CONDITIONER	\$387.84
75617	ADT SECURITY SERVICES CANADA I	RCMP ALARM	\$271.36
75618	AMSC INSURANCE SERVICES LTD.	JULY HEALTH SPENDING ACCOUNT	\$27,739.50
75619	ALBERTA URBAN MUNICIPALITIES A	EXECUTIVE ASSISTANT JOB POSTING	\$315.00
75620	2013 AUMA CONVENTION	AUMA CONVENTION AC	\$5,895.75
75621	BADGER DAYLIGHTING INC.	HYDROVAC 1001 BROADWAY AVE	\$656.25
75622	BAJA, FELIPE	CRIMINIAL RECORD CHECK REFUND	\$65.00
75623	BENCHMARK GEOMATICS INC.	GRADE PLAN @ 420 REDCLIFF WAY	\$262.50
75624	BEN'S OFFICE MACHINES LTD.	MIRC TONER CARTRIDGE	\$476.65
75625	THE BOLT GUYS	SCREWS, GREASE MONKEY	\$30.80
75626	THE BOLT SUPPLY HOUSE LTD.	MISC SHOP SUPPLIES	\$226.73
75627	CARVER CONSTRUCTION LTD	PROGRESS PAYMENTS	\$89,608.01
75628	CHARTRAND, BILL	COURSE TRAVEL BC	\$30.00
75629	CIBC	SUPPLEMENTAL PENSION PLAN	\$2,998.64
75630	CLEARTECH INDUSTRIES INC.	NACL, CL, ALGYSOLVE	\$5,152.22
75631	C.U.P.E.	UNION DUES	\$2,381.67
75632	FARMLAND SUPPLY CENTER LTD	PUMP, HOSE, CLAMPS	\$263.87
75633	FED EX TRADE NETWORKS	PARTS FREIGHT	\$131.18
75634	FOUNTAIN TIRE	TRUCK TIRES	\$593.19
75635	FOX ENERGY SYSTEMS INC.	FALL PROTECTION TRAINING	\$1,790.25
75636	GAR-TECH ELECTRICAL	RECONNECT RINK, LOCKER ROOM LIGHT CHECK	\$2,088.65

75637	GRADWELL, RAYMOND	MISC PARTS/SUPPLIES	\$170.99
75638	GRAND RENTAL STATION	TENT RENTAL	\$29.93
75639	HARV'S JANITORIAL SERVICES	JULY JANITORIAL SERVICE	\$3,386.25
75640	REDCLIFF HOME HARDWARE	MISC PARTS/SUPPLIES	\$880.71
75641	INFLATABLE FUN MEDICINE HAT	SUPPLIES FOR FAMILY PICNIC EVENT	\$713.40
75642	JACK N' JILL PARTIES	PHOTO BOOTH	\$350.00
75643	KIRK'S MIDWAY TIRE	TURF MASTER TIRES	\$908.25
75644	MEDICINE HAT SPCA	ADMISSION FEE	\$250.00
75645	MEDICINE HAT CO-OP LTD	SPRINKLER HEAD	\$1,535.95
75646	MEDICINE HAT NEWS	JOB POSTING AD	\$2,594.34
75647	SHAW CABLE	TOWN HALL INTERNET	\$377.95
75648	SUNCOR ENERGY PRODUCTS PARTNER	LANDFILL FUEL	\$1,650.62
75649	PITNEY WORKS	FOLDER/STUFFER CONTRACT	\$145.77
75650	REDCLIFF BAKERY	MPE LUNCH	\$68.25
75651	RECREATION FACILITY PERSONNEL	FACILITY OPERATOR JOB POSTING	\$105.00
75652	ROSENAU TRANSPORT LTD	FREIGHT AQUATIC CENTRE & WTP CHEMICALS	\$1,270.52
75653	SANATEC ENVIRONMENTAL	PUMP LANDFILL SEPTIC TANK	\$136.50
75654	SCHEFFER ANDREW LTD.	PROFESSIONAL PLANNING SERVICES	\$1,312.50
75655	SIMPLY WATER	BOTTLED WATER FOR POOL	\$75.00
75656	SOUTHERN ALBERTA NEWSPAPERS	ADVERTISING/NOTICES/SUBSCRIPTIONS	\$5,809.44
75657	SPLASHABLES INC	HEAD IMOBILIZER	\$167.90
75658	STEEP ROCK LTD.	ROADCRUSH	\$1,318.91
75659	SUMMIT MOTORS LTD	AIR HOSE, CLAMPS, GOVERNOR, BATTERY	\$130.80
75660	TELUS COMMUNICATION INC.	NEW WTP PHONE SERVICE	\$7,143.68
75661	TELUS MOBILITY	ENGINEERING CELL PHONES	\$89.24
75662	MIKES ROADHOUSE	MEALS ON WHEELS	\$992.25
75663	GREEN, JOHN	FACILITY DEPOSIT REFUND	\$225.00
75664	TULIP, MARY	CONTRACTED WAGES	\$1,875.00
75665	WHITE DRAGON KARATE	FACILITY DEPOSIT REFUND	\$175.00
75666	ESPLANADE ARTS AND HERITAGE CE	FACILITY DEPOSIT REFUND	\$277.50
75667	MOBILE MINI CANADA	STORAGE CONTAINERS	\$8,749.51
75668	KEAY, MARCIA	SEWER SCOPE REFUND	\$50.00
75669	P & E FARMS	WHEEL BRAKCTET REPAIR	\$126.00
75670	KELLY, SHANNON	MAIN DRAIN SEWER LINE CLEANING REFUND	\$157.50
75671	REIDER, MADISON	POOL LESSON CANCELLATION	\$15.00
75672	WIST. COLE	CRIMINIAL RECORD CHECK REFUND	\$53.00
75673	RUSZELL, KARLI	FACILITY DEPOSIT REFUND	\$125.00
75674	PHF STEEL & RECYCLING	CULVERT & COUPLERS	\$966.44
75675	TESKE, REANNA	INACTIVE UT ACCOUNT REFUND	\$139.98
75676	REID, JEREMY	INACTIVE UT ACCOUNT REFUND	\$409.43
75677	GARDNER, CHRIS	INACTIVE UT ACCOUNT REFUND	\$31.75
75678	COMMUNITY FOUNDATION OF SOUTHE	"BE KIND" SPONSORSHIP	\$500.00
75679	REDCLIFF SCOUT AND GUIDE BUILD	FACILITY DEPOSIT REFUND	\$800.00

75680	TOWN OF REDCLIFF	EMPLOYEE PROPERTY TAXES	\$935.00
75681	REDCLIFF FIREMEN SOCIAL CLUB	FIREFIGHTERS SOCIAL CLUB DUES	\$330.00
75682	UNITED RENTALS	TAMPER RENTAL	\$88.99
75683	WE CARE HOME HEALTH CARE	HOME CARE	\$168.00
75684	WESCLEAN EQUIPMENT & CLEANING	HEAVY DUTY CHARCOAL	\$981.53
75685	IB WILLIAMS	WAND GUTTER CLEANER	\$31.49
75686	ALBERTA DEVELOPMENT OFFICERS ASS	ADOA 2014 CONFERENCE REGISTRATION BS	\$430.00
75687	PROVINCIAL TREASURER - LAP	LAPP CONTRIBUTIONS	\$14,491.17
75688	RECEIVER GENERAL	STAT DEDUCTIONS	\$29,947.04
75689	TOWN OF COCHRANE	2014 MUNICIPAL TAX SEMINAR JN, MG, JK	\$267.00
75690	TOWN OF REDCLIFF	REGULAR & COUNCIL PAY	\$86,710.01
112 CHEQUES TOTAL:			\$1,000,950.48

2. MINUTES

- 2014-0459 Council meeting held August 18, 2014 **A)** Councillor Steinke moved the minutes of the Council meeting held August 18, 2014 be adopted as presented. – Carried.
- 2014-0460 Special Council meeting held August 21, 2014 **B)** Councillor Leipert moved the minutes of the Special Council meeting held August 21, 2014 be adopted as amended. - Carried.
- 2014-0461 Municipal Planning Commission Meeting held August 20, 2014 **C)** Councillor Crozier moved the minutes of the Municipal Planning Commission meeting held August 20, 2014 be received for information. – Carried.
- 2014-0462 Redcliff and District Recreation Services Board meeting held on September 2, 2014 **D)** Councillor Solberg moved the minutes of the Redcliff and District Recreation Services board meeting held on September 2, 2014. – Carried.
- 2014-0463 Redcliff Senior Citizens Business meeting held September 4, 2014 **E)** Councillor Steinke moved the minutes of the Redcliff Senior Citizens Business meeting held September 4, 2014 be received for information. – Carried.

3. REQUEST FOR DECISION

- 2014-0464 MPE's Request for Engineering Budget Increase **A)** Councillor Solberg moved to lift the request for Decision regarding MPE's Request for Engineering Budget Increase from the table. – Carried.

Councillor Solberg moved the Town of Redcliff accept the engineering fees related to the design of distribution pipeline and chlorine scrubber additions only with the amount of \$48,950.00 plus GST. Further to that approve the total project budget of \$20,310,270.00 including the recommended additional increase from MPE's request. – Carried.

- 2014-0465 Request for Encroachment Permit
Lot 22, Block B, Plan 7410213
(310 Mitchell Street SE) **B)** Councillor Leipert moved that the Municipal Manager be authorized to sign an encroachment agreement with Katherine R. Walker of 310 Mitchell Street SE (Lot 22, Block B, Plan 7410203). – Carried.
- 2014-0466 Tax Recovery Agreement
Re:524 – 5th Street SE (Lot 32-33, Block 2, Plan 3042AV) **C)** Councillor Steinke moved to authorize the Director of Finance and Administration to sign the memorandum of agreement for payment of tax arrears in the amount of \$2,737.39 and any taxes that will be levied during the term of the agreement over a period of 22 weeks. Any default of payments by the property owner, Council hereby authorizes the Director of Finance and Administration to proceed with the tax recovery sale of Lot 32-33, Block 2, Plan 3042 AV forthwith. – Carried.

4. OTHER

- 2014-0467 Development Permit Graphs to August 30, 2014 **A)** Councillor Crozier moved Development Permit Graphs to August 30, 2014 be received for information. – Carried.
- 2014-0468 Important Dates and Meetings **B)** Councillor Leipert moved that the Important Dates and Meetings be received for information. – Carried.

5. RECESS

Mayor Reimer called for a recess at 7:23 p.m.

Mayor Reimer reconvened the meeting at 7:32 p.m.

6. IN CAMERA

- 2014-0469 Councillor Leipert moved to meet In Camera to discuss 3 Legal, and 1 Personnel item at 7:32 p.m. – Carried.
- J. Garland and S. Simon left the meeting at 9:20 p.m.
- S. Simon returned 9:40 p.m.

- 2014-0470 Councillor Crozier moved to return to open session at 9:40 p.m. – Carried.
- 2014-0471 Economic Development Alliance Membership Councillor Kilpatrick moved to continue membership with the Economic Development Alliance in reduced format on a trial basis conditional to remaining parties (Cypress County and Town of Bow Island) participating. – Carried.

7. ADJOURNMENT

- 2014-0472 Adjournment Councillor Solberg moved to adjourn the meeting at 9:42 p.m. –

Carried.

Mayor

Manager of Legislative and Land Services

PRESENT:	Members:	B. Hawrelak, V. Lutz, P. Monteith, G. Shipley
	Manager of Engineering	K. Minhas
	Planning Consultant	J. Genge, J. Johanson
	Recording Secretary	S. Simon
	Appellant	J. Laurie, Farwest Land and Properties Inc.
	Subdivision Approving Authority Representative	A. Crofts
	Adjacent Landowner	A. Vis

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petition the SDAB to utilize its authority under Bylaw 1742/2013 Page 9, Paragraph 34 which states "The SDAB may confirm, revoke or vary the order, decision or development permit, subdivision or any condition attached to any of them or make an order, decision or permit of its own."

J. Laurie indicated he wishes to petition for the order of a variance in the approval and conditions of the instrument of Consolidation and Separation that was provided to the Subdivision Approving Authority (SAA).

J. Laurie referenced several documents which he has that identify the subdivision as being pre-existing. As well as documentation that shows existing access to the proposed subdivision and the available servicing to the area. He indicated he also had documentation confirming the zoning of the lots. He also has the titles which identify that there are 20 - 25 foot lots in 4 contiguous parcels.

J. Laurie referenced a confirmation of correctness that the application is as per the Alberta Land Titles Act Section 75 and Con 1 and Sep 1 and Form A with the application being in accordance with MGA 653(1). He indicated that he confirmed with Global Raymac that his process was correct and that the lots met the correct size as per the Town's Land Use Bylaw.

J. Laurie distributed copies of the plan of subdivision to the Board members and referred to the purpose of subdivision identified on the plan and Section 75 of the Land Titles Act and explained the intent. He also distributed another map which shows the existing lines of 25 foot lots. Further, commenting that you can separate the current titles and redistribute them into 9 parcels. He noted that the subdivision doesn't change the existing lines or boundaries.

He indicated he thought it would take 21 days to get approval and endorsement and then it could be registered. Instead it was treated like a brand new subdivision, which cost more, it should only of cost \$100 for the endorsement fee. He indicated that the application was processed incorrectly and now we have an approval with conditions. It should simply of been dealt with as a consolidation and separation. Further that any conditions should have been applied at the development permit stage as per Bylaw 1698 Sections 15, 16 and 18. He is appealing for a variance in this situation. He further commented the Town utilized section 655 of the MGA which introduces force and arm bending by attaching conditions to a once unencumbered lot.

J. Laurie suggested the easiest way to resolve this issue is for the SDAB to follow MGA Section 657(3) which allows for the approval and endorsement of the subdivision and all the conditions can be applied under Bylaw 1698. J. Laurie is looking for a way to resolve a situation they have found themselves, in that they have presold a home and now cannot get title and the purchaser cannot get a mortgage.

J. Laurie noted a development permit has been issued on one of the lots and a building permit should be issued shortly. J. Laurie implied errors occurred due to the lack of experience of Administration and his own.

J. Laurie also expressed concern the Town did something they should not have and referenced the Municipal Inspection Report. He noted the Town should of required an Environmental Site Assessment prior to processing the application

versus imposing a condition of provision of an Environmental Site Assessment. He commented that this proves that errors are being made. He reiterated that the solution is to approve the application without conditions and all conditions can be placed at the development permit stage. He indicated he feels he is being held at ransom as the application cannot be endorsed until he has met the conditions. Again commenting that it is against the law and indicated he has a court case that supports his position.

J. Laurie referenced the July 23, 2014 letter of approval and spoke to the conditions imposed and his proposed changes.

1. *Environmental Site Assessment (ESA) be provided by an environmental consultant company stating that an ESA has been conducted and that the site is acceptable for residential development.*
J. Laurie indicated an ESA should of been required prior to approval.
2. *Provision of a grade plan to the satisfaction of the Town's Engineering Department.*
J. Laurie indicated this is duplication and should be removed.
3. *Land Use Bylaw amendment to change the land use to an appropriate land use district.*
J. Laurie indicated the property has been rezoned to R1.
4. *Payment of any outstanding taxes.*
J. Laurie indicated that taxes have already been paid.
5. *Payment of Infrastructure Capacity Fee (1.49 acres x \$8,000.00) in the amount of \$11,920.00.*
J. Laurie indicated that as per the MGA there is no such thing as a Infrastructure Capacity Fee and a levy can only be charged if there is a Off Site Levy bylaw adopted.
6. *Applicant to satisfy Utility Company requirements and provide written confirmation.*
J. Laurie indicated he has letters from the Utility companies that resolve gas and electric servicing requirements.
7. *Applicant entering into a Service Agreement with the Town of Redcliff for the provision of detailed plans and specifications:*
 - *Provision of a site drainage plan and resolution of drainage issues to the satisfaction of the Manager of Engineering.*
J. Laurie proposed to provide a site grading plan confirming site drainage, lane drainage, and street drainage to existing catch basins.
 - *Confirmation that site drainage is in existence or will be established.*
J. Laurie proposed this condition be removed as it is duplication.
 - *Storm sewer.*
J. Laurie indicated the storm sewer/catch basins are pre-existent. The Town to correctly locate and set elevations for catch basins at their own cost to correct error in placement.

- *Curb/gutter.*
J. Laurie indicated plans to install curb and gutter to the north and west and south perimeter of Lots 1-20, Block 99, Plan 1117V. Cast catch basin lids into curb and gutter installations. As per standard design and specifications.
- *Sidewalk.*
J. Laurie indicated plans to install 4' standard sidewalk to 500 feet of frontage of Lots 1-20, Block 99, Plan 1117V as per standard design and specification.
- *Street lighting*
J. Laurie indicated plans to install streetlighting to the east side of the street on Block 99, Plan 1117V as per Medicine Hat Electric Utility.
- *Road base construction and pavement.*
J. Laurie indicated the street is pre-existent as per MGA 655(1)(b)(i). Any road development would be an upgrade or improvement. The appellant is only required to build a road to obtain access. Access is pre-existent. Appellant will participate up to 25% of costs.
- *Lane construction.*
J. Laurie indicated the back lane is pre-existent. Lane construction is not contemplated in the MGA. The appellant will participate up to 50% of costs to improve the lane. Current quote is \$13,000. Appellant will budget to a maximum of \$6,500.
J. Laurie commented the Town does not maintain laneways and sidewalks and results in deteriorated laneways and sidewalks.
- *Other service extension or improvements as required*
J. Laurie indicated it is Town's duty to install as per MGA 34(1). The appellant will budget \$27,000 for these services. No road patching required (9 x \$3,000 each)
- *Other items as required by the Town of Redcliff.*

J. Laurie further added the Town is to complete all contemplated and budgeted modifications to sewer and water services in 5th Street NW as early as possible. J. Laurie objected to not being told the Town may be upgrading infrastructure in 5th Street.

8. *All legal costs associated with the servicing agreement to be borne by the applicant.*

J. Laurie indicated this condition should be removed as payment of legal costs for preparation of a service agreement is not contemplated in the MGA or Municipal Bylaws.

J. Laurie asked that the application be approved and immediately endorsed. He indicated that he follows the MGA and expects the Town to do so. J. Laurie further made reference to the Canadian Charter of Rights and the rights and

freedoms outlined within it. He is concerned that things are being stopped because someone interprets laws differently. J. Laurie indicated it is within the law that this application be approved without conditions and conditions can be applied at the development permit stage. The conditions being imposed are development related and should be applied at the development stage.

The subdivision meets all the requirements that the town is asking for. These lots are an improvement for the Town. J. Laurie indicated that Land Titles has provided him with a letter which has said that process followed was incorrect.

b) Presentation of Subdivision Approving Authority Representative

J. Laurie objected to A. Crofts speaking for the Subdivision Approving Authority.

A. Crofts distributed his written presentation to the Board members.

A. Crofts advised that he had been appointed by the Subdivision Approving Authority to speak on their behalf. MGA Section 679 and 680 allows for a person acting on behalf of the Subdivision Authority to speak on their behalf.

A. Crofts addressed the Board with his presentation, as attached.

There was brief discussion regarding issuance of a development permit on one of the lots prior to subdivision.

c) Presentation of Planning Consultant

See attached.

d) Presentation of anyone served notice of hearing (School Authority, Government Agencies)

No one in attendance.

e) Presentation of Adjacent Property Owners

A. Vis, Sunshine Greenhouses expressed concern if they would incur any costs for any infrastructure improvements as they are an adjacent landowner. Further he questioned the vagueness of the conditions imposed. He indicated he is in favor of residential development and seeing the Town grow. However, purchasers need to be aware that they will be adjacent to a greenhouse which can produce noise and smells. A. Vis also commented that they might, in the future, look at developing their site into residential lots.

f) Rebuttal of Appellant

J. Laurie commented this area is a transition area and the blocks north and south have roads but do not have any sidewalks, curb and gutter or streetlights. The block behind does not have any improvements. There is disparity in the area because it is a transition area and is something that needs to be worked on. J. Laurie indicated it feels like we are doing a lot of hair splitting. The subdivision has been approved, the land use amendment has been approved and we are just struggling with the details. J. Laurie indicated there seems to be a misunderstanding with A. Crofts and what we are trying to do. Farwest is not trying to avoid anything, there are two processes and the Town is only considering one. Consolidation and separation is allowed under the Land Titles Act. He indicated this is not a real subdivision. The lots are already there, its just a redistribution of lines.

J. Laurie indicated he is not saying he should not go through the subdivision process but questions what kind of process should be followed. Should be able to proceed with subdividing with no conditions. J. Laurie referenced Section 75.1 of the Land Titles Act and reiterated that the application can be approved and they should only have to meet the standards of the Land Use Bylaw (ie: minimum lot sizes).

J. Laurie spoke to the process under the Land Titles Act and Con 1 indicating this is an appropriate approach to subdividing. There are two processes under the MGA that can be followed either by Section 650 or 655. One is a facilitator and one is an obstructer and J. Laurie is in favor of the one that does not impose conditions.

With regard to the road, the MGA says the requirement is to give access, nothing about upgrading, access is already there. It also says nothing about curb and gutter, and for public utilities the MGA says the municipality has a duty to install.

J. Laurie referenced a Court of Appeal judgment that deals with a similar situation. He indicated only those things expressly stated in the MGA can be applied as conditions. He further referenced natural person powers stating that natural person powers do not expand what the municipality may add into an agreement.

J. Laurie indicated he is not trying to avoid conditions but simply trying to clarify the conditions. With regard to utilities he noted the City has changed their position since they initially provided their comments to the Town.

J. Laurie commented they have met many conditions but are still trying to make some of them work. He commented that the blocks north and south do not have the infrastructure that is being asked of him to install.

He questioned what was approved if the lots were already there and the services were already there. He questioned what he was charged \$1,350 for, was it just to impose conditions, those conditions could be applied at the development stage. He sees this process as an obstruction.

J. Laurie commented that more people signed a petition than came out to vote.

J. Laurie commented he appreciates the concerns of A. Vis. However, he noted that his purchaser is not concerned with being adjacent to a greenhouse and is constructing a \$500,000 dollar residence.

He thanked everyone for hearing his appeal and reiterated that he would like the application varied by removing the conditions and attaching them at the development permit stage. He would like to see schedule 2 varied slightly and that any duplications be removed and further that if there is a service agreement required that it be applied at the development permit stage. Commenting that he is willing to extend an agreement to include the lot that a permit has already received approval on.

g) Other

K. Minhas clarified the difference between a grade plan and a site drainage plan. Further that the condition of a grade plan should be under the service agreement

as it is usually part of a site drainage plan.

B. Hawrelak questioned what existing infrastructure is in place for storm sewer. K. Minhas indicated that there may be different requirements for increased density for residential. B. Hawrelak questioned if a major refit for storm sewer would be required. K. Minhas responded that once a detailed design is completed the required infrastructure improvements would be identified.

A. Crofts commented that once the detailed design is completed that any cost sharing with the Town can be discussed at that time.

Discussion ensued with regard to the storm sewer in the area, the storm sewer study as well as the sanitary sewer system.

h) Recess

V. Lutz moved to meet In Camera at 9:11 p.m.

The Appellant, Subdivision Approving Authority Representative, Planning Consultant and other persons in the gallery left at 9:11 p.m.

i) Decision

P. Monteith moved that in regard to the appeal from Farwest Land & Properties Inc. against the decision of the Subdivision Approval Authority regarding Subdivision Application 2014 SUB 02 that the decision of the SDAB is to vary the decision of the Subdivision Approving Authority of July 21, 2014 by varying the conditions imposed in the following manner:

A. Condition #1 through #5 stand as issued.

[Repeated here for completeness.]

1. Environmental Site Assessment (ESA) to be provided by an environmental consultant company stating that an ESA has been conducted and that the site is acceptable for residential development.
2. Provision of a grade plan to the satisfaction of the Town's Engineering Department.
3. Land Use Bylaw amendment to change the land use to an appropriate land use district.
4. Payment of any outstanding taxes.
5. Payment of Infrastructure Capacity Fee (1.49 acres x \$8,000.00) in the amount of \$11,920.00.

