

TOWN OF RIMBEY

TOWN COUNCIL AGENDA

AGENDA FOR REGULAR MEETING OF THE TOWN COUNCIL TO BE HELD ON MONDAY, JUNE 13 2016 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING

| | | |
|-------|---|---------|
| 1 | Call to Order Regular Council Meeting & Record of Attendance | |
| 2. | Public Hearing - None | |
| 3. | Agenda Approval and Additions | 1 |
| 4. | Minutes | |
| 4.1 | Minutes of Regular Council Meeting May 25, 2016 | 2-6 |
| 4.2 | Minutes of Special Council Meeting May 30, 2016 (7:00 pm)..... | 7 |
| 4.3 | Minutes of Special Council Meeting May 30, 2016 (8:05 pm)..... | 8-9 |
| 5. | Delegations - None | |
| 6. | Bylaws | |
| 6.1 | Bylaw 916/16 Town of Rimbey Revolving Operating Loan Bylaw | 10-14 |
| 6.2 | Bylaw 917/16 Town of Rimbey Land Use Bylaw | 15-121 |
| 6.3 | Bylaw 918/16 to Repeal Bylaw 749/03 | 122-133 |
| 6.4 | Bylaw 919/16 to Repeal Bylaw 826/08 | 134-147 |
| 6.5 | Bylaw 920/16 to Repeal Bylaw 827/08 | 148-162 |
| 7. | New and Unfinished Business | |
| 7.1 | Concrete Disposal | 163-164 |
| 7.2 | Tagish Engineering Project Status Update to May 16 and May 30, 2016 | 165-171 |
| 7.3 | SJC Development Corp Subdivision Application | 172-206 |
| 7.4 | Rimbey Airport | 207-211 |
| 7.5 | Community Events Grant Program Application..... | 212-215 |
| 7.6 | Request of Municipal Property Tax Cancellation | 216-218 |
| 8. | Reports | |
| 8.1 | Department Reports - None | |
| 8.2 | Boards/Committee Reports | 219 |
| 8.2.1 | FCSS/RCHHS Minutes of April 20, 2016 | 220-223 |
| 8.2.2 | Rimoka Housing Foundation Minutes of March 23, 2016 | 224-227 |
| 8.2.3 | Beatty Heritage House Society Minutes of May 2, 2016..... | 228 |
| 9. | Correspondence - None | |
| 10. | Open Forum (Bylaw 894/14 – Council Procedural Bylaw #30 - The open forum shall be for a maximum total of twenty (20) minutes in length to allow members of the public present at the meeting to address Council regarding issues arising from the meeting in progress. No formal decision shall be made on any matter discussed with Council during the open forum session.) | |
| 11. | In- Camera | |
| 11.1 | Personnel (Pursuant to Division 2, Section 17(2) of the Freedom of Information and Protection of Privacy Act) | |
| 12. | Adjournment | |

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE REGULAR MEETING OF TOWN COUNCIL HELD ON WEDNESDAY, MAY 25, 2016 IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING

1. Call to Order Mayor Pankiw called the meeting to order at 7:00 pm, with the following in attendance:
- Mayor Pankiw
Councillor Godlonton
Councillor Jaycox
Councillor Payson (7:03 pm)
Councillor Webb
Interim Chief Administrative Officer – Donna Tona, CTS - via telephone
Acting Chief Administrative Officer/Chief Financial Officer – Lori Hillis, CPA, CA
Municipal Intern - Michael Fitzsimmons
Director of Public Works – Rick Schmidt
Recording Secretary – Kathy Blakely
- Absent:
Contract Development Officer – Liz Armitage
Director of Community Services – Cindy Bowie
- Public:
3 members of the public
2. Public Hearing 2.1 None
3. Adoption of Agenda of 3.1. May 25, 2016 Agenda
7.7 Rimbey Historical Society (addition)
- Motion 218/16
- Moved by Councillor Godlonton to accept the agenda for May 25, 2016 Regular Council Meeting as amended.
- CARRIED
4. Minutes 4.1 Minutes of the Regular Council Meeting April 25, 2016 Amended
- Motion 219/16
- Moved by Councillor Godlonton to accept the Minutes of the Regular Council Meeting of April 25, 2016, as amended.
- CARRIED
- 4.2 Minutes of the Regular Council Meeting May 9, 2016
- Motion 220/16
- Moved by Councillor Jaycox to accept the Minutes of the Regular Council Meeting of May 9, 2016, as presented.
- CARRIED
5. Delegation 5.1 None
6. Bylaws 6.1 None
7. New and Unfinished Business 7.1 Victims and Survivors of Crime Week
- Motion 221/16
- Moved by Councillor Webb to proclaim May 29 to June 4, 2016 Victims and Survivors Week in the Town of Rimbey.

Mayor Pankiw read out the Victims and Survivors of Crime Week Proclamation.

7.2 Request for Waiver of Penalties

Motion 222/16

Moved by Mayor Pankiw to deny the request from the land owner of Roll 10550, Plan 148 ET, Block 8, Lot PT4, 5010 50 Avenue to waive the penalties applied to their tax role.

CARRIED

7.3 Dust Control

Motion 223/16

Moved by Councillor Jaycox to implement a user pay Dust Control Program with a minimum of 100 metres, the applicant would be responsible for all costs for the dust control agent and the Town of Rimbey to supply the grader and operator for application of the product, at a time available to the Public Works Department.

CARRIED

7.4 Concrete Disposal

Motion 224/16

Moved by Mayor Pankiw to table further discussion on Concrete Disposal to the June 13, 2016 Regular Council Meeting.

CARRIED

7.5 Wastewater/Lagoon Dumping Fees Increase

Motion 225/16

Moved by Councillor Webb to increase wastewater disposal fees to \$8.50 per cubic metre and provide the Contractors with 30 days written notice of the rate increase effective July 1, 2016.

CARRIED

7.6 Rimbey 2016 Public Auction

Motion 226/16

Moved by Councillor Webb to approve the Terms and Conditions of Sale Public Auction as follows:

1. Redemption of a parcel of land offered for sale may be effected by payment of all arrears, penalties and costs by guaranteed funds at any time prior to the auction.
2. No terms or conditions of sale will be considered other than those specified by the municipality.
3. Each parcel of land offered for sale will be subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.
4. The lands are being offered for sale on an "as is, where is" basis, and the Municipality makes no representation and gives no warranty whatsoever as to the state of the parcel nor its suitability of the lands for any intended use by the successful bidder.
5. The auctioneer, councillors, the chief administrative officer and the

designated officers and employees of the municipality must not bid or buy any parcel for themselves.

6. The purchaser of the property will be responsible for property taxes for the current year.
7. The purchaser will be required to execute a Sale Agreement in form and substance provided by the municipality.
8. The successful purchaser must, at the time of sale, make payment in cash, certified cheque or bank draft payable to the municipality as follows:
 - a. The full purchase price if it is \$10,000 or less; OR
 - b. If the purchase price is greater than \$10,000, the purchaser must provide a non-refundable deposit in the amount of \$10,000 and the balance of the purchase price must be paid within 20 days of the sale.
9. GST will be collected on all non-residential properties, unless the Purchaser is a GST registrant.
10. The risk of the property lies with the purchaser immediately following the auction.
11. The purchaser is responsible for obtaining vacant possession.
12. The purchaser will be responsible for registration of the transfer including registration fees.
13. If no offer is received on a property or if the reserve bid is not met, the property cannot be sold at the public auction.
14. The municipality may, after the public auction, become the owner of any parcel of land that is not sold at the public auction.
15. Once the property is declared sold at public auction the previous owner has no further right to pay the tax arrears.

CARRIED

Motion 227/16

Moved by Councillor Godlonton Council establishes the reserve bids as follows for properties being offered for sale at the 2016 public auction:

| DMH PROPERTIES | | | |
|------------------------|----------------------|----------------------------|---------------------|
| Roll | Civic Address | Serial Number | Market Value |
| 50160 | 1321266-3-1-16 | 5999 | \$16,700.00 |
| LAND PROPERTIES | | | |
| Roll | Civic Address | Legal Description | Market Value |
| 13120 | 5107 56 Avenue | PLAN 2367MC BLOCK 5 LOT 10 | \$239,400.00 |

CARRIED

7.7 Rimbey Historical SocietyMotion 228/16

Moved by Councillor Jaycox to approve \$60,000 to the Rimbey Historical Society for the expansion of the Smithsonian International Truck Museum with the funds to be taken from special projects reserve, on the condition the Rimbey Historical Society reimburses the Town of Rimbey when Canada 150 Grant funds are received by the Society.

CARRIED

8. Reports

8.1 Department Reports

8.1.1 Interim Chief Administrative Officer Report

8.1.2 Chief Financial Officer's Report

8.1.3 Director of Public Works Report

8.1.4 Director of Community Services Report

8.1.5 Development Officers Report

Motion 229/16

Moved by Councillor Godlonton to accept the department reports as information.

CARRIED

8.2 Boards/Committee Reports

8.2. Beatty Heritage House Society Minutes April 4, 2016

Motion 230/16

Motion by Councillor Jaycox to accept the Beatty Heritage House Society Minutes of April 4, 2016 as information.

CARRIED

8.3 Council Reports

8.3.1 Mayor Pankiw's Report

8.3.2 Councillor Godlonton's Report

8.3.3 Councillor Jaycox's Report

8.3.4 Councillor Payson's Report

8.3.5 Councillor Webb's Report

Motion 231/16

Moved by Councillor Webb to accept the reports of Council, as information.

CARRIED

9. Correspondence

9.1 None

10. Open Forum

10.1 Open Forum

Mayor Pankiw asked if anyone from the gallery wished to address Council.

There was 1 response from the gallery.

One person spoke regarding the concrete crushing and requested the Town of Rimbey not only consider financial implications but also give consideration to environmental implications when making decisions.

11. In Camera

11.1 None

12. Adjournment

Motion 232/16

Moved by Councillor Webb to adjourn the meeting.

CARRIED

Time of Adjournment: 7:51 pm.

MAYOR RICK PANKIW

INTERIM CHIEF ADMINISTRATIVE OFFICER DONNA TONA

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE SPECIAL MEETING OF TOWN COUNCIL HELD ON
MONDAY, MAY 30, 2016 IN THE COUNCIL CHAMBERS OF THE TOWN
ADMINISTRATION BUILDING

1. Call to Order Mayor Pankiw called the meeting to order at 7:00 pm, with the following in attendance:

Mayor Pankiw
Councillor Godlonton
Councillor Jaycox
Councillor Payson
Councillor Webb
Interim Chief Administrative Officer – Donna Tona, CTS
Contract Development Officer – Liz Armitage
Municipal Intern - Michael Fitzsimmons
Director of Public Works – Rick Schmidt
Recording Secretary – Kathy Blakely

Absent:

Acting Chief Administrative Officer/Chief Financial Officer – Lori Hillis, CPA, CA
Director of Community Services – Cindy Bowie

Public:

2 member of the public

2. Agenda Approval 2.1. May 30, 2016 Agenda

Motion 233/16

Moved by Councillor Godlonton to accept the agenda for May 30, 2016 Special Council Meeting as presented.

CARRIED

3. Discussion 3.1 First Draft of Newly Proposed Land Use Bylaw

Motion 234/16

Moved by Councillor Jaycox to proceed with circulation of the draft Land Use Bylaw to affected agencies and the public by June 3, 2016 and to schedule first reading of the Land Use Bylaw at the Regular Council Meeting of June 13, 2016.

CARRIED

4. Adjournment 4.1 Adjournment

Motion 235/16

Moved by Councillor Godlonton to adjourn the meeting.

CARRIED

Time of Adjournment: 8:01 pm.

MAYOR RICK PANKIW

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE SPECIAL MEETING OF TOWN COUNCIL HELD ON
MONDAY, MAY 30, 2016 IN THE COUNCIL CHAMBERS OF THE TOWN
ADMINISTRATION BUILDING

1. Call to Order Mayor Pankiw called the meeting to order at 8:05 pm, with the following in attendance:

Mayor Pankiw
Councillor Godlonton
Councillor Jaycox
Councillor Payson
Councillor Webb
Interim Chief Administrative Officer – Donna Tona, CTS
Acting Chief Administrative Officer/Chief Financial Officer – Lori Hillis, CPA, CA
via telephone
Contract Development Officer – Liz Armitage
Municipal Intern - Michael Fitzsimmons
Director of Public Works – Rick Schmidt
Recording Secretary – Kathy Blakely

Absent:
Director of Community Services – Cindy Bowie

Public:
2 members of the public
Mr. Paul McLaughlin, Rimoka Housing Foundation Chairman

2. Agenda
Approval

2.1. May 30, 2016 Agenda

Motion 236/16

Moved by Councillor Godlonton to accept the agenda for May 30, 2016 Special Council Meeting as presented.

CARRIED

3. Discussion

3.1 Seniors Week 2016 Proclamation

Motion 237/16

Moved by Councillor Jaycox to proclaim the week of June 6-12, 2016 Senior Week.

CARRIED

Mayor Pankiw read aloud the 2016 Seniors Week Proclamation.

Mayor Pankiw advised the members of the gallery the next item would be in camera.

2 members of the public departed the meeting at 8:08 pm.

3.2 SJC Development Corporation/Rimoka Housing Foundation

Motion 238/16

Moved by Councillor Webb the Special Council meeting go in camera at 8:09 pm, pursuant to Division 2, Sections 24(1), and 27(1) of the Freedom of Information and Protection of Privacy Act, with all Council, Interim Chief Administrative Officer Donna Tona, Acting Chief Administrative Officer/Chief Financial Officer Lori Hillis, Municipal Intern Michael Fitzsimmons, Development Officer Liz Armitage, Director of Public Works Rick Schmidt, Rimoka Housing Foundation Chairman Paul McLaughlin and Recording Secretary Kathy Blakely, to discuss land and legal issues.

CARRIED

Michael Fitzsimmons departed the meeting at 8:30 pm.

Michael Fitzsimmons returned to the meeting at 8:35 pm.

Motion 239/16

Moved by Councillor Webb the Council meeting reverts back to an open meeting at 8:44 pm.

CARRIED

4. Adjournment

4.1 Adjournment

Motion 240/16

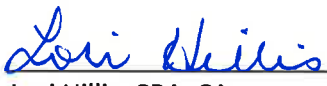



Moved by Councillor Godlonton to adjourn the meeting.

CARRIED

Time of Adjournment: 8:45 pm.

MAYOR RICK PANKIW

INTERIM CHIEF ADMINISTRATIVE OFFICER DONNA TONA

| | |
|---|--|
| Council Agenda Item | 6.1 |
| Council Meeting Date | June 13, 2016 |
| Subject | Bylaw 916/16 Town of Rimbey Revolving Operating Loan Bylaw |
| For Public Agenda | Public Information |
| Background | Our current Revolving Operating Loan Bylaw was enacted on November 22, 2010 and is through ATB Financial. |
| Discussion | As we are changing banking services providers the current bylaw must be updated. The new bylaw has been drafted as a general borrowing bylaw and therefore does not name the banking service provider. We believe that by updating the bylaw to be more general the Town is not restricted to one service provider. We would also note that the operating loan is for emergency purposes only and is rarely used. As per the MGA this bylaw must be advertised in the local paper for two weeks. |
| Relevant Policy/Legislation | MGA s 251(1), 252, 253(1),256(1)(2)(3) |
| Options/Consequences | To provide emergency fund to the Town. |
| Desired Outcome(s) | To update our current revolving operating loan bylaw |
| Financial Implications | |
| Follow Up | |
| Attachments | Bylaw 916/16 Town of Rimbey Revolving Operating Loan Bylaw MGA s 251(1), 252, 253(1),256(1)(2)(3) |
| Recommendation | Administration recommends Council give first reading to Bylaw 916/16 Town of Rimbey Revolving Operating Loan Bylaw. |
| Prepared By: | |
|  _____ Lori Hillis, CPA, CA Acting Chief Administrative Officer/Chief Financial Officer | |
|  _____ Date | |
| Endorsed By: | |
|  _____ Donna Tona, CTS Interim Chief Administrative Officer | |
|  _____ Date | |



Town of Rimbey Revolving Operating Loan Bylaw

Bylaw 916/16

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO AUTHORIZE THE MUNICIPAL COUNCIL TO INCUR AN INDEBTEDNESS ON BEHALF OF THE SAID TOWN BY THE ISSUANCE OF A REVOLVING OPERATING LOAN FACILITY FOR THE PURPOSE OF MAINTAINING A POSITIVE OPERATING CASH FLOW.

WHEREAS, pursuant to Section 256 of the Municipal Government Act to maintain a positive operating cash flow thereto, the Council may pass Bylaws in relation to maintain a positive operating cash flow: and

WHEREAS, it is necessary to secure a revolving operating loan facility for a maximum of \$1,000,000.00 on the terms and conditions referred to in this bylaw:

WHEREAS, the amount of the existing debenture and loan debt of the Town of Rimbey at June 2, 2016 is \$2,868,445.25 and no part of the principal or interest is in arrears;

WHEREAS, all required approvals for operating expenditures have been obtained, and are in compliance with all Acts and regulations of the Province of Alberta:

NOW THEREFORE, the Council of the Town of Rimbey, duly assembled enacts as follows:

1. For the purpose of maintaining a positive operating cash flow, the sum of ONE MILLION DOLLARS (\$1,000,000.00) be borrowed by way of a revolving operating loan on the credit and security of the Municipality at large, of which amount the full sum of \$1,000,000.00 is to be paid by the Municipality at large.
2. The Mayor and the Chief Administrative Officer of the Town of Rimbey are hereby authorized to borrow on behalf of the Town of Rimbey for the amount and purpose as authorized by this bylaw, namely the maintaining of a positive operating cash flow.
3. The Town of Rimbey shall repay the indebtedness according to the repayment structure in effect, namely monthly payments of combined principal and interest installments as determined by Servus Credit Union, calculated at a rate not exceeding the interest rate fixed by Servus Credit Union on the date of the borrowing, and not to exceed FIVE (5) percent.
4. The Town of Rimbey shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Town of Rimbey.
6. The amount borrowed under the bylaw shall be applied only to the purpose specified by this bylaw.
7. Bylaw 860/10 is hereby rescinded.

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.



Town of Rimbey Revolving Operating Loan Bylaw

Bylaw 916/16

READ a first time this _____ day of _____, 2016.

READ a second time this _____ day of _____, 2016.

READ a third and final time this _____ day of _____, 2016.

MAYOR RICK PANKIW

ACTING CHIEF ADMINISTRATIVE OFFICER
LORI HILLIS

incorporated, continued or registered under the *Business Corporations Act* if the investment is approved by the Minister.

(3) The approval of the Minister under subsection (2)(e) may contain conditions and a municipality may not acquire shares of a corporation under subsection (2)(e) if the acquisition would allow the municipality to control the corporation.

(4) In addition to the investments referred to in subsection (2), the Minister may by regulation allow one or more municipalities to invest their money in other investments described in the regulation.

(5) Nothing in this section prevents a municipality from acquiring a share or membership in a non-profit organization.

1994 cM-26.1 s250; 1994 cR-9.07 s25(24)

Borrowing

Borrowing bylaw

251(1) A municipality may only make a borrowing if the borrowing is authorized by a borrowing bylaw.

(2) A borrowing bylaw must set out

- (a) the amount of money to be borrowed and, in general terms, the purpose for which the money is borrowed;
- (b) the maximum rate of interest, the term and the terms of repayment of the borrowing;
- (c) the source or sources of money to be used to pay the principal and interest owing under the borrowing.

(3) A borrowing bylaw must be advertised.

1994 cM-26.1 s251

Debt limit

252 No municipality may make a borrowing if the borrowing will cause the municipality to exceed its debt limit, unless the borrowing is approved by the Minister.

1994 cM-26.1 s252

Use of borrowed money

253(1) Money obtained by a municipality under a borrowing must be used for the purpose for which it is borrowed.

(2) Money obtained by a municipality under a borrowing for the purpose of financing a capital property may be used for an operating purpose if the amount spent is available when it is needed for the capital property.

1994 cM-26.1 s253

Capital property

254 No municipality may acquire, remove or start the construction or improvement of a capital property that is to be financed in whole or in part through a borrowing unless the borrowing bylaw that authorizes the borrowing is passed.

1994 cM-26.1 s254

Exemption from borrowing conditions

255(1) The Minister may, in respect of a particular borrowing, exempt a municipality from any requirement in sections 256 to 263.

(2) The *Regulations Act* does not apply to an exemption made under this section.

1994 cM-26.1 s255

Operating expenditures

256(1) This section applies to a borrowing made for the purpose of financing operating expenditures.

(2) The amount to be borrowed, together with the unpaid principal of other borrowings made for the purpose of financing operating expenditures, must not exceed the amount the municipality estimates will be raised in taxes in the year the borrowing is made.

(3) A borrowing bylaw that authorizes the borrowing does not have to be advertised if the term of the borrowing does not exceed 3 years.

1994 cM-26.1 s256

Capital property - short-term borrowing

257(1) This section applies to a borrowing made for the purpose of financing a capital property when the term of the borrowing is 5 years or less.

(2) The expenditure for the capital property must be included in a budget.

(3) Repealed 1998 c24 s13.

(4) A borrowing bylaw that authorizes the borrowing does not have to be advertised.


1994 cM-26.1 s257;1996 c30 s14;1998 c24 s13

Capital property - long-term borrowing

258(1) This section applies to a borrowing made for the purpose of financing a capital property when the term of the borrowing exceeds 5 years.

(2) This section does not apply to a borrowing referred to in section 263.

| Council Agenda Item | 6.2 | | | | | | | | | | | | | | | |
|--|---|--------------------------|------|--------|---------------|-----------------|--------------------------|--|-----------------|--------------------------|---------------|---------------|----------|--|--------------------------------|--|
| Council Meeting Date | June 13, 2016 | | | | | | | | | | | | | | | |
| Subject | Bylaw 917/16 Land Use Bylaw | | | | | | | | | | | | | | | |
| For Public Agenda | Public Information | | | | | | | | | | | | | | | |
| Background | <p>Town Council initiated a re-write of Land Use Bylaw 762-04 in January 2016. Vicinia Planning & Engagement and Tagish Engineering were retained to complete the review and prepare a new Land Use Bylaw.</p> <p>On May 30, 2016 Council held a special meeting to review the first draft of the Land Use Bylaw. At that time they requested specific edits and initiated circulation to developers and government agencies.</p> | | | | | | | | | | | | | | | |
| Discussion | <p>In preparing the draft currently in circulation, Administration has sought input from the following specific stakeholders:</p> <ul style="list-style-type: none"> • The owners of the two existing Manufactured Home Parks within town on March 20, 2016. • Local builders and developers at the Developer’s Summit workshop held on April 11, 2016. • Informal consultation with residents who submitted development permits throughout 2015. • Council at the Special Council Meeting on May 30, 2016. <p>Upon review and comment by Council at the May 30th Council meeting, a second draft was prepared which incorporates Council’s direction. This second draft has been made available on the Town of Rimbey’s website for all residents to review. Formal notice will be put in the Rimbey Review upon first reading. On June 1, 2016 local developers, owners of the Manufactured Home Parks, and government agencies were circulated a notice seeking comments.</p> <p>The following is an anticipated timeline for this project:</p> <table border="1"> <thead> <tr> <th>Task</th> <th>Date</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>Council Edits</td> <td>By June 3, 2016</td> <td>Completed – June 1, 2016</td> </tr> <tr> <td>Circulate notice to: <ul style="list-style-type: none"> • Government agencies • Local Developers • Superior Safety Codes • Manufactured Home Park Owners </td> <td>By June 3, 2016</td> <td>Completed – June 1, 2016</td> </tr> <tr> <td>First Reading</td> <td>June 13, 2016</td> <td>Underway</td> </tr> <tr> <td>Resident Notification in Rimbey Review</td> <td>June 21, 2016 June 28, 2016</td> <td></td> </tr> </tbody> </table> | Task | Date | Status | Council Edits | By June 3, 2016 | Completed – June 1, 2016 | Circulate notice to: <ul style="list-style-type: none"> • Government agencies • Local Developers • Superior Safety Codes • Manufactured Home Park Owners | By June 3, 2016 | Completed – June 1, 2016 | First Reading | June 13, 2016 | Underway | Resident Notification in Rimbey Review | June 21, 2016 June 28, 2016 | |
| Task | Date | Status | | | | | | | | | | | | | | |
| Council Edits | By June 3, 2016 | Completed – June 1, 2016 | | | | | | | | | | | | | | |
| Circulate notice to: <ul style="list-style-type: none"> • Government agencies • Local Developers • Superior Safety Codes • Manufactured Home Park Owners | By June 3, 2016 | Completed – June 1, 2016 | | | | | | | | | | | | | | |
| First Reading | June 13, 2016 | Underway | | | | | | | | | | | | | | |
| Resident Notification in Rimbey Review | June 21, 2016 June 28, 2016 | | | | | | | | | | | | | | | |

| | |
|------------------------------------|--|
| | <p style="text-align: right;">July 5, 2016</p> <p>Government Agency Circulation Deadline July 4, 2016</p> <p>Resident Circulation Deadline July 8, 2016</p> <p>Open House & Public Hearing July 25, 2016</p> <p>Second Reading TBA</p> <p>Third Reading TBA</p> <p>Administration will collate the responses received through the circulation process for presentation at an Open House and Public Hearing. Administration recommends Council schedule an:</p> <ul style="list-style-type: none"> • Open House for Bylaw 917/16 at 4:00pm to 6:00pm on July 25, 2016 in Council Chambers. • Public Hearing for Bylaw 917/16 at 7pm on July 25, 2016 in Council Chambers. |
| Relevant Policy/Legislation | Municipal Government Act Municipal Development Plan |
| Options/Consequences | Council provide first reading and set the public hearing date of July 25, 2016. |
| Desired Outcome(s) | Council provide first reading and schedule an open house and public hearing date of July 25, 2016. |
| Financial Implications | n/a |
| Follow Up | Open House, Public Hearing, Second Reading and Third Reading. |
| Attachments | Land Use Bylaw Circulation Draft, June 1, 2016. |
| Recommendation | Administration recommends Council give first reading to Bylaw 917/16 Land Use Bylaw. |
| Prepared By: | <p style="text-align: right;"><u>June 7, 2016</u> Date</p> <p style="text-align: center;"> _____ Liz Armitage Contract Development Officer</p> |
| Endorsed By: | <p style="text-align: right;"><u>June 09, 2016</u> Date</p> <p style="text-align: center;"><i>Donna Tona</i> _____ Donna Tona, CTS Interim Chief Administrative Officer</p> |



TOWN OF RIMBEY LAND USE BYLAW

Bylaw 917/16

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO REPEAL BYLAW 762/04 LAND USE BYLAW AS AMENDED AND ENACT BYLAW 917/16 LAND USE BYLAW.

WHEREAS, Section 639 of the Municipal Government Act, Chapter M-26 empowers Council to adopt a Land Use Bylaw, providing direct regulations to prohibit or regulate and control the use and development of land and buildings in a municipality;

AND WHEREAS, Section 63(1) and 2(b) of the Municipal Government Act, Chapter M-26 empowers Council to undertake a comprehensive review and update of the Town of Rimbey’s Land Use Bylaw No. 762/04. Council has deemed it necessary to repeal the said Bylaw and adopt a new Town of Rimbey Land Use Bylaw;

AND WHEREAS, copies of this Bylaw and related documents were made available for inspection to the public at the Town office as required by the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26;

NOW THEREFORE, Council of the Town of Rimbey duly assembled and pursuant to the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26 enacts as follows:

1. That this Bylaw shall be known as the Land Use Bylaw of the Town of Rimbey.
2. That the Town of Rimbey Land Use Bylaw 762/04 and all amendments are hereby repealed.
3. That the attached “Appendix A” is hereby adopted as the Town of Rimbey Land Use Bylaw.
4. The adoption of this Land Use Bylaw is effective upon the date of the passing of the third and final reading of this Bylaw No. 917/16.

READ a first time this _____ day of _____, 2016.

MAYOR RICK PANKIW

INTERIM CHIEF ADMINISTRATIVE OFFICER
DONNA TONA



TOWN OF RIMBEY LAND USE BYLAW

Bylaw 917/16

READ a second time this _____ day of _____, 2016.

MAYOR RICK PANKIW

INTERIM CHIEF ADMINISTRATIVE OFFICER
DONNA TONNA

READ a third and final time this _____ day of _____, 2016.

MAYOR RICK PANKIW

INTERIM CHIEF ADMINISTRATIVE OFFICER
DONNA TONA



Town of
Rimbey

Bylaw 917/16

LAND USE BYLAW

Schedule A

June 1, 2016

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PART 1 - ENACTMENT

1.1 TITLE

The title of this Bylaw shall be the Land Use Bylaw of the Town of Rimbey.

1.2 PURPOSE

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Town to achieve the orderly and economic development of land, and for that purpose, amongst other things:

- (1) to divide the Town into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given; and
- (5) to establish the number of dwelling units permitted on a parcel of land.

1.3 APPLICATION

This Bylaw shall apply to the whole of the Town of Rimbey being all lands and buildings contained within its corporate limits.

1.4 EFFECITVE DATE

- (1) This Bylaw comes into effect upon the date of its third reading.
- (2) Land Use Bylaw No.762-04, as amended, is hereby repealed.

1.5 CONFORMITY WITH THE BYLAW

- (1) No person shall commence any development within the Town except in conformity with this Bylaw.

- (2) Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted Statutory Plan.

1.6 OTHER LEGISLATIVE REQUIREMENTS

- (1) In addition to this Bylaw, an applicant is responsible for complying with any other applicable federal, provincial, or municipal legislation or law. The applicant is also responsible for complying with the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
- (2) The Town is not responsible for nor does the Town have any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.
- (3) The Development Authority shall not approve an application for a development permit that is not in conformity with the Town's Statutory Plans.

1.7 SEVERABILITY

- (1) In the event any portion of this Bylaw is found invalid by a Court of Law or is overturned by a superior jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected.

1.8 TRANSITION

- (1) An application for a Subdivision, Development Permit or amendment to this Bylaw commenced prior to the coming into force of this Bylaw shall be evaluated under the provisions of the Town's Land Use Bylaw No.762-04, as amended.

PART 2 – INTERPRETATION

2.1 RULES OF INTERPRETATION

- (1) Where a word is used in the singular, such a word may also mean plural.
- (2) Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective.
- (3) Where a word is used in the present tense, such a word may also mean the future tense.
- (4) The word “person” includes a corporation as well as an individual.
- (5) The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.
- (6) Words, phrases, and terms not defined in this part may be given their definition in the Act or the Alberta Building Code. Other words shall be given their usual and customary meaning.
- (7) Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
- (8) All units of measure contained within this Bylaw are metric (SI) standards, and are rounded to the nearest decimal place. For the purpose of convenience, the following conversion factors are provided:

| Metric | Imperial |
|----------------------------------|-------------------------------------|
| 1 square metre (m ²) | 10.8 square feet (ft ²) |
| 1 hectare (ha) | 2.47 acres (ac) |
| 1 kilometre (km) | 0.6 mile (mi) |
| 1 metre (m) | 3.3 feet (ft) |
| 1 centimetre (cm) | 0.4 inch (in) |
| 1 millimetre (mm) | 0.04 inches (in) |
| 1 kilogram (kg) | 2.2 pounds (lb) |

2.2 DEFINITIONS

For the purposes of this Bylaw and any amendments made hereto, the definitions set out in the following shall be used. When no definition is provided hereunder, the Town's dictionary of choice shall be used.

- (1) "abattoir" means a building and/or site used as a slaughterhouse, where animals are killed and butchered for human or animal consumption;
- (2) "abut" or "abutting" means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it;
- (3) "accessory building" means a building separate and subordinate to the principle building, the use of which is incidental to that principle building and is located on the same lot. A garage attached to a principle building is deemed to be part of the principle building;
- (4) "accessory use" means any use in a building and/or on a parcel of land which is supplementary or subordinate to the principle use located in the same building and/or on the same parcel of land;
- (5) "Act" means the Municipal Government Act, R.S.A. 2000, as amended;
- (6) "adjacent" means land that is contiguous to a particular parcel of land and includes land that would be contiguous if not for a highway, road, river or stream;
- (7) "adult entertainment" means any building used as "retail" in which books and/or items for a mature audience are displayed and sold, or a building that shows mature films or live entertainment;
- (8) "agricultural operation" means an agricultural operation as defined in the Agricultural Operation Practices Act;
- (9) "agricultural sales and/or service" means a building or site used for "retail" but in which the goods for sale are vehicles, equipment, or machinery for use in the agricultural industry, and/or the servicing of vehicles, equipment, or machinery related to the agricultural industry;
- (10) "amusement arcade" means a building and/or site which operates mechanical and/or electronic games, and rides, for entertainment purposes;
- (11) "animal kennel" means a building and/or site used for the breeding, care, supervision, and/or housing of animals on either a short or long term basis;
- (12) "animal shelter" means a building and/or site used for the temporary accommodation and/or impoundment of animals;
- (13) "art gallery" means a building used for the display and "retail" of works of art;
- (14) "auction mart" means a building and/or site used for "retail" but in which goods are sold by an auctioneer and where goods are sold to the highest bidder;

- (15) “automotive sales and/or rental” means a building or site used for “retail” but in which the goods for sale, and/or lease are automobiles, trucks, boats, trailers, recreational vehicles, or other similar personal vehicles;
- (16) “automotive supply store” means a building or site used for “retail” but in which the goods for sale are related to the use and operation of automobiles, trucks, boats, trailers, recreational vehicles, or other similar personal vehicles;
- (17) “automotive service and/or paint shop” means a building or site used for the repair, servicing, and/or painting of motor vehicle, boats, trailers, recreational vehicles, or other similar personal vehicles and may include the sale of automotive fuels, lubricating oils or other like automotive fluids;
- (18) “bakery” means a building used for baking food as well as the “retail” of said food;
- (19) "basement" means the portion of a development which is wholly or partially below grade, having above grade no more than 1.8 m of its clear height lying below the finished level of the floor directly above;
- (20) “bed and breakfast” means a home based business in which an owner occupying a single-detached dwelling provides temporary accommodation with one meal provided to registered patrons in exchange for compensation;
- (21) "building" includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road;
- (22) “bulk fuel and/or fertilizer sales and storage” means the storage of and “retail” of large quantities of fuel and/or fertilizer;
- (23) “c-can” means a specific type of portable storage container which is a metal freight container that is used for the temporary storage of materials and equipment. See portable storage container definition;
- (24) “campground” means the use of a site managed for the short term stay of tents, campers, and/or recreational vehicles, but which is not used as year round storage or accommodation;
- (25) “car/truck wash” means the use of a building and/or site for the cleaning of motorized vehicles either manually or through an automated process;
- (26) “cemetery” means a site used for the burying of the remains of animals and/or humans;
- (27) “club” means a building and/or site used for the private meeting and social activities of members of a private organization and which may include space for eating, drinking, and congregating;
- (28) “community centre” means a building and/or site open to the general public and used for recreational, educational, social and/or cultural activities;
- (29) "confined feeding operation" means a confined feeding operation as defined in the Agricultural Operation Practices Act;