B. Condition #6 is to be restated as: Applicant to satisfy Utility Company to the standard of the authority having jurisdiction for that utility and to provide written confirmation.

- C. Condition #7 is to be restated as: Applicant *to negotiate with and enter* into a Service Agreement with the Town of Redcliff for the provision of detailed plans, specifications, *and construction as following*:
- a. Provision of site drainage plan and resolution of drainage issues to the satisfaction of the Manager of Engineering.
 - b. Confirmation *in writing* that site drainage will be established.
 - c. ~~Storm Sewer~~. (struck out – see #i below)
 - d. *Installation of curb/gutter along 5th Street NW & 1st & 2nd Avenue NW abutting subject property to the standard of the Town of Redcliff with cost to be borne 100% by the Developer.*
 - e. *Installation of sidewalk along 5th Street NW abutting subject property to the standard of the Town of Redcliff with cost to be borne 100% by the Developer.*
 - f. *Installation of street lighting along 5th Street NW abutting subject property to the standard of the authority having jurisdiction (City of Medicine Hat Electric Department) with cost to be borne 100% by the Developer.*
 - g. *Road base and road construction (pavement) on 5th Street NW between the avenues of 1st and 2nd Northwest(including intersections) with cost to be shared between parties at negotiated proportion (Parties being the Developer, abutting property owners, the Town of Redcliff).*
 - h. *Lane construction between the avenues of 1st and 2nd Northwest (including curb crossings) abutting subject property with cost to be shared between parties at negotiated proportion (Parties being the Developer, abutting property owners, the Town of Redcliff).*
 - i. *Other service extension or improvements as required to service the development (sanitary sewer/storm sewer/main water piping) with cost to be shared between parties at negotiated proportion (Parties being the Developer, abutting property owners, the Town of Redcliff).*
 - j. *Individual service lines to the lots (sanitary sewer & water supply) with connection at the street main and interconnection at the property line with costs at established rate shall be borne 100% by the Developer.*
- D. Condition #8 stands with the insertion of: All *reasonable* legal costs associated with servicing agreement to be borne by the Applicant.

- Carried

Reasoning Behind the Board's Decision

The Board was guided by the principle that the subdivision must be of benefit to the Town of Redcliff as a whole (the Taxpayers), the adjacent properties, and the eventual owners (taxpayers) of the lots of the subject subdivision.

After presentations by all parties concerned, the Board believed that the principal matter to be determined during this appeal was one of the proportioning of costs between the Appellant (the

Developer) and the Town of Redcliff (the Subdivision Approving Authority – SAA).

While a claim has been made by the Appellant that the land parcel was already divided into four lots, and that the consolidation and then the re-division of the land parcel into nine lots was merely a matter of paperwork, this position ignores the fact that the parcel is to be re-zoned, that its use is to be significantly changed, from H Horticultural, to R1 Single Family Residential. Each of these zones having significantly different requirements in terms of utility services, site drainage, sidewalk and curb, roadway and curb crossing, and rear laneway. The existing roadway supplied and maintained by the Town of Redcliff may have been appropriate to the existing zoning (H), but entirely inappropriate for the requested zoning (R1). The re-zoning has been requested by the Appellant, not the Town of Redcliff, and is of direct benefit to the Appellant while being an indirect benefit to the Town of Redcliff (through increased taxes, increased development & population, better roadway to access 5th Street NW further to the North, etc.).

Additionally, while the improvement in services that are directly connected to the subject lots should be paid for by the Developer, when the services are shared with adjacent properties and the improvement may be of eventual benefit to those properties, then the matter of “Who should pay and when?” and the proportioning of cost becomes a more complex issue. As example, improvement of the roadway to current (modern) residential standards may require significant work and cost, and the installation of additional curb and gutter directly across from the subject development, and possibly in roadway areas to the North and South of the 100 block of 5th Street NW. What proportion of these costs should the Appellant pay? For the adjacent landowners, how much should they pay? When should they pay? With what instrument (Bylaw) would they be forced to pay? Under Board questioning, Mr. Vis, the property owner of the greenhouse directly to the West of the subject land (across 5th Street), admitted that at some point in the future he may be seeking to convert his greenhouse to residential lots, that the roadway improvement would be of direct benefit at that time, BUT, he had NO desire to contribute to the payment of the upgrade costs at this time. Should the taxpayers of Redcliff cover the cost proportion assigned to Mr. Vis property for the time being, with deferral of those costs assigned to Mr. Vis's property, to be paid when the property is redeveloped? How would this be achieved? Could the upgrade of the roadway be delayed with the Appellant installing curb & gutter at preplanned elevations and the Appellant's apportioned roadway improvement cost being paid and held in an account to pay for the future roadway work?

These questions were also extended to costs that may be incurred should it be determined that the sanitary sewer and water supply within the 100 block of 5th Street NW require significant work in support of the proposed redevelopment; utility upgrades would again benefit future redevelopment of adjacent lots.

The Board asked of the Town of Redcliff representatives present what utility upgrades are required and what the estimated costs might be, and the representatives indicated that as of the time of the hearing, both scope of work and estimated costs were unknown. Further investigation is required and therefore the costs cannot be established until this is completed. This condition appears to be impeding negotiations (in part) between the Developer and the Town of Redcliff, and thus potentially delaying the negotiation of a servicing agreement.

As the Board is indicating that some upgrades for the utilities and access to the proposed development be shared between the Developer, adjoining properties, and the Town of Redcliff, a division of costs must be determined. The Board cannot dictate a specific ratio of cost sharing, only stating that the desire is to be equitable between the various parties relative to the benefits to the parties.

With regard to the request by the Appellant for the Board to direct the Town of Redcliff to immediately register the new subdivision with Land Titles and that the conditions placed by the SAA on the subdivision should be the subject of the development process and NOT the subdivision process, consideration of this request became problematic upon the discovery that one of the original lots under the H zoning was the subject of active development and building permits issued under the discretionary use provision of the H zone (residential property directly in support of a horticultural operation). How could significant changes in the conditions of development be made retroactive to a permit already in force? In fact, with the approval and registration of the subdivision, in what manner would this alter the existing development & building permit? No one present within the hearing could or would speak to this issue. To the Board members it appeared that the desire by the Appellant to have the subdivision registered with Land Titles as soon as possible was being driven by a financial situation where either the sale of the lot, or the financial institution providing the mortgage for construction, required the title to be registered to the new owner as soon as possible, and that this could not occur until the subdivision was registered. The Board believed that while the Town of Redcliff's development department was complicit in creating the situation, the Appellant's actions were at the root of this situation, and the Board was not going to complicate the situation by directing the Town of Redcliff to register the subdivision prior to resolving matters effecting the development of the subdivision.

With regard to the Appellant's statements that conditions determined by the SAA to be placed upon the subdivision of a land parcel were contrary to the intent of the MGA (Municipal Governance Act – the Act), this is a subject to the interpretation of the Act and the Board does not claim to have any particular insight into the "correct" way to interpret the Act. The Board did recognize that until specific policy was determined by the SAA through legal counsel that recognized Court rulings of recent years, and this policy was written and available to the public and specifically parties considering potential subdivision, then the situation was going to arise again in the future. Additionally, the Board did consider that several of the conditions imposed should have been undertaken before the application for subdivision went before the SAA, however this is a matter of interpretation and timing by the various parties. As example, the undertaking of an Environmental Site Assessment (ESA) is likely best performed before the application for subdivision is filed so that the SAA has data establishing the site is suitable for the subdivision, but, developers would indicate, "Why spend the money on the ESA BEFORE having an SAA indication of agreement to subdivide? If I get approval, I'll spend the money and conduct the ESA and live by its findings as a condition of the agreement to subdivide." The latter is what transpired within this case and the Board concluded it was reasonable.

Finally, throughout the hearing, on multiple occasions the Appellant gave indication that many of the conditions set by the SAA for subdivision have already been met, and the Appellant was willing to enter into a service agreement under reasonable terms. The Board took this as a positive position and urges the Town of Redcliff to negotiate and conclude a service agreement with the Developer that will benefit the Town as a whole, and be fair and equitable to all parties.

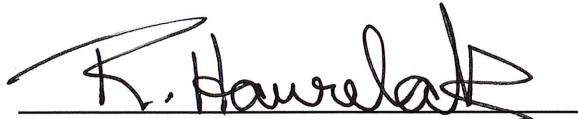
V. Lutz moved to return to regular session at 10:47 p.m.


The Appellant, SAA Representative, Planning Consultant, other members of the gallery returned at 10:47 p.m.

Chairman Hawrelak advised the appellant of the decision and that the written decision would be forthcoming.

4. **ADJOURNMENT**

P. Monteith moved the meeting be adjourned at 11:02 p.m.


Chairman


S. Simon, Recording Secretary

**Presentation to
Town of Redcliff Subdivision and Development Appeal Board
Appeal of Subdivision Application 2014 SUB 02**

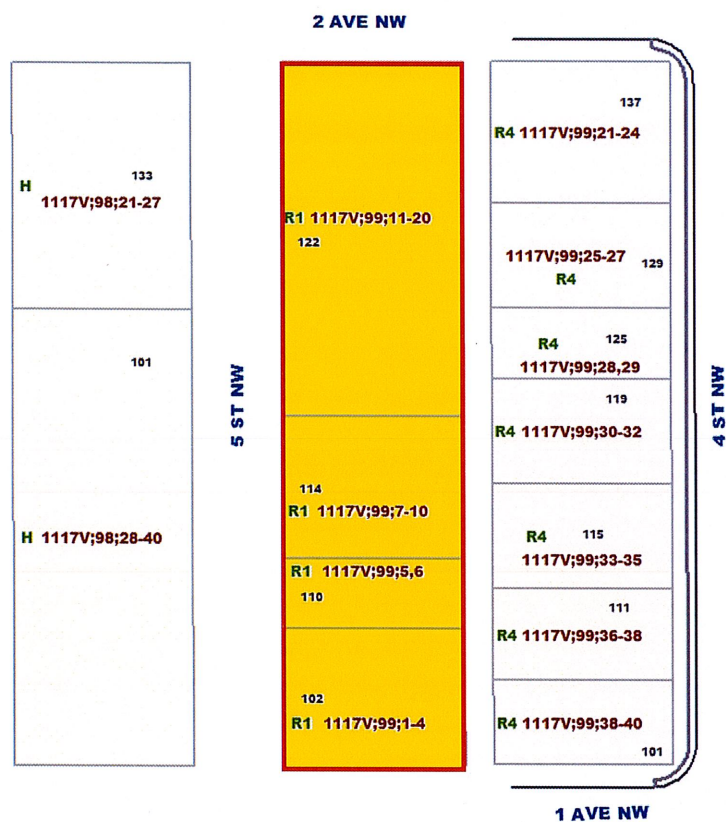
Background

An application for subdivision approval was received from Brian Munro, Global Raymac Surveys Inc. [agent for Farwest Land & Properties Inc. ("Farwest")] on June 18, 2014 and processed in accordance with the Municipal Government Act and the Subdivision and Development Regulations.

The proposed Subdivision Application 2014 SUB 02 was approved with conditions on July 21, 2014 by the Subdivision Approving Authority (Redcliff Town Council). The conditions are as follows:

1. Environmental Site Assessment (ESA) be provided by an environmental consultant company stating that an ESA has been conducted and that the site is acceptable for residential development.
2. Provision of a grade plan to the satisfaction of the Town's Engineering Department.
3. Land Use Bylaw amendment to change the land use to an appropriate land use district.
4. Payment of any outstanding taxes.
5. Payment of Infrastructure Capacity Fee (1.49 acres x \$8,000.00) in the amount of \$11,920.00.
6. Applicant to satisfy Utility Company requirements and provide written confirmation.
7. Applicant entering into a Service Agreement with the Town of Redcliff for the provision of detailed plans and specifications:
 - Provision of a site drainage plan and resolution of drainage issues to the satisfaction of the Manager of Engineering.
 - Confirmation that site drainage is in existence or will be established.
 - Storm Sewer.
 - Curb/gutter.
 - Sidewalk.
 - Street Lighting
 - Road base construction and pavement.
 - Lane construction.
 - Other service extension or improvements as required.
 - Other items as required by the Town of Redcliff.
8. All legal costs associated with servicing agreement to be borne by the applicant.

The location of the proposed subdivision is:



A Notice of Appeal was submitted to the Municipal Manager on August 11, 2014. Subsequently a Subdivision Appeal Board Hearing was scheduled for September 4, 2014.

To the matter of the requirement of Subdivision Approval:

Approval Process:

When the Subdivision Approval Authority receives and considers proposed subdivision applications it is required to make a decision in accordance with the *Municipal Government Act* and associated regulations (in this case the *Subdivision and Development Regulation*) as well as the subsequent Land Use Bylaw and other statutory planning documents (i.e. Municipal Development Plan and Tri-Area InterMunicipal Development Plan). Part 17 of the *Municipal Government Act* defines “subdivision” as “the division of a parcel of land by an instrument and “subdivide” has corresponding meaning.”

An application for subdivision approval was received from Brian Munro, Global Raymac Surveys Inc. [agent for , Farwest Land & Properties Inc. (“Farwest”)] on June 18, 2014 and processed in accordance with the Municipal Government Act and the Subdivision and Development Regulations. The application aimed to combine four current parcels of land in to one, followed by subdivision of that single parcel of land into nine separate parcels.

Farwest argues that its application qualifies under sections (652)(2)(e) of the *Municipal Government Act* and, as such, is exempt from requiring approval of a subdivision authority. Section 652(4) clarifies the need, in relation to Farwest’s application, for the required subdivision approval.

Part 17 of the *Municipal Government Act* states that, in general, a Registrar will not issue a Certificate of Title for a subdivision unless that subdivision has been approved.

It is important to note that the land (of which has conditional subdivision approval) in its current subdivided state was registered in 1909, and as such satisfies section 652(4)(a) of the *Municipal Government Act* and thus further solidifies that Farwest’s application is subject to approval of a subdivision authority. Furthermore, the subdivision Farwest seeks will result in lots less than 8.0 hectares in area, and therefore further satisfies section 652 (4)(b). Farwest’s application qualifies under section 652(4) and is subject to approval of a subdivision authority.

Municipal Government Act (MGA) Division 7, Section 652 Subsections 1 – 4 states:

652(1) *A Registrar may not accept for registration an instrument that has the effect or may have the effect of subdividing a parcel of land unless the subdivision has been approved by a subdivision authority.*

(2) *Despite subsection (1) and subject to subsection (4), a Registrar may accept for registration without subdivision approval an instrument that has the effect or may have the effect of subdividing a parcel of land described in a certificate of title if registration of the instrument results in the issuing of one or more certificates of title and the parcel of land described in each certificate of title so issued would consist only of any or all of the following:*

- (a) a quarter section;*
- (b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;*

- (c) *a lake lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;*
 - (d) *a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;*
 - (e) *a part of the parcel of land described in the existing title if the boundaries of the part are shown and delineated on a plan of subdivision;*
 - (f) *a parcel of land created pursuant to a bylaw passed by a municipality under section 665.*
- (3)** *For the purpose of subsection (2), a parcel of land is deemed to be a quarter section, river lot, lake lot or settlement lot if the parcel of land would consist of a quarter section, river lot, lake lot or settlement lot except that land has been removed from the parcel of land by a subdivision effected only for a purpose referred to in section 618(1) or by a plan of subdivision or any other instrument that effected a subdivision.*
- (4)** *Unless the subdivision of the parcel of land has been approved by a subdivision authority, the Registrar may not accept for registration an instrument that has the effect or may have the effect of subdividing a parcel of land*
- (a) *if the parcel of land is described in a plan of subdivision that was registered in a land titles office before July 1, 1950, and*
 - (b) *if the parcel of land contains 2 or more lots one or more of which is less than 8.0 hectares in area.*

Also of note as well is, provided the dividing lines do not deviate from the boundary lines as is on Plan 1117V a plan of survey nor a descriptive plan is required and the subdivision may be registered by instrument. If approval is granted, and once any conditions imposed are met, the applicable form would be stamped and signed by the Town of Redcliff. Because neither a plan of survey nor a descriptive plan is required does not change the fact that subdivision approval is required and must go through the same subdivision process.

Shortly after receipt of Farwest's completed subdivision application the application was referred, with copies of the complete application sent, to agencies determined relevant by the municipality, and as outlined in the *Subdivision and Development Regulation (5)* which includes the following:

- (5) On receipt of a complete application for subdivision, the subdivision authority must send a copy to
 - (a) each school authority that has jurisdiction in respect of land that is the subject of the application, if the application may result in the allocation of reserve land or money in place of reserve land for school purposes;
 - (c) if the proposed subdivision is to be served by a public utility, as defined in the Public Utilities Act, the owner of that public utility;
 - (n) any other persons and local authorities that the subdivision authority considers necessary.

In addition to the referrals made, the proposed subdivision falls within the boundary identified within the Tri-Area Intermunicipal Development Plan which requires such subdivision applications to be referred for comment to the neighbouring municipality, which in this case is Cypress County. The Tri-Area Intermunicipal Development Plan is a statutory document that was adopted by bylaw by the municipal authority. Section 2.14 54 (1) (b) of the Tri-Area Intermunicipal Development Plan states the following:

2.14 Urban Referral (UR) Area

2.14.1 Policy Context

The Urban Referral area as shown on Map A identifies a referral area where the County would be provided with information respecting urban planning and expansion within the Town and the City. Amendments to ASP's within half mile of municipal boundaries are subject to referrals to the neighbouring municipality. In addition, studies and initiatives that are not typical planning referrals such as engineering studies and municipal land use studies would be referred to the County for comment.

2.14.2 Urban Referral Area Policies

- | | |
|--|--|
| land
considered
for referrals | <p>a) <i>Land within Medicine Hat and Redcliff boundaries shall be included in the IDP as shown in Map A for purposes of municipal planning referrals, dispute resolution and major extension of services and roads.</i></p> |
| documents
to be
circulated | <p>b) <i>Referrals to the adjacent municipality will include land that is within 800 metres (0.5 mi.) of the adjacent municipality and is currently identified as Urban Reserve or Agricultural within the City of Medicine Hat or Town of Redcliff Land Use Bylaw.</i></p> <p>c) <i>The City and Town shall refer applications for discretionary use development permits, Area Structure Plans, bylaw amendments, subdivision applications within the Urban Referral Area to the adjacent municipality.</i></p> |
| referral
expiry | <p>d) <i>When an Area Structure Plan is adopted by the Town or City for areas considered part of the Urban Referral area, further applications for planning approvals will not require referral to the adjacent municipality, unless the approving authority is of the opinion that a referral is appropriate due to the nature or scale of the development. Referral for municipal engineering or planning studies will continue to be referred to the adjacent municipality.</i></p> |

It should also be noted that pursuant to section 6 of the *Subdivision and Development Regulation*, the Subdivision authority is to make a decision within 21 days from the date of receipt of the completed application provided that no referrals are made. However, in this case, and in an effort to ensure that the lands were suitable for subdivision, and in keeping with provisions identified in section 5 of the

Subdivision and Development Regulation, referrals were made. As a result a decision was to be made within 60 days, which did occur.

To the matter of conditions of approval:

Conditions of Approval

As outlined in the appeal package, the proposed Subdivision Application 2014 SUB 02 was conditionally approved on July 21, 2014. The conditions are as follows:

1. Environmental Site Assessment (ESA) be provided by an environmental consultant company stating that an ESA has been conducted and that the site is acceptable for residential development.
2. Provision of a grade plan to the satisfaction of the Town's Engineering Department.
3. Land Use Bylaw amendment to change the land use to an appropriate land use district.
4. Payment of any outstanding taxes.
5. Payment of Infrastructure Capacity Fee (1.49 acres x \$8,000.00) in the amount of \$11,920.00.
6. Applicant to satisfy Utility Company requirements and provide written confirmation.
7. Applicant entering into a Service Agreement with the Town of Redcliff for the provision of detailed plans and specifications:
 - a. Provision of a site drainage plan and resolution of drainage issues to the satisfaction of the Manager of Engineering.
 - b. Confirmation that site drainage is in existence or will be established.
 - c. Storm Sewer.
 - d. Curb/gutter.
 - e. Sidewalk.
 - f. Street Lighting.
 - g. Road base construction and pavement.
 - h. Lane construction.
 - i. Other service extension or improvements as required.
 - j. Other items as required by the Town of Redcliff.
8. All legal costs associated with servicing agreement to be borne by the applicant.

As the subdivision requires approval by a subdivision authority, it is also subject to conditions imposed on it by the subdivision authority. Such conditions may include any condition as outlined in section 655(1) of the *Municipal Government Act*, the Town of Redcliff Land-Use Bylaw and any other statutory planning related bylaws of the Town of Redcliff, or Part 2 of the *Subdivision and Development Regulation*.

Section 655 (1) of the *Municipal Government Act* states the following:

- 655(1) A subdivision authority may impose the following conditions or any other conditions permitted to be imposed by the subdivision and development regulations on a subdivision approval issued by it:

- (a) any conditions to ensure that this Part and the statutory plans and land use bylaws and the regulations under this Part, and any applicable ALSA regional plan, affecting the land proposed to be subdivided are complied with;
- (b) a condition that the applicant enter into an agreement with the municipality to do any or all of the following:
 - (i) to construct or pay for the construction of a road required to give access to the subdivision;
 - (ii) to construct or pay for the construction of
 - (A) a pedestrian walkway system to serve the subdivision, or
 - (B) pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a pedestrian walkway system that serves or is
proposed to serve an adjacent subdivision, or both;
 - (iii) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the subdivision;
 - (iv) to construct or pay for the construction of
 - (A) off-street or other parking facilities, and
 - (B) loading and unloading facilities;
 - (v) to pay an off-site levy or redevelopment levy imposed by bylaw;
 - (vi) to give security to ensure that the terms of the agreement under this section are carried out.

Subdivision Conditions

- 1. Environmental Site Assessment (ESA) be provided by an environmental consultant company stating that an ESA has been conducted and that the site is acceptable for residential development.**

This condition is part of the due diligence required by the Town to determine suitability of land to be subdivided as per Section 654(1) (a), because if a site/proposed lands are not suitable and the Town allows construction/development without the benefit of such an assessment, then the Town could be held legally liable.

This condition for approval is appropriate and is further supported by section 7 (b) of the *Subdivision and Development Regulation* which states the following:

- 7 *In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application,*
- (b)** *its soil characteristics,*

Further Section 54. ENVIRONMENTAL SITE ASSESSMENT of the Land Use Bylaw states:

- (1) *An environmental site assessment may be required by the Development Authority:*
- (a)** *with respect to a Development Permit application, whether for a permitted or a discretionary use; or*
- (b)** *with respect to an application to amend this Bylaw or adopt an Area Structure Plan, Area Redevelopment Plan or Conceptual Scheme.*

to ensure that no development on a lot that contains contaminated soils or a lot adjacent to a lot that contains contaminated soils takes place until the contamination has been remediated as set forth in a remedial action plan.

- (2) *An environmental site assessment shall be conducted by an individual or firm who, in the opinion of the Development Authority, is qualified to undertake the environmental site assessment.*
- (3) *An environmental site assessment may be referred to Alberta Environment for review and comment.*
- (4) *After considering an environmental site assessment and if the application is for a Development Permit, regardless of whether the proposed land use is a permitted or discretionary use, the Development Authority, may:*
- (a)** *approve the application if it is of the opinion that the proposed land use will not have a significant negative impact on the environment, having regard to mitigative measures that are identified;*
- (b)** *approve the application and impose such conditions as it deems advisable to reduce or prevent any negative impact on the environment; or*

- (c) *refuse the application if it is of the opinion that the proposed land use will have a significant negative impact on the environment, having regard to mitigative measures that are identified.*

Given that the subdivision authority is required, pursuant to the subdivision and development regulation and land use bylaw, to give relevant consideration to the soil characteristics of the land that is the subject of the application, a condition requiring the completion of an Environmental Site Assessment confirming the site is acceptable for residential development is acceptable (especially since the previous use of the subject land was that of horticultural where greenhouse operations were taking place).

2. Provision of a grade plan to the satisfaction of the Town's Engineering Department.

As per the Land Use Bylaw Grade is defined as "(to determine building height) means the approved finished, landscape grade plan by the town of Redcliff Engineer, for lots without an approved grade plan, grade means the grade established by a grade certificate completed by an Alberta Land Surveyor."