- (30) "contracting services" means a building or site used for the operation and storage of materials and/or vehicles related to the industries of construction, painting, plumbing, heating, electrical, landscaping, drilling and excavation, paving, maintenance and cleaning;
- (31) "convenience store" means "retail" but where the gross floor area does not exceed 186.0 m² in gross floor area;
- (32) "corner lot" means a lot having boundary lines on two or more roads or highways, or with a road and a highway, at their intersection or junction. Corner lot also means a lot having a boundary line at a point where a road or highway changes direction by a minimum of 45 degrees within the boundaries of the lot;
- (33) "Council" mean the Council of the Town of Rimbey;
- (34) "coverage" means the sum of the floor areas at grade of all buildings, both principle and accessory, on a lot divided by the area of the lot;
- (35) "date of issue" means the date on which the notice of a decision of the Development Authority is published or mailed;
- (36) "day care centre, adult" means a building and/or site used to provide care and supervision of four or more adults who are over the age of 15 years, by a person not related to the adult for periods no longer than 24 consecutive hours;
- (37) "day care centre, child" means a building used to provide care and supervision of four or more children who are under the age of 15 years, by a person not related to the children for periods no longer than 24 consecutive hours;
- (38) "development" means:
- (a) an excavation or stockpile and the creation of either of them, or
 - (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; and without restricting the generality of the foregoing, includes:
 - (i) in the case of a lot used for residential purposes, alterations made to a building or an additional building on the lot whether or not the building is a dwelling or part of a dwelling unit,
 - (ii) in the case of a lot used for other than residential purposes, alterations or additions made to a building on the lot or a use of the lot which would increase either the capacity of the building or the intensity of use of the lot,
 - (iii) the display of advertisements or signs on the exterior of a building or on any land,
 - (iv) the deposit of earth, debris, waste materials, refuse, or any other material on any land, including land already being used for that purpose, or if the natural topography or drainage is altered,

- (v) the removal of topsoil from land,
 - (vi) the recommencement of the use to which land or a building has been previously put if that use has been discontinued for a period of more than six months,
 - (vii) the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery, or
 - (viii) the removal or demolition of a building;
- (39) "development authority" means the development authority of the Town as established by this Bylaw;
- (40) "development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw;
- (41) "discretionary use" means the use of land or a building provided for in this Land Use Bylaw for which a development permit may be issued at the discretion of the development authority upon an application having been made;
- (42) "driveway" means a vehicle access route on the parcel which provides access to the driving surface;
- (43) "dwelling unit" means a complete dwelling or self-contained portion of a dwelling, set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently, semi-permanently, or seasonally as a residence for a household, and which is not separated from direct access to the outside by another separate dwelling unit;
- (44) "farming" means the raising or production of crops, or animals, and includes a single residence for the farmer, but does not include a "Confined Feeding Operation" as defined by the Agricultural Operation Practices Act (Chapter A-7, R.S.A. 2000) and all regulations and amendments passed thereto;
- (45) "financial services" means a building used as a bank, credit union, or any other similar monetary enterprise;
- (46) "floor area" means the total area of all floors of all buildings including accessory buildings located on any lot, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of floor area;
- (47) "floor/area ratio" means the ratio or decimal resulting from dividing the floor area of all buildings by the total site area of the parcel of land on which the buildings are located;
- (48) "fragmented parcel" means a parcel of land that is separated from the balance of a quarter section by a natural barrier such as a river or a coulee, or by a physical barrier such as a road or highway;
- (49) "front line" means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front line;

- (50) "front yard" means a yard extending across the full width of a lot from the front line of the lot to the nearest wall of the main building situated on the lot. For the purposes of lakefront lots, the front line of the lot shall be considered to be closest to the lake;
- (51) "funeral Home" means a building and/or site used for the organization of funerals, the preparation of the deceased for burial or cremation, and/or the holding of funeral services;
- (52) "gambling and gaming hall" means a building used as a gaming establishment which offers games of chance including slot machines, table games, video lottery terminals, and/or a bingo hall;
- (53) "gas bar" means a site where gasoline, lubricating oils, and automotive fluids are the primary goods sold, and where other "retail" needed by the travelling public may be sold;
- (54) "golf course" means a site used for the purposes of playing golf and which may include a clubhouse as an accessory use;
- (55) "greenhouse" means a building and/or site used to grow and "retail" flowers, trees, shrubs, vegetables, and/or other plants;
- (56) "grocery store" means a building used for "retail" but which sells primarily food items for consumption off-site, and which has a gross floor area greater than 450 m²;
- (57) "group home" means a building and/or site use for residential purposes for individuals who require supervision because of their age, disability, or need for rehabilitation, and where qualified staff are present at all times;
- (58) "habitable floor space" means any room or enclosed space used or useable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens, bathrooms, laundries, pantries, foyers, hallways/entry ways, and areas containing infrastructure/servicing (furnace, circuit panel, water heater, etc.) but excludes any room or space not intended primarily for human occupancy including but limited to storage areas/cellars and undeveloped basements;
- (59) "height" means the vertical distance between the grade and the highest point of a building that is not a stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, or a flagpole, or similar device not structurally essential to the building;
- (60) "highway" means a highway as defined in the Public Highways Development Act, R.S.A. 2000;
- (61) "Home occupation" means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use;
- (62) "hospital" means a building and/or site used for medical care, examination, treatment, surgery and recovery of patients and which may include an extended stay;
- (63) "hotel" means a building used for short term stays through the provision of rooms or suites where rooms are accessed from a common interior corridor, and which may also contain commercial uses such as restaurants, or convention space;

- (64) "Housing, apartment (low rise)" means a residential use consisting of more than four dwelling units, but which has a height less than 15 metres, but shall not mean row housing;
- (65) "Housing, apartment (high rise)" means a residential use consisting of more than four dwelling units, but which has a height greater than 15 metres, but shall not mean row housing;
- (66) "housing, duplex" means a building with two dwelling units that have sharing one common wall in the case of side-by-side units, or having the dwelling area located above the dwelling area of the other in the cases of vertical units, each with a private entry;
- (67) "housing, fourplex" means a building that contains four dwelling units;
- (68) "housing, manufactured home" means a residential unit that may be constructed with a heavy transport chassis that allows for permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the dwelling. A manufactured home may be a single structure (single-wide) or two parts which are put together to comprise a complete dwelling (double-wide). Manufactured homes shall feature the following criteria: minimum roof of less than 1:4; and a depth versus width ratio of greater than 2.5:1. A manufactured home does not include a single detached dwelling. Manufactured homes have replaced mobile homes;
- (69) "housing, mixed use" means a building and/or site which has a combination of uses but which typically entails "retail" or "office" uses on the ground floor and residential uses on the upper floors;
- (70) "housing, mobile" means a dwelling, designed and constructed to be transported on its own chassis and capable of being moved to a new location on short notice. Housing, mobile are no longer produced in Alberta and are not permitted in the Town.
- (71) "housing, modular" means a building containing one dwelling unit, built in a factory and transported to a site to be permanently installed on a foundation., and which appears indistinguishable in design and finish from a stick-built house, and does not includes "housing, manufactured home" or "housing, mobile";
- (72) "housing, row house" means a building with one of three or more dwellings joined side by side or side to back. Can also include townhouse, garden homes and townhouses attached to high-rise buildings. Have no dwellings above or below them;
- (73) "housing, secondary suite" means a self-contained living space either located in the principle building or on the same site as the principle building. Secondary suites have a separate entrance, cooking, sleeping and bathing facilities and are no larger than 70 m². Secondary suites shall include basement suites, garage suites and garden suites;
- (74) "housing, single detached" means a building containing one dwelling unit intended as a permanent residence. Single detached dwellings must be of new construction and feature the following criteria: shall include single detached dwellings constructed off-site; all exterior walls of the floor area must be dimensioned at less than or equal to 3:1 length to width ratio; and all roof pitches must be a minimum of 3:12 ratio (3 feet of elevation for 12 feet of width).

All dwelling units must adhere to the provisions of the Safety Codes Act (Chapter S-1, R.S.A. 2000) and all regulations and amendments passed pursuant thereto;

- (75) "housing, triplex" means a building that contains three dwelling units;
- (76) "internal local roads" includes all roads within subdivisions, and all service roads adjacent to major two-lane highways, minor two-lane highways, and multi-lane highways;
- (77) "landfill" means a site operated by the Town for controlled waste management where waste collected within the municipality is recycled or permanently disposed of;
- (78) "lane" means a right-of-way on which motorized vehicles are normally allowed to operate which is 10 m or less in width;
- (79) "lake" means a body of water, free from large quantities of aquatic vegetation, and characterized by relatively large open water and deep water zones compared with the shore zone; and, as defined by the Council of the Town of Rimbey;
- (80) "library" means a building which primarily loans reading and/or visual material to the general public;
- (81) "livestock" means livestock as defined in the Agricultural Operation Practices Act;
- (82) "liquor store" means a building and/or site used for "retail" but in which the goods sold are liquor/alcohol for human consumption;
- (83) "lot" means:
- (a) a quarter section,
 - (b) a river lot or a lake lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office,
 - (c) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
 - (d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;
- (84) "maintenance" means the upkeep of the physical form of any building which does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, but will not include any activity that will increase the habitable floor area of any dwelling unit or the internal volume of any building;
- (85) "major" means, when added as a prefix or suffix to a use, a use which, due to its nature or relatively larger scale, will or could have, in the sole opinion of the Development Authority, an impact on surrounding uses, or which may be intended to serve an area larger than the immediate or local area;
- (86) "Manufacturing, processing, packaging or assembly of goods or materials" means a building and/or site where materials are merged to assemble a product and where the product is then packaged for distribution;
- (87) "may" is an operative word meaning a choice is available , with no particular direction or guidance intended;

- (88) “meat processing plant” means the processing and distributing of animal carcasses to retailers, but does not include a kill floor;
- (89) “medical clinic” means a building used for the provision of physical and mental health services on an outpatient basis including dental offices, physical therapy, pharmacy, counselling, doctor’s offices, and/or chiropractic offices;
- (90) “MGA” means the Municipal Government Act (Chapter M-26, R.S.A. 2000) and all regulations and amendments passed pursuant thereto;
- (91) “mini storage” means a building and/or site used for containing separate secured indoor storage units, designed to be rented or leased for private storage of personal goods;
- (92) “minor” means, when added as a prefix or suffix to a use, a use which, due to its nature or relatively smaller scale, will or could have, in the sole opinion of the Development Authority, a limited impact on surrounding uses, or which may be intended to serve a small or local area;
- (93) “motel” means a building or group of buildings on a parcel of land designed and operated for the provision of rooms or suites for temporary sleeping accommodation where each room has its own exterior access, and may include a restaurant and/or convention services;
- (94) “municipality” means the Town of Rimbey;
- (95) “museum” means a building and/or site used for the display of artefacts for cultural and educational purposes;
- (96) “nightclub” means a building and/or site featuring live entertainment such as music and dancing, and in which alcohol and food may also be served to patrons;
- (97) “non-conforming building” means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date this land use bylaw becomes effective does not, or when constructed will not, comply with this land use bylaw;
- (98) “non-conforming use” means a lawful specific use:
- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date this land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this land use Bylaw;
- (99) “office” means a building primarily used for the provision of professional, management, administrative and consulting services but does not include the use as “retail”;
- (100) “open space” means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;

- (101) “owner” means:
- (c) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
 - (d) in the case of any other land, the person shown as the owner on the Land Title.
- (102) “parcel of land” means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;
- (103) “park” means any parcel of land which is for use by the general public for recreational activities, sporting, or gathering, and which may be left in a natural state or may include man-made features including area for sporting activities, playgrounds, picnic areas, and/or walking trails;
- (104) “parking facility” means a building and/or site used for vehicular parking as a principal use;
- (105) “pawn shop” means a building and/or site used for “retail” but in which the goods for sale are second hand personal items;
- (106) “permitted use” means the use of land or a building provided for in a land use Bylaw for which a development permit shall be issued upon application having been made, provided that all of the regulations of this Bylaw, and all of the matters left to the discretion or the satisfaction of the Development Authority, have been satisfied to the satisfaction of the Development Authority;
- (107) “personal service establishment” means a use relating to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include barber shops, beauty parlours, nail salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments (pick-up and drop-off only), laundromats, photographic studios, personal fitness activity, and may include accessory retail sales. This use class does not include escort services, even as an accessory use;
- (108) “portable storage container” means a secure, steel/wood structure that is portable in nature (e.g. Sea Can, cargo container, shipping container etc.). See also “sea can” definition;
- (109) “principle building” means a building where the principle use of the site operates from;
- (110) “principle use” means the primary purpose or purposes for which a building or lot is used;
- (111) “public administration” means the use of a building and/or site for the operation and/or provision of services by the Municipal, Provincial, and/or Federal governments;
- (112) “rear line” means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a highway or road;
- (113) “rear yard” means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot, to the rear line of the lot;
- (114) “recreational facility” means a building and/or site used for sports or other active recreational activities and may include health and fitness clubs, racquet courts, dance studios, martial arts schools, basketball and volleyball courts, hockey arenas, football and soccer field, and or other similar sporting fields but not including an outdoor golf course;

- (115) “recycling depot” means a facility used for the purchasing, collection, sorting, packaging, and temporary storage of empty bottles, cans, and containers or other recyclable and reusable materials and where storage is contained within an enclosed building;
- (116) “religious institution” means a building used for the congregation, meeting, study, and prayer related to any religious faith;
- (117) “repair shop” – means a building and/or site used for the maintenance, and repair of any goods and/or equipment excluding motor and/or recreational vehicles;
- (118) “retaining wall” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials;
- (119) “restaurant” means a use where food is prepared and served on the premises for sale to patrons, and which may or may not be licensed to serve alcohol, and may include entertainment which is accessory to the preparation and service of food;
- (120) “restaurant, drive-thru” means a building where food is prepared and sold for consumption to patrons and which offers service through a drive up window;
- (121) “retail” means a use that focuses on the display and sale of goods, wares, or merchandise. This use includes, but is not limited to drug stores, clothing stores, sporting goods stores and other similar uses, but does not include retail stores where the majority of total sales are generated through the sale of adult-oriented materials (clothing, videos, magazines, etc.);
- (122) “riding arena, private” means a building or structure in which equestrian, athletic or recreational activities are carried out on the lot upon which the arena is located;
- (123) “road” means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act, but does not include either a highway or a lane;
- (124) “salvage yard” means a building and/or site used for the storage and deconstruction of scrap materials;
- (125) “school” means a use operated by a School Board that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Provincial Government;
- (126) “screening” means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites;
- (127) “sea can” see c-can;
- (128) “shall” is an operative word which means the action is obligatory;
- (129) “shoreline” means the bank of the body of water as determined pursuant to the Surveys Act;
- (130) “should” is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances;
- (131) “side line” means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side line;

- (132) “side yard” means a yard extending from the front yard of a lot to the rear yard of the lot and lying between the side line of the lot and the nearest wall of the main building;
- (133) “sign” means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as provided for in this Bylaw, is subject to all regulations governing signs;
- (134) “site” means an area of land designed to accommodate, and intended to be rented for, a tent or recreational vehicle or cabin;
- (135) “solar collector” means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.
- (136) “subdivision and development appeal board” means a subdivision and development appeal board appointed pursuant to Town Bylaw and the Act;
- (137) “subdivision authority” means the Subdivision Authority established pursuant to the Act through the Town’s Subdivision Authority Bylaw;
- (138) “substandard lot” means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;
- (139) “temporary development” means a development for which a development permit has been issued and which exists for a limited time only;
- (140) “theatre” means a building and/or site used to show entertainment including films, live theatre, or musical performances;
- (141) “tourist information centre” means the use of a building and/or site to dispense information to the travelling public regarding the Town and may also include washrooms, picnic facilities, or other similar amenities;
- (142) “trucking establishment” means any building and/or site where commercial vehicles may park for a short or long term stay and which may include a “convenience store,” “restaurant,” and/or “gas bar”;
- (143) “undeveloped lot” means a lot which does not contain a dwelling or any other building, but which may contain utility services;
- (144) “unique site requirements” are a set of site locational requirements which have been demonstrated to the Town’s satisfaction to be necessary in order for the development of a commercial or industrial use to be carried out;
- (145) “use” means the utilization of a building or parcel of land for a particular type of operation;
- (146) “utility” means a utility as defined in the Act, as amended;
- (147) “utility installations” means a building and/or site for use by a utility company maintains to maintain or shelter any equipment used in connection with the utility;

- (148) "veterinary clinic" means a building and/or site used for the medical care and treatment of animals on either a short term or long term basis;
- (149) "warehouse" means a building and/or site used for the storage of materials, goods, and products which will ultimately be distributed and for sale at "retail" stores;
- (150) "wreaking yard" means land and buildings that are used for the storage and dismantling of old or wrecked vehicles and / or machinery for the purpose of recycling their components;
- (151) "yard" means a part of a parcel of land upon or over which no building is to be erected unless otherwise provided for in this Bylaw.