Section 49 (1) of the Land Use Bylaw specifies that an applicant shall be required to grade a parcel in such a manner that all surface water will drain from the building site to the back lane and/or front street.

Further, Section 49 (4) states a site drainage / stormwater management plan prepared by a qualified professional, to the satisfaction of the Development Authority, may be required for all subdivision applications and development permit applications for commercial, industrial, greenhouses and multi-family developments or other developments as required by the Development Authority.

In accordance with this requirement in the Land Use Bylaw it is entirely appropriate to include a condition of provision of a grade plan to the satisfaction of the Town Engineer.

3. Land Use Bylaw amendment to change the land use to an appropriate land use district.

To provide context to this condition for approval it is important to understand that while this subdivision application was being considered the land use, at the time, for the subject land was horticultural. There was an application in process to amend the land use bylaw in this regard. At the July 21st, 2014 council meeting the bylaw to amend the existing land use bylaw, in relation to the subject land, from horticultural to residential received 2nd and 3rd readings. Shortly after this amendment took place, this subdivision application submitted by Farwest, received conditional approval. This was an appropriate condition at the time of review and approval. As the land use is now appropriate for the proposed subdivision the proper course is

to show this condition as satisfied.

4. Payment of any outstanding taxes.

Section 654(1)(d) of the *Municipal Government Act* stipulates that the subdivision authority must not approve a subdivision application unless all outstanding property taxes on the subject land have been paid in full to the municipality or satisfactory arrangements have been made for such payment. Section 654(1)(d) of the *Municipal Government Act* reads as follows:

*654(1) A subdivision authority must not approve an application for subdivision approval unless
(d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.*

As this is expressly provided for in section 654 (1)(d) of the *Municipal Government Act* this is a valid condition. While it is confirmed to date that taxes are paid and up to date prior to endorsement this condition will have to be confirmed to ensure it still meets the condition. An applicant has one year to submit an instrument/plan for endorsement unless an extension has been granted. Thus the status of the taxes could change over that time period.

5. Payment of Infrastructure Capacity Fee (1.49 acres x \$8,000.00) in the amount of \$11,920.00.

As per the existing Infrastructure Capacity Fee Policy No. 100 (2012) adopted by the Town of Redcliff Municipal Council there is an established fee \$8,000.00/acre for existing/infill development areas. The Town of Redcliff adopted this policy in an effort to recover some of the Town's costs for main infrastructure that has already been constructed by the Town (i.e. sanitary sewer trunklines, water treatment plant, etc.). The policy states that that the "Infrastructure Capacity Fee Shall apply to all subdivisions where additional lots are created, and as a result, it is deemed by the Subdivision Approving Authority that there is potential for increased density and/or demand on the existing infrastructure." The proposed subdivision will result in 9 residential lots.

6. Applicant to satisfy Utility Company requirements and provide written confirmation.

The City of Medicine Hat Electric Department has identified that additional and or upgrades to infrastructure would be required to service the proposed subdivision. Thus it is appropriate to impose a condition to ensure the requirements of the utility companies are met.

7. Applicant entering into a Service Agreement with the Town of Redcliff for the provision of detailed plans and specifications:

- **Provision of a site drainage plan and resolution of drainage issues to the satisfaction of the Manager of Engineering.**

- **Confirmation that site drainage is in existence or will be established.**
- **Storm Sewer.**
- **Curb/gutter.**
- **Sidewalk.**
- **Street Lighting**
- **Road base construction and pavement.**
- **Lane construction.**
- **Other service extension or improvements as required.**
- **Other items as required by the Town of Redcliff.**

Section 655(1)(b) of the *Municipal Government Act* permits the Subdivision Authority to impose conditions as outlined in the act as well as the *Subdivision and Development Regulation*. It is outlined as follows:

- 655(1) A subdivision authority may impose the following conditions or any other conditions permitted to be imposed by the subdivision and development regulations on a subdivision approval issued by it:
- (a) any conditions to ensure that this Part and the statutory plans and land use bylaws and the regulations under this Part, and any applicable ALSA regional plan, affecting the land proposed to be subdivided are complied with;
 - (b) a condition that the applicant enter into an agreement with the municipality to do any or all of the following:
 - (i) to construct or pay for the construction of a road required to give access to the subdivision;
 - (ii) to construct or pay for the construction of
 - (A) a pedestrian walkway system to serve the subdivision, or
 - (B) pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent subdivision, or both;
 - (iii) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the subdivision;
 - (iv) to construct or pay for the construction of
 - (A) off-street or other parking facilities, and

- (B) loading and unloading facilities;
- (v) to pay an off-site levy or redevelopment levy imposed by bylaw;
- (vi) to give security to ensure that the terms of the agreement under this section are carried out.

It is important to note that the main condition stipulated in relation to the approval is that of **entering into a service agreement that addresses the issues** noted in the conditional approval. Typically, when a service agreement is being assembled the municipality's administration will recommend to the municipal authority/council (usually based on documents such as the existing municipality's construction and design guidelines) what infrastructure requirements in relation to road/lane construction, public utility construction (water, sewer, storm sewer etc.), curb, gutter, sidewalk, and other items as noted in the conditional approval will be necessary, along with potential cost share ; however, final negotiations in relation to infrastructure requirements imposed as conditions of subdivision approval will ultimately be between the municipal authority/council and the subdivision applicant as it is these two parties that ultimately enter into agreement. While Farwest has indicated his intention to move forward with a servicing agreement, detailed discussions regarding the service agreement content between the municipal authority and Farwest have yet to take place.

8. All legal costs associated with servicing agreement to be borne by the applicant.

The purpose of the service agreement is to ultimately service the proposed subdivision to municipality's standards and as such the developer of that subdivision should bear those costs. The alternative would be for the ratepayers at large to bear the developers service agreement cost.

Withholding Registration at Alberta Land Titles

When the Subdivision Approval Authority receives and considers proposed subdivision applications it is required to make a decision in accordance with the *Municipal Government Act* and associated regulations (in this case the *Subdivision and Development Regulation*) as well as the subsequent Land Use Bylaw and other statutory planning documents (i.e. Municipal Development Plan and Tri-Area Municipal Development Plan). Part 17 of the *Municipal Government Act* defines "subdivision" as "the division of a parcel of land by an instrument and "subdivide" has corresponding meaning."

Farwest argues that its application qualifies under sections (652)(2)(e) of the *Municipal Government Act* and, as such, is exempt from requiring approval of a subdivision authority. Section 652(4) clarifies the need, in relation to Farwest's application, for the required subdivision approval.

Part 17 of the *Municipal Government Act* states that, in general, a Registrar will not issue a Certificate of Title for a subdivision unless that subdivision has been approved.

While it is not always necessary for a subdivision to be registered with the approval of the subdivision authority, section 652 outlines circumstances wherein approval is required. Those include:

652

(4) Unless the subdivision of the parcel of land has been approved by a subdivision authority, the Registrar may not accept for registration an instrument that has the effect or may have the effect of subdividing a parcel of land

- (a) if the parcel of land is described in a plan of subdivision that was registered in a land titles office before July 1, 1950, and*
- (b) if the parcel of land contains 2 or more lots one or more of which is less than 8.0 hectares in area.*

It is important to note that the land (of which has conditional subdivision approval) in its current subdivided state was registered in 1909, and as such satisfies section 652(4)(a) of the *Municipal Government Act* and thus further solidifies that Farwest's application is subject to approval of a subdivision authority. Furthermore, the subdivisions Farwest seeks will result in lots less than 8.0 hectares in area, and therefore further satisfies section 652 (4)(b). Farwest's application qualifies under section 652(4) and is subject to approval of a subdivision authority.

Scheffer Andrew Ltd. Presentation Notes for Appeal of 2014 SUB 02

Presented by Jim Genge, RPP, MCIP, LEED Green Assoc.
Planner

Scheffer Andrew Ltd. has reviewed documentation provided by the Town with regard to the appeal to the approval of subdivision application **2014 SUB 02**. Please note that due to our involvement with the application and role in working with the Town, we are unable to provide comment on procedural matters in respect of the Subdivision and Development Appeal Board proceedings. Further, please note that matters regarding servicing and procedure are beyond our purview in the hearing. We offer the following planning comments

Planning Process Summary

This sets out our understanding of the application process.

- The application known as 2014 SUB 02 was received by the Town on June 18, 2014.
- The Town circulated the application to internal and external agencies. Scheffer Andrew Ltd. met with the Town's Administration to review this application and discuss the relevant Planning Policies and the application's consistency therewith. Our letter of opinion to the Town is included in the Subdivision and Development Appeal Board hearing package.
- On July 21, 2014 to facilitate the approval of subdivision application 2014 SUB 02, prior to subdivision approval Council adopted an amendment to the Town of Redcliff Land Use Bylaw 1698/2011 to change the land use designation of the subject site to an appropriate residential designation.
- Following the Third Reading of the above mentioned redesignation at the July 21, 2014 Council meeting Council conditionally approved subdivision application 2014 SUB 02.
- The purpose of the subdivision application and land use bylaw amendment was to create 9 lots for residential development.
- A notice of appeal was submitted to the Town August 11, 2014 citing procedural grounds for the appeal.

Planning Considerations Summary

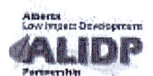
The following will confirm the subdivision application complied with the Town's relevant land use planning policies and regulations at the time of application.

Tri-Area Inter-municipal Development Plan Considerations:

- The subject site is within the Urban Referral (UR) Area of the Tri-Area Intermunicipal Development Plan. The subject subdivision application was circulated to the Cypress County for comment prior to decision by the Subdivision Authority.
- The County responded with no comments or objections to the proposed subdivision.

Municipal Development Plan Considerations:

- The subject site is located in the Northend Transition Area of the Municipal Development Plan where residential redevelopment in place of former horticultural sites has been occurring for over a decade and the interspersed of residential with horticultural uses is a common development form within the Town and represents a unique aspect of Redcliff.
- The Municipal Development Plan allows for and continues on the tradition where land uses (horticultural, residential, and light industrial) are interspersed in this area.
- The subject subdivision approval is consistent with the policies of the Municipal Development Plan.



Land Use Bylaw Considerations:

- Town Council adopted an amendment to the land use designation of the subject site from Horticultural (H) District to R-1 Single Family Residential.
- The proposed residential lots meet the Land Use Bylaw minimum requirements for Lot Area and Lot Width for the R-1 Single Family Residential District.
- The proposed subdivision is located outside of the 300.0 m setback boundary from the non-operating landfill.

Summary and Conclusions

- The Municipal Development Plan supports residential redevelopment in the Northend Transition Area.
- The Municipal Development Plan appears to support transition of other uses in the Northend Transition Area to residential uses.
- The R-1 – Single Family Residential District is an appropriate land use designation for facilitating the proposed subdivision for the intended low density residential land uses.
- The subdivision application meets the criteria set forth in existing planning policy and Land Use Bylaw regulations of the Town for the R-1 – Single Family Residential District.
- The notice of appeal and supporting documents indicate that the conditions imposed may require clarification in the opinion of the appellant, however as the Town's planning consultant this is not within our scope of comments to determine.



**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 22, 2014

PROPOSED BY: Municipal Manager

TOPIC: Request for Exemption to Park Oversize Truck at Residence (re: Tow Trucks)

PROPOSAL: Consideration of exemption request

BACKGROUND:

At the August 18th Regular Council meeting the following motion was made and carried:

Councillor Crozier moved that the request from Walt & Bruce's Medicine Hat Towing Ltd. for exemption to park oversize truck at 102 2 street SE be referred to Administration to review the request and provide a recommendation. – Carried.

As a result of the aforementioned towing company's request for council to allow parking, administration has contacted the RCMP Detachment municipal policing where it was communicated that they DO NOT have any towing contracts with any tow companies. They do however have a Towing agreement whereby each tow company works on a 3 month rotation.

The Traffic bylaw provides for a special parking permit (Sec. 67) that may be issued by the Municipal Manager. This would be the most efficient and fair remedy to what is being requested. If council desires to grant an exemption in this regard it should apply to other similar cases. There are only 2 Tow companies that would be affected, Willie's Towing and Walt and Bruce's Medicine Hat Towing Ltd.; therefore, only 2 residential properties involved. While the Traffic Bylaw provides authority to the Municipal Manager to grant exemptions, it would be advantageous to keep council apprised as to the overall direction in this regard in an effort to achieve efficiencies and reduce the probability of future retractions or decision reversals. It is also important to apply any exemptions granted in a consistent manner.

In discussion with the Bylaw Enforcement Officer, if consideration is given to granting permits, it is felt that exemptions be limited to only 1 single axle Tow Truck being allowed to park on the street adjacent to the operators' place of residence.

ATTACHMENTS: N/A

OPTIONS:

1. Consider allowing for an exemption under the Traffic Bylaw to Tow Truck Operator's to allow for one (1) single axle tow truck to be parked adjacent to the operator's place of residence
2. Allow no exemption under the Traffic Bylaw to Tow Truck Operator's to park a single axle tow truck adjacent to a Tow Truck Operators place of residence.

RECOMMENDATION:

It is recommended that since there are only two (2) companies affected that having the Municipal Manager issue permits is the most efficient remedy. Further, and in consultation with the Bylaw Enforcement Officer it is recommended that the permits granted stipulate that only 1 single axle Tow Truck be allowed to park on the street adjacent to the operators' place of residence.

SUGGESTED MOTION(S):

1. Councillor _____ moved to support in principle the concept that single axel tow trucks be allowed to park adjacent to an operator's place of residence provided the Municipal Manager has granted an exemption under the Traffic Bylaw.

SUBMITTED BY:

Department Head

Municipal Manager

APPROVED / REJECTED BY COUNCIL THIS ____ DAY OF ____ AD. 2014.

**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 22, 2014
PROPOSED BY: Director of Finance & Administration
TOPIC: Budget Process
PROPOSAL: Establish Dates for Budget Review

BACKGROUND:

The council budget review is set to be held in two special meetings of Council open to the public. The meetings would be scheduled to run from 8:30 am to 5:00 pm for both days. The session could be scheduled for any two days between November 1st and 10th. Proposed options for dates for the sessions are:

Monday November 3rd to Saturday November 8th from 8:30 am to 5:00 pm

Once the date and time are set, the budget sessions will be advertised to the public and clarify that the purpose of the meetings are for council budget deliberations and review. Public input will be obtained through distribution of budget submission forms, which will be included in the upcoming September newsletter distribution. Also included as an attachment is the budget project proposal forms for council.

ATTACHMENT: Project Proposal Form

OPTIONS:

1. To further establish the dates for the 2015 budget review as the _____ and/to _____ of November from _____ to _____ each day.

RECOMMENDATION:

That Council considers Option #1.

SUGGESTED MOTION(S):

1. Councillor _____ moved to further establish the dates for the 2015 budget review as the _____ and/to _____ of November from _____ to _____ each day.

SUBMITTED BY: _____
Department Head


Municipal Manager

APPROVED / REJECTED BY COUNCIL THIS _____ DAY OF _____ AD. 2014.



PROJECT PROPOSAL FORM

COUNCILOR _____

OFFICE USE ONLY

PROJECT NUMBER: _____

RANK: _____

PROJECT NAME _____

PROJECT TYPE

CAPITAL: INFRASTRUCTURE ☐ FACILITY ☐ EQUIPMENT ☐

OPERATING: PROGRAM ☐ SERVICE ☐ EVENT ☐

PROJECT DESCRIPTION

PROJECT COST (\$000s)

FINANCING SOURCE

DEBT* ☐ GRANTS ☐ TAX ☐ OTHER ☐ (PLEASE SPECIFY): _____

*NO DEBT FOR OPERATING

PROJECT RANKING*

*SEE BACK FOR RANKING DETAILS

ASSET REHABILITATION & PROTECTION

SERVICE AND BENEFIT TO PUBLIC

STRATEGIC IMPORTANCE

SAFETY & RISK MANAGEMENT

WORK CONDITIONS & PRODUCTIVITY

FUNDING IMPACT

OPERATION & MAINTENANCE COST

CAPITAL
(0-4)

OPERATING
(0-4)

OFFICE USE

TOTAL:

RANKING GUIDE

		Capital	Operating
ASSET REHABILITATION & PROTECTION (CAPITAL ONLY)		15%	N/A
4	Replaces asset that has failed or is near failure		
3	Necessary to extend the service or existing asset or to restore original performance levels		
2	Supplements/supports a basically adequate, functioning asset		
1	Replaces a basically adequate, functioning asset		
0	Initiates a new asset		
		Capital	Operating
SERVICE AND BENEFIT TO PUBLIC		20%	25%
4	Major impact to entire community, or more than 1 neighbourhood		
3	Moderate impact to community, or major impact to one neighbourhood		
2	Minor impact to community, moderate impact to neighbourhood, or major to one portion		
1	Minor impact to one entire neighbourhood, or moderate impact to a portion of one		
0	No impact		
		Capital	Operating
STRATEGIC IMPORTANCE		15%	15%
4	Major impact/alignment on the strategic plan		
3	Moderate impact/alignment on the strategic plan		
2	Low impact/alignment on the strategic plan		
1	Minor impact/alignment on the strategic plan		
0	No impact/alignment on the strategic plan		
		Capital	Operating
SAFETY & RISK MANAGEMENT		15%	15%
4	Eliminates life-threatening incidents -or- project is required to meet current codes		
3	Significantly improves safety -or- Asset is grandfathered but upgrades meet current codes		
2	Moderately improves safety -or- Asset upgrade is in response to a safety issue		
1	Involves meeting a suggested criteria or possible future code level		
0	No clear relationship to safety; current asset meets code		
		Capital	Operating
WORK CONDITIONS & PRODUCTIVITY		5%	10%
4	Increase in work condition and productivity for all staff		
3	Increase in work condition and productivity for most staff		
2	Increase in work condition and productivity for some staff		
1	Increase in work condition and productivity for 5 or less staff		
0	No significant effect on staff		
		Capital	Operating
FUNDING IMPACT		20%	25%
4	Over 75% funded from other sources		
3	50% to 74% funded from other sources		
2	25% to 49% funded from other sources		
1	1% to 24% funded from other sources		
0	Completely funded by the municipal government		
		Capital	Operating
OPERATION & MAINTENANCE COST		10%	10%
4	>10% decrease in operating and maintenance costs		
3	<10% decrease in operating and maintenance costs		
2	No impact on operating and maintenance costs		
1	Increases operating and maintenance costs, without additional staffing		
0	Increases operating and maintenance costs, with additional staffing		

TOWN OF REDCLIFF REQUEST FOR DECISION

DATE: September 22, 2014

PROPOSED BY: Director of Finance and Administration

TOPIC: Tax Recovery Auction

PROPOSAL: To establish terms, conditions and reserve prices for the tax recovery auction.

BACKGROUND:

MGA Section 418 (1) directs that the municipality must offer for sale at a public auction any parcel of land shown in its tax arrears list if the tax arrears are not paid.

The Town of Redcliff has three properties for sale this year due to unpaid taxes. The following is proposed:

- a) **Sale date:**
The established date of sale must meet the advertising guidelines in the Alberta Gazette and to accommodate the routines of this office. Administration proposes that the public sale date be set for December 4, 2014 at 10:30 a.m.
- b) **Terms of sale as follows:**
Cash or certified cheque
- c) **The conditions for sale:**
The property is offered for sale on an "as is, where is" basis and the Town of Redcliff makes no representations and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use district, buildings and development conditions, absence or presence of environmental contamination, or the developability of the subject land for any intended use by the purchaser.
- d) **Reserve Price:**
The respective reserve price has been set at estimated market value, as determined by our assessor; Wayne Lamb (Benchmark Assessment Consultant Inc.), following an inspection of the properties listed below. Please see the attached appraisal report.

1.	Unit 1, Plan 9511217 (1621 Highway Ave S.E)	\$141,990
2.	Unit 2, Plan 9511217 (1641 Highway Ave S.E)	\$149,870
3.	Unit 3, Plan 9511217 (1661 Highway Ave S.E)	\$197,200

ATTACHMENT: Tax Recovery Appraisal

OPTIONS:

1. To direct Administration to establish the sale date, terms, conditions, and the reserve prices to be established as above.
2. To direct Administration to establish the sale date, terms, conditions, and the reserve prices to be established as amended.

RECOMMENDATION:

That Council considers Option #1.

SUGGESTED MOTION:

1. Councillor _____ moved the Town of Redcliff include the identified following properties currently on the tax arrears list for sale at a public auction to be held on December 4, 2014 at 10:30 a.m.

- | | | |
|----|---|-----------|
| 1. | Unit 1, Plan 9511217 (1621 Highway Ave S.E) | \$141,990 |
| 2. | Unit 2, Plan 9511217 (1641 Highway Ave S.E) | \$149,870 |
| 3. | Unit 3, Plan 9511217 (1661 Highway Ave S.E) | \$197,200 |

Further that the terms of the sale be cash or certified cheque and conditions of the sale be "This property is offered for sale on an "as is, where is" basis and the Town of Redcliff makes no representations and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use district, buildings and development conditions, absence or presence of environmental contamination, or the developability of the subject land for any intended use by the purchaser."

2. Councillor _____ moved the Town of Redcliff offer the following property for sale at a public auction to be held on _____. Time ____ a.m.

- | | | |
|----|---|----------|
| 1. | Unit 1, Plan 9511217 (1621 Highway Ave S.E) | \$ _____ |
| 2. | Unit 2, Plan 9511217 (1641 Highway Ave S.E) | \$ _____ |
| 3. | Unit 3, Plan 9511217 (1661 Highway Ave S.E) | \$ _____ |

Further that the terms of the sale be _____ and conditions of the sale be

SUBMITTED BY:

Department Head



Municipal Manager

APPROVED / REJECTED BY COUNCIL THIS _____ DAY OF _____, AD. 2014.

Town of Redcliff - Tax Recovery Appraisal

Roll #s: 0103900 (Lot 1), 0103910 (Lot 2) & 0103920 (Lot 3)
Addresses: 1641-1660 Highway Avenue SE, Redcliff
Legal Descriptions: Plan 9511217 Lots 1-3
Zoning: M1
Parcel Size: 1.08 Acres (Total for Condo Plan)

Purpose of Appraisal: To estimate market values for tax recovery.
Neighbourhood Description: Highway Light Industrial – North of Highway 1

Site Description: Lots 1-3 of a 4 lot light industrial condo plan.

Description of Improvement –

Exterior

Year Built: 1979
Effective Age: 1979
Floor Area: 1,764 Sq. Ft (Lot 1), 1,862 Sq. Ft (Lot 2) & 2,450 Sq. Ft (Lot 3)
Basement Area: N/A
Overall Condition: Average

Interior: No interior inspection was conducted.

Please note that the four sea containers situated on Lot 1 have been subtracted from the current market value as these structures, though assessable, are considered personal property as opposed to real property.

Given that Lot 4 of the condo plan sold February 13, 2012, for \$200,000 (\$201,600 adjusted to July 1, 2013). It has been included as a comparable property sale.

See Attached.

In my opinion the current market value of Lot 1 as of September 12, 2014, is \$141,990.
Lot 2 is \$149,870 and
Lot 3 is \$197,200

Wayne Lamb, AMAA

**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 22, 2014

PROPOSED BY: Manager of Legislative and Land Services

TOPIC: Encroachment Permit Application - Lot 4 and the Southern Twenty Feet of Lot 5, Block 22, Plan 1117V.

PROPOSAL: To enter into an Encroachment Agreement with Cameron J. Gruber and Geri L. Gruber.

BACKGROUND:

An Encroachment Permit Application has been received from Cameron J Gruber and Geri L. Gruber who own 433 7 Street SE (Lot 4 and the Southern Twenty Feet of Lot 5, Block 22, Plan 1117V). The Real Property Report provided indicates that a fence encroaches into Mitchell Street by up to 2.74 meters, and into 7 Street SE by up to 2.03 meters as shown on the attached Real Property Report.

The Encroachment Permit Bylaw (Bylaw 1751/2013) states that where the encroaching structure encroaches more than .31 meters onto Town of Redcliff property the request for an encroachment permit shall be forwarded to Council for consideration.

The Public Services Department, Engineering Department and Development Officer have been asked to provide their comments. No concerns were identified.

ATTACHMENTS:

- Encroachment Permit Application
- Bylaw 1751/2013

OPTIONS:

1. To enter into an encroachment agreement with Cameron J. Gruber and Geri L. Gruber of 433 7 Street SE (Lot 4 and the southern twenty feet of Lot 5, Block 22, Plan 1117V).
2. To not enter into an encroachment agreement with Cameron J. Gruber and Geri L. Gruber of 433 7 Street SE (Lot 4 and the southern twenty feet of Lot 5, Block 22, Plan 1117V).

RECOMMENDATION:

That Council considers Option 1.

MOTION:

1. Councillor _____ moved that the Municipal Manager be authorized to sign an encroachment agreement with Cameron J. Gruber and Geri L. Gruber of 433 7 Street SE (Lot 4 and the southern twenty feet of Lot 5, Block 22, Plan 1117V).

SUBMITTED BY: _____


Department Head


Municipal Manager

APPROVED / REJECTED BY COUNCIL THIS _____ DAY OF ____ AD 2014.



PRITCHARD & CO.
LAW FIRM, LLP

Our File: 64,971 LSS/sls

August 18, 2014

Town of Redcliff
Box 40
Redcliff, AB
T0J 2P0

RECEIVED
SEP - 2 2014
TOWN OF REDCLIFF

Dear Brian W. Stehr, Development Officer:

**Re: 433 7th Street SE, Redcliff AB
Plan 1117V, Block 22, Lot 4 and the Southern Twenty feet of Lot 5**

Further to the above noted matter, please find the following enclosed:

1. Application for Encroachment Permit;
2. Statutory Declaration and copy of Real Property Report and;
3. Our Trust cheque in the sum of \$100.00 plus GST for payment of the permit.

Please provide our office with copy of the fully signed Encroachment Permit via email to ssadownick@pritchardandco.com as soon as possible with the original to follow via regular mail.

If you have any questions, please contact our office.

Yours truly,
Pritchard & Co. Law Firm, LLP


Leslie S. Scholly
e-mail: lscholly@pritchardandco.com

/sls

**TOWN OF REDCLIFF
ENCROACHMENT PERMIT**

* We, CAMERON J. GRUBER and GERI L. GRUBER owner of the property legally described as Lot 4 and the Southern Twenty Feet of Lot 5, Block 22, Plan 1117V, hereby make application for an Encroachment Permit in accordance with the right of the Town of Redcliff to issue such a permit.

I submit the information as part of this permit that the existing building(s) or structure(s) intended to be wholly situated upon the lands located at 433 7th Street SE, Redcliff AB legally described as: Lot 4 and the Southern Twenty Feet of Lot 5, Block 22, Plan 1117V, do, in fact, encroach upon a portion of: 7th Street SE and Mitchell Street SE as shown on the Survey Certificate attached hereto and forming part of the Permit.

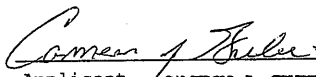
The Town of Redcliff is empowered under the Land Titles Act to grant a permit with any conditions and terms that the Town may specify, to the owner of a building or structure that encroaches on a road, street, lane or other public place permitting the building or structure to remain thereon.

The Town of Redcliff grants this Encroachment Permit under the terms and conditions as follows:

- i) I will provide a Real Property Report (copy to be attached to this document) at no cost to Town of Redcliff, and prepared by a Registered Alberta Land Surveyor;
- ii) I will indemnify the Town of Redcliff from any damage or liability associated with the encroaching structure;
- iii) I will indemnify the Town of Redcliff for any damages that may occur to the encroaching structure resulting from the need to maintain or construct in the area of the encroachment;
- iv) I will agree to removal of the encroaching structure, at no cost to the Town of Redcliff, should in the opinion of the Town of Redcliff such structure has become

dilapidated or damaged;

- v) I will agree to removal of the encroaching structure, at no cost to the Town of Redcliff, should the Town of Redcliff need access to the encroached upon area in the event of utility maintenance, new utility construction, roadway maintenance or new roadway construction.
- vi) I am aware no application for development permits on this property can, by legislation, be approved by a development authority as long as any development on this property does not conform to the current Land Use Bylaw of the Town of Redcliff.
- vii) I agree that the encroaching structure shall not be added to, rebuilt or structurally altered except:
 - a. as may be necessary to remove the encroachment; or
 - b. as may be necessary for the routine maintenance of the encroachment.
- viii) I acknowledge this permit may be terminated by Town of Redcliff upon 30 days notice issued to me at the address indicated on the taxation records of the Town of Redcliff.


Applicant- CAMERON J. GRUBER


APPLICANT - GERT L. GRUBER

Approved on behalf of Town of Redcliff this the _____ day of _____,

MUNICIPAL MANAGER

STATUTORY DECLARATION

CANADA)	IN THE MATTER OF A
PROVINCE OF ALBERTA)	REAL PROPERTY REPORT COVERING
TO WIT:)	433 – 7 th STREET SE, REDCLIFF, ALBERTA

We, **CAMERON J. GRUBER and GERI L. GRUBER** of 433 – 7 Street SE, in the Town of Redcliff, in the Province of Alberta, do solemnly declare:

1. We are the registered owners of the property legally described as Plan Redcliff 1117V, Block Twenty Two (22) Lot Four (4) and the Southerly Twenty (20) Feet of Lot Five (5), Excepting Thereout all Mines and Minerals and the Right to Work the Same and municipally known 433 – 7 Street SE, Redcliff, Alberta.
2. That we have inspected the real property report prepared by Benchmark Geomatics Inc. and dated the 22 day of February, 2014 and state that there are no other buildings, additions, decks, swimming pools, outbuildings, or any other structures not shown on such survey except as described below:

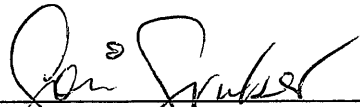
Not Applicable

AND we MAKE this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE ME at the City of)
Medicine Hat, in the Province of)
Alberta, this 11 day of August,)
2014)


A Commissioner for Oaths in and for)
the Province of Alberta)


CAMERON J. GRUBER


GERI L. GRUBER

LOIS LYNN PINNELL
My Commission Expires
February 21, 20 17

Alberta Land Surveyor's Real Property Report

Date of Survey: February 14, 2014

To: Pritchard & Co. Law Firm
#204, 430 - 6 Avenue SE, Medicine Hat
(Client File No. 64971 LSS/jms)

Re: Lot 4 and the Southerly Twenty feet of Lot 5, Block 22, Plan 1117 V
#433 - 7 Street SE, Redcliff
(Derrick Chadwick and Heath Chadwick)

TITLE INFORMATION:
TITLE NUMBER: 131 312 893 DATE OF TITLE SEARCH: FEBRUARY 3/14
PROPERTY IS SUBJECT TO:
NO SPATIAL REGISTRATIONS

CERTIFICATION:

I hereby certify that this Report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this report, I am of the opinion that:

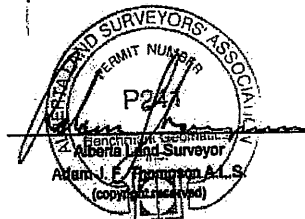
1. The plan illustrates the boundaries of the property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice (MSP), and the registered easements and rights-of-way affecting the extent of the title to the property.
2. The improvements are entirely within the boundaries of the property with the exception of the encroachments noted on Page 2.
3. No visible encroachments exist on the property from any improvements situated on any adjoining property.
4. No visible encroachments exist on registered easements or rights-of-way affecting the extent of property.

PURPOSE:

This report and related plan have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of land conveyance, support of a subdivision application, a mortgage application, a submittal to the municipality for compliance certificate, etc. Copying is permitted only for the benefit of these parties and only if the plan remains attached. Where applicable, registered easements and utility rights-of-way affecting the extent of the property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report. The attached plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information shown on the Real Property Report reflects the status of this property as of the date of the survey only. Users are encouraged to have the Real Property Report updated for future requirements.

This document is not valid unless it bears an original signature (in blue ink) and is stamped in red with permit stamp P241.

Dated at Medicine Hat, Alberta,
this 22nd day of February, 2014.



Benchmark Geomatics Inc.
Unit 105, Westside Common
#2201 Box Springs Boulevard NW
Medicine Hat, AB T1C 0C8
Phone (403)527-3870 Fax (403)527-3908

© Copyright 2014 Adam J. F. Thompson A.L.S.

FILE NO. 14020064

DRAWN BY: CLF

Page 2 of 3

Date: February 21, 2014

7 STREET SE

CONCRETE CURB

LOT 5

REMAINDER OF LOT 5

LOT 4

MITCHELL STREET SE

CONCRETE CURB

RESIDENCE
(0.50m EAVES)
NOTE: DIMENSIONS SHOWN / ARE MEASURED TO FINISHED MATERIALS

COVERED DECK
HT. = 0.85m

GARAGE
(0.65m EAVES)

STEP
HT. = 0.85m

AC

FENCE IN ROAD BY 2.03m

3

1

2

358°56'40"

13.72

7.56

7.56

11.06

7.99

4.24

4.20

2.34

4.34

3.66

1.20

3.66

11.04

1.40

0.40

1.53

289°54'25"

37.92

13.71

179°58'35"

5.63

2.03

3.43

89°54'40"

37.93

1.56

1.56

4.98

2.74

This is page 2 of the Real Property Report and is ineffective if it is detached from page 1.
All distances are in meters and decimals thereof.
Statutory foot points found shown thus: ● and are at ground level unless otherwise indicated.
Star drill found shown thus: ★

LS - Light Standard RW - Right of Way
A/C - Air Conditioner
Bearings are derived from GPS measurements using assumed coordinates.

Unless otherwise specified, sledgebar dimensions are measured from finished materials perpendicular to property boundaries.

Some concrete features may not be shown if they do not encroach.
As per Part D Section 8.5.5. (M.S.P.) only permanent sheds larger than 10m² will be shown on this report.
Fences shown thus —X—X— and are within 0.20m of property line unless otherwise noted.

Subject property boundary shown thus: —
This Report does not infer fence ownership.

Unit 105, Westside Common

Phone (403) 527-3970 Fax (403) 527-3908

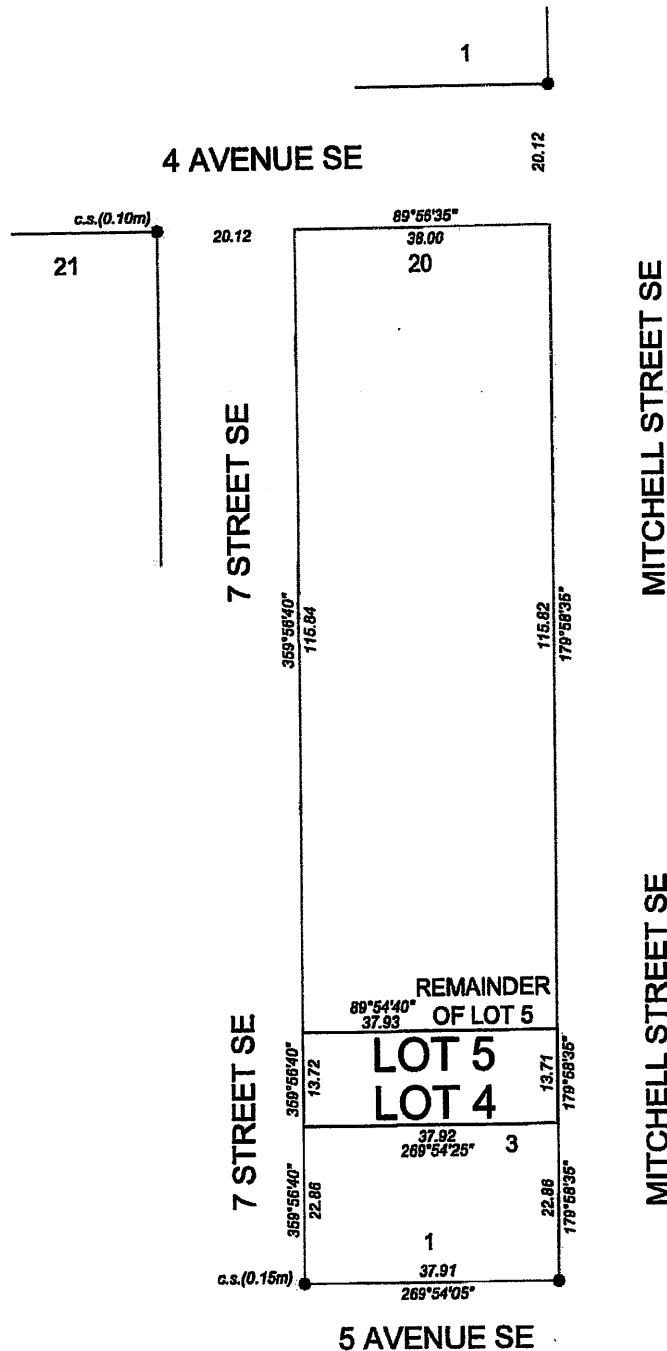
$$\text{Percent Coverage: } \frac{153.3 \text{ m}^2}{520.2 \text{ m}^2} = 29\%$$

NOTE:
SOME GROUND LEVEL FEATURES MAY NOT BE
LOCATED AND SHOWN ON THIS PLAN DUE TO
SNOW COVER AT TIME OF SURVEY.

FILE NO. 14020084

DRAWN BY: CLF

Address: #433 - 7 Street SE, Redcliff
 Legal Description: See Page 1
 Date: February 21, 2014
 Scale 1:800



LEGEND AND NOTES:

This is page 3 of the Real Property Report and is ineffective if it is detached from page 2.
 Bearings are derived from GPS measurements using assumed coordinates.
 All distances are in meters and decimals thereof.
 Statutory iron posts found shown thus: ● and are at ground level unless otherwise indicated.

NOTE:
 UNABLE TO LOCATE SURVEY EVIDENCE AT
 LOT CORNERS UNLESS NOTED OTHERWISE.

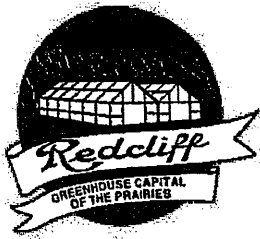


Benchmark Geomatics Inc.
 Unit 105, Westside Common
 #2201 Box Springs Boulevard NW
 Medicine Hat, AB T1C 0C8
 Phone (403)527-3970 Fax (403)527-3908

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FILE NO. 14020064

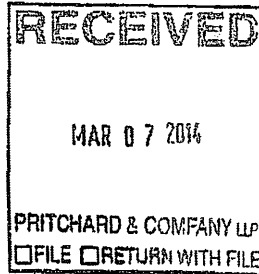
DRAWN BY: CLF



TOWN OF REDCLIFF

February 27, 2014

Pritchard & Co.
204, 430 6 Avenue SE
Medicine Hat, AB
T1A 2S8



P.O. Box 40, 1 - 3rd Street N.E.
Redcliff, Alberta, T0J 2P0
Phone 403-548-3618
Fax 403-548-6623
redcliff@redcliff.ca
www.redcliff.ca

RE: Letter of Compliance
Lot 4 and the Southerly twenty feet of Lot 5, Block 22, Plan 1117V (433 7 Street SE)
Your file: 64971 LSS/jms

Upon receipt of your letter dated February 25, 2014, I have had an opportunity to review the current Land Use Bylaw of the Town of Redcliff for the present zoning of the property in question and further examined the Real Property Report completed on February 22, 2014 prepared by Global Raymac Surveys. The Land Use Bylaw of the Town of Redcliff places this property in an R-1 Single Family Residential District.

The Real Property Report that has been provided indicates that the setbacks, lot size, and site coverage of the residence complies with the Land Use Bylaw. Therefore this property is deemed **IN COMPLIANCE** with our current Land Use Bylaw.

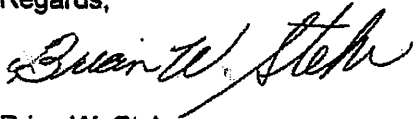
This letter is subject to the following qualifications:

1. The Town of Redcliff is relying entirely on the Real Property Report or Survey Certificate supplied by or on behalf of the applicant with respect to the location of buildings within the property, and the Town of Redcliff makes no representation as to the actual location of buildings.
2. The Town of Redcliff has not conducted an inspection of the property and makes no representation as to the use of the property.
3. The Town of Redcliff assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact set forth in this letter of compliance which arises from the information supplied by or on behalf of the applicant.

4. This letter of compliance relates only to the requirements of the Town of Redcliff's Land Use Bylaw and does not relate to the requirements of any federal, provincial or other municipal legislation or to the terms of conditions of any easement, covenant, building scheme, agreement, or other document affecting the building(s) or land.

Be advised that the RPR show that the fence is encroaching onto Town of Redcliff Property. This encroachment requires an encroachment agreement between the property owner and the Town of Redcliff. I have included an application for the encroachment agreement. The cost for this Application is \$100.00 + GST.

Regards,



Brian W. Stehr
Development Officer

Encl.

**TOWN OF REDCLIFF
BYLAW NO. 1751/2013**

A BYLAW OF THE TOWN OF REDCLIFF for the purposes of authorizing the issuance of Encroachment Permits.

WHEREAS, it is deemed expedient and proper for a Council to authorize the issuance of an Encroachment Permit.

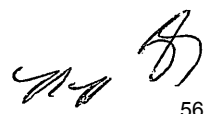
NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA DULY ASSEMBLED ENACTS AS FOLLOWS:

TITLE

1. This Bylaw shall be known as the **Encroachment Permit Bylaw**.

ENCROACHMENT PERMITS

2. Encroachment permits:
 - a) where the encroaching structure does not encroach more than .31 metres onto Town of Redcliff Property the request for an encroachment permit may be approved by the Municipal Manager and such approval shall be copied to Council for information only;
 - b) where the encroaching structure does encroach more than .31 metres onto Town of Redcliff Property the request for an encroachment permit shall be forwarded to Council for consideration.
3. The fee for an encroachment permit shall be in the amount of \$100.00 plus GST for each encroachment permit issued.
4. Prior to the issuance of an encroachment permit the Town of Redcliff will require the owner of an encroaching structure to make application for an encroachment permit on the standard form as shown on Schedule "A" attached to this Bylaw and provide a copy of a Real Property Report (RPR) prepared by an Alberta Land Surveyor, or other acceptable survey identifying the encroachment.
5. The information that will be required prior to processing an encroaching permit shall include:
 - a) indemnification of Town of Redcliff from any damage or liability associated with the encroaching structure;
 - b) indemnification of Town of Redcliff for any damages that may occur to the encroaching structure resulting from the need to maintain or construct in the area of the encroachment;
 - c) removal of the encroaching structure, at no cost to the Town of Redcliff, should in the opinion of the Town of Redcliff such structure has become dilapidated;
 - d) removal of the encroaching structure, at no cost to the Town of Redcliff, should the Town of Redcliff need access to the encroached upon area in the event of utility maintenance, new utility construction or road development.




- e) acknowledgement that the encroachment permit is terminable by Town of Redcliff upon issuance of 30 days notice in writing to the property owner at the last address as shown on the taxation records of the Town of Redcliff.
6. Encroachment permits may only be issued to the present owner of said encroaching structure;
7. Upon sale of the land the encroachment permit issued by the Town of Redcliff is terminated unless:
- a) If the encroaching structure is sold to a different party the acquiring owner may apply for an encroachment permit to be issued providing the following conditions are met:
 - i) the terms and conditions on the encroachment permit to be issued are identical to the encroachment permit issued to the vendor;
 - ii) the request is made in writing and received by the Town of Redcliff within 60 days of the date of the original encroachment permit;
 - iii) the written request, includes a declaration confirming there have been no adjustments to any building on the site since the date of the issuance of the original encroachment permit.
 - iv) there will be no additional fee charged for issuance of this encroachment permit.
8. That effective upon passage of this Bylaw, The Council of the Town of Redcliff hereby authorizes the Municipal Manager, or his designate, to sign, on behalf of the Town of Redcliff, encroachment permits as shown on Appendix "A" attached.
9. Bylaw 1177/98 is hereby repealed

Read a first time this 27th day of May, 2013.


Read a second time this 10th day of June, 2013.

Read a third time this 10th day of June, 2013.

Signed and Passed the this 17 day of June, 2013.



Mayor



Manager of Legislative and Land Services

SCHEDULE "A"

TOWN OF REDCLIFF
ENCROACHMENT PERMIT

I _____ owner of the property legally described as Lot(s) _____, Block _____, Plan _____, hereby make application for an Encroachment Permit in accordance with the right of the Town of Redcliff to issue such a permit.

I submit the information as part of this permit that the existing building(s) or structure(s) intended to be wholly situated upon the lands located at _____ legally described as: Lot(s) _____, Block _____, Plan _____, do, in fact, encroach upon a portion of: _____ as shown on the Survey Certificate attached hereto and forming part of the Permit.

The Town of Redcliff is empowered under the Land Titles Act to grant a permit with any conditions and terms that the Town may specify, to the owner of a building or structure that encroaches on a road, street, lane or other public place permitting the building or structure to remain thereon.

The Town of Redcliff grants this Encroachment Permit under the terms and conditions as follows:

- i) I will provide a Real Property Report (copy to be attached to this document) at no cost to Town of Redcliff, and prepared by a Registered Alberta Land Surveyor;
- ii) I will indemnify the Town of Redcliff from any damage or liability associated with the encroaching structure;
- iii) I will indemnify the Town of Redcliff for any damages that may occur to the encroaching structure resulting from the need to maintain or construct in the area of the encroachment;
- iv) I will agree to removal of the encroaching structure, at no cost to the Town of Redcliff, should in the opinion of the Town of Redcliff such structure has become dilapidated or damaged;
- v) I will agree to removal of the encroaching structure, at no cost to the Town of Redcliff, should the Town of Redcliff need access to the encroached upon area in the event of utility maintenance, new utility construction, roadway maintenance or new roadway construction.
- vi) I am aware no application for development permits on this property can, by legislation,

7/58
H

be approved by a development authority as long as any development on this property does not conform to the current Land Use Bylaw of the Town of Redcliff.

- vii) I agree that the encroaching structure shall not be added to, rebuilt or structurally altered except:
- a. as may be necessary to remove the encroachment; or
 - b. as may be necessary for the routine maintenance of the encroachment.
- viii) I acknowledge this permit may be terminated by Town of Redcliff upon 30 days notice issued to me at the address indicated on the taxation records of the Town of Redcliff.

APPLICANT

Approved on behalf of Town of Redcliff this the _____ day of _____, _____.

MUNICIPAL MANAGER

 59

**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 22, 2014

PROPOSED BY: Director of Finance & Administration

TOPIC: Ensminger, Beck & Thompson Chartered Accountants ("EBT"), request for additional professional fees

PROPOSAL: To consider EBT request for additional professional fees

BACKGROUND:

On August 27, 2014, EBT submitted three invoices relating to the audit conducted for the year ended December 31, 2013. The following is an overview of the each invoice:

Invoice #1 - LAPP audit

Invoice total: \$4,000 plus GST

- EBT did submit an engagement letter for the performance of the LAPP audit, the proposed fee was \$1,000.
- The overage was due to additional work required to resolve discrepancies.

Invoice #2 - Redcliff Cypress Regional Waste Management Authority

Invoice total: \$6,000 plus GST

- On the engagement letter, the proposed fee is \$8,000. However, as per our RFP, this should have been included in the scope of the audit and inclusive in the tender price of \$19,000.

Invoice #3 - Town of Redcliff

Invoice Total: \$27,875 plus GST

- On the engagement letter and submitted tender, the proposed fee is \$19,000.
- The overage was due to additional time spent on resolving various issues such as: the water treatment plant grant, payroll, variances in accounts, and redrafting of the trial balance.

The approved budget for the 2013 audit was implemented based on the tender submitted by EBT in the amount \$19,000. Total request for payment from EBT is \$37,875 plus GST, over the approved budget by \$18,875 or 99%.