PART 3 - GENERAL ADMINISTRATIVE PROCEDURES

3.1 CONTROL OF DEVELOPMENT

- (1) No development shall be undertaken within the Town unless an application for it has been approved and a development permit has been issued.
- (2) In the event of a state of emergency (local or provincial) declared pursuant to the Emergency Management Act, RSA 2000, c.E-6.8. as amended, or as a result of such an emergency, such other temporary development or class of temporary development as Council may declare may be approved in any land use district without compliance with the land use bylaw regulations.

3.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- (1) The following development shall not require a development permit:
 - (a) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit under the Safety Codes Act;
 - (b) Activities as exempted by Section 618 of the Act;
 - (c) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced.
 - (d) The use of land for a farm operation on land situated in the Urban Holdings district, provided that the use or building conforms to the minimum setback requirements specified in the Land Use Bylaw. Notwithstanding this section, all dwellings are subject to obtaining a development permit.
 - (e) The erection, construction, or maintenance, improvement or alteration of gates or fences or other means of enclosure less than 1.0 m in height in front yards or in side yards abutting a road, and less than 2.0 m in rear yards or in other side yards, and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure. Notwithstanding, barbs and page wire fences are only permitted in the Urban Holding and Industrial Land Use Districts.
 - (f) All types of fences and windbreaks in the Urban Holding district.
 - (g) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw;
 - (h) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
 - (i) The development of Town owned structures or public works, services and utilities. Notice of such structures shall be provided to adjacent landowners for information purposes.

- (j) Development within a basement which does not change or add to the uses in a dwelling.
- (k) All buildings which are less than 13.4 m² in area and which conform to the setback requirements of the Land Use District.
- (l) The demolition or removal of any building or structure for which erection a development permit would not be required pursuant to subsections (4) through (11) above.
- (m) Dugouts in the Urban Holdings district provided that they conform to the regulations specified in this Land Use Bylaw.
- (n) Fire pits provided that they conform to the regulations specified in this Land Use Bylaw.

3.3 NON-CONFORMING BUILDINGS AND USES

- (1) Non-conforming buildings and non-conforming uses shall be treated in accordance with the Act, and any amendments thereto.

3.4 DEVELOPMENT APPROVAL AUTHORITIES

- (1) The Development Authority is hereby established by Bylaw pursuant to the Act.
- (2) The Development Authority shall exercise development powers and duties on behalf of the Town.
- (3) The Development Authority shall be the Development Officer, or where the context of this Bylaw permits, the Council.

PART 4 - DEVELOPMENT APPLICATION PROCESS

4.1 APPLICATION FOR DEVELOPMENT

- (1) An application for a development permit shall be completed and submitted to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
 - (a) a site plan showing the legal description; the front, rear, and side yards, if any; any provision for off-street loading and vehicle parking; and access and egress points to the site;
 - (b) the presence of abandoned oil and gas wells in accordance with the Subdivision and Development Regulation;
 - (c) the location and dimensions of all existing and proposed buildings, structures, or uses on the property;
 - (d) statement of existing and proposed services (i.e. on-site or municipal);
 - (e) identification of existing and proposed road infrastructure that will provide access to the development;
 - (f) a statement of the current and proposed use on the lands; and
 - (g) the authorization of the registered landowner.
- (2) The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include floor plans, elevations and sections of any proposed buildings; drainage, grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located. In addition, such additional information may include assessment by a registered professional engineer of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site.
- (3) Each application for a development permit shall be accompanied by a fee as established by Council.
- (4) All applications for development permits on sites within an area covered by an inter-municipal development plan shall be referred to the other municipality for comments and recommendation.
- (5) The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.

- (6) In the case where an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal to the Subdivision and Development Appeal Board, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant need not be accepted by the Development Authority for at least six (6) months after the date of the previous refusal.

4.2 REFERRAL OF APPLICATIONS

- (1) The Development Authority may refer for comment any matter or any application for a Development Permit to any authority he deems necessary.
- (2) Notwithstanding 4.2.1, the Development Authority may refer to any adjacent municipality for consideration and recommendation, any matter or any application for a Development Permit that relates to lands that abut the municipal boundary.
- (3) Notwithstanding 4.2.1, the Development Authority may refer development in proximity to a Highway:
 - (a) Applications for development located within 0.8 km of the right of way of a multi-lane highway or a major two-lane highway where the proposed development would have direct access from the highway shall be referred to Alberta Transportation for comment prior to any decision by the Development Authority;
 - (b) All applications for development located, within 150 m of the right of way of a minor two-lane highway where the proposed development would have direct access from the highway may be referred to Alberta Transportation for comment prior to any decision by the Development Authority.
- (4) Having received a reply on a matter referred to any authority, the Development Authority shall make a decision giving due consideration to the recommendations and comments received.
- (5) After thirty (30) days from the date of referral, the application may be dealt with by the Development Authority whether or not comments have been received.

4.3 DECISION PROCESS

- (1) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (2) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of roads,

pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.

- (3) In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District.
- (4) The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
 - (a) The proposed development 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 development conforms with the use prescribed for that land or building in this Bylaw.
- (5) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority. The person claiming to be affected may appeal in writing as provided for in Part 4 of this Bylaw as though he has received a refusal at the end of the forty (40) day period specified in this subsection.
- (6) A Development Authority may suspend or revoke a development permit at any time:
 - (a) Where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
 - (b) Where the permit was issued in error.
- (7) Temporary Developments where a development permit application in a land use district is for a temporary development, the Development Authority:
 - (a) May consider and decide upon a development for a specific period of time, not exceeding one year;
 - (b) Shall impose a condition on such a permit that the Town is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit; and
 - (c) May require the applicant to post acceptable security guaranteeing the cessation or removal of the development to the greater of 25% of the value of the structure or \$1,000.

4.4 VARIANCE AUTHORITY

- (1) Notwithstanding 4(3)(1) the Development Authority may approve an application for a development permit for a development that is a Permitted or Discretionary Use, but that does not otherwise comply with the provisions of this Bylaw, if in the opinion of the Development Authority:
 - (a) the proposed development would not unduly interfere with the amenities of the neighbourhood.
 - (b) the proposed development conforms with the use prescribed for that land or building in this Bylaw;
- (2) Notwithstanding 4(4)(1), the Development Authority shall not grant a variance from the regulations prescribing height, if the height variance results in an increase in floor area, lot coverage, floor area ratio (FAR), or density.
- (3) In addition to the considerations provided under 4(4)(1), a variance may only be granted if, in the opinion of the Development Authority:
 - (a) the variance requested maintains the intent and purpose of the Municipal Development Plan;
 - (b) the variance requested maintains the intent and purpose of this Bylaw;
 - (c) the variance is desirable for the appropriate and orderly development or use of the land; and
 - (d) the variance, in the opinion of the Development Authority, is truly minor in nature.
- (4) All requests for a variance shall be accompanied by a letter from the applicant clearly stating the reasons for the variance, outlining the applicable criteria identified in 4(4)(3), and the nature of the hardship incurred if the variance is not granted.
- (5) If a variance is granted pursuant to this Section, the Development Authority shall specify its nature in the Development Permit approval.
- (6) The maximum variance that may be granted by the Development Authority is 20%.

4.5 DEVELOPMENT PERMITS AND NOTICES

- (1) Except for those permits described in Section 4(5)(3) hereof, a permit granted pursuant to this Part does not come into effect until fifteen (15) days after the date a decision or development permit is publicized as described in 4(5)(4). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

- (2) Where an appeal is made pursuant to Part 4 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
- (3) When a permit has been issued for the development of a permitted use, and no provisions of this Bylaw have been relaxed or varied, or when Council makes a decision on a development permit application within the DC District, no notification shall be given of the decision except to the applicant.
- (4) When a permit other than a permit described in Section 4.5(3) hereof has been issued, the Development Authority shall immediately:
 - (a) Post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (b) Mail a notice in writing to all adjacent land owners who, in the sole opinion of the Development Authority, may be affected; and/or
 - (c) Publish a notice of the decision in a newspaper circulating in the Town, stating the location of the property for which the application has been made and the use approved.
- (5) If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit, and completed within three (3) years of the date of issue, the permit is deemed to be void, unless an extension to this period is granted by the Development Authority.
- (6) A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (7) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

4.6 DEVELOPMENT AGREEMENTS

- (1) The Town may register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.
- (2) The Town may require conditions consistent with section 4(1) or any other conditions as deemed appropriate, the applicant to enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities and/or to pay an off-site levy imposed by bylaw. This may involve the applicant posting security with respect to the development and paying for construction, where the

development requires a road or traffic infrastructure improvement specifically to accommodate the development. The applicant for a development permit may be required to provide dust control adjacent to existing residences located on roads impacted by the development. The Development Authority may require that commercial vehicular traffic be limited to certain roads when gaining access to and from a site.

PART 5 - DEVELOPMENT APPEAL PROCESS

5.1 APPEAL PROCEDURE

- (1) The Subdivision and Development Appeal Board, as established by Town Bylaw, shall hear and make a decision on an appeal where a Development Authority:
 - (a) Refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application, or
 - (b) Issues a development permit subject to conditions, or
 - (c) Issues an order under Part 6 of this Bylaw; and
 - (i) The person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a Development Authority appeals to the Subdivision and Development Appeal Board.
- (2) Notwithstanding subsection (1) above, no appeal lies in respect of the issuance of a development permit by the Council within a DC District, or for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) An appeal shall be made by serving a written notice of appeal and submitted the applicable fee to the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after:
 - (a) The date the order, decision or permit issued by the Development Authority was publicized in accordance with this Bylaw; or
 - (b) The forty (40) day period referred to in Section 3.3(5) of this Bylaw has expired.

5.2 APPEAL HEARING

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the appeal hearing to:
 - (a) the appellant;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made;
 - (c) those adjacent land owners who were notified under this Bylaw and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit; and
 - (d) such other persons as the Subdivision and Development Appeal Board specifies.

- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal therefrom; or
 - (b) the order of the Development Authority,
 - (c) as the case may be.

- (4) At the appeal hearing referred to in subsection (1), the Subdivision and Development Appeal Board shall hear:
 - (a) the appellant or any other person acting on his behalf;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

5.3 APPEAL DECISION

- (1) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.

- (2) If the decision of the Development Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the development permit shall be null and void.

- (3) If the decision of the Development Authority to refuse a development permit application is reversed by the Subdivision and Development Appeal Board, the Development Authority shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.

- (4) If the decision of the Development Authority to approve a development permit is varied by the Development Appeal Board, the Development Authority shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.

- (5) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:

- (a) to a judge of the Court of Appeal; and
- (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART 6 - BYLAW AMENDMENT PROCESS

6.1 APPLICATION FOR AMENDMENT

- (1) A person may apply to have this Bylaw amended by applying in writing, furnishing reasons in support of the application and paying the fee therefore required.
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an amendment.
- (3) All applications for amendment to the Land Use Bylaw shall be made to the Council and shall be accompanied by the following, namely:
 - (a) an application fee according to the governing fee schedule as amended from time to time by resolution of Council shall be submitted for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee may be returned to the applicant;
 - (b) a title search for the land affected or other documents satisfactory to the Development Authority indicating the applicant's interest in the said land;
 - (c) drawings drawn to the satisfaction of the Development Authority, which shall be fully dimensioned, accurately figured, explicit and complete; and
 - (d) any other information deemed necessary by the Development Authority.
- (4) Notwithstanding Subsection (3)(a) above, Council may waive payment of an application fee or any part thereof.
- (5) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (6) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

6.2 PUBLIC HEARING PROCESS

- (1) All amendments to this Bylaw shall be made by Council, by Bylaw, and in conformity with the requirements of the Act with regard to the holding of a Public Hearing.
- (2) Prior to any Public Hearing, the Town shall give notice in accordance with the Act.

- (3) First reading of a proposed amendment is given before the Public Hearing, and Council may require that the applicant pay a fee for advertising according to the governing Land Use Bylaw advertising fee schedule as amended from time to time by resolution of Town.

PART 7 - ENFORCEMENT

7.1 CONTRAVENTION

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with:
 - (a) The Act or the regulations made thereunder, or
 - (b) A development permit or subdivision approval, or
 - (c) This Bylaw;The Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:
 - (d) Stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - (e) Demolish, remove or replace the development, and/or
 - (f) Take such other measures as are specified in the notice;
 - (i) So that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.
- (2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, with the support of a Peace Officer, enter upon the land or building and take such action as is necessary to carry out the order. A person who contravenes or fails to comply with any provision of their development permit is guilty of an offence and is liable upon summary conviction of a fine.
- (3) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (4) A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, pursuant to Section 566 of the Act.
- (5) A Development Authority may suspend or revoke a development permit which has not been complied with, following notification, stating the reasons for such action.

- (6) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated Peace Officer by the Council for the purposes of this Section, shall be authorized to inspect any development to confirm compliance, and if not in compliance to issue violation tickets in respect to any contravention of this Bylaw.
- (7) Violation Tickets:
- (a) The Development Authority may direct a Peace Officer for the purposes of this Section, to issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
 - (b) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require voluntary payment, or the option of a court appearance on a date specified, and will be dealt with thereafter at the court's discretion.
 - (c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$500.00 for a first offence and \$1000.00 for a second or subsequent offence within the same calendar year. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
 - (d) The violation ticket shall be served upon the alleged offender personally, or if the defendant cannot be conveniently found, by leaving it for the defendant at the defendant's place of residence with a person on the premises who appears to be at least 18 years of age. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
 - (e) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.

PART 8 – GENERAL REGULATIONS

8.1 ACCESSORY BUILDINGS AND USES

- (1) No person shall construct or utilize an accessory building except in compliance with this section.
- (2) All accessory buildings shall be located at least 2.0 m from any principal building.
- (3) Notwithstanding 7.1(1), when a building used or proposed to be used as an accessory building is located or proposed to be located closer than 2.0 m to a principal building, the setbacks required for principal buildings shall be applied to the accessory building.
- (4) An accessory building shall not be used as a dwelling unit and shall not contain sanitation facilities.
- (5) An accessory building shall not be constructed within the required front yard setback area of any district.
- (6) Accessory buildings shall be constructed with exterior finish materials that compliment those of the principal building.
- (7) An accessory building shall not be located on an easement or utility right-of-way.
- (8) An accessory building shall not be developed or approved on a lot prior to the issuance of a development permit for the principal building or use on the lot.
- (9) Decks, balconies, sunrooms and the like shall not be constructed on top of an accessory building unless the setbacks of the accessory building comply with the allowable setbacks for the principal building in that district.
- (10) An accessory building, regardless of size, is required to meet the setback requirements for the District in which it is located.

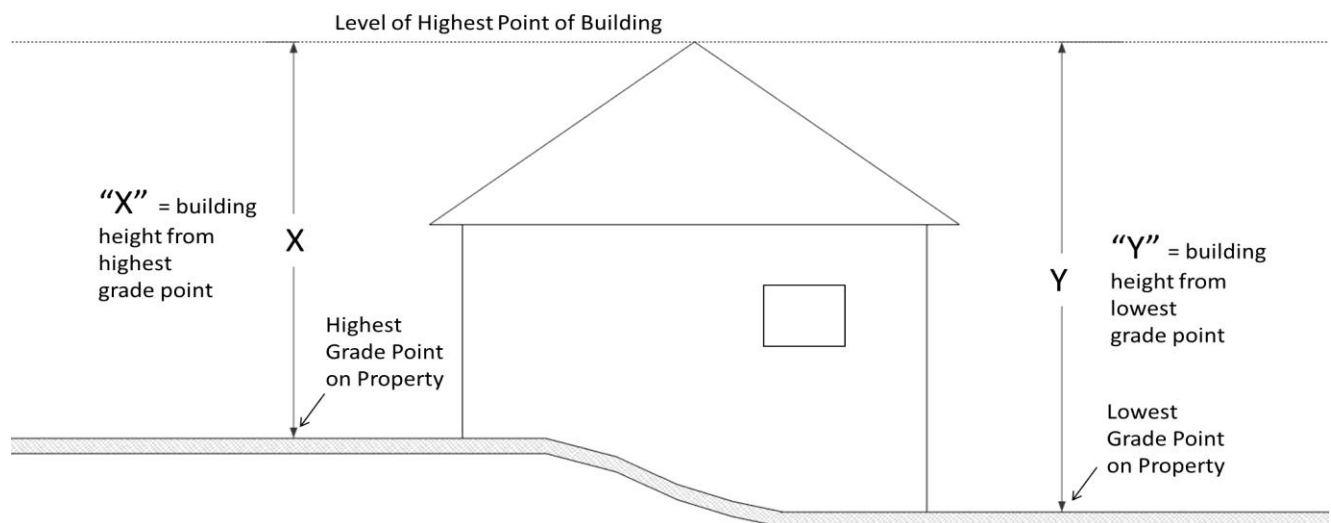
8.2 BARE LAND CONDOMINIUM

- (1) Structures constructed on bare land condominium units shall comply with the general regulations of this bylaw, including the regulations for the land use district in which the unit is located.
- (2) For the purposes of this Bylaw, a bare land condominium plan is a plan of subdivision.