**TOWN OF REDCLIFF
REQUEST FOR DECISION**

OPTIONS:

1. To approve payment of all three invoices as submitted (*over budget by \$18,875*).
2. To approve payment of \$4,000 for invoice #1 and \$27,875 for invoice #3 (*over budget by \$12,875*)
3. To approve payment of \$1,000 for invoice #1 and \$19,000 for invoice #3 (*over budget by \$1,000*)
4. To approve payment of \$1,000 for invoice #1 and \$27,875 for invoice #3 (*over budget by \$9,875*)

RECOMMENDATION:

The additional professional hours required to conduct the audit was partly due to the under staffing and staffing changes in the finance department that resulted in a back log, as a result, EBT increased the audit sample size to reduce the risk of material misstatement. Therefore, option #4 is recommended.

SUGGESTED MOTION(S):

1. Councillor _____ moved to approve payment of all three invoices as submitted by EBT to be funded from the operations budget.
2. Councillor _____ moved to approve payment of \$4,000 for invoice #1 and \$27,875 for invoice #3 from EBT to be funded from the operations budget.
3. Councillor _____ moved to approve payment of \$1,000 for invoice #1 and \$19,000 for invoice #3 from EBT to be funded from the operations budget.
4. Councillor _____ moved to approve payment of \$1,000 for invoice #1 and \$27,875 for invoice #3 from EBT to be funded from the operations budget.

SUBMITTED BY: _____
Department Head


Municipal Manager

APPROVED / REJECTED BY COUNCIL THIS _____ DAY OF _____ AD. 2014.

**TOWN OF REDCLIFF
REQUEST FOR DECISION**

DATE: September 22, 2014

PROPOSED BY: Municipal Manager

TOPIC: Policy 69, Remuneration and Benefits for Management Personnel
Calculation (Remuneration Rates) Error Correction

PROPOSAL: To Correct Calculation Error

BACKGROUND:

It has recently been discovered that there is a calculation error on the current remuneration rates schedule in Policy 69 for out of scope employees. The two positions affected are the Executive Assistant and Payroll/HR Clerk. The end range for these two positions from 2013 -2015 in the policy was not consistent with the currently approved 3% annual increase. While the policy currently shows the calculation error, application and administration of the policy has remained within the approved 3% annual increases. The remaining figures were also reviewed to insure accuracy.

ATTACHMENTS: Amended Remuneration Rates Grid, from Policy 69, showing corrections.

OPTIONS:

Correct the calculation error in Policy 69.

RECOMMENDATION:

That Council adopt the amended policy 69 reflecting the corrected remuneration rates.

SUGGESTED MOTION(S):

1. Councillor _____ moved that revised remuneration schedule for Policy 69, Remuneration and Benefits for Management Personnel showing corrected calculation error be approved as presented.

SUBMITTED BY: _____
Department Head


Municipal Manager

APPROVED / REJECTED BY COUNCIL THIS ____ DAY OF ____ AD. 2014.

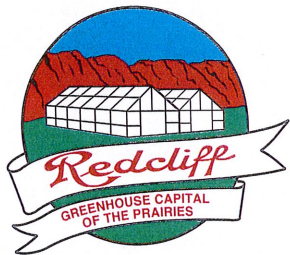
REMUNERATION

Rates constitute a 3 % increase annually for 2013-2015 inclusive.

Town of Redcliff Management Salaries – Effective January 1, 2013		
	Start of Range	End of Range
Mun Manager	\$118,025.24	\$124,976.90
Mgr. of Engineering	\$108,376.13	\$115,327.79
Public Services Director	\$81,471.14	\$88,422.80
Manager of Leg & Land	\$62,919.76	\$69,871.43
Director of Finance	\$93,582.84	\$100,534.51
Dir of Com & Pro Services	\$75,000.00	\$81,749.19
Public Services Supervisor	\$72,100.00	\$79,051.67
Executive Assistant	\$45,613.04	\$52,564.70 \$49,007.40
Payroll/HR Clerk	\$51,377.43	\$58,329.10 \$58,146.08
Town of Redcliff Management Salaries – Effective January 1, 2014		
	Start of Range	End of Range
Mun Manager	\$121,566.00	\$128,726.21
Mgr. of Engineering	\$111,627.41	\$118,787.63
Public Services Director	\$83,915.27	\$91,075.49
Manager of Leg & Land	\$64,807.36	\$71,967.57
Director of Finance	\$96,390.33	\$103,550.54
Dir of Com & Pro Services	\$77,250.00	\$84,201.67
Public Services Supervisor	\$74,263.00	\$81,423.22
Executive Assistant	\$46,981.43	\$54,141.64 \$50,477.62
Payroll/HR Clerk	\$52,918.75	\$60,078.97 \$59,890.46
Town of Redcliff Management Salaries – Effective January 1, 2015		
	Start of Range	End of Range
Mun Manager	\$125,212.98	\$132,588.00
Mgr. of Engineering	\$114,976.23	\$122,351.25
Public Services Director	\$86,432.73	\$93,807.75
Manager of Leg & Land	\$66,751.58	\$74,126.60
Director of Finance	\$99,282.04	\$106,657.06
Dir of Com & Pro Services	\$79,567.50	\$86,727.72
Public Services Supervisor	\$76,490.89	\$83,865.91
Executive Assistant	\$48,390.87	\$55,765.89 \$51,991.95
Payroll/HR Clerk	\$54,506.32	\$61,881.34 \$61,687.17

Note: The employee designated as relief for the Municipal Manager shall receive the following

- \$5793.05 per year for 2013
- \$5966.84 per year for 2014
- \$6145.85 per year for 2015



TOWN OF REDCLIFF

P.O. Box 40, 1 - 3rd Street N.E.
Redcliff, Alberta, T0J 2P0
Phone 403-548-3618
Fax 403-548-6623
redcliff@redcliff.ca
www.redcliff.ca

September 16, 2014

Mr. J. Laurie
Farwest Land and Properties Inc.
43 Riverview Drive SE
Redcliff, AB T0J 2P0

Dear Mr. Laurie:

**RE: Appeal of Subdivision Application 2014 SUB 02
Lot 1-4, Block 99, Plan 1117V (102 5 Street NW)
Lot 5-6, Block 99, Plan 1117V (110 5 Street NW)
Lot 7-10, Block 99, Plan 1117V (114 5 Street NW)
Lot 11-20, Block 99, Plan 1117V (122 5 Street NW)**

This letter is in regards to your appeal of the above subdivision and the hearing of the Subdivision and Development Appeal Board held on September 4, 2014. The decision of the Subdivision and Development Appeal Board is as follows:

to vary the decision of the Subdivision Approving Authority of July 21, 2014 by varying the conditions imposed in the following manner:

A. Condition #1 through #5 stand as issued.

[Repeated here for completeness.]

1. Environmental Site Assessment (ESA) to be provided by an environmental consultant company stating that an ESA has been conducted and that the site is acceptable for residential development.
2. Provision of a grade plan to the satisfaction of the Town's Engineering Department.
3. Land Use Bylaw amendment to change the land use to an appropriate land use district.
4. Payment of any outstanding taxes.
5. Payment of Infrastructure Capacity Fee (1.49 acres x \$8,000.00) in the amount of \$11,920.00.

- B. Condition #6 is to be restated as: Applicant to satisfy Utility Company to *the standard of the authority having jurisdiction for that utility* and to provide written confirmation.
- C. Condition #7 is to be restated as: Applicant to *negotiate with and enter* into a Service Agreement with the Town of Redcliff for the provision of detailed plans, specifications, *and construction as following*:
- a. Provision of site drainage plan and resolution of drainage issues to the satisfaction of the Manager of Engineering.
 - b. Confirmation *in writing* that site drainage will be established.
 - c. ~~Storm Sewer~~. (struck out – see #i below)
 - d. *Installation of curb/gutter along 5th Street NW & 1st & 2nd Avenue NW abutting subject property to the standard of the Town of Redcliff with cost to be borne 100% by the Developer.*
 - e. *Installation of sidewalk along 5th Street NW abutting subject property to the standard of the Town of Redcliff with cost to be borne 100% by the Developer.*
 - f. *Installation of street lighting along 5th Street NW abutting subject property to the standard of the authority having jurisdiction (City of Medicine Hat Electric Department) with cost to be borne 100% by the Developer.*
 - g. *Road base and road construction (pavement) on 5th Street NW between the avenues of 1st and 2nd Northwest(including intersections) with cost to be shared between parties at negotiated proportion (Parties being the Developer, abutting property owners, the Town of Redcliff).*
 - h. *Lane construction between the avenues of 1st and 2nd Northwest (including curb crossings) abutting subject property with cost to be shared between parties at negotiated proportion (Parties being the Developer, abutting property owners, the Town of Redcliff).*
 - i. *Other service extension or improvements as required to service the development (sanitary sewer/storm sewer/main water piping) with cost to be shared between parties at negotiated proportion (Parties being the Developer, abutting property owners, the Town of Redcliff).*
 - j. *Individual service lines to the lots (sanitary sewer & water supply) with connection at the street main and interconnection at the property line with costs at established rate shall be borne 100% by the Developer.*
- D. Condition #8 stands with the insertion of: All *reasonable* legal costs associated with servicing agreement to be borne by the Applicant.

Further the Board provided the following reasoning behind their decision:

The Board was guided by the principle that the subdivision must be of benefit to the Town of Redcliff as a whole (the Taxpayers), the adjacent properties, and the eventual owners (taxpayers) of the lots of the subject subdivision.

After presentations by all parties concerned, the Board believed that the principal matter to be determined during this appeal was one of the proportioning of costs between the Appellant (the Developer) and the Town of Redcliff (the Subdivision Approving Authority – SAA).

While a claim has been made by the Appellant that the land parcel was already divided into four lots, and that the consolidation and then the re-division of the land parcel into nine lots was merely a matter paperwork, this position ignores the fact that the parcel is to be re-zoned, that it's use is to be significantly changed, from H Horticultural, to R1 Single Family Residential. Each of these zones having significantly different requirements in terms of utility services, site drainage, sidewalk and curb, roadway and curb crossing, and rear laneway. The existing roadway supplied and maintained by the Town of Redcliff may have been appropriate to the existing zoning (H), but entirely inappropriate for the requested zoning (R1). The re-zoning has been requested by the Appellant, not the Town of Redcliff, and is of direct benefit to the Appellant while being an indirect benefit to the Town of Redcliff (through increased taxes, increased development & population, better roadway to access 5th Street NW further to the North, etc.).

Additionally, while the improvement in services that are directly connected to the subject lots should be paid for by the Developer, when the services are shared with adjacent properties and the improvement may be of eventual benefit to those properties, then the matter of "Who should pay and when?" and the proportioning of cost becomes a more complex issue. As example, improvement of the roadway to current (modern) residential standards may require significant work and cost, and the installation of additional curb and gutter directly across from the subject development, and possibly in roadway areas to the North and South of the 100 block of 5th Street NW. What proportion of these costs should the Appellant pay? For the adjacent landowners, how much should they pay? When should they pay? With what instrument (Bylaw) would they be forced to pay? Under Board questioning, Mr. Vis, the property owner of the greenhouse directly to the West of the subject land (across 5th Street), admitted that at some point in the future he may be seeking to convert his greenhouse to residential lots, that the roadway improvement would be of direct benefit at that time, BUT, he had NO desire to contribute to the payment of the upgrade costs at this time. Should the taxpayers of Redcliff cover the cost proportion assigned to Mr. Vis property for the time being, with deferral of those costs assigned to Mr. Vis's property, to be paid when the property is redeveloped? How would this be achieved? Could the upgrade of the roadway be delayed with the Appellant installing curb & gutter at preplanned elevations and the Appellant's apportioned roadway improvement cost being paid and held in an account to pay for the future roadway work?

These questions were also extended to costs that may be incurred should it be determined that the sanitary sewer and water supply within the 100 block of 5th Street NW require significant work in support of the proposed redevelopment; utility upgrades would again benefit future redevelopment of adjacent lots.

The Board asked of the Town of Redcliff representatives present what utility upgrades are required and what the estimated costs might be, and the representatives indicated that as of the time of the hearing, both scope of work and estimated costs were unknown. Further investigation is required and therefore the costs cannot be established until this is completed. This condition appears to be impeding negotiations (in part) between the Developer and the Town of Redcliff, and thus potentially delaying the negotiation of a servicing agreement.

As the Board is indicating that some upgrades for the utilities and access to the proposed development be shared between the Developer, adjoining properties, and the Town of Redcliff, a division of costs must be determined. The Board cannot dictate a specific ratio of cost sharing, only stating that the desire is to be equitable between the various parties relative to the benefits to the parties.

With regard to the request by the Appellant for the Board to direct the Town of Redcliff to immediately register the new subdivision with Land Titles and that the conditions placed by the SAA on the subdivision should be the subject of the development process and NOT the subdivision process, consideration of this request became problematic upon the discovery that one of the original lots under the H zoning was the subject of active development and building permits issued under the discretionary use provision of the H zone (residential property directly in support of a horticultural operation). How could significant changes in the conditions of development be made retroactive to a permit already in force? In fact, with the approval and registration of the subdivision, in what manner would this alter the existing development & building permit? No one present within the hearing could or would speak to this issue. To the Board members it appeared that the desire by the Appellant to have the subdivision registered with Land Titles as soon as possible was being driven by a financial situation where either the sale of the lot, or the financial institution providing the mortgage for construction, required the title to be registered to the new owner as soon as possible, and that this could not occur until the subdivision was registered. The Board believed that while the Town of Redcliff's development department was complicit in creating the situation, the Appellant's actions were at the root of this situation, and the Board was not going to complicate the situation by directing the Town of Redcliff to register the subdivision prior to resolving matters effecting the development of the subdivision.

With regard to the Appellant's statements that conditions determined by the SAA to be placed upon the subdivision of a land parcel were contrary to the intent of the MGA (Municipal Governance Act – the Act), this is a subject to the interpretation of the Act and the Board does not claim to have any particular insight into the "correct" way to interpret the Act. The Board did recognize that until specific policy was determined by the SAA through legal counsel that recognized Court rulings of recent years, and this policy was written and available to the public and specifically parties considering potential subdivision, then the situation was going to arise again in the future. Additionally, the Board did consider that several of the conditions imposed should have been undertaken before the application for subdivision went before the SAA, however this is a matter of interpretation and timing by the various parties. As example, the undertaking of an Environmental Site Assessment (ESA) is likely best performed before the application for subdivision is filed so that the SAA has data establishing the site is suitable for the subdivision, but, developers would indicate, "Why spend the money on the ESA BEFORE having an SAA indication of agreement to subdivide? If I get approval, I'll spend the money and conduct the ESA and live by its findings as a condition of the

agreement to subdivide.” The latter is what transpired within this case and the Board concluded it was reasonable.

Finally, throughout the hearing, on multiple occasions the Appellant gave indication that many of the conditions set by the SAA for subdivision have already been met, and the Appellant was willing to enter into a service agreement under reasonable terms. The Board took this as a positive position and urges the Town of Redcliff to negotiate and conclude a service agreement with the Developer that will benefit the Town as a whole, and be fair and equitable to all parties.

The decisions of the Board are final, however, appeal of any decision of the Subdivision and Development Appeal Board would be to the Court of Queen’s Bench and then only upon a question of law or jurisdiction.

Regards,



Shanon Simon
Manager of Legislative and Land Services

cc: Subdivision Approving Authority

RECEIVED
SEP 11 2014
TOWN OF REDCLIFF

AR72673

September 4, 2014

His Worship Ernie Reimer
Mayor
Town of Redcliff
PO Box 40
Redcliff, AB T0J 2P0

Dear Mayor Reimer,

I am pleased to inform you of the availability of the program materials for the federal Gas Tax Fund (GTF) and confirm that \$208 million in GTF funding will be provided to Alberta's municipalities in 2014.

The renewed GTF provides long-term funding for Canadian municipalities to help build and revitalize local public infrastructure while creating jobs and long-term prosperity. Additional flexibility to address specific local infrastructure priorities is provided by expanding the range of eligible GTF project categories, which now include recreational and cultural infrastructure, broadband connectivity, disaster mitigation infrastructure, and brownfield redevelopment, in addition to the previous categories.

Further information on program terms and conditions is provided in the GTF program guidelines, now available at www.municipalaffairs.alberta.ca/gastaxfund.cfm.

Your 2014 GTF allocation is \$303,682. It is based on your 2013 population and was calculated using the funding formula established under the previous GTF program. Your GTF allocation is subject to your municipality entering into a funding agreement with the Government of Alberta. Funding agreements will be forwarded to municipalities for signing shortly.

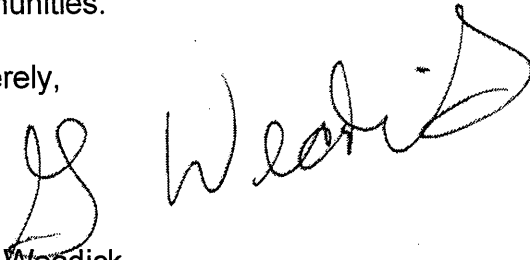
...2

His Worship Ernie Reimer

-2-

As you may be aware, the administration of the GTF has been transferred from Alberta Transportation to Alberta Municipal Affairs. I am looking forward to partnering with you and the Government of Canada to continue building strong and prosperous communities.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Weadick". The signature is fluid and cursive, with a large initial "G" and a stylized "W".

Greg Weadick
Minister of Municipal Affairs

cc: Arlos Crofts, Municipal Manager, Town of Redcliff

Municipal Manager Report to Council
September 22, 2014

Emergency Management

- Continuing work regarding the finalization of the Municipal Emergency Management Plan. We are reviewing the plan in an effort to make it more organization specific (ie. Populating contact lists etc...).
- Attended the quarterly Emergency Management Agency meeting in the City of Medicine Hat (CMH).

On-going Projects

- Working in coordination with the engineering department regarding implementation of the Inflow and Infiltration Investigation. Smoke testing has been completed as well as targeted CCTV areas.
- Continued planning regarding the establishment of upcoming priority planning (2015-2017). This has been set for September 30th – October 1st. The agenda has been finalized and sent out to all those participating.
- Continuing to work with Municipal Affairs in relation to the closing of multiple building permit files. They have assisted the Town in going through and reviewing the files since 2007. Met with a safety codes agency to discuss potential costs in relation to closing open building permits, it is our hope to move forward in the very near future with additional cost related details to be provided to council.
- Working with Bylaw Enforcement in relation to some of the larger enforcement files (Primarily in relation to Dangerous, nuisance, and unsightly properties).
- Researching and reviewing the towns existing organizational structure.
- A continued significant amount of time is being devoted to staff recruitment and is now beginning to shift towards staff orientation as there are many new employees joining the organization.

Day to Day Responsibilities

- Continuing work on various legal files.
- Responding to media requests as they arise.
- Continue to meet with multiple residents regarding pre-existing drainage and other challenges or concerns throughout the Town.
- Carry out regularly scheduled management meetings.
- Respond to human resource and operational issues as they arise.
- Respond to councillor inquiries as they arise.
- Continue to spend significant time with staff recruitment and orientation.
- Met with the Town's financial auditors to discuss extra efforts they put into 2013 year end audit that they felt was out of their original scope (RFD is being presented at the September 22, 2014 council meeting).
- Met with Golf Course Representatives for the first time in relation to future provision arrangements of irrigation water. Administration will need to do some further research and bring some information to council for them to make decisions moving forward.
- Met with Lions Club representatives to discuss finalization of grant regarding Brandon Primeau Park as there were some remaining components to be completed as well as some remaining funds to be applied.
- Organized a meeting and met with (along with staff) ESRD representative in relation to the Alberta Community Resilience Program (funding program in relation to being prepared for flood events).

Staff Recruitment

Landfill – the landfill operator vacancy at the landfill has been recently filled.

Facilities – the facility operator vacancy has been filled with the successful candidate beginning work, the week of September 22, 2014.

Director of Protective and Community Services – The recruitment process for this position has ended with Mr. R. Kim Dalton being the successful candidate. His first day of employment with the Town is September 15, 2014.

Executive Assistant - Carol Cranston will be retiring at the end of September. The recruitment for this position has ended with the vacancy being filled. The successful candidate is Ms. Bonnie Andres. Her first day of employment is September 22, 2014.

PUBLIC SERVICES

Water and Sewer Utilities

- Staff have been involved in assisting Engineering in the cleaning and data collection of portable flow meters for the purpose of the inflow and infiltration study of the sewer system. As well staff have flushed various sewer mains than needed to have a camera inspection completed.
- Several utility locate requests have been handled as the summer construction season is here.
- Staff worked with Gartech electrical to complete the control upgrades on the N.W storm pond to enable the lift station to run in an automated mode via float controls.
- Water treatment staff have been busy working alongside contractor to correct deficiencies at new raw water pump station and working with Mpe answering any questions regarding the future water plant.
- Staff have been busy with doing locates, valve shutdowns, general expertise requests on the 4Ave. S.W storm system upgrade project from contractor and engineering Dept.
- New Water treatment Plant construction is underway and operators have been busy coordinating and advising the contractor as required.
- Existing Water Treatment plant had a roof leak which operators braced up the roof and tarped filter off to prevent leakage from getting into filtration until a contractor can take a look to remedy.
- Meter reading took place in August. For the July/August billing period.
- Several water meter fixes occurred. Varying issues corrected including wiring issues, faulty remotes, faulty meters, access to touch pads. Also wired new construction for meter wire.
- Staff have responded to several High level alarms on sanitary sewer lift stations due to the heavy rains we have received over the past month.

Municipal Works

- Road and alley maintenance is ongoing. Due to the wet weather recently many of the roads and alleys need additional grading again once conditions dry up.

- We have had a few funerals to prepare for over the past month also.
- Staff have been busy mowing the municipal properties and areas owned by the Town.
- Several sign maintenance and installations have taken place
- Transit Paving has begun repairing concrete and asphalt areas that have been identified by Public Services Dept.
- Staff have been taking the excess soil from the Water Plant reservoir cap and making the berm North of the Dirkson storm pond larger to accommodate more volume of water in the north slough. This spring we received permission to pump the pond into the City of Medicine Hats system due to the slough being full at the time. The city requires several conditions for us to meet in order for them to accept our request to discharge into their system including water testing from an independent lab.
- Staff completed extensive regrading and shaping of many of the N.W areas ditches in response to the drainage concerns of area residents.
- Several garbage bins have been repaired.
- Staff have been hauling gravel to replenish our stockpiles in the Public Services yard.

Parks and Recreation

- Several parks, greenspaces, trails, municipal properties have been sprayed for weed control.
- Turf maintenance, campground operation, irrigation are all significant ongoing responsibilities for the staff during the summer months also.
- The swimming pool has been running relatively good. The new operators have been learning the process and are developing into competent operators of the system. The pool closed for the season in late August. Winterizing the facility will take place in the near future.
- Cemetery maintenance has been a priority this season and gopher control has been implemented as they are an ongoing nuisance. Staff have received several compliments on the conditions this season compared to the past.
- Parks staff has been doing a significant amount of tree trimming over the past month also.
- Maintenance in the arena has also been occurring over the last month. Including painting , repairs on the boards, cleaning and repairing gutters on the east side of the building. New "trapeze" line was installed as requested by figure skating club..
- Ice and line painting was nearing completion when staff noticed a brine leak somewhere in the under slab of the arena floor. Compressors needed to be shut down before damage occurred. Staff and Atron refrigeration began to troubleshoot and find the area where leak is occurring.
- Seniors center scheduled to be painted week of Sept.22-26
- Monthly building checks completed.
- Rivervalley outhouse was cleaned out via vac truck
- New sign for Branden Primeau outdoor rink was installed.

Landfill

- The Landfill has been accepting average amounts of materials for this time of year. As is typical this time of year we are receiving more construction type materials and yard wastes.

- The past month has been very unseasonably wet at the Landfill causing additional equipment time clearing mud and making roads accessible for customers.
- New bucket arrived for the Loader and is now in use.
- Tire shred hauling for the use in the new cell construction is roughly half complete. Several days of rain have caused delays in getting the material to the site.
- Cee Gee has begun the earthworks to construct the new cell.
- Significant management hours are being spent on this particular function of the department, primarily due to the pending cell construction and Ridgeline business. Also dealing with staffing vacancies/equipment issues/concerns from customers

Staffing

- Seasonal staff began leaving on Aug.15,22,29 with only 1 part-time remaining until approx.. late Oct.
- Colton Gazdag was hired as a Landfill Equipment operator
- Cam Fairhurst has been hired as a Facility Operator. He will begin work on Sept.23/14

ENGINEERING

2014 CAPITAL PROJECT

- 4th Ave SW Project schedule
 - No work happened due to rain and trench wetness from Sept 8 - 11. Contractor resumed work on Sept 12th.
 - First progress claim received by the Town and verification of field quantities in progress.
 - Transit Paving was informed on the site safety concerns during last couple of weeks rain. Couple of resident concerns were handled through co-ordination with Transit Paving. Transit Paving was also informed about the rain water direct inflow in the sanitary system on Sept 03rd. Industrial Backhoe (subcontractor) installed a barrel on the sanitary manhole and filter cloth in the storm manhole base to prevent sedimentation to the base on the same day.
- I and I study updates
 - Smoke testing was shut down due to rainy weather. The work will be resumed today for another four days approximately.
 - Town is providing the GIS information, manholes surveys, flow monitors and rain gauge data bi weekly on ongoing basis.
 - ISL provided a map of CCTV targeted locations after consultation with Town's Engineering and Public Services.
 - CCTV camera work started on Tuesday Sept 09th by SFE Global and will be completed on Sept 12, 2014 .
 - Some sanitary lines are not clean and CCTV work got interrupted.

- Public Services was informed to help with the cleaning and flushing on urgent basis. Public Services Department has some scheduling problems due to short staffing and suggested future works to be scheduled under capital projects.
 - Westside lift station pumps run need to be co-ordinated to do the camera work down stream of Main Street as the camera goes under water when pumps start.
- Proposals for Pump Station protection and river bank erosion protection
- Town received five proposals from different firms named as WSP, AMEC, McElhanney, ISL and MPE with amounts ranging from \$100,000 to \$169,300
 - Although all companies are capable of doing this work but some displayed lacking in their methodology and missed the scope from the request of proposal (RFP). Scope clarifications and questions sent out to few companies and found some additional costs required.
 - AMEC Environment and Infrastructure from Medicine Hat/ Lethbridge is successful proponent for this project. An award letter sent on Sept 11th.
 - Start up meeting for the project has been scheduled for Monday, Sept 15, 2014 at 01:30pm.
- Slope failure geotechnical
- Drilling completed, monitoring points and pipe extension attached on top to protect it.
 - Inclinator and monitoring point installed in boreholes on each location.
- ❖ 3rd Ave and 3rd St NW Lift Station Investigation
- Technician from Pump supplier (Xylem Inc. previously known as FLYGT) came to site on Sept 04th. Draw down test completed for one pump only when his pressure gauge broke. He shut down the testing for another day.
 - SFE global offered to install a pressure logger on the pump headers without any cost to Town to see the problem. The pressures measured by SFE on the downstream of pumps as 22psi for pump 1, 26 psi for pump 2 and 27 psi for both pumps. ISL thinks the pumps are under performing. There is no air release valve installed on the high points on the forcemain which may be the cause of low output. Further investigation is required. Flygt tech has yet to reply for his findings on pump 1.
 - SFE Global suggested the cleaning of forcemain downstream of the 3rd and 3rd lift station will help in eliminating the problem. SFE undertook previous forcemain cleaning projects up to 16 KM long forcemain and the current forcemain length will be easy for SFE to clean.
- ❖ **Water Treatment Plant, Raw Water Pump Station and Pipeline Upgrades**
- **Water Treatment Plant (WTP) Construction:**
- Dirt from the top of treated reservoir removed and contractor has installed dowel bars in the concrete. Also doing the sand blasting/chipping work.

- Steel columns to install inside the reservoir are at site. MPEco will co-ordinate with Town's Public Services Department for draining of the north half of the reservoir so that contractor can install the steel columns.
- Grey colour with the darker grey color picked for the plant cladding, trim and roof leads.

➤ **Rawwater Supply pipeline project :**

- Deficiencies repair has been completed and Town received the total completion certificate for the project recommended from MPE.
- Last progress claim and partial holdback release request received by the Town.
- Project is under warranty for 2 years starting from November 25, 2013.

➤ **Pump Station Upgrade:**

- Some warranty issues noticed by Town and conveyed to MPE. MPE is following up with Carver.
- MPE is working with the suppliers on some minor troubleshooting issues.
- Park Enterprises conducted the buildings inspection and identified the need for emergency exit signage. DA electric has completed this work.
- Project is under one year warranty starting from Oct 31,2013

❖ **Other Miscellaneous**

- Transit Paving yet to schedule the work on Broadway Ave curbs installation east of Red Hat property.
- 2013 Road Rehab Program: Transit Paving will complete the deficiencies in spring 2014. Project is under 2 year warranty.
- Warranty deficiency follow up for 2011 and 2012 projects with different contractors.
- Review of laneway drainage on 4th Ave between Main Street and 1st Ave in progress.
- GIS attaching CCTV Camera data to maps and identifying sanitary defects on GIS maps.
- Misc. Site Drainage Plans review, comments and meeting with the consultant and developers as part of Development applications, grade checks co-ordination and grade sheets review.
- On-going map updates for Public Services and Land sales & Legislative departments.

FINANCE AND ADMINISTRATION

Budget Preparation:

- A preliminary budget process schedule has been circulated to the management team. In order to stay on schedule, individual departments have started to work on their budget.

- As part of the 2015 budget process, the following are some of the initiatives that are currently in progress:
 - The request for public submissions relating to the 2015 budget will be included in the September 2014 Community Newsletter (Issue #6). The deadline for submissions is October 10th.
 - A number of departments will be working jointly on the production of an updated and funded MYCIP (Multi-Year Capital Infrastructural Plan).
 - A review of utility bylaws including the structure and concept of billing.

Utility:

- Billings for water, sewer, and garbage services for the month of July and August has been sent out on September 15.
- Second round of disconnects will take place on the September 23rd.

BYLAW ENFORCEMENT

- Total files this reporting period 74 (7 reported, 67 self generated)
- TRAFFIC BYLAW: 18 files, 1 reported, 17 self generated. The majority of these files were related to Blvd. parking and RV parking. These numbers are decreased from previous years, and as we are now nearing the end of the camping season I do not anticipate many complaints or violations relating to RV parking for the balance of the year.
- STREET BYLAW: 1 self generated file relating to an electric cord across the sidewalk (RV trailer).
- NOISE BYLAW: There were no files or complaints related to this Bylaw.
- DOG CONTROL BYLAW: 3 complaints made related to barking dogs with warning notices issued.
- BUSINESS LICENSE BYLAW: No files generated, routine checks are made of any new businesses operating in the Town to ensure compliance with the Bylaw. There is considerable time being devoted to follow up on businesses that have failed to re-new their license for 2014 to determine whether they are out of business or have failed to renew.
- NUISANCE AND UNSIGHTLY PREMISES BYLAW: 48 files, 2 reported, balance self generated. The bulk of these files relate to uncontrolled weed and grass growth, as well as hedges and trees that have grown such that they interfere with the pedestrian and vehicular traffic. There has been another remedial order issued and has just expired and

remediation process will begin soon. There are still 2 large ongoing remediation issues that are progressing favorably.

- MISC: There were very few calls requesting the removal of bull and rattle snakes, and with the onset of cooler weather I doubt there will be any until next summer. There have been several calls and concerns raised, both with myself and the RCMP relating to the large number of temporary foreign workers that travel by bicycle, with little or no knowledge of the rules of the road as it relates to bicycle traffic. These concerns are that they all wear dark clothing, and with the hours of daylight diminishing the possibility of them being injured increases. These complaints are being made by local motorists as the riders do not seem to comprehend the danger they are putting themselves in. I have contacted the Red Hat Co-op, who employs many of these cyclists and they will contact the growers who employ them as well, to make them aware, and suggest reflective vests or clothing, and some form of educational training. The personnel manager of Red Hat Co-op is aware of the problem and states they had some cyclist education offered, and in light of the growing concern will take further steps to educate those whose mode of transportation is by bicycle.

LEGISLATIVE AND LAND SERVICES

- Ongoing inquiries re: land sales, development & subdivision. One land sale agreement finalized in August. Total of four (4) lots sold this year to date.
- Ongoing enforcement issues of non-permitted development and older files.
- Carol Cranston is retiring at the end of September. The recruitment process for this position has ended with Ms. Bonnie Andres being the successful candidate. Her first day with the Town is September 22, 2014.
- There were two Subdivision and Development Appeal Board hearings held in September:
 - September 4, 2014 - Subdivision Application 2014 SUB 02 (Farwest Land & Properties Inc.)
Lots 1-20, Block 99, Plan 1117V
To create 9 residential lots.
Decision: Approval of SAA was varied.
 - September 15, 2014 - Development Permit Application 14-DP-069 (J. Piea)
Lot 41, Block A, Plan 0714576 (1502 Dirkson Dr. NE)
Multi unit / Multi use Building
Decision: Appeal denied.
- A Subdivision Application for Lots 1-20, Block 96, Plan 1117v (102 – 8 St. NW) was received and processed. The application for subdivision proposes to subdivide a residence from a greenhouse.
- Board Vacancies
 - Redcliff Family & Community Services (FCSS) Board – 3 vacancies
 - Subdivision & Development Appeal Board – 1 vacancy
- Following up on insurance claims.
- Compiling information from review of building permits (2007-2011) to prepare for next steps forward.

COUNCIL IMPORTANT MEETINGS AND EVENTS

Date & Time	Meeting / Event	Where /Information
September 23 – 26, 2014	Alberta Urban Municipalities Annual Conventions and Trade Show	AUMA Website / In August 18, 2014 Agenda Packager
September 25, 2014	AUMA Convention Meeting with AB Environment and Sustainability 8:30 am – 9:00 am	Shaw Conference Centre (room to be confirmed)
September 25, 2014	AUMA Convention Meeting with AB Transport 3:30 pm – 4:00 pm	Shaw Conference Centre (room to be confirmed)
September 30, 2014 4:00 pm – 8:30 pm	Strategic Planning Meeting	Redcliff Senior Citizens
October 1, 2014 Full Day 9:00 – 4:30 pm	Strategic Planning Meeting	Redcliff Public Library

APPLICATION FOR SUBDIVISION APPROVAL	For official use only	
Date of receipt of completed Form <u>August 27, 2014</u>	Fee submitted: <u>550.00</u>	File No. <u>2014 SUB 03</u>

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THAT IS THE SUBJECT OF THE APPLICATION OR BY A PERSON AUTHORIZED TO ACT ON THE REGISTERED OWNER'S BEHALF

1. NAME OF REGISTERED OWNER OF LAND TO BE SUBDIVIDED. ADDRESS, POSTAL CODE AND PHONE NO. -

D + E GREENHOUSES LTD.
102 - 8TH STREET NW, REDCLIFF AB T0J 2P0

2. NAME OF AGENT (PERSON AUTHORIZED TO ACT ON BEHALF OF REGISTERED OWNER), IF ANY. ADDRESS, POSTAL CODE AND PHONE NO.

NOAH NICHOLS, GLOBAL RAYNAL SURVEYS
#124 - 1310 KINGSWAY AVE SE, MEDICINE HAT, AB T1A 2Y4

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED

All/part of the _____ 1/4 sec. _____ twp. _____ range _____ west of _____ meridian

Being all/parts of Lot 1-20 Block 96 Reg. Plan No. 1117V C.O.T. No. 001/190 718

Area of the above parcel of land to be subdivided 0.44 hectares _____ acres

Municipal address (if applicable) 102 - 8TH STREET NW

4. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is situated in the municipality of REDCLIFF

b. Is the land situated immediately adjacent to the municipal boundary? Yes ☒ No ☐

If "yes", the adjoining municipality is LYPRESS COUNTY

c. Is the land situated within 0.8 kilometres of the centre line of a highway right of way? Yes ☐ No ☒

If "yes", the highway is No. _____

d. Does the proposed parcel contain or is it adjacent to a river, stream, lake or other body of water or by a drainage ditch or canal? Yes ☐ No ☒

If "yes", state its name _____

e. Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes ☐ No ☒

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

a. Existing use of the land RESIDENCE AND GREENHOUSE

b. Proposed use of the land RESIDENCE AND GREENHOUSE

c. The designated use of the land as classified under a land use bylaw H - HORTICULTURAL DISTRICT

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (WHERE APPROPRIATE)

a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) FLAT

b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc., - sloughs, creeks, etc.) GRASS + TREES

c. Describe the kind of soil on the land (sandy, loam, clay, etc.) CLAY LOAM

7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED

Describe any buildings and any structures on the land and whether they are to be demolished or moved

RESIDENCE AND GREENHOUSE TO REMAIN

8. WATER AND SEWER SERVICES

If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal.

9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF

I NOAH NICHOLS, GLOBAL RAYMEX SURVEYS hereby certify that
(Full Name)

☐ I am the registered owner, or ☒ I am the agent authorized to act on behalf of the registered owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision.

Address #124 - 1310 KINGSWAY AVE SE

(Signed) [Signature]

MEDICINE HAT, AB T1A 2Y4

Phone No. (403) 526-6300

Date AUGUST 21, 2014

THE FOLLOWING ADDITIONAL INFORMATION MUST BE PROVIDED

- Number of Parcels being created 2
- Size of parcels being created RESIDENTIAL PARCEL - 0.07 ha
GREENHOUSE PARCEL - 0.37 ha
- Reason for Subdivision TO SEPARATE THE RESIDENCE FROM
THE GREENHOUSE
- Any other relevant information in support of application PARCELS CREATED WILL CONTINUE UNDER THEIR
CURRENT USE, NEARBY DEVELOPMENTS HAVE
SEEN THE RESIDENCE AND GREENHOUSE SEPARATED.

RIGHT OF ENTRY: I hereby authorize the agent of the Redcliff Planning Board to enter my land for the purpose of conducting a site inspection in connection with the application for subdivision approval. This right is granted pursuant to Section 653 (2) of the Municipal Government Act.

[Signature]
Property Owner's Signature

(AGENT)

SUBDIVISION FEES:

The application fee is \$350.00 plus \$100.00 per proposed lot, excluding parcels proposed as reserve or public utility lots.

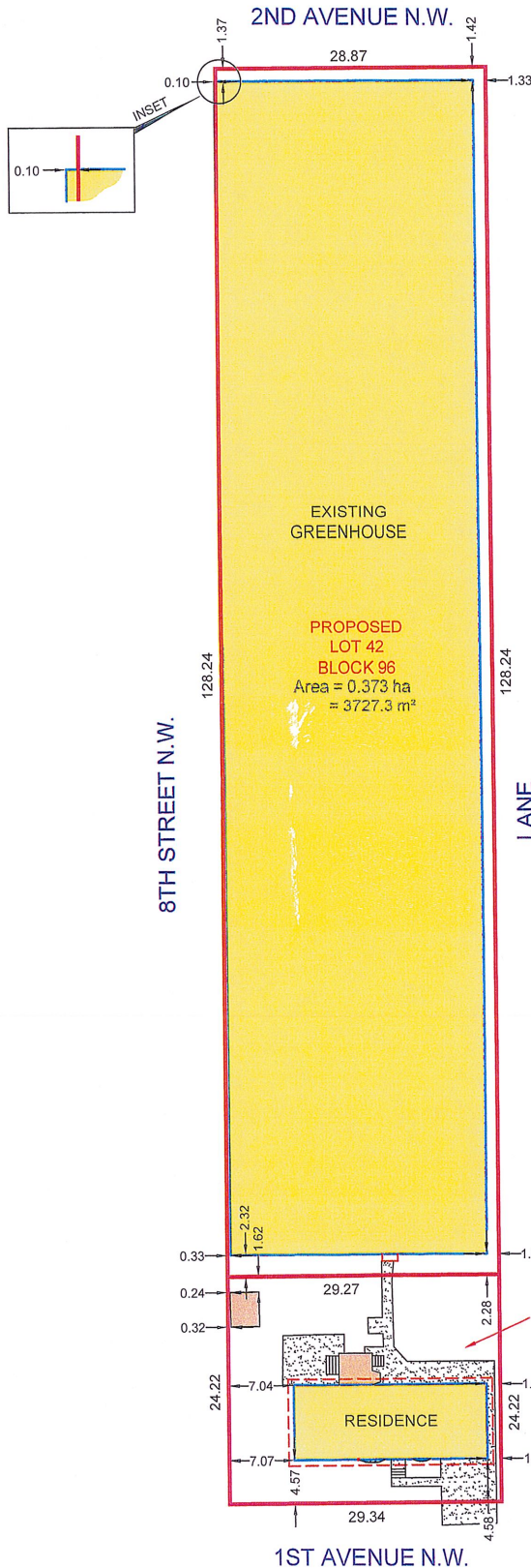
After approval has been granted a fee of \$100.00 must be paid to have the final plan of survey or other instrument checked and endorsed prior to registration at the Land Titles Office.

NOTE: There is no obligation for the Subdivision Approving authority to return to the applicant either a subdivision application or any documentation accompanying it. Fees are not refundable once a complete application has been accepted.

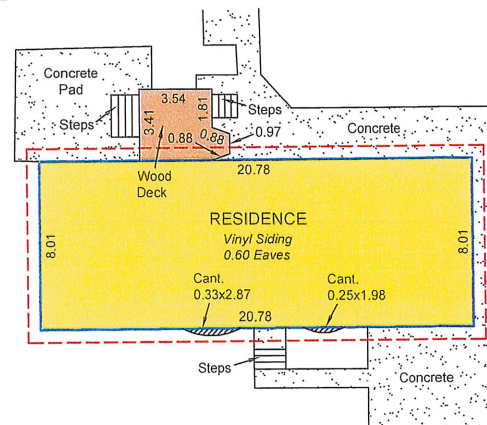
THIS SECTION FOR OFFICIAL USE

TOWN OF REDCLIFF
Tentative Plan Showing Subdivision
of
Lots 1 to 20 Inclusive, Block 96, Plan 1117 V
All Within
S.W. 1/4 SEC. 17-13-6-W.4M.

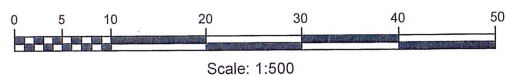
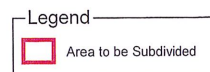
global raymac
surveys
124, 1310 Kingsway Avenue SE - Medicine Hat, Alberta T1A 2Y4
Ph: 403.526.6300 www.globalraymac.ca



LOTS 21-40
BLOCK 96
PLAN 1117 V



Residence Detail
Not to Scale



DATE: August 21, 2014
FILE NO. 14MX0018



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0027 952 853 1117V;96;1-20 001 190 718

LEGAL DESCRIPTION
PLAN 1117V
BLOCK 96
LOTS 1 TO 20 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;6;13;17

MUNICIPALITY: TOWN OF REDCLIFF

REFERENCE NUMBER: 991 140 503

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
001 190 718	12/07/2000	TRANSFER OF LAND	\$435,930	\$435,930

OWNERS

D & E GREENHOUSES LTD.
OF 102 - 8TH ST NW
REDCLIFF
ALBERTA T0J 2P0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
041 370 549	28/09/2004	MORTGAGE MORTGAGEE - THE BANK OF NOVA SCOTIA. 2, 83 CARRY DR SE MEDICINE HAT ALBERTA T1B3M5 ORIGINAL PRINCIPAL AMOUNT: \$192,000

TOTAL INSTRUMENTS: 001

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 11 DAY OF JULY,
2014 AT 08:20 A.M.

ORDER NUMBER: 26397876

CUSTOMER FILE NUMBER: 14mx0018



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Town of Redcliff
#1 – 3rd Street NE
Redcliff, AB T0J 2P0

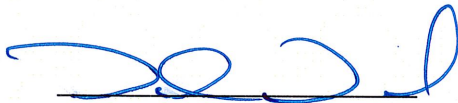
August 21, 2014
Our File: 14MX0018

Attn: Shanon Simon, Manager of Legislative & Land Services

RE: Subdivision Application
Lots 1-20, Block 96, Plan 1117V (102 – 8th Street NW)

Please accept this package as an application for subdivision to create two lots. The purpose of the application is to separate the residence from the greenhouse.

Regards,



Noah Nichols, ALSA Pupil

RECEIVED

AUG 25 2014

TOWN OF REDCLIFF

Encl.

JULY 10/2014.

To Whom it may concern.

I hereby AUTHORIZE GLOBAL PLYMAC SURVEYS.

TO BE my AGENT in the SUBDIVISION of my property.

DON. HOOSE / Donald L. Hoose

D/F GREENHOUSES LLC.
102 8th ST. N.W. REDCLIFF AR.

Abandoned Wells Confirmation Form – Proposed Subdivision

****Note**** This form must be 1) signed by the applicant at the time of subdivision application, and
2) submitted with a printout of the map(s) that was used to confirm the absence/presence of abandoned well(s)

*If abandoned wells are **absent** within the proposed subdivision:*

I, NOAH NICHOLS, have reviewed information provided by the Energy Resources Conservation Board ("ERCB") as set out in ERCB Directive 079, *Surface Development in Proximity to Abandoned Wells*, and can advise that the information shows the **absence** of any abandoned wells within the site of proposed development.