8.3 BUILDING HEIGHT

- (1) If the height of a building is required to be measured or determined, it shall be measured by calculating the average vertical distance between the natural grade, or the average natural grade in the case of a sloping grade, and the highest point of the building as determined under Subsection (2).
- (2) In determining the highest points of a building, the following structures shall not be considered to be part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilations; a skylight; a steeple; a smokestack; a parapet wall, or a flagpole or similar device not structurally essential to the building.

FIGURE 8.3.1 – BUILDING HEIGHT CALCULATIONS



$$\text{Height Average} = (X+Y)/2$$

8.4 CORNER AND DOUBLE FRONTING PARCELS

- (1) In all districts, a site abutting onto two streets or more shall have a front yard setback on each street in accordance with the front yard regulations of this Bylaw.
- (2) In all cases, the location of building on corner sites shall be subject to approval of the Development Authority who may, at their discretion, relax the front yard setback requirements taking into account the location of existing adjacent buildings or the permitted setback on adjacent sites where a building does not exist.

- (3) On corner parcels contiguous to a highway or road outside of town the Alberta Infrastructure Highway “Minimum Site Triangle” Design Guidelines shall apply.

8.5 CURB CUTS

- (1) The nearest edge of a proposed curb cut to the nearest curblines of the street intersection shall not be less than 12.0 m.
- (2) The maximum width of the curb cut shall not exceed 9.1 m in industrial districts and 6.0 m in all other districts, unless otherwise specified by the Development Authority for reasons of public safety or convenience.

8.6 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND STRUCTURES

- (1) The purpose of this Section is to provide the Town with controls and guidance in order to ensure that aesthetically attractive and compatible development is provided throughout the Town.
- (2) The quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority for permitted uses and discretionary uses.
- (3) Pursuant to Subsection (2), the Development Authority shall consider, but not be limited to the following criteria when evaluating the design, character and appearance of development proposals in all Districts.
 - (a) General Guidelines:
 - (i) The design, character and appearance of all buildings must be compatible with any other buildings existing in the vicinity unless the building is setting a new standard of design and character for the land use district or a particular location of it;
 - (ii) The design of the building or development must be consistent with the purpose and intent of the land use district in which it is located;
 - (iii) The building shall comply with any provisions of a statutory plan or architectural control guidelines adopted by Council.
 - (b) Guidelines for Commercial and Industrial Development:
 - (i) The harsh contrasts of very large or massive buildings mixed with small buildings can be softened by using similar sizes and shapes of massing elements, like roof lines, exterior design and treatment;
 - (ii) Blank, unfinished walls give a very bland appearance to the streetscape. Particular attention should be given to reduce large vacant spaces between buildings which are left open to public view;

- (iii) Rooftop mechanical equipment should be hidden from view from public streets and from adjacent buildings;
 - (iv) Utility installations and buildings should be located in such a manner so as to be compatible with adjacent buildings and development. This may be achieved by placing utility installations within buildings wherever possible, or development utility buildings which blend into the surrounding area;
 - (v) Natural features are an important part of the urban environment and should be given a high priority in developing a site. This may be achieved by preserving existing trees wherever possible;
 - (vi) Corner sites at the intersection of major streets should be given special consideration. Sight lines for drivers and more pedestrian space are features which should be incorporated into the design of buildings on corner lots;
 - (vii) Buildings should provide weather protective overhangs at outdoor pedestrian areas and at building entrances. The overhangs can be achieved through the use of cantilevers, awnings and canopies;
 - (viii) Long buildings along the street front should include a public route through the building which can be accessed by pedestrians to parking areas or simply to reduce having to walk around the building;
 - (ix) Large pedestrian areas or parcels should be designed for safety and at a pedestrian scale. The combination of landscaping and pedestrian walkway connections from the parking area to the shopping areas can act as a windbreak, slow the traffic in the parking area, and soften the harsh visual impact of large asphalt areas;
 - (x) The site illumination of commercial and industrial sites should not shine into residential windows;
 - (xi) On-site parking, loading and shipping areas are less attractive elements of a streetscape and should be hidden from public roadways by buildings, screening and landscaping;
 - (xii) Outdoor storage and garbage collection areas are generally unsightly and undesirable elements from public roadways and should be screened or hidden behind buildings. Existing storage and garbage collection areas should be screened from roadways by using berms, walls and landscaping.
- (c) Guidelines for Residential Development:
- (i) Visual privacy of internal living space and areas should be maintained in new and existing developments. The use of berms, landscaping and the orientation of the dwellings and the living space windows can improve the visual privacy between developments;
 - (ii) Identical or similar housing styles, models, designs and colors should be discouraged. The same housing color, design or treatment should not be used for any more than three adjacent dwellings;
 - (iii) Corner lot houses should be generally lower lying houses as height and mass is emphasized beside a void such as a road.

- (iv) Any accessory building built on a lot, such as a detached garage or garden shed should be of proportional mass, roof line and treatment as the principal building.
- (v) Developments should be encouraged to possess good proportion in the front elevations through the use of such elements as dormers, bay windows, shutters, brickwork, roof lines and variations of window sizes.

8.7 DEVELOPMENTS ON OR NEAR SLOPES

- (1) Notwithstanding the yard requirements prescribed in the land use districts, no permanent buildings shall be permitted within 20.0 m of the top of the bank of any waterbody and no development shall be permitted within 20.0 m of the top or bottom of an escarpment bank or slope where the grade exceeds 15% (fifteen percent).
- (2) The Development Authority may require greater setback than is prescribed in Section 7.5 (1).
- (3) Notwithstanding that a proposed development conforms in all respects with this Bylaw, including Sections 7.5 (1) and 7.5 (2), where the application is for development on lands that are or may be subject to subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate that preventative engineering and construction measures can be instituted to make the parcel suitable for the proposed development.
- (4) Subject to Section 7.5 (3), the Development Authority may, at their discretion, reduce the setback requirements established pursuant to Sections 7.5 (1) and (2) if the applicant provides satisfactory proof of bank stability.

8.8 DEVELOPMENTS NEAR WATER

- (1) Notwithstanding 7.13, the Development Authority may require reports to be submitted by qualified consultants to help determine the setback distance from water bodies. The setback may be reduced if supported by a report submitted by a qualified engineer.

8.9 DWELLING UNITS ON A PARCEL

- (1) The number of dwelling units allowed on any single parcel shall be one, except where additional dwellings are:
 - (a) Contained in a building designed for, or divided into, two or more dwelling units and is located in a land use district which permits multiple units; and

- (b) A building defined in the Condominium Property Act (Chapter C-22, R.S.A. 2000) and all regulations and amendments thereto and is the subject of an approved condominium plan registered under that Act.

8.10 EMERGENCY ACCESS TO BUILDINGS

- (1) Sites shall be so designed that, in the opinion of the Development Authority, appropriate access for fire fighting equipment is afforded to all buildings, moreover,
 - (a) In the case of industrial, commercial, multiple family, or public or quasi-public sites, the distance between the fire hydrant and any driveway or access point shall be a minimum of 3.0 m. In the case of single family sites, the distance between the fire hydrant and any driveway or access point shall be a minimum of 1.85m; and
 - (b) No person shall in any manner obstruct the fire access to any hydrant, valve or curb stop. No vehicle, building, structure, or vegetation higher than 0.5 m, shall be placed within 1.5 m from a hydrant.
- (2) On at least two sides, one of which shall be the longest side, of any building used as an apartment building and which exceeds two storeys in height, there shall be firm level areas accessible for fire fighting equipment for at least 75% (seventy five percent) of the length of each of the two sides of the building. Such areas shall not be less than 4.25 m in width and not more than 3.0 m from the building, and no permanent structure or vehicular parking shall be permitted thereon.
- (3) A lane or lanes for the purpose of permitting the access of fire fighting equipment to all major access points of shopping centre buildings shall be provided, and no permanent structures or vehicular parking may be permitted thereon.

8.11 COUNTRY ESTATE RESIDENTIAL DEVELOPMENT

- (1) The size of a lot for an estate residential use shall be the minimum required to accommodate the proposed use as determined by the Development Authority and shall not be less than 0.4 ha or greater than 2.0 ha in size.
- (2) Estate residential development shall not be permitted within an area likely to be subject to hazards or high levels of noise, dust or odours from industrial, transportation or intensive agricultural operations or intensive livestock operations.
- (3) No subdivision shall be allowed and no development permit shall be issued for an estate residential use, until the Town has first reclassified the land to the Estate Residential District.
- (4) Each estate residential lot shall be connected to municipal sewer and water facilities.

8.12 EXCAVATION, STRIPPING AND GRADING

- (1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposed, including, but not limited to, sand and gravel mining, topsoil stripping, and construction of artificial bodies of water.
- (2) An applicant for a development permit for the excavation, stripping or grading of land, which is proposed without any other development on the same land, shall include with his or her application the following information:
 - (a) Location of the lot, including the municipal address if any, and legal description;
 - (b) The area of the lot on which the development is proposed;
 - (c) The type of excavation, stripping or grading proposed, showing the dimensions of the operation or the area of the land and depth to which the topsoil is to be removed;
 - (d) Location on the lot where the excavation, stripping or grading is to be made on the lot; and
 - (e) The condition in which the excavation, stripping or grading is to be left when the operation is complete or the use of the area from which the topsoil is removed.
- (3) Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, coverage of 0.15 m shall be provided upon occupancy of the development, and the affected area shall be graded and landscaped to the satisfaction of the Development Authority.

8.13 EXISTING SUBSTANDARD LOTS

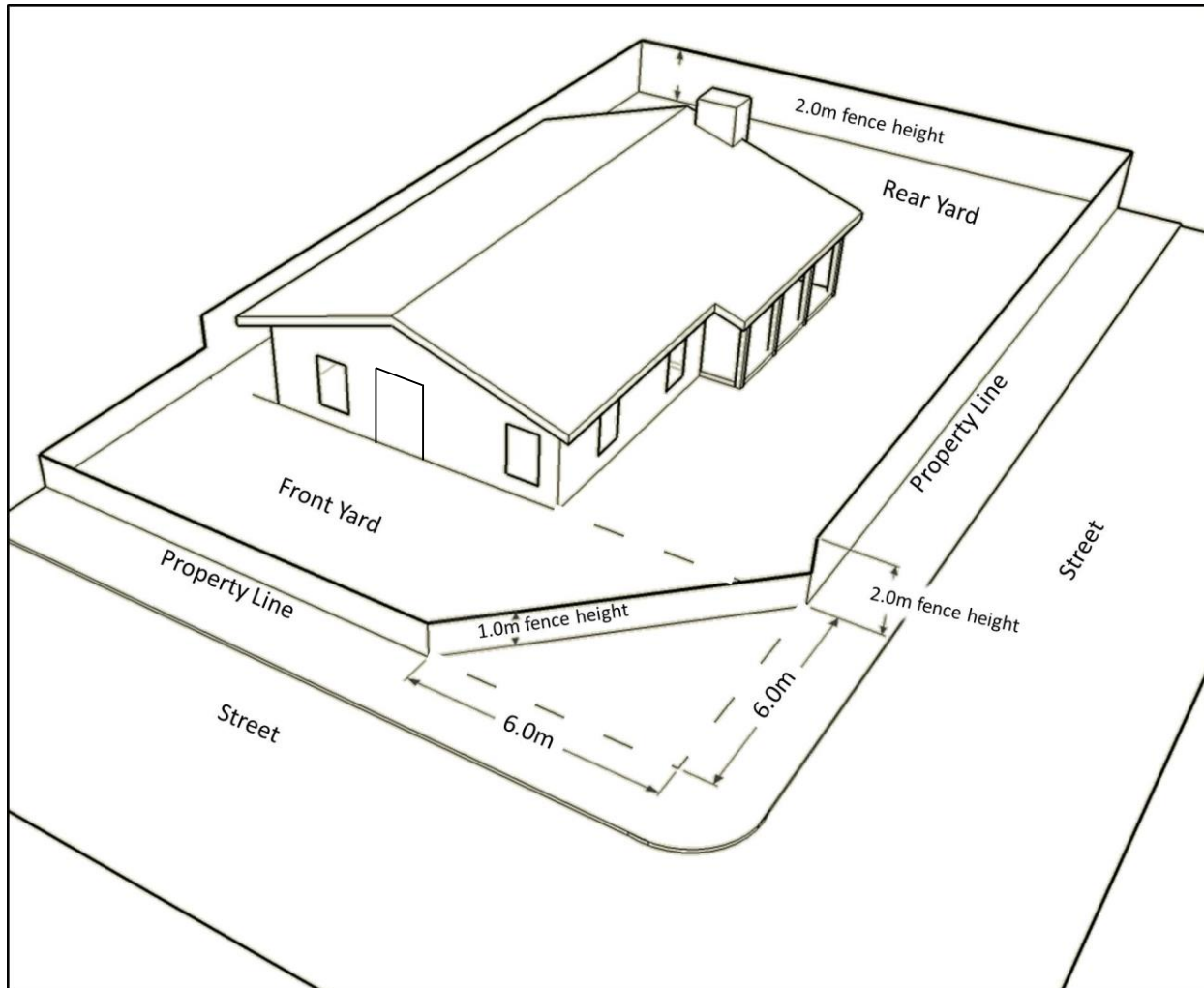
- (1) Development on existing substandard lots may be considered by the Development Authority who shall have due regard for compliance with the Safety Codes Act and its regulations prior to granting approval.

8.14 FENCES

- (1) In any district, except as herein provided,
 - (a) No fence shall be constructed that is located on public property;
 - (b) No fence shall be constructed that is:
 - (i) For internal lots, no higher than 2.0 m for that portion of the fence that does not extend beyond the foremost portion of the principal building on the site and 1.0 m for that portion of the fence that does extend beyond the foremost portion of the principal building on the lot;

- (ii) For corner lots, no higher than 2.0 m for that portion of fence that does not extend beyond the foremost portion of the principal building abutting the front yard on the narrow frontage and 2.0 m on the property line on the front yard abutting a public road and lane if, in the opinion of the Development Authority, it will not prejudice the safety and amenities of the adjoining lots;
 - (iii) In the case of corner lots, no person shall construct a fence or other screening, including landscaping, more than 1.0 m high within the triangular area 6.0 m back from the intersecting front boundary lines of the lot, regardless of whether or not a corner cut-off has been taken; and
 - (iv) Where lots have both their front and rear yards facing onto a street, special approval of the Development Authority must be obtained prior to the erection of any fences on such properties. Size and specifications for fences in these areas must conform with the overall standard set for the area by the Town.
- (2) Apartments or row houses adjacent to a single detached residential dwelling shall provide a wooden fence, or other such screening approved by the Development Authority, of not more than 2.0 m in height along the side abutting the single detached dwelling;
- (3) In the case of commercial, public and quasi-public uses abutting a residential area, a solid fence shall be provided of at least 1.5 m in height and no higher than 2.0 m along the sides abutting the residential area;
- (4) Notwithstanding Subsection (2), the maximum height of a fence in an Industrial or Urban Reserve District shall be determined by the Development Authority. Where a fence has been permitted to be higher than 2.0 m in an Industrial or Urban Reserve District, no barbed wire fences shall be permitted below a height of 2.0 m. This requirement may be relaxed by the Development Authority at his/her discretion in an area where residences would not be in close proximity to the fence proposed;
- (5) No electrification of fences shall be permitted; and
- (6) No barbed wire fences shall be permitted in residential districts.

FIGURE 8.14.1 – FENCE DIAGRAM



8.15 FLOODPLAIN DEVELOPMENT

- (1) Notwithstanding Subsection 8.13 no new development or the expansion of existing development shall be allowed within the 1:100 year flood plain of any watercourse or water body as determined by Alberta Environment.
- (2) Development Permit Applications where a portion of a parcel in the 1:100 year floodplain, shall be accompanied by the following information requirements:
 - (a) elevation of the site as prepared by a qualified surveyor or engineer;
 - (b) proposed elevation of main floor of residential buildings as prepared by a qualified surveyor or engineer; and

- (c) a statement and/or analysis, which demonstrates the suitability of the development to the site as compared to other locations on the parcel.

8.16 LANDSCAPING

- (1) As a condition of the development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority, and within one year of occupancy or commencement of operation of the proposed development. All plant material shall be hardy to the Town of Rimbey.
- (2) The Development Authority may require that landscaping and/or screening is provided in conjunction with any development, and is addressed as part of the Development Permit application. The intent of landscaping and screening is to contribute to a reasonable standard of appearance for developments, to provide a positive overall image for the Town.
- (3) Landscaping and screening requirements may be applied to commercial and industrial uses.
- (4) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares.
- (5) On corner parcels, setbacks for landscaping and fencing must be in accordance with Section 7.2.
- (6) Prior to issuing a development permit the Development Authority may require submission of a detailed landscape plan to a standard satisfactory to the Development Authority, outlining at a minimum the following:
 - (a) the location of the trees and shrubs to be planted, including distance between trees and the anticipated full growth radius at maturity;
 - (b) the number of trees and shrubs to be planted; and
 - (c) the common name of the trees and shrubs to be planted.
- (7) In addition to the landscaping standards specified in each Land Use District the Development Authority may require the applicant of any development permit to:
 - (a) retain any natural feature in its original state including, but not limited to, the following:
 - (i) any water feature, including swamps, gullies and drainage courses;
 - (ii) land with a natural gradient of 15% or greater;
 - (iii) land subject to flooding by a 1:100 year flood;
 - (iv) land located within a minimum distance as determined by the Development Authority from the top of bank of any river, stream, creek, lake or other body of water;
 - (v) any land deemed unstable by the Development Authority.