NOAH NICHOLS (AGENT)
Printed Name

[Signature]
Signature

GLOBAL RAYMAC SURVEYS
Company Name if signing for a company

AUGUST 26, 2014
Date

*If an abandoned well(s) is **present** within the proposed subdivision:*

I, _____, have reviewed information provided by the Energy Resources Conservation Board ("ERCB") as set out in ERCB Directive 079, *Surface Development in Proximity to Abandoned Wells*, and can advise that the licensee(s) responsible for all abandoned wells within the proposed subdivision has been contacted in order to have the *Abandoned Well Locating and Testing Protocol* completed in accordance with ERCB Directive 079. To prevent damage to the well, a temporary identification marker will be placed on abandoned wells prior to construction, according to the confirmed well location(s) on site. The site of proposed subdivision contains the following abandoned well(s):

ERCB Well License #	Licensee name	Licensed Surface Location (e.g., 04-20-052-23 W4M)	Contact personnel name	Phone number

Printed Name

Signature

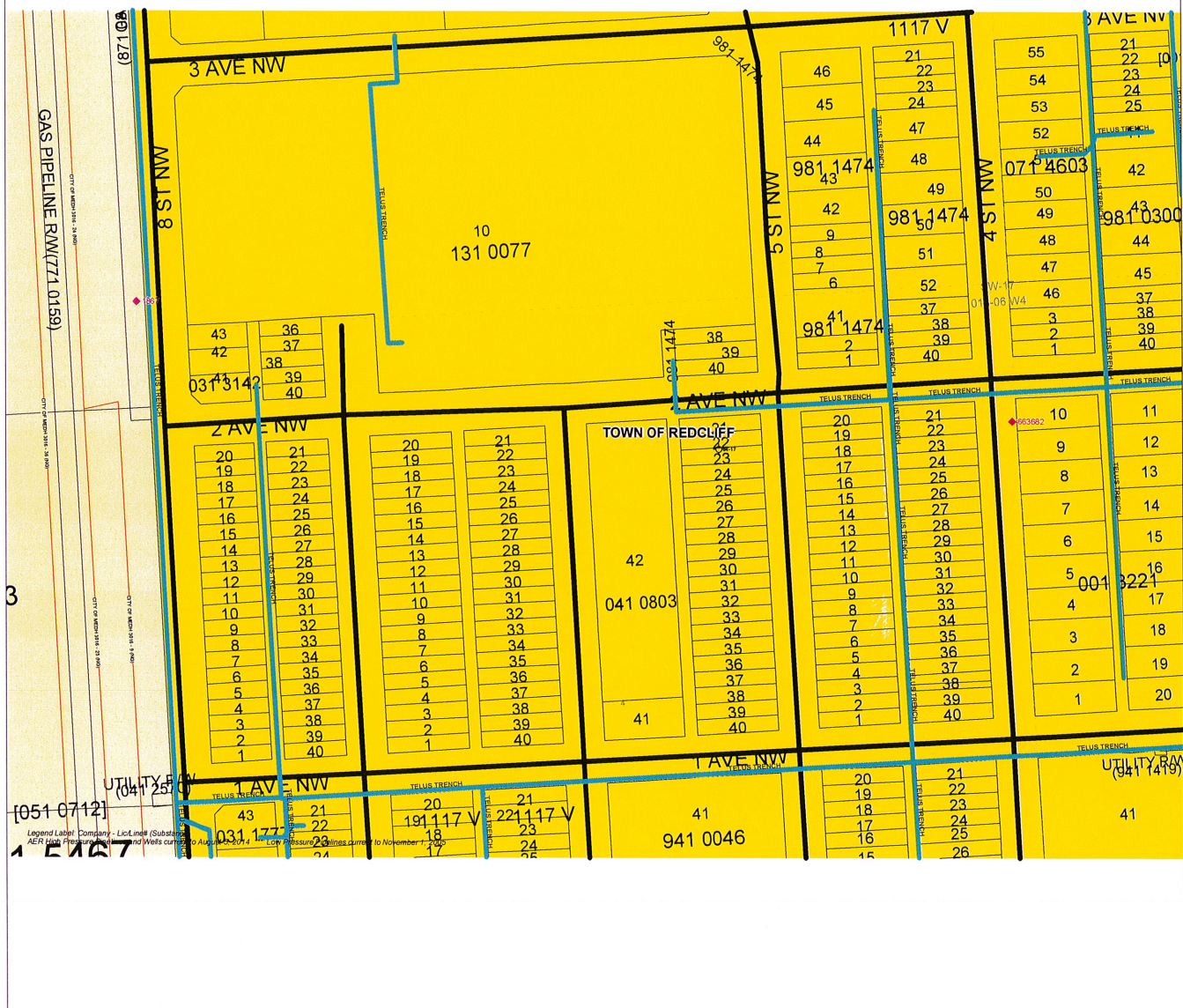
Company Name If signing for a company

Date

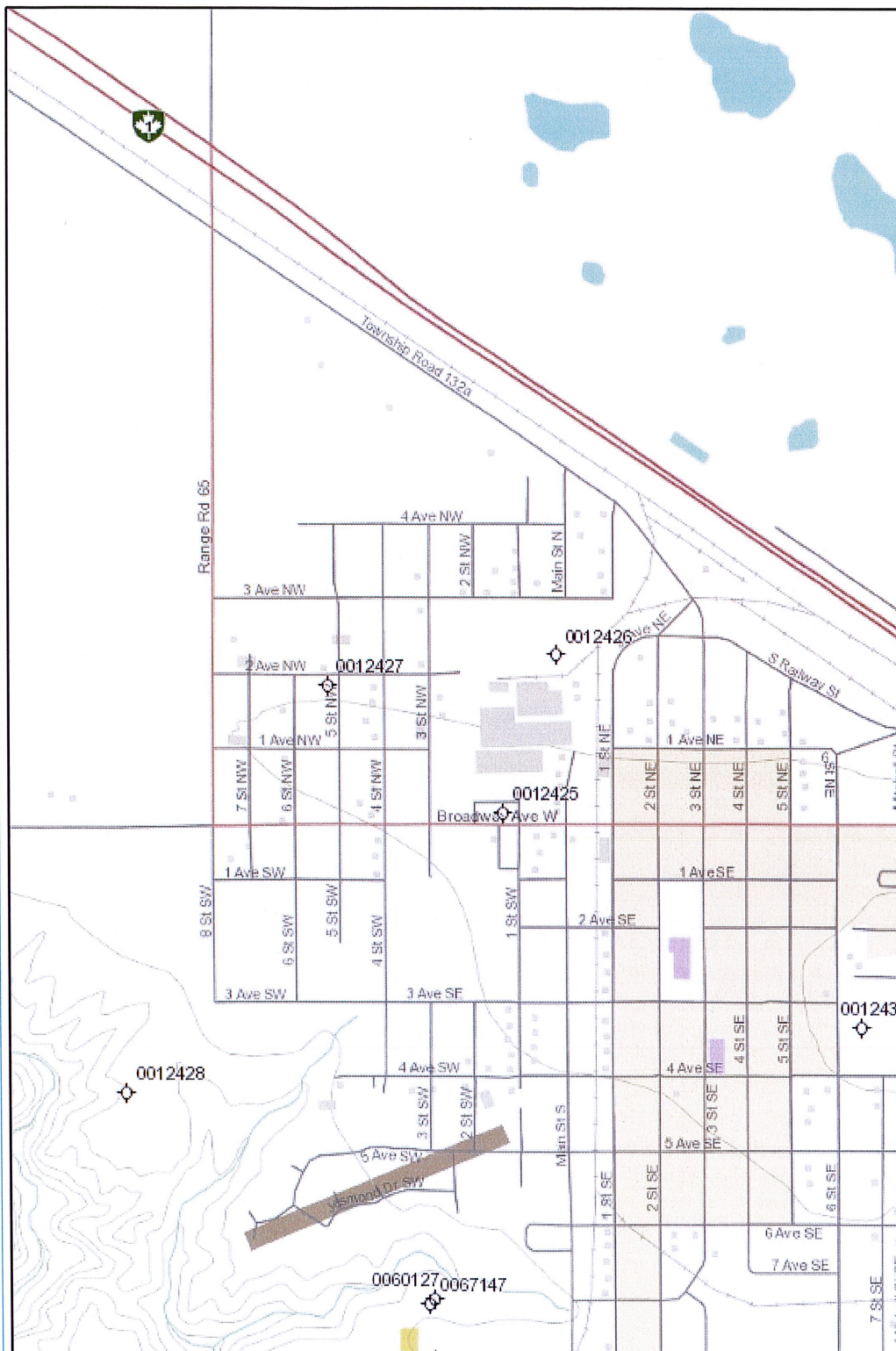
Office Use Only:

POSSE #:		LDA:	
----------	--	------	--

Revised Jan 2014



Map Results



Legend

- ATS v4_1 Alberta Provincial Boun
- Citations
- Abandoned Wells

© 2014 Government of Alberta

While every effort is made to ensure data from this site is accurate and current, the Government of Alberta is not liable for any loss or damage arising from the possession, publication, or use of, that data. This information is provided "as is" without warranty. Note: Any data on the map with licence jurisdiction through AltaLIS will not print.

Tuesday, August 26, 2014 15:54:08 -06:00

1.1

0.57

1.1 Kilometers

Map Scale: 1: 22,492



Alberta Government
GeoDiscover Alberta

ORPHAN WELL ASSOCIATION

ON BEHALF OF CB PAK INC.

PLAN SHOWING AS DRILLED SURVEY OF WELL HEAD

CB PAK INC.

MEDICINE HAT #36 4-17-13-6

WITHIN

L.S.4 Sec.17 Twp.13 Rge.6 W.4 M.

TOWN OF REDCLIFF, ALBERTA

LEGEND

Statutory iron posts found shown thus	●
30cm iron spikes placed shown thus	△
Iron spikes found shown thus	▲
Wooden hub placed shown thus	□
Iron bar found shown thus	◆
30cm iron bar placed shown thus	◇
Calc. point shown thus	⊗
New well centre shown thus	⊙
Existing well head shown thus	⊕
Bottom hole shown thus	⊖
Elevations shown thus:	xxx.xx

Bearings are grid; Derived by GNSS observations
and are referred to Central Meridian 111° West (Zone 12),
UTM projection (NAD 83).
Distances shown are in metres and decimals thereof
and are ground using combined scale factor 0.999489

COORDINATES:

LOCAL SURFACE CO-ORDS (CALC.)

320.18m N. of S. Bdy.
255.93m E. of W. Bdy. } Sec. 17

GEOGRAPHIC

Latitude	= 50.080014°	} NAD 27
Longitude	= -110.798311°	
Latitude	= 50.080043°	} NAD 83
Longitude	= -110.797137°	
UTM (Zone 12)	5547328.04 N.	} NAD 27
	514574.05 E.	
	5547549.99 N.	} NAD 83
	514514.42 E.	

BASE: ATS VERSION 4.1, C.M.=111°

DATUM

A.S.C.M. 1867
Elevation = 742.35

ELEVATION: 741.72 ground at WELL HEAD

I, Réal Comeau, Alberta Land Surveyor, of the
City of Medicine Hat, Alberta, certify that the field
survey represented by this plan is true and
correct to the best of my knowledge, was carried
out in accordance with the Alberta Land
Surveyors' Association Manual of Standard
Practice, and was performed between the 2nd
day and the 12th day of March, 2012.

OPERATOR:

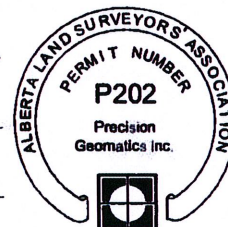
CB PAK INC.

Réal Comeau
Alberta Land Surveyor

Rena Middleton
Witness (Rena Middleton)

March 29, 2012

Date Signed



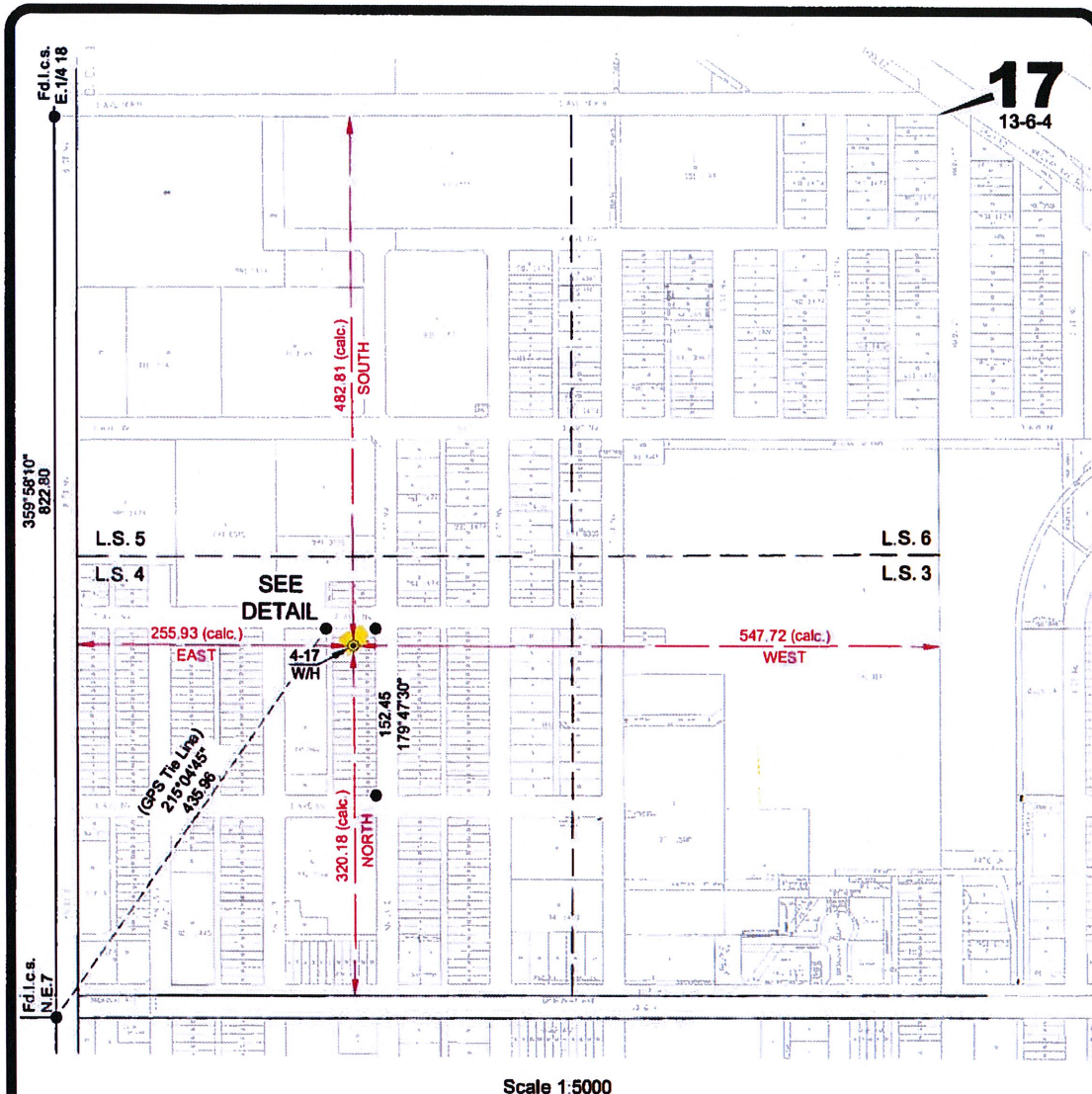
PRECISION
GEOMATICS INC.

EDMONTON
Phone: 780-470-4000
Fax: 780-486-9435
Toll Free: 1-888-470-4001

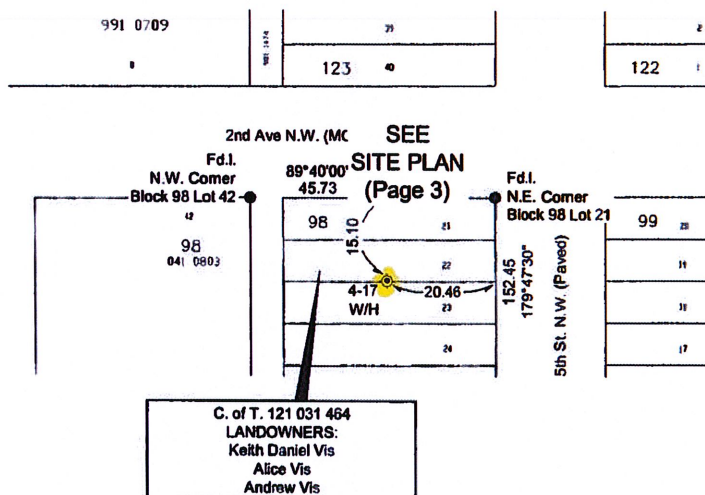
CALGARY
Phone: 403-269-6647
Fax: 403-268-6647
Toll Free: 1-877-268-6649

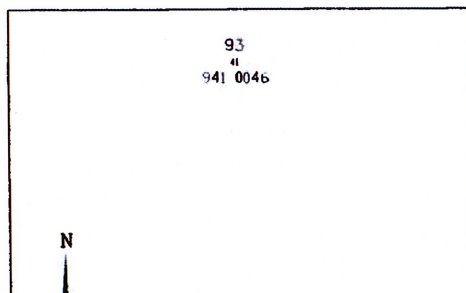
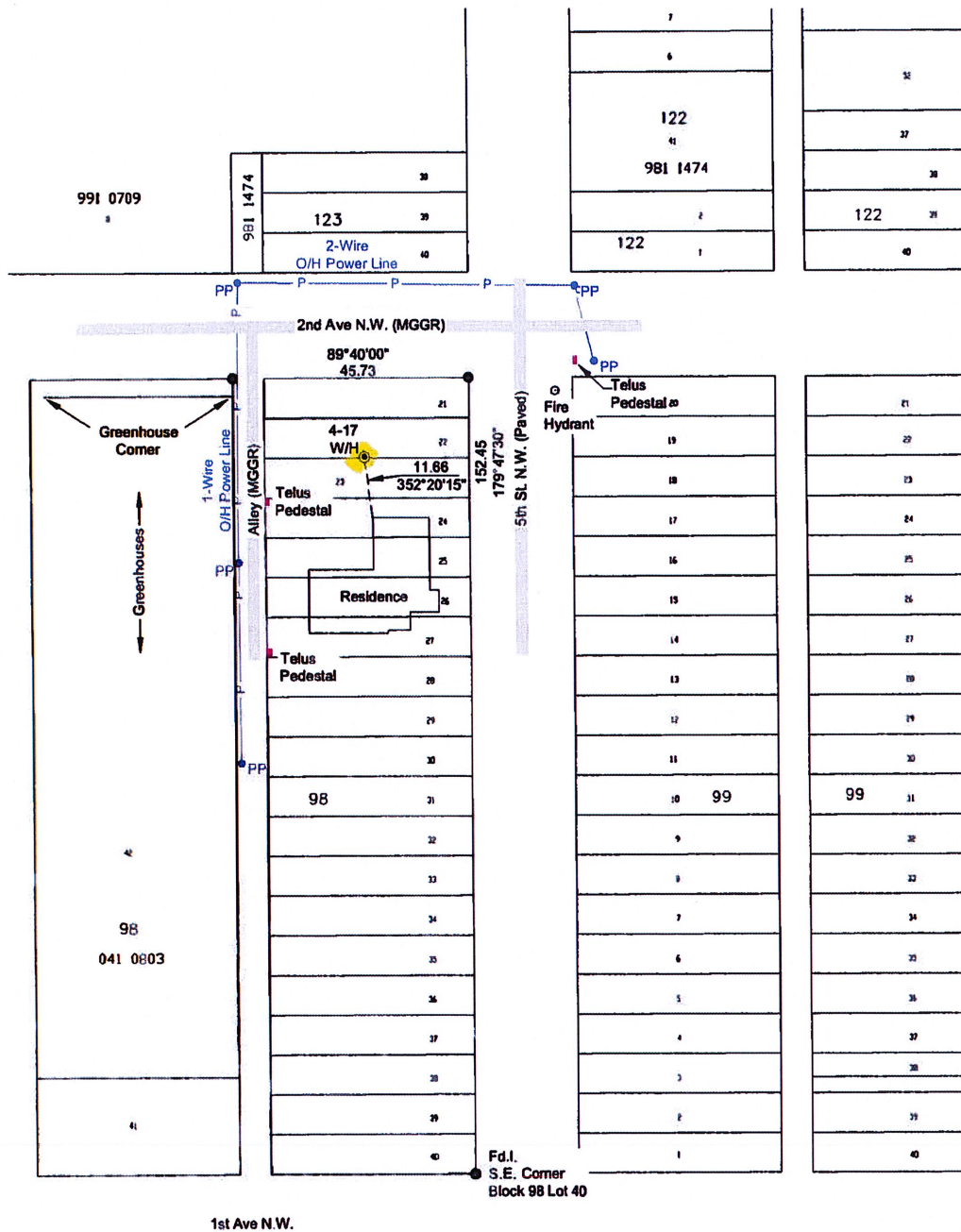
MEDICINE HAT
Phone: 403-528-1999
Fax: 403-528-1699
Toll Free: 1-877-528-1999

No.	Svy.	Dwn.	Ckd.	REVISIONS	Issued
0	MM	RM	CL	Initial Drafting of Plan	Mar. 5, 2012
DWG FILE:		M12-005710		CLIENT FILE:	600986
				PAGE 1/3	REV. 0



LOT 22 BLOCK 98 PLAN 1117V

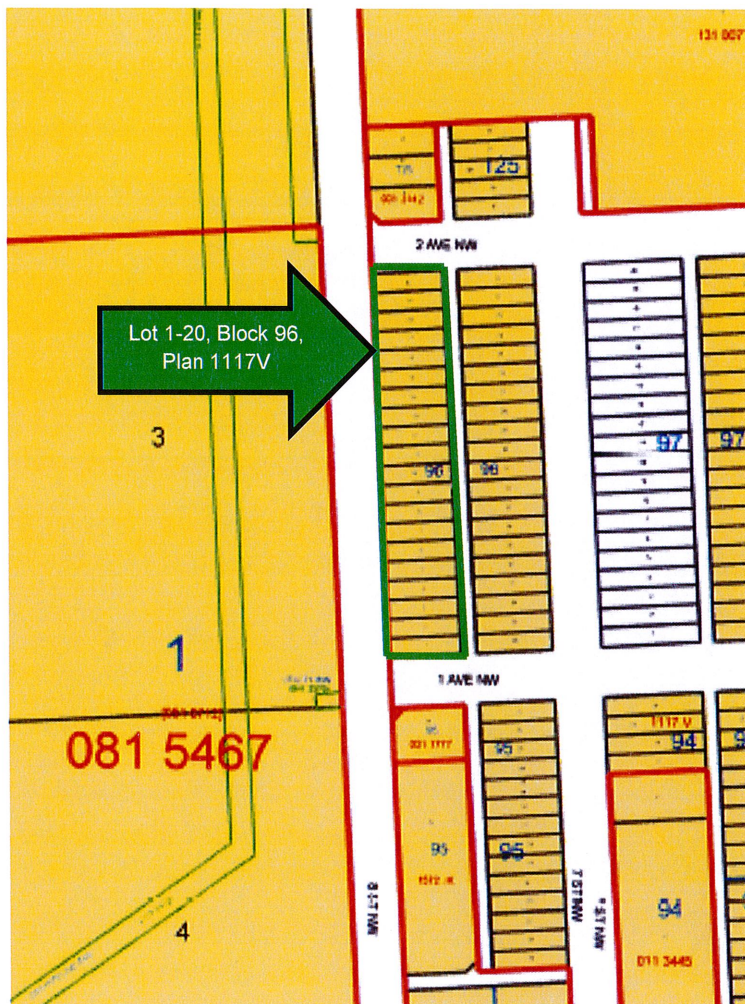




LOT 22 BLOCK 98 PLAN 1117V

SITE PLAN

Scale 1:1000



TOWN OF REDCLIFF

STATUTORY APPLICATION DATE: August 28, 2013

FILE NO. 2014 SUB 03

LEGAL: Lots 1-20, Block 96, Plan 1117V (102 8 Street NW)

PROPOSAL: To separate the residence from the greenhouse and provide separate titles for each parcel.

OWNER(S): D & E Greenhouses Ltd., Don Hoose

APPLICANT: Noah Nichols, Global Raymac Surveys (agent)

TYPE OF SUBDIVISION: Horticultural

EXISTING LAND USE CLASSIFICATION: H Horticultural District

SUBDIVISION BY: ☒ Plan ☐ Instrument

BACKGROUND INFORMATION: (August 28, 2014)

The property is on one title and there is an existing greenhouse and residence which is occupied by the property owner. The property owner wishes to separate the residence from the greenhouse and create separate titles for each parcel so that he can sell the greenhouse at some time in the future and still retain his residence.

The parcel is currently zoned H Horticultural. The purpose of this district is to regulate developments involving greenhouses. Residential development in this district is intended to be an owner/operator or other similar unit for greenhouse operations.

Under the Town of Redcliff's Municipal Development Plan (MDP) these lands are located in the Northend area. The development in this area consists primarily of a mix of residential, horticultural and industrial uses. The MDP indicates this area will continue to transition to include a greater proportion of residential uses, but will retain its mix of uses.