- (vi) conserve trees, shrubs or any other natural vegetation to the maximum extent possible.
 - (vii) screen any objectionable effect or potential objectionable effect from adjacent properties;
 - (viii) retain topsoil on the site;
 - (ix) enhance the site by adding topsoil, grass, rock, gravel, vegetation or other landscaping materials to complement the appearance of the site and the character of the neighbourhood; and
 - (x) restricting the amount and location of hard surfacing on the site.
- (8) Trees and Shrubs provided for landscaping shall meet the following minimum requirements:
- (a) a minimum height of 1.8 m (6.0 ft.) for coniferous trees;
 - (b) a minimum height of 0.46 m (1.5 ft.) for coniferous shrubs;
 - (c) a minimum caliper width of 5.08 cm (2 in) at 0.46 m (1.5 ft.) above ground level for deciduous trees; and
 - (d) a minimum height of 0.61 m (2 ft.) for deciduous shrubs.
- (9) Unless otherwise specified in this Bylaw a minimum of thirty-three percent (33%) of the total amount of trees and shrubs provided shall be coniferous.
- (10) All trees shall be separated a minimum distance from each other to allow sufficient space for the tree's maximum potential growth radius at maturity and to ensure healthy, uninhibited growth.
- (11) All landscaping requirements must be completed within one (1) year of completion of construction or the commencement of the use, whichever occurs first.
- (12) The owner of the property, or his/her assignees or successor(s), shall be responsible for the proper up keep and maintenance of the required landscaping. If the required landscaping does not survive, the applicant/owner must replace it with a similar type of species and with a similar caliper, width and height or to the satisfaction of the Development Authority.
- (13) The Development Authority may, as a condition of a development permit, require submission of a security up to the value of the estimated cost of providing the proposed landscaping to ensure that such landscaping is carried out with reasonable diligence. The condition of the security is that, if the landscaping is not completed in accordance with this Bylaw and development permit within one (1) growing season after completion of the development, then the specified security amount shall be made available to the Town to use to ensure the landscaping is installed according to the Town's standards.
- (14) A minimum of 30% soft surfaced green landscaped features (i.e. grass, shrubs and trees) shall be maintained in all residential front yards.

8.17 LIMITED ACCESS TO MAJOR ROADS

- (1) No access for vehicles will be permitted from an arterial road as designated by the Municipal Development Plan, or Area Structure Plans to:
 - (a) Any residential site, unless the access serves three or more dwelling units; or
 - (b) Any site, unless turning space is provided on the site such that vehicles entering upon the site may turn before re-entering the street; or
 - (c) Any site where, in the opinion of the Development Authority, there would be an excessive number of access points approved by Alberta Transportation.
- (2) Access to Highways 20, 20A and 53 shall be limited to arterial roads, collector and services roads, and where no service roads are provided, access shall be limited to those access points approved by Alberta Transportation.

8.18 OBJECTIONABLE ITEMS IN YARDS

- (1) No person shall keep or permit in any part of a yard in any residential district:
 - (a) Any dismantled or wrecked vehicle for more than fourteen (14) successive days; or
 - (b) Any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district; or
 - (c) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
 - (d) Any vehicle not parked on a prepared hard surface (i.e. concrete pad or gravel) in the front yard; or
 - (e) A commercial vehicle loaded or unloaded of a maximum weight in excess of 2000 kg; or
 - (f) A commercial vehicle in a front yard; or
 - (g) A recreational vehicle in the front yard of a laned subdivision.
 - (h) Contravene the Town of Rimbey Community Standards Bylaw.
- (2) No person maintaining more than one recreation vehicle or more than two (2) motor vehicles in a residential district shall allow them to be kept in a manner which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the district.
- (3) In commercial districts garbage shall be stored in weatherproof containers screened from adjacent sites and public thoroughfares to the satisfaction of the Development Authority and shall be in a location easily accessible for pickup.

8.19 ON-SITE AND OFF-SITE SERVICES AND IMPROVEMENTS

- (1) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Authority or is satisfied that such services will be provided or improvements will be undertaken.
- (2) No development permit shall be issued for a development to be served by private sewer and water systems until the systems have been approved by the appropriate Municipal or Provincial authorities having jurisdiction.

8.20 PROJECTIONS OVER YARDS

- (1) The following encroachments into required front, side and rear yard setbacks in land use districts may be permitted for canopies, balconies, eaves, box-outs, chimneys, gutters, sills, steps/stairs, and, in addition, cantilevers may be permitted to encroach into the front and rear yards only:
 - (a) Front Yard: 2.0 m for balconies; and 1.0 m for cantilevers, eaves, gutters, landings, and window sills (see Figure 8.20.1).
 - (b) Rear Yard: 2.0 m for balconies; and 1.0 m for box-outs, cantilevers, eaves, gutters, landings, and window sills (see Figure 8.20.2).
 - (c) Side Yard (Interior): 1.0 m for balconies; and 0.6 m for box-outs, eaves, gutters, landings and window sills (see Figure 8.20.1).
 - (d) Side Yard (Exterior): 1.0 m for balconies; and 0.6 m for box-outs, cantilevers, eaves, gutters, landings and window sills (see Figure 8.20.2).
- (2) For multi-attached dwellings, balconies and decks may be extended to the lot line or common wall, provided that the common wall is extended for separation/privacy.
- (3) No projection will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.
- (4) No projection will be permitted into the side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m from finished grade to the lowest point of the projection is maintained.
- (5) The projection length limitations are as follows:
 - (a) The individual projection maximum length shall not exceed 3.0 m; and

- (b) The sum of all projections maximum length shall not exceed one-third (1/3) of the length of the building wall (not including the garage walls). This does not apply to front or rear yards.

FIGURE 8.20.1: PERMITTED PROJECTIONS - FRONT AND INTERIOR SIDE YARD SETBACKS

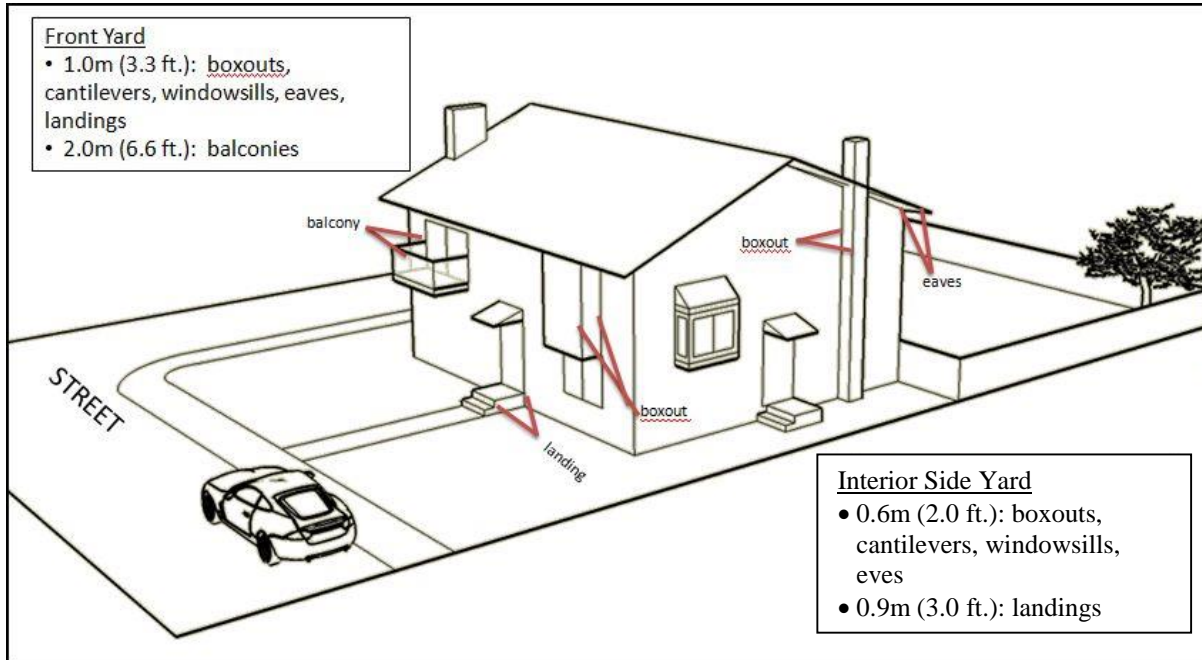
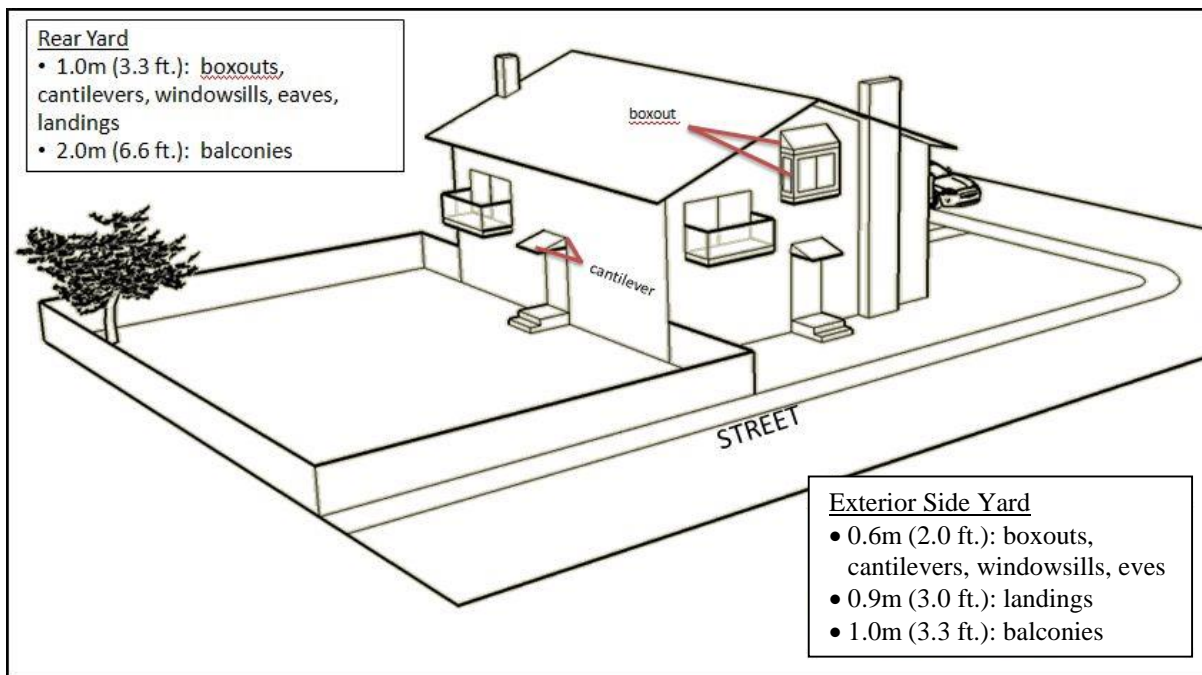


FIGURE 8.20.2: PERMITTED PROJECTIONS - REAR AND EXTERIOR SIDE YARD SETBACK



8.21 PUBLIC LANDS AND TOWN BOULEVARDS

- (1) There shall be no unauthorized encroachments onto municipal property, including parks and road rights-of-way. Where an encroachment exists without Town approval, the owner shall be required to remove the encroachment at his/her own expense, or seek permission from the Town CAO or Council for the encroachment to remain.
- (2) All developments on lands owned by the Town of Rimbey shall not require a development permit.
- (3) Notwithstanding Subsection (1), the owner(s) of a lot may develop the boulevard abutting their property by excavating, backfilling, levelling or consolidating to final grade, and seed or perform other works that may be necessary to develop a turf boulevard provided that all work shall be entirely at the owner's expense.
- (4) Any development, planting or other development not authorized by a development permit shall be done at the owner's risk, and any damage to municipal services caused by the growth, removal or maintenance of such development shall be the responsibility of the owner.
- (5) Every owner or occupant of land shall be responsible for maintaining any development allowed under this Section, and for controlling the weeds on boulevards owned by the Town abutting their property.

8.22 PUBLIC UTILITY BUILDINGS AND EASEMENTS

- (1) Notwithstanding other regulations in this Bylaw, a person erecting a public utility facility or placing utility equipment on a site shall cause it to be placed in a location and with yard setbacks which are satisfactory to the Development Authority.
- (2) Utility lots, utility buildings and publicly owned buildings may be permitted in any district except as specifically regulated elsewhere in this bylaw.
- (3) Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:
 - (a) in the opinion of the Development Authority the said structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and
 - (b) written consent has been obtained from the person whose use the easement has been granted.

8.23 RELOCATION OF BUILDINGS OR STRUCTURES

- (1) No person shall:
 - (a) place on a lot a building which has previously been erected or placed on a different lot; or
 - (b) alter the location on a lot of a building which has already been constructed on that lot,
 - (c) unless the Development Authority approves the placement or alteration.

- (2) An approval shall not be granted under Subsection (1) unless the Development Authority is satisfied that:
 - (a) the placement or location of the building would meet the requirements of the Bylaw; and
 - (b) the building and the lot meet the requirements of this Bylaw and the land use district in which it is proposed to be located.

- (3) Before considering any application for a Moved-in Building and in addition to the requirements of Section 7.22(1) and Section 7.22(2), the Development Official shall require a development permit application that includes:
 - (a) recent colour photographs of all elevations including additions;
 - (b) a statement of the age, size, and structural condition of the building; and
 - (c) documentation from a certified safety code officer that the building meets the requirements of the Safety Codes Act or, if it does not, how the building will be brought up to these requirements.

- (4) As a condition of issuing a development permit approval for a Moved-In Building, the Development Authority shall require a letter of undertaking (agreement) and the posting of security in the form of an irrevocable letter of credit or cash, in the amount of the total estimated costs to relocate the building, to be provided prior to the issuance of a building permit and the building being moved on site. This security will ensure that any required modifications to the design, construction, siting, finishing and cladding of the relocated building are completed.

- (5) The conditions shall be completed within one year of the issuance of the development permit, as determined by the Development Authority.

- (6) The security will be released once all the conditions have been completed by the applicant to the satisfaction of the Development Authority, and are met within the time frame as set out in the development permit.

- (7) Upon expiry of the Development Permit, if the required work has not been completed to Town's satisfaction, the Town may use the security to have the work completed and bring the building into compliance.
- (8) The applicant shall be advised not less than 30 days prior to the expiration time set out in the development permit, that action will be undertaken by the Town to use the security in completing the required renovations if they have not been completed by the expiration date. Only Council may direct Administration to delay action to complete the requirements of the permit.

8.24 RESIDENTIAL AND INDUSTRIAL USES ADJACENT

- (1) In considering subdivision or development permit applications for residential uses adjacent to existing industrial developments or industrial uses adjacent to existing residential developments, the Development Authority may impose conditions addressing:
 - (a) providing proper services and access to the site,
 - (b) screening, aesthetics and landscaping,
 - (c) control of signage,
 - (d) noise control,
 - (e) a development agreement, with the need to provide security, and
 - (f) any other issue deemed necessary by the Development Authority.

8.25 TEMPORARY STRUCTURES

- (1) A temporary structure may not be erected without permission of the Development Authority which may be granted as follows:
 - (a) In a residential district provided that:
 - (i) No such temporary structure shall be more than 3.0 metres in height or set back less than 1 metre from the side and rear property lines; and
 - (ii) The owner enters into an agreement to remove such a structure in accordance with the terms and conditions stipulated by the Development Authority;
 - (iii) There shall be no more than one temporary structure per site;
 - (iv) A temporary structure must be placed in the rear yard only;
 - (v) In the case of a pre-manufactured temporary structure, the elevations shall be subject to approval of the Development Authority; and
 - (vi) The structure is completed in accordance with the terms stipulated by the Development Authority, provided that the temporary structure development permit shall expire at the end of one year, unless renewed by the Development Authority for a further term, and that such temporary structure must comply with this Bylaw.

- (2) Temporary Structures include, but are not limited to:
 - (a) Portable Storage Containers, including c-cans;
 - (b) Tent Garages.

- (3) If an owner fails to comply with the terms and conditions of a temporary structure development permit, the Development Authority may remove or cause to be removed such structure as the case may be, the costs of which shall be charged against the lands upon which the temporary structure is situated and shall be payable by the owner to the Town on demand.

- (4) A temporary structure shall not be used as a dwelling.

PART 9 – SPECIFIC USE REGULATIONS

9.1 BED AND BREAKFAST ESTABLISHMENTS

- (1) Bed and Breakfast Accommodation shall be reviewed as Home Business permit.
- (2) All persons operating bed and breakfast facilities must provide evidence of compliance with municipal, provincial and/or federal regulations in regard to their operation.
- (3) A bed and breakfast is an accessory use to a main residential use.
- (4) A Development Authority may permit a Bed and Breakfast Accommodation use only if in the opinion of the Development Authority it will:
 - (a) be restricted to the dwelling unit;
 - (b) not change the principal character or external appearance of the dwelling involved; except where minimal exterior modification of the structure or grounds are compatible with the character of the area or neighborhood and pursuant to a Development Permit;
 - (c) not create a nuisance by way of noise, parking or traffic generation;
 - (d) not employ anyone but the residents of the dwelling;
 - (e) be limited to one (1) identification sign no more than 0.3 m² in size and displayed from within the establishment;
 - (f) not occupy more than three (3) bedrooms;
 - (g) be limited to one meal provided on a daily basis to registered guests only; and
 - (h) one on-site parking stall shall be provided for each bedroom provided for compensation and shall meet the signage requirements of this Bylaw.

9.2 CHILD CARE FACILITIES AND FAMILY DAY HOMES

- (1) Child Care Facilities:
 - (a) shall follow the Child Care Licensing Regulations that may provide programming for the social, creative, educational and physical development of children;
 - (b) shall have privacy screening or other buffering techniques designed to limit impact on other uses or the surrounding residential properties;
 - (c) in any Residential District:
 - (i) shall not change the principal character or external appearance of the dwelling in which it is located;
 - (ii) shall have an outdoor play area designed and secured according to Provincial regulations and must be shown on the plan submitted for a development permit; and
 - (iii) shall provide parking according to the regulations outlined in *Part 8 Parking and Loading Facilities* of this Bylaw. In addition, a drop-off area shall be provided at

the rate of one (1) drop-off space for every five (5) children, or at the discretion of the Development Authority.

- (2) A Family Day Home/ After School Care:
 - (a) shall not be located in a dwelling unit containing another Home Business;
 - (b) require privacy screening that prevents visual intrusion into any outdoor play areas; and

9.3 HOME OCCUPATIONS

- (1) All home businesses shall:
 - (a) require a development permit; and,
 - (b) be considered temporary uses.
- (2) Only one Home Business permit shall be issued per residence. Multiple Home Businesses may be allowed under the single permit provided that the requirements are not exceeded by the combined businesses.
- (3) Uses that are not considered Home Businesses include, but are not limited to:
 - (a) Adult Entertainment Facilities;
 - (b) Auto Body and Paint Shop, Auto Detailing Facility, Automotive, Equipment and Vehicle Services, Automotive Services, and Automotive Specialty;
 - (c) Child Care Facilities;
 - (d) Escort Services; or
 - (e) Veterinary services.
- (4) The Development Authority has the discretion to refuse a Home Business permit application if the proposed use would be better suited in a commercial or industrial district.
- (5) All home occupations shall comply with the following general regulations:
 - (a) All home occupations shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located.
 - (b) One professionally manufactured non-illuminated fascia sign or nameplate to identify a home occupation not greater than 0.3 square metres (3.2 square feet) in an area placed within the dwelling unit or any accessory building is permitted.
 - (c) A home occupation, whether or not a development permit has been issued, shall be reviewed by the Development Officer, when complaints are registered against a home occupation by an affected landowner. A development permit issued for a home

occupation is liable to recall and cancellation on the basis of non-compliance on 60 days notice.

- (6) Home occupations shall meet all the requirements of 8.5(5) and shall comply with the following regulations:
- (a) The home occupation shall be operated by the permanent resident(s) of the principal dwelling and shall employ no more than one non-resident, on-site employee.
 - (b) There shall be no more than four (4) home occupation clients or customers on site during any period of 24 hours for a minor home business.
 - (c) The home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling.
 - (d) Any storage of materials or goods related to the home occupation must be located within the principal dwelling and/or accessory structure and no exterior storage is permitted.
 - (e) The home occupation shall have no more than two (2) home occupation vehicles used in conjunction with the home occupation, parked and maintained on site. There shall be no heavy vehicles (> 4,500 kg or 9,900 lbs) parked on-site of a home occupation.

9.4 KENNEL REGULATIONS

- (1) An Animal Shelter, Veterinary Clinic, Veterinary Hospital or Commercial Kennel may need to provide soundproofing pens, rooms, exercise runs, or holding stalls to the satisfaction of the Development Authority.
- (2) An Animal Shelter, Veterinary Clinic, Veterinary Hospital or Commercial Kennel shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.
- (3) Commercial Kennel, including any outdoor runs or exercise areas shall be located a minimum of 3m from any Property Line.
- (4) Commercial Kennel including any outdoor runs or exercise areas may be required to be visually screened from existing dwellings on adjoining parcels to the satisfaction of the Development Authority.
- (5) All exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Development Authority with a minimum Height of 1.8 m.
- (6) All exterior exercise areas (runs) shall be sited behind the Principal building.
- (7) The Development Authority **Error! Reference source not found.** may regulate the hours that he animals are allowed outdoors.

9.5 MANUFACTURED HOMES

- (1) Manufactured home units shall have Canadian Standard Association Certification.
- (2) Mobile homes shall have a maximum age of 10 years from date of construction.
- (3) All accessory structures, such as patios, porches, additions and skirtings, shall be
 - (a) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units,
 - (b) considered as part of the main building, and
 - (c) erected only after obtaining a Development Permit.
- (4) A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall compliment the external finish of the manufactured home unit.
- (5) The maximum permitted floor area of porches and additions shall be no more than 50% of the floor area of the manufactured home unit.
- (6) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit.
- (7) Furniture, domestic equipment, or seasonally-used equipment shall be stored in adequate covered storage or screened area, either individually on the stall or lot or communally, which storage facility shall conform to the Regulations passed under the Safety Codes Act.
- (8) The following regulations apply to all manufactured home units:
 - (a) The hitch and wheels are to be removed from the manufactured home unit.
 - (b) All manufactured home units shall be placed on a foundation or base. The manufactured home unit is to be attached by means of bolting or otherwise to the foundation or base.
 - (c) The lot or stall is to be fully landscaped within one (1) year from the date of issuance of the development permit for the manufactured home unit.
- (9) The following regulations also apply to manufactured home parks developed after 2015:

- (a) The stalls shall be located at least 3.0 m from a property boundary line. This 3.0 m wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
- (b) All roadways shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 12 m with a paved carriage way of at least 8 m.
- (c) A safe, convenient, all season pedestrian walkway of at least 1.0 m in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
- (d) Visitor parking spaces shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (e) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (f) All municipal utilities shall be provided underground to stalls.
- (g) A minimum of 5% of the gross site area shall be devoted to recreational use.
- (h) All areas not occupied by manufactured home units and their additions, roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
- (i) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well-being of the park residents and for the management and maintenance of the park.
- (j) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective may be achieved by variations in street pattern, block shapes, and the location of manufactured home unit stalls.
- (k) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (l) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- (m) Only one main, free-standing, identification sign of residential character and appearance may be erected at the entrance to a manufactured home park, unless the Development Authority is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority. Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- (n) Manufactured home units shall be separated from each other by at least 3.5 m. Any porch or addition to the manufactured home unit shall be regarded as part of the manufactured home unit for the purpose of this separation.
- (o) The minimum distance between a manufactured home unit and the front, side, or rear lines of its stall shall be 3.0 m.

- (p) The minimum lot area of the manufactured home park shall be 2.0 ha (4.9 ac.).
- (q) The maximum permissible density for a manufactured home park shall be 20 manufactured home units per gross developable hectare (8 per ac.) of the lot being developed at each stage of development.
- (r) The minimum area for a manufactured home stall shall be 370 m².

9.6 RIDING ARENA, PRIVATE

- (1) A Development Permit is required for a Riding Arena, Private.
- (2) A Riding Arena, Private shall be an Accessory use on a Lot with a Principal residence.
- (3) A Riding Arena, Private shall not have a building or structure larger than 1,500 m² (16,146 ft²) in area.
- (4) A Riding Arena, Private shall be used solely by the occupants of the residence and/or by not more than four (4) non-resident users per day in addition to the residents.
- (5) The Approving Authority may require a manure management plan as a condition of development permit.

9.7 SOLAR COLLECTORS

- (1) A solar collector may be located on the roof or wall of a building or structure.
- (2) A solar collector mounted on a roof with a pitch of less than 4:12, may project:
 - (a) a maximum of 0.5 m from the surface of a roof, when the solar collector is located 5.0 m or less from a side lot line, measured directly due south from any point along the side lot line; and
 - (b) in all other cases, maximum of 1.3 m from the surface of a roof.
- (3) A solar collector mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 m from the surface of a roof.
- (4) A solar collector mounted on a roof must not extend beyond the outermost edge of the roof.
- (5) A solar collector that is mounted on a wall:
 - (a) must be located a minimum of 2.4 m above grade; and

- (b) may project a maximum of:
 - (i) 1.5m from the surface of that wall, when the wall is facing a rear lot line; and
 - (ii) in all other cases, 0.6 m from the surface of that wall.
- (6) A solar collector mounted on a structure must meet yard setback and district height regulations.

9.8 USES PERMITTED IN ALL LAND USE DISTRICTS

- (1) The following Uses are permitted in all Land Use Designations:
 - (a) Public utility;
 - (b) Road;
 - (c) Highway; and
 - (d) Park.

9.9 WRECKING YARD (AUTO AND EQUIPMENT WRECKAGE SITE)

- (1) Wrecking Yards shall have a minimum area of 1.0 ha and a maximum area of 4.0 ha for storage, and must be completely fenced and screened by a type of fence approved by the Development Authority to a height of 2.4 m.
- (2) All vehicles within a Wrecking Yards shall be stored within the enclosure and maintenance of the site shall be in accordance with any standards deemed necessary by the Development Authority.

PART 10 – PARKING & LOADING FACILITIES

10.1 PARKING FACILITIES – GENERAL REGULATIONS

- (1) Parking stalls and loading spaces shall be clearly marked in the parking facility. Such marking shall be regularly maintained to ensure legibility to users and shall be to the satisfaction of the Development Authority.
- (2) All off-street parking facilities shall be so constructed that:
 - (a) Necessary curb cuts are located and flared to the satisfaction of the Development Authority;
 - (b) Every off-street parking space provided, and the access thereto, shall be hard-surfaced if the access is from a street or lane which is hard-surfaced;
 - (c) Parking facilities used at night shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent residential properties and other properties where in the opinion of the Development Authority they would have adverse effects;
 - (d) Grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Development Authority or Municipal Planning Commission; and
 - (e) Parking for the physically handicapped shall be provided as provincial regulations require and shall be considered as part of the number of stalls required for the project.
- (3) Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site to the satisfaction of the Development Authority or Municipal Planning Commission.
- (4) Pursuant to 10.1(3), the Development Authority shall consider the following criteria when reviewing off-street loading regulations:
 - (a) Off-street loading spaces shall have dimensions of not less than 4.0 m in width and 8.0 m in length;
 - (b) Have overhead clearance of not less than 5.3 m above grade;
 - (c) Have vehicular access to and exit from a street or lane either directly or by a clearly defined traffic aisle;
 - (d) Be sited at an elevation or elevations convenient to a major flood level in the building or to a utility elevator serving each major flood level;

- (e) Be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross site boundaries or sidewalks without the approval of the Development Authority or Municipal Planning Commission;
- (f) Be paved or hard-surfaced where an off-street parking facility is required to be paved or hard-surfaced;
- (g) Have adequate lighting to the satisfaction of the Development Authority or Municipal Planning Commission; and
- (h) Be screened on each side adjoining or fronting on any property in a residential district by a wall, fence, earth berm or hedge of not less than 2.0 m in height, to the satisfaction of the Development Authority or Municipal Planning Commission.

10.2 PARKING AREAS

- (1) Unless otherwise approved by the Development Authority, each development shall provide on its site a parking area containing, at a minimum, the number of parking spaces as calculated in Table 10.2.1.

Table 10.2.1 – Parking Requirements

| Use of a Building or Site | Minimum Number of Parking Spaces |
|--|--|
| Residential Uses <ul style="list-style-type: none"> - Multi family dwellings - Seniors apartments - Boarding houses - Senior citizen homes - Secondary suites - All other dwellings - Manufactured home parks | 2 per dwelling unit 1 per dwelling unit, or as required by the Development Authority 1 per bedroom 1 per dwelling unit 1 per bedroom 2 per dwelling unit In addition to 2 per dwelling unit, 1 visitor parking space per 4 manufactured home units |
| Commercial and Industrial Uses <ul style="list-style-type: none"> - Eating and drinking establishments - Eating and drinking establishments (take out) - Drive thru restaurants - Other drive thru businesses - Hotels and motels - Bed and breakfast - Home occupations - All other commercial uses - All industrial uses | 1 per 5 seating spaces 1 per 13 m ² (140 ft ²) of gross leasable area plus 1 per 3 employees on maximum shift 2 per drive thru window 2 per drive thru window 1.5 per rentable unit 1 per bedroom 1 in addition to the requirements for the residential use 1 per 28 m ² (301.4 ft ²) of gross leasable area 1 per 46 m ² (495 ft ²) of gross leasable area |
| Institutional Uses <ul style="list-style-type: none"> - Places of Public Assembly - Schools (elementary/junior high) - High schools - Commercial schools - Hospitals and similar uses - Nursing homes | 1 per 5 seating spaces 2 per classroom 3 per classroom 1 per student 2 per bed 0.75 per bed |

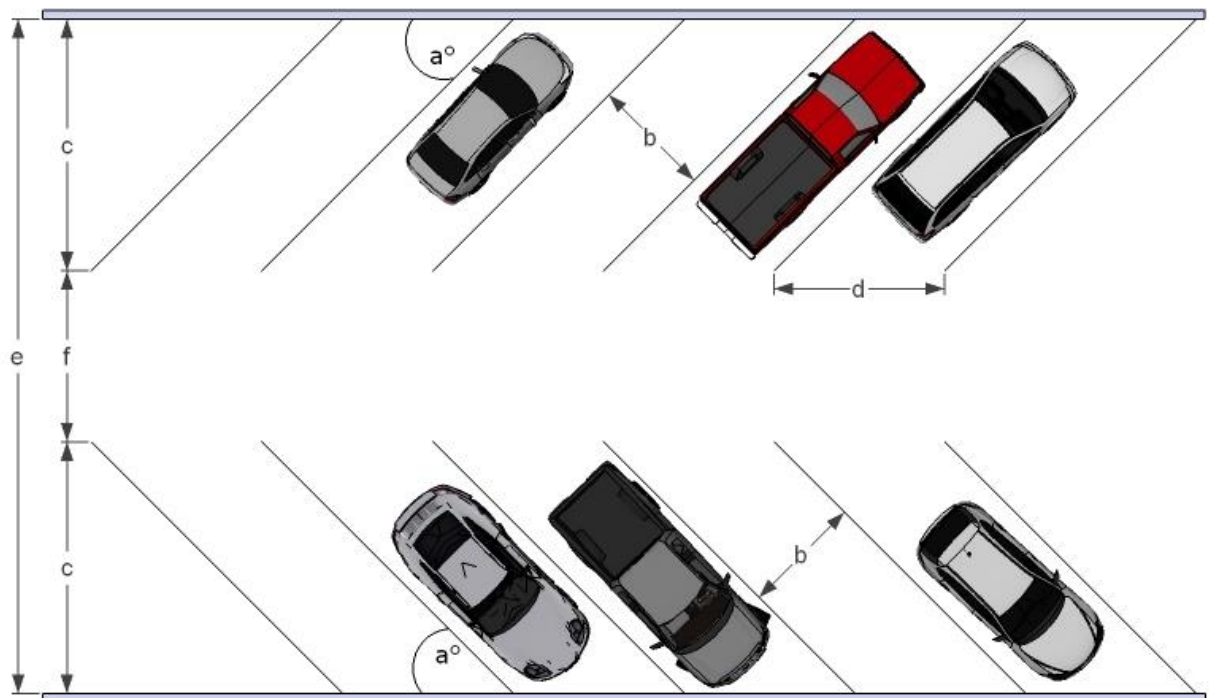
- (a) In the case of a use not specifically mentioned, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority.
- (b) Where a development contains more than one use as listed, the required number of parking spaces shall be the sum of the requirements for each of the uses listed.
- (c) Where a fractional number of parking spaces are required, the next highest number of spaces shall be provided.

- (d) If the Development Authority approves, one or more developments or uses may pool their minimum required parking spaces within one or more communal parking areas and may thereby collectively fulfil the requirements of this Bylaw.
- (2) At the discretion of the Development Authority, a developer may pay money to the Town in lieu of providing parking spaces. The amount of money will be determined by Council and be based on the amount of money needed to acquire land and to develop the required number of parking spaces on adjacent lands.
- (3) Surfacing and Drainage
 - (a) All parking areas shall be clearly marked, landscaped and adequately lit with lighting away from adjacent sites, adequately graded and drained to dispose of all stormwater run-off, contain the necessary curb cuts, and surfaced in a manner to match the road or lane from which the parking area gains access.
 - (b) The approach or access to every off-street parking area shall be surfaced in the same manner as the adjoining road from which access is gained.
 - (c) Drainage shall only be allowed to cross sidewalks if approved by the Development Authority.
- (4) All parking areas shall conform to the requirements shown in Table 10.2.2 and Figure 10.2.1.