Shanon Simon

From: Andy Moon <ANDMOO@medicinehat.ca>
Sent: Thursday, September 04, 2014 11:48 AM
To: Shanon Simon
Subject: Subdivision Circulation 2014 SUB 03
Attachments: 2014 SUB 03.pdf

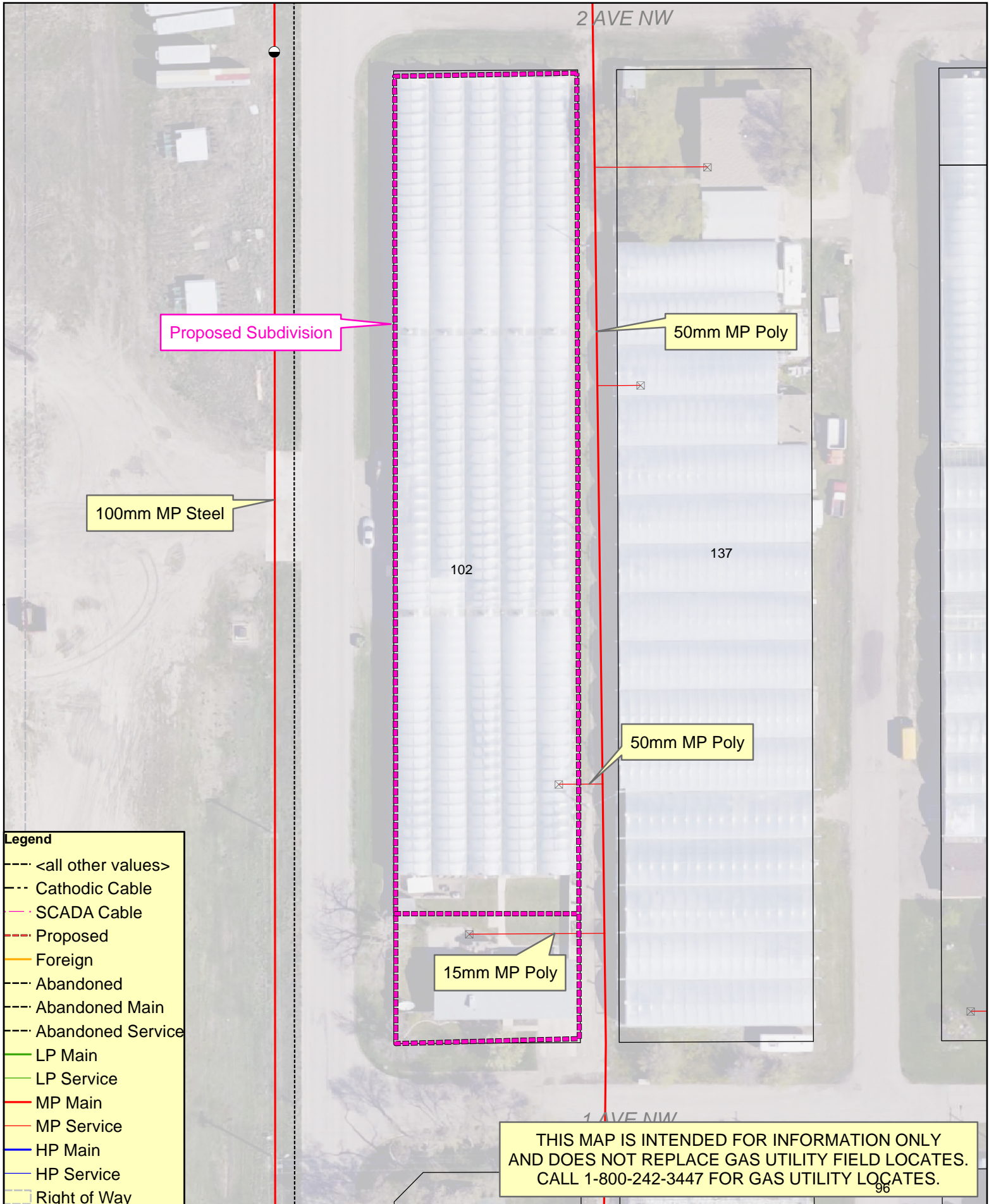
Town of Redcliff,

The City of Medicine Hat Gas Distribution Department has reviewed the subdivision application, 2014 SUB 03, to create separate titles for the existing residence and greenhouse at civic address 102 – 8th Street SW and has no concerns.

The existing residence and greenhouse are currently individually serviced off a 50mm medium-pressure gas main located to the rear of the subject property, within the lane. The subdivided lots will remain serviced as is.

Thanks,

Andy Moon, P. Eng.
Assistant Engineering Superintendent
Gas Distribution
Tel: 403-525-8807
Cell: 403-548-9610
andmoo@medicinehat.ca



Legend	
----	<all other values>
---	Cathodic Cable
---	SCADA Cable
---	Proposed
---	Foreign
---	Abandoned
---	Abandoned Main
---	Abandoned Service
---	LP Main
---	LP Service
---	MP Main
---	MP Service
---	HP Main
---	HP Service
---	Right of Way

Shanon Simon

From: John Stigter <JOHSTI@medicinehat.ca>
Sent: Monday, September 15, 2014 2:11 PM
To: Shanon Simon; Shanon Simon
Cc: Nigel Pimblett
Subject: Re: Subdivision Application File No.: 2014 SUB 03 - Global Raymac Surveys (Agent for Don Hoose)

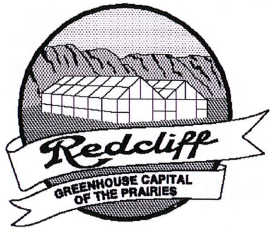
Attn: Shanon Simon @ Town Office

Hi Shanon, the Electric Utility Department has reviewed the above mentioned subdivision application to separate the home dwelling from the horticultural property at 102 8th Street NW, Redcliff and has the following comments:

1. The proposed subdivision will require a separation of the house electrical service from the business electrical service.
 - a. Our ArcMap electrical infrastructure system indicates only one (1) combined service to street address 102 8th St. NW, Redcliff.
 - b. Our landbase addressing records indicate that there is only one (1) valid address for this block which contains both the residential structure and the commercial structure. The street address is also 102 8th St. NW, Redcliff.
2. However, other records indicate that this house has already been electrically separated from the commercial electrical service on the property, at some point in the past, without our ArcMap records being updated.
 - a. Our current billing records indicate a residential service, Location 527445, for D & E Greenhouses at street address 102 8th St. NW, Redcliff.
 - b. Our current billing records also indicate a commercial service, Location 527644, for D & E Greenhouses at street address 112 8th St. NW, Redcliff which I am assuming is the same block/parcel that the residence is on.
3. Therefore, no changes are required to the existing Electric Utility servicing at this time with regards to a legal subdivision of the property to separate the residence from the greenhouse.
 - a. If either property is subsequently sold, after the subdivision, the current landowner (D & E Greenhouses) would have to "Sign-Off" of the existing electrical service(s).
 - b. A new landowner would then have to "Sign-On" to any existing electrical service as a new Customer and would then be subject to all of the current rules and regulations of the City of Medicine Hat Electrical Bylaw 2244 and any related Amendments for supply of service and billing.

If you have any questions and/or concerns about this correspondence please contact me at your earliest convenience. Thank you for your time and attention to this matter and best regards.

John Stigter, C.E.T.
Electrical Technologist
Electric Utility - Distribution
Medicine Hat, The Gas City
2172 Brier Park Place, NW
Medicine Hat, AB, T1C 1S6
E-mail: johsti@medicinehat.ca
Direct: 403-529-8253
Fax: 403-502-8061



TOWN OF REDCLIFF

P.O. Box 40
1 - 3rd Street S.E.
Redcliff, Alberta T0J 2P0

Phone 548-3618
Fax 548-6623
Email redcliff@redcliff.ca

SUBDIVISION CIRCULATION MEMORANDUM

APPLICATION FILE NO.: 2014 SUB 03 APPLICANT: Noah Nichols,
Global Raymac Surveys
(agent for D&E Greenhouses Ltd.)

CIRCULATION DATE: August 29, 2014

RESPONSE DUE DATE: SEPTEMBER 12, 2014

TO: Khalil Minhas
Manager of Engineering
Town of Redcliff
Box 40
Redcliff, AB
T0J 2P0

COMMENTS ON SUBDIVISION APPLICATION

The enclosed application for subdivision approval has been lodged with the Town of Redcliff. Pursuant to the Subdivision Regulation we are forwarding this application to you for your perusal and comments. Any comments on the application made by you will be considered by the Town of Redcliff provided these are received by the **response due date** as noted above. If a reply is not received by the stipulated date, it shall be deemed that you have no comment on the application.

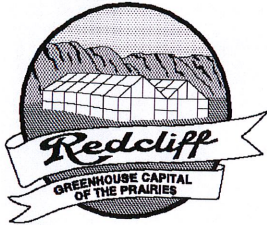
Please give this matter your early attention and return the completed subdivision circulation memorandum to the Town Office. If you have any questions regarding the application, please feel free to contact Shanon Simon at the Town Office.

COMMENTS

- SEPARATE WATER AND SANITARY SERVICES.
- CAPPED ROOF TROUGHS ON SOUTH SIDE OF GREENHOUSE MAY DISCHARGE STORM WATER IN A MAJOR RAIN EVENT. REMOVAL OF ROOF TROUGHS ADVISED ON THE SOUTH.
- EXISTING ROOF TROUGHS ON THE NORTH APPEAR TO BE CAPTURING ALL DRAINAGE. THE STORM RELEASE FROM THE GREENHOUSE WILL LIKELY MORE THAN THE TOWN'S ALLOWABLE RELEASE RATE OF 40L/sec/ha -

OPTIONS FOR STORM WATER RETENTION OR CONTROLLED RELEASE OF
STORM SHOULD BE EXPLORED.

- THE FLOOR OF EXISTING GREENHOUSE SOUTH OF WEST ENTRANCE, IS LOWER THAN ROAD CURB AND BOULEVARD OF 8TH ST NW. BOULEVARD APPEARS TO BE GRADED TOWARDS THE GREENHOUSE AT SW AREA OF GREEN-HOUSE -



TOWN OF REDCLIFF

P.O. Box 40
1 - 3rd Street S.E.
Redcliff, Alberta T0J 2P0

Phone 548-3618
Fax 548-6623
Email redcliff@redcliff.ca

SUBDIVISION CIRCULATION MEMORANDUM

APPLICATION FILE NO.: 2014 SUB 03 APPLICANT: Noah Nichols,
Global Raymac Surveys
(agent for D&E Greenhouses Ltd.)

CIRCULATION DATE: August 29, 2014

RESPONSE DUE DATE: SEPTEMBER 12, 2014

TO: Jamie Garland
Public Services Director
Town of Redcliff
Box 40
Redcliff, AB
T0J 2P0

COMMENTS ON SUBDIVISION APPLICATION

The enclosed application for subdivision approval has been lodged with the Town of Redcliff. Pursuant to the Subdivision Regulation we are forwarding this application to you for your perusal and comments. Any comments on the application made by you will be considered by the Town of Redcliff provided these are received by the **response due date** as noted above. If a reply is not received by the stipulated date, it shall be deemed that you have no comment on the application.

Please give this matter your early attention and return the completed subdivision circulation memorandum to the Town Office. If you have any questions regarding the application, please feel free to contact Shanon Simon at the Town Office.

COMMENTS

It is to our best knowledge that currently the home and greenhouse share a water/sewer service. Prior to Subdivision approval Public Services Dept. recommends separate services be installed for home + greenhouse.

Shanon Simon

From: BAUER, Wendy <Wendy.Bauer@canadapost.postescanada.ca>
Sent: Tuesday, September 02, 2014 8:20 AM
To: Shanon Simon
Subject: SUBDIVISION 2014 SUB 03 lots 1 - 20 Block 96 Plan 1117V

Good morning,

I do not have any comments for the above subdivision.

Thank you,

Wendy Bauer
Officer, Delivery Planning
Canada Post Corporation
Phone: 403-974-2000 EXT 42106
Fax: 403-974-2195



Cypress County

816 - 2nd Ave.

Dunmore, Alberta T1B 0K3

Ph. (403) 526-2888

Fax (403) 526-8958

www.cypress.ab.ca

61-01-08

September 8, 2014

Shanon Simon
Manager of Legislative and Land Services
Town of Redcliff
Box 40
Redcliff AB T0J 2P0

RE: Comments For Subdivision Application 2014 SUB 03

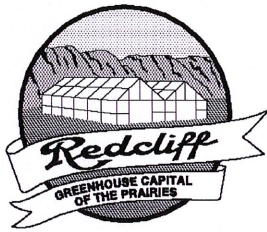
Dear Sirs;

Cypress County has reviewed the information which was submitted concerning subdivision application 2014 SUB 03, located at Plan 1117V, Block 96, Lots 1-20, within the Town of Redcliff.

After reviewing the subdivision application, Cypress County has no comments, nor any objections at this time.

Yours truly,

Jeffrey R. Dowling
Municipal Planner



RECEIVED

SEP - 3 2014

TOWN OF REDCLIFF

TOWN OF REDCLIFF

P.O. Box 40
1 - 3rd Street S.E.
Redcliff, Alberta T0J 2P0

Phone 548-3618
Fax 548-6623
Email redcliff@redcliff.ca

SUBDIVISION CIRCULATION MEMORANDUM

APPLICATION FILE NO.: 2014 SUB 03 APPLICANT: Noah Nichols,
Global Raymac Surveys
(agent for D&E Greenhouses Ltd.)

CIRCULATION DATE: August 29, 2014

RESPONSE DUE DATE: SEPTEMBER 12, 2014

TO: Brian Stehr
Development Officer
Town of Redcliff
Box 40
Redcliff, Alberta
T0J 2P0

COMMENTS ON SUBDIVISION APPLICATION

The enclosed application for subdivision approval has been lodged with the Town of Redcliff. Pursuant to the Subdivision Regulation we are forwarding this application to you for your perusal and comments. Any comments on the application made by you will be considered by the Town of Redcliff provided these are received by the **response due date** as noted above. If a reply is not received by the stipulated date, it shall be deemed that you have no comment on the application.

Please give this matter your early attention and return the completed subdivision circulation memorandum to the Town Office. If you have any questions regarding the application, please feel free to contact Shanon Simon at the Town Office.

COMMENTS

- The property is currently Zoned A) - Horticultural District
- greenhouse encroaches onto The Town of Redcliff Boulevard.
- Accessory Building in front of the home.
- Rear Setbacks of home are less than the LUB.
- Should the Subdivision Authority look at the balance of the greenhouse lands & give consideration to potential residential in this area at some point in the future. (Lot sizes)
- buildings are non-compliant under the LUB.



August 29, 2014

TOWN OF REDCLIFF

P.O. Box 40, 1 - 3rd Street N.E.
Redcliff, Alberta, T0J 2P0
Phone 403-548-3618
Fax 403-548-6623
redcliff@redcliff.ca
www.redcliff.ca

Jennifer Kwok
Director of Finance and Administration
Town of Redcliff
Box 40
Redcliff, AB
T0J 2P0

**RE: Subdivision Application 2014 SUB 03
Lot 1-20, Block 96, Plan 1117V (102 8 Street NW)**

Please find enclosed a copy of the subdivision application regarding the above. According to Section 654(1)(d) of the Municipal Government Act, a subdivision approving authority must not approve an application for subdivision unless all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment.

By way of copy of this letter the applicant has been advised to make arrangements to the satisfaction of the municipality for the payment of outstanding taxes.

Would you please advise by **September 12, 2014** whether the property has any outstanding taxes.

Thank you for your cooperation.

Regards,

Shanon Simon
Manager of Legislative and Land Services

Enc.

ADDRESS	ROLL#
102 8 STREET NW	0130300

BALANCE OUTSTANDING AS OF SEPTEMBER 05, 2014:
\$0

TOWN OF REDCLIFF
AUG 29 2014
FINANCE DEPT.

T_Tax Roll Master Inquiry

File Edit Tools Additional Help

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sa Town of Redcliff 9/5/2014

Tax Roll

0130300

Taxable

Status Code

Type

External

Primary Owner

100722

01

D & E GREENHOUSES LTD.

Qtr Sec Twp Rge Mer

Additional Legal

Lot Block Plan

1-20

,96

,1117V

Municipal Address

102

8 ST. N.W.

Suite

Subdivision

Ownership

Corporate

Titles

001 190 718

Class ID

Primary LINC #

0027952853

Land Lease Number

Balance

\$0.00

School Support Declaration

Pending

\$0.00

Current Year

Declared as Shown

Total Outstanding

\$0.00

Public

Separate

Undeclared

100.00%

Next Year

Declared as Shown

PreAuthorized Payment

\$0.00

Public

Separate

Undeclared

100.00%

Linked Tax Roll

History

Grids

Owners

Assessment

Local Improv

Addresses

Districts

Balances

Additional Info

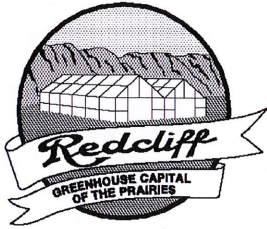
Options

Last Year

Permits

Yearly Levy

by Roll #



TOWN OF REDCLIFF

P.O. Box 40
1 – 3rd Street S.E.
Redcliff, Alberta T0J 2P0

Phone 548-3618
Fax 548-6623
Email redcliff@redcliff.ca

SUBDIVISION CIRCULATION MEMORANDUM

APPLICATION FILE NO.: 2014 SUB 03 APPLICANT: Noah Nichols,
Global Raymac Surveys
(agent for D&E Greenhouses Ltd.)

CIRCULATION DATE: August 29, 2014

RESPONSE DUE DATE: SEPTEMBER 12, 2014

TO: Shanon Simon
Manager of Legislative and Land Services
Town of Redcliff
Box 40
Redcliff, AB
T0J 2P0

COMMENTS ON SUBDIVISION APPLICATION

The enclosed application for subdivision approval has been lodged with the Town of Redcliff. Pursuant to the Subdivision Regulation we are forwarding this application to you for your perusal and comments. Any comments on the application made by you will be considered by the Town of Redcliff provided these are received by the **response due date** as noted above. If a reply is not received by the stipulated date, it shall be deemed that you have no comment on the application.

Please give this matter your early attention and return the completed subdivision circulation memorandum to the Town Office. If you have any questions regarding the application, please feel free to contact Shanon Simon at the Town Office.

COMMENTS

- Independent Service Connections
- Infrastructure Capacity Fee?

September 12, 2014

File number: 283-62 1.4

Shanon Simon
Manager of Legislative and Land Services
Town of Redcliff
1 – 3rd Street SE
Redcliff, AB T0J 2P0

Attention Shanon:

RE: Planning Comments for 2014 SUB 03

Scheffer Andrew Ltd. has reviewed the subdivision circulation memorandum for subdivision application **2014 SUB 03** and offers the following comments.

The purpose of the application is to create separate titles for an existing residence and greenhouse currently located on one parcel.

Land Use Bylaw Considerations:

- The subject site is currently designated as Horticultural (H) District, which supports residential development intended to be an owner/operator or other similar unit for greenhouse operations.
- Single Detached Dwellings are Discretionary Uses – Development Officer in the Horticultural District.
- The proposed residential lot meets the minimum requirements for Lot Area, Lot Width, Side Yard Setback (internal), and Side Yard Setback (Flankage). The minimum requirement for Rear Yard Setback is not met.
- Maximum requirement for Lot Coverage is met on the proposed residential lot.
- Screening measures may be considered appropriate between the proposed lots.
- The proposed subdivision is located outside of the 300.0 m setback boundary from the non-operating landfill.
- Circulation to Alberta Transportation as per Section 14 of the Subdivision and Development Regulation is not required.
- Subdivision within 800m of another municipality is required to be circulated to that municipality for comment prior to decision by the Development Authority.

Municipal Development Plan Considerations:

- The subject site is located in the Northend Transition Area of the Municipal Development Plan where the interspersal of residential with horticultural uses is a common development form within the Town and represents a unique aspect of Redcliff.
- The Municipal Development Plan allows for and continues on the tradition where land uses (horticultural, residential, and light industrial) are interspersed in this area.

Summary and Recommendation:

- The existing land use district is appropriate for the proposed subdivision.



- There appears to be no negative consequences stemming from the existing reduced rear yard setback of 1.48 m from the dwelling unit to the lane. Additionally, this existing situation may be considered appropriate due to the orientation of the single detached dwelling.
- The Municipal Development Plan supports the continuation of interspersed horticultural and residential uses as a unique aspect of the Town.
- Recommend approval.

If you require any clarifications or would like to discuss these comments please contact me.

Yours truly,



Scheffer Andrew Ltd., Medicine Hat

Jim Genge, RPP, MCIP, LEED Green Assoc.
Planner

City of Medicine Hat Electric

1. The proposed subdivision will require a separation of the house electrical service from the business electrical service.
 - a. Our ArcMap electrical infrastructure system indicates only one (1) combined service to street address 102 8th St. NW, Redcliff.
 - b. Our landbase addressing records indicate that there is only one (1) valid address for this block which contains both the residential structure and the commercial structure. The street address is also 102 8th St. NW, Redcliff.
2. However, other records indicate that this house has already been electrically separated from the commercial electrical service on the property, at some point in the past, without our ArcMap records being updated.
 - a. Our current billing records indicate a residential service, Location 527445, for D & E Greenhouses at street address 102 8th St. NW, Redcliff.
 - b. Our current billing records also indicate a commercial service, Location 527644, for D & E Greenhouses at street address 112 8th St. NW, Redcliff which I am assuming is the same block/parcel that the residence is on.
3. Therefore, no changes are required to the existing Electric Utility servicing at this time with regards to a legal subdivision of the property to separate the residence from the greenhouse.
 - a. If either property is subsequently sold, after the subdivision, the current landowner (D & E Greenhouses) would have to “Sign-Off” of the existing electrical service(s).
 - b. A new landowner would then have to “Sign-On” to any existing electrical service as a new Customer and would then be subject to all of the current rules and regulations of the City of Medicine Hat Electrical Bylaw 2244 and any related Amendments for supply of service and billing.

Manager of Engineering

- Separate water and sanitary services
- Capped roof troughs on south side of greenhouse may discharge storm water in a major rain event. Removal of roof troughs advised on the south.
- Existing roof troughs on the north appear to be capturing all drainage. The storm release from the greenhouse will likely be more than the Town’s allowable release rate of 40L/sec/ha.
- Options for storm water retention or controlled release of storm should be explored.
- The floor of existing greenhouse south of west entrance is lower than road curb and boulevard of 8th St. NW. Boulevard appears to be graded towards the greenhouse at SW area of greenhouse.

Public Services Director

- It is to our best knowledge that currently the home and greenhouse share a water/sewer service. Prior to subdivision approval Public Services Department recommends separate services be installed for home and greenhouse.

Canada Post

- No comments.

Cypress County

- Cypress County has no comments, nor any objections at this time.

Development Officer

- The property is currently zoned H – Horticultural District
- Greenhouse encroaches onto the Town of Redcliff Boulevard.
- Accessory Building in front of the home.
- Rear setbacks of home are less than the LUB
- Should the Subdivision Authority look at the balance of the greenhouse lands and give consideration to potential residential in this area at some point in the future.
- Buildings are non-compliant under the LUB

Director of Finance and Administration

- All property Taxes have been paid for 2014

Manager of Legislative and Land Services

- Infrastructure Capacity Fee
- Independent Services

Scheffer Andrew Ltd. (Planning Consultant)

- Scheffer Andrew Ltd. has reviewed the subdivision circulation memorandum for subdivision application **2014 SUB 03** and offers the following comments.
- The purpose of the application is to create separate titles for an existing residence and greenhouse currently located on one parcel.
- **Land Use Bylaw Considerations:**
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- **Municipal Development Plan Considerations:**
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The Municipal Development Plan allows for and continues on the tradition where land uses (horticultural, residential, and light industrial) are interspersed in this area.

- **Summary and Recommendation:**

The existing land use district is appropriate for the proposed subdivision.

There appears to be no negative consequences stemming from the existing reduced rear yard setback of 1.48 m from the dwelling unit to the lane. Additionally, this existing situation may be considered appropriate due to the orientation of the single detached dwelling.

The Municipal Development Plan supports the continuation of interspersed horticultural and residential uses as a unique aspect of the Town.

Recommend approval.

Discussion ensued with regard to concerns about drainage. As well there was discussion that neither the location of the shed or the setbacks of the residence meet the Land Use Bylaw. It was noted that in the property file there is a development permit issued for the shed allowing for the reduced setback.

Reference was made to the Municipal Government Act Section 654 which allows for approval of an application if it does not comply with the Land Use Bylaw. See below MGA Section 654.

- 654(1) A subdivision authority must not approve an application for subdivision approval unless*
- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,*
 - (b) the proposed subdivision conforms to the provisions of any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,*
 - (c) the proposed subdivision complies with this Part and the regulations under this Part, and*
 - (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.*
- (2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,*
- (a) the proposed subdivision would not*
 - (i) unduly interfere with the amenities of the neighbourhood, or*
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and*
 - (b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.*
- (3) A subdivision authority may approve or refuse an application for subdivision approval.*

Recommendation: It was the consensus of the Subdivision Review Committee to recommend to Council that Subdivision Application 2014 SUB 03, be approved with the following conditions:

1. Verification of independent service connections with any applicable costs to be the responsibility of the owner.
2. Removal of interconnecting service connections with any applicable costs to be the responsibility of the owner.
3. Provision of an overland drainage plan and provision of any required overland drainage right of way agreements & plans to the satisfaction of the Town of Redcliff. Any applicable costs to be the responsibility of the owner.
4. Payment of any outstanding taxes.
5. Applicant entering into an encroachment agreement relating to the encroachment of the greenhouse as indicated in Real Property Report dated August 21, 2014, or removal of the encroachments, at the cost of the applicant.