Table 10.2.2 – Required Parking Stall Dimensions

| (a) Parking Angle (in degrees) | (b) Width of Space in m (ft) | (c) Stall Depth Perpendicular to Aisle | (d) Width of Space Parallel to Manoeuvring Aisle in m (ft) | (e) Overall Depth in m (ft) | (f) Width of Manoeuvring Aisle in m (ft) |
|--------------------------------------|------------------------------------|---|--|--------------------------------------|---|
| 0 | 2.7 (9) | 2.7 (9) | 7.0 (23) | 9.1 (30) | 3.6 (12) |
| 30 | 2.7 (9) | 5.2 (17) | 5.5 (18) | 14.0 (46) | 3.6 (12) |
| 45 | 2.7 (9) | 5.9 (19) | 4.0 (13) | 15.2 (50) | 4.0 (13) |
| 60 | 2.7 (9) | 6.1 (20) | 3.1 (10) | 18.3 (60) | 6.1 (20) |
| 90 | 2.7 (9) | 6.1 (20) | 2.7 (9) | 19.5 (64) | 7.3 (24) |

Figure 10.2.1 – Parking Guide to Correspond with Table



10.3 OFF-STREET LOADING AREAS

- (1) Where a proposed development will, in the opinion of the Development Authority, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.
- (2) When required by the Development Authority, loading spaces shall:

- (a) have dimensions of not less than 3.5 m (11.5 ft.) in width, 7.5 m (24.6 ft.) in length, and 4.0 m (13.1 ft.) in height above grade;
 - (b) have vehicular ingress to, and egress from, a road or lane either directly or by a clearly defined traffic aisle such that no backing or turning movements of vehicles going to or from the loading space shall cause interference with traffic in the abutting road or lane;
 - (c) be sited at an elevation or elevations convenient to a major floor level in building or to a utility elevator serving each major floor level;
 - (d) be so graded and drained as to dispose of all storm water runoff. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority;
 - (e) be surfaced in the same manner as the adjacent road or lane; and
 - (f) be screened on each side adjoining any Residential District by a wall, fence, earth berm or hedge of not less than 1.5 m (4.9 ft.) and not more than 2.0 m (6.6 ft.) in height.
- (3) The number of loading spaces required to be provided in a development shall be as follows:
- (a) For a retail, industrial, warehouse, or similar development,
 - (i) one (1) space for a development of less than 460 m² (4951.6 ft²) of gross leasable area, plus
 - (ii) one (1) space for the next 1840 m² (19,805.6 ft²) of gross leasable area or fraction thereof in a development, plus
 - (iii) one (1) additional space for each additional 2300 m² (24,757.0 ft²) of gross leasable area or fraction thereof in a development.
 - (b) For an office use, place of public assembly, convalescent home, institution, club or lodge, school or any similar use, one (1) space for a development of less than 2800 m² (30,139.9 ft²) of gross floor area, and one (1) additional space for each additional 2800 m² (30,139.9 ft²) of gross floor area or fraction thereof.
 - (c) For multi-family dwellings, one (1) space for each twenty (20) dwelling units or fraction thereof.
 - (d) Any other building or use shall provide loading spaces as required by the Development Authority.
 - (e) Where a fractional number of loading spaces are required, the next highest number of spaces shall be provided.

PART 11 – SIGNS

11.1 PURPOSE

- (1) The purpose of this Chapter is to regulate the development and display of signage within the Town of Rimbey. This Chapter provides signage development standards related to:
 - (a) Location.
 - (b) Type.
 - (c) Quantity.
 - (d) Height.
 - (e) Size.

11.2 DEFINITIONS

- (1) For the purpose of this Part the following definitions shall apply, in addition to those contained in Section 2.2:
 - (a) "A-Frame Sign" means a temporary, movable, self-supporting A-shaped sign consisting of two flat surfaces joined at the upper end and resting on the ground
 - (b) "Awning Sign" means a non-illuminated sign painted on the fabric surface supported by an exterior wall of a building
 - (c) "Billboard" means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located
 - (d) "Building Face" means the total area of the wall of a building
 - (e) "Copy" means the text, illustrations and symbols that make up the message on a sign
 - (f) "Freestanding Sign" means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure
 - (g) "Identification Sign" any sign which is used to display the address, and name of a building or parcel of land
 - (h) "Illuminated Sign" means any sign illuminated either directly from a source of light incorporated in or connected with the sign, or indirectly from an artificial source
 - (i) "Portable Sign" means a sign, excluding A-board and temporary signs that can be carried or transported from one site to another
 - (j) "Projecting Sign" means a sign, which is attached to a building or structure so that part of the sign projects beyond the face of the building or structure
 - (k) "Real-Estate Sign" means any temporary sign which advertises for the sale, lease, or rent of a building or parcel of land
 - (l) "Roof Sign" means any sign placed on or over a roof
 - (m) "Rotating Sign" means any sign or part of a sign which moves in a clockwise or counter-clockwise motion

- (n) "Sign" means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as provided for in this Bylaw, is subject to all regulations governing signs.
- (o) "Sign Area" means the total surface area within the outer periphery of the said sign, and in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
- (p) "Sign Height" means the vertical distance measured from natural grade at the base of the sign to the highest point of such sign.
- (q) "Temporary Sign" means a sign or banner that is not permanently installed or affixed, advertising a product, activity or event on a limited time basis and does not include a portable sign.
- (r) "Third Party Sign" typically associated with a "Billboard Sign" means a sign, which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premise on which the sign is located
- (s) "Vehicle Sign" means a sign mounted, posted or otherwise adhered on or to a motor vehicle, including but not limited to trailers, wagons, tractors, and recreational vehicles
- (t) "Wall Sign" means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building
- (u) "Window Sign" means a sign which is painted on or affixed to a window and faces towards an adjacent sidewalk or roadway

11.3 SIGNS

- (1) Sign Permit Required:
 - (a) Except as stated in Section 10.3(2), no sign shall be erected or altered on land or affixed to any exterior surface of a building or structure unless a sign permit for this purpose has been issued by the Development Authority
 - (b) Unless otherwise specified in this Bylaw a permit is required for the following signs:
 - (i) Free standing sign
 - (ii) Wall sign
 - (iii) Canopy sign
 - (iv) Rotating sign
 - (v) Projecting sign
 - (vi) Roof sign
 - (vii) Billboard sign
 - (viii) Portable sign

- (2) Sign Permit Not Required:
- (a) Unless otherwise specified in this Bylaw no sign permit is required for the following signs:
- (i) Signs posted or displayed within the interior space of a building
 - (ii) Signs posted or displayed in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign
 - (iii) A statutory or official notice of a function of the Town
 - (iv) Signs posted by a municipal, provincial, or federal government agency
 - (v) Traffic and directional signs authorized by the Town and/or Alberta Provincial Authorities
 - (vi) The erection of campaign signs for federal, provincial, municipal, or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that
 - (1) such signs are removed within ten (10) days of the election date
 - (2) the consent of the property owner or occupant is obtained
 - (3) such signs do not obstruct or impair vision or traffic
 - (4) such signs are not attached to utility poles
 - (5) such signs indicate the name and address of the sponsor and the person responsible for removal
 - (vii) A non-illuminated sign that is posted or exhibited solely for the identification of the address or name of the land or building on which it is displayed including signs identifying the occupants, if the sign:
 - (1) does not exceed 1.0 m² in area, and
 - (2) is posted only at each entrance from which access from a public roadway to the building is provided
 - (3) does not advertise for a home-based business or bed and breakfast establishment
 - (viii) A non-illuminated sign that is posted or exhibited for sale, lease or rentals of land or a building if the sign:
 - (1) is 3.0 m² or less in area
 - (2) is posted only on each side of the building or land facing a different public roadway
 - (ix) Window Sign
 - (x) An A-Frame sign:
 - (1) provided it is advertising for goods or services which are located for sale or offered on the same lot or on a sidewalk adjacent to the same lot
 - (2) does not obstruct vehicular or pedestrian traffic
 - (xi) A non-illuminated sign of a building contractor relating to construction work in progress on the land on which such signs are erected, provided that:
 - (1) such signs are removed within fourteen (14) days of occupancy, and

- (2) such sign are limited in size to a maximum of 3.0 m², and in number to one sign for each boundary of the property under construction which fronts onto a public street.

11.4 SIGNS PERMIT SUBMISSION

- (1) An application for a Development Permit to structurally alter or erect a Sign that requires a Development Permit shall be made to the Development Authority and shall include the following:
 - (a) A letter of consent from the registered owner of the land or building upon which the sign will be located.
 - (b) A letter outlining the contact information of the owner of the Sign.
 - (c) The location of all existing and proposed Signs on the building façade or on a site plan of the parcel indicating the front and side property lines, setbacks and distances from existing buildings.
 - (d) Two copies of a rendering / illustration of the proposed Sign with dimensions and total Sign Area, height of top and bottom of the Sign above average ground level and thickness of the Sign.
 - (e) Materials, finishes, colours, size of lettering and graphics.
 - (f) Mounting or installation details: the Development Authority may require that a structural drawing be prepared and sealed by a Professional Engineer.
 - (g) Mounting height or clearance to grade.
 - (h) The appropriate fee.

11.5 PROHIBITED LOCATION

- (1) No part of any sign, including any accessory components, shall be located on any roadway, boulevard, sidewalk, or any other land owned by the Development Authority. Only 'A-Frame' type signs may be permitted on a sidewalk abutting a business but must first receive the written consent of the Development Authority.

11.6 SIGN DEVELOPMENT STANDARDS

- (1) Unless provided elsewhere in this Bylaw, signs shall be erected in accordance with the standards specified in Table 11.6.1.

Table 11.6.1 – Sign Development Standards

| Type of Sign | Land Use Designation and Development Standards | | | | | | | | | | | |
|---|--|---------------------|--------------------|--------------------------------|-------|--------------------|----------------|---------------------|--------------------|----------------|---------------------|--------------------|
| | PS | | | R1, R1A, R2, R3, RCE, MHP, MHS | | | C1 | | | C2, M | | |
| | # | H | SA | # | H | SA | # | H | SA | # | H | SA |
| Freestanding Sign | 1 | 4.0 m | 3.0 m ² | 1 | 1.5 m | 1.5 m ² | 1 | 10m | 10 m ² | 1 | 10 m | 12 m ² |
| Wall Sign | 1 | N/A | 3.0 m ² | 1 | N/A | 1.0 m ² | 1 [^] | N/A | 20 m ² | 1 [^] | N/A | 24 m ² |
| A-Frame Sign | 1* | 1.0 m | 0.7 m ² | Not Permitted | | | 1* | 1.0 m | 0.7 m ² | 1* | 1.0 m | 0.7 m ² |
| Temporary Sign | 1 | 4.0 m | 3.0 m ² | Not Permitted | | | 1 | 6.0 m | 9.0 m ² | 1 | 6.0 m | 9.0 m ² |
| Canopy Sign | 1* | 2.5 m ^{**} | 1.5 m ² | Not Permitted | | | 1* | 2.5 m ^{**} | 1.5 m ² | 1* | 2.5 m ^{**} | 1.5 m ² |
| Rotating Sign | Not permitted | | | Not Permitted | | | 1 | 10 m | 10 m ² | 1 | 12 m | 15 m ² |
| Projecting Sign | Not permitted | | | Not Permitted | | | 1 | 2.5 m ^{**} | 1.5 m ² | 1 | 2.5 m ^{**} | 1.5 m ² |
| Roof Sign | Not Permitted | | | Not Permitted | | | 1 | 7.5 m | 10 m ² | 1 | 10 m | 15 m ² |
| Billboard Sign | Not Permitted | | | Not Permitted | | | 1 | 10 m | 10 m ² | 1 | 9.5 m | 12 m ² |
| Portable Sign | Not Permitted | | | Not Permitted | | | 1 | 2.5 m | 3.0m ² | 1 | 2.5 m | 3.0 m ² |
| <p>Key</p> <p># = Refers to the maximum Number of Signs permitted per lot</p> <p>H = Refers to the maximum Sign Height permitted</p> <p>SA = Refers to the maximum Sign Area permitted</p> <p>[^] = Refers to the maximum number of permitted signs per each side of a building facade</p> <p>* = Refers to the maximum number of permitted signs per business on a lot</p> <p>** = Refers to the minimum vertical clearance from grade or, if applicable, a sidewalk to the bottom of the sign</p> | | | | | | | | | | | | |

- (2) In addition to the standards specified in Table 3, the following regulations will also apply:
- (a) Awning/Canopy Sign
 - (i) No portion of the canopy/awning shall be closer than 600 mm to a vertical line drawn from the adjacent curb.
 - (b) Billboard Sign
 - (i) Where a billboard shares a lot with a building, no billboard shall be located in the front or side yard which runs parallel to an adjacent roadway.
 - (ii) Billboards shall be spaced at a distance of 90 metres from one another.
 - (iii) Where a portable sign is serving as a billboard it shall be spaced 45 metres from other portable or permanent signs serving as billboards.
 - (c) Freestanding Signs
 - (i) No freestanding sign shall be located within 10 m of the intersection of lanes/streets, or a street or lane.
 - (ii) For any lot located in the C2 or M designations, one Freestanding Sign shall be permitted for every 90 metres of frontage.
 - (iii) Illuminated Freestanding Signs shall be permitted only in C1, C2 and M designations.
 - (iv) Copy is permitted on both sides of Freestanding Signs, including signs angled up to 90 degrees, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (v) Freestanding Signs shall not be located closer than 1.0 m to any front, rear, or side property line.
 - (vi) In accordance with Alberta Transportation's setback requirements where abutting a highway.
 - (d) Wall Signs
 - (i) Wall signs shall be restricted to the first storey of the building in the R1, R2, R3, MHP, MHS, RCE, PS zone designations.
 - (ii) Wall signs shall not project more than 0.4 m horizontally from the Building Face to which it is attached.
 - (iii) Illuminated Wall Signs shall be permitted only in C1, C2, and M designations.
 - (e) Portable Signs
 - (i) Copy is permitted on both sides of Projecting Signs, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (ii) Maximum one (1) Portable Sign shall be displayed per lot.
 - (iii) Portable Signs shall not be located within a required off street parking space or a driveway.

- (f) Projecting Signs
 - (i) Copy is permitted on both sides of Projecting Signs, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (ii) The height of a Projecting Sign shall refer to the minimum vertical clearance from grade or, if applicable, a sidewalk, and shall be a minimum of 2.5m.

- (g) Temporary Signs
 - (i) Large Temporary Signs relating to the sale or renting of land, the sale of goods or livestock, the carrying out of building or similar work, or announcement of any local event must obtain a development permit and meet the following conditions:
 - (1) Maximum two (2) Temporary Signs not exceeding a total Sign Area of 9.0 m²;
 - (2) Copy is permitted on both sides of the Temporary Sign, including signs angled up to 90 degrees, therefore allowing Sign Area to be double the permitted Sign Area;
 - (3) The maximum Sign Height shall not exceed 6.0 m;
 - (4) The Temporary Sign shall be removed by the advertiser within fifteen (15) days of the completion of the event, sale, or works to which such signs relate.

- (h) Signage for a Bed and Breakfast
 - (i) Each Bed and Breakfast homestay shall provide one (1) on-site Freestanding Sign for the purpose of identification and shall be regulated in accordance with the following requirements:
 - (1) The sign shall be located within the front yard and must be visible from a public road;
 - (2) The sign be attached to either existing fencing or on independent posts to the satisfaction of the Development Authority;
 - (3) The sign shall be constructed using high density plywood or solid wood and shall be finished with high density reflective finish or equivalent, with dye cut lettering or silk screen lettering.

11.7 ADDITIONAL SIGN REGULATIONS

- (1) All signs requiring a sign permit shall follow the development permit process as specified under Section 4.1 of this Bylaw.
- (2) Council may require the removal of any sign, which is in its opinion, has become unsightly, or is in such a state of disrepair as to constitute a hazard.
- (3) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.

- (4) Where, in the opinion of the Development Authority, a proposed sign in a Commercial or Industrial District might be objectionable to a resident in any adjacent residential district, the Development Authority may impose such other regulations as they feel would protect the interests of residents.
- (5) Flashing, animated or interiorly illuminated signs shall not be permitted in any district where in the opinion of the Development Authority they might:
 - (a) affect residents in adjacent housing, or residential districts;
 - (b) interfere with or obstruct a motor vehicle driver's vision or interpretation of oncoming traffic signs or traffic signal lights.
- (6) Notwithstanding Subsection (5), no person shall exhibit or place an illuminated sign that permits or provides for:
 - (a) a current interrupting or flashing device, unless there is a continuous source of concealed illumination on the translucent portions of the sign;
 - (b) a flashing beacon of a type that is the same or similar to those used by emergency vehicles;
 - (c) a flashing device, animator or revolving beacon within 50.0 m of the intersection of two or more public roadways;
 - (d) a device described in 11.7(5) that would be directly visible from any residential building within a distance of 50.0 m of the sign.
- (7) No person shall erect or place a sign so that it would be considered, in the opinion of the Development Authority, to be a traffic hazard or an obstruction to the vision of persons driving motor vehicles.
- (8) The area around sign structures shall be kept clean and free of overgrown vegetation, and free from refuse material.
- (9) The Development Authority may at their discretion require an engineer-approved plan prior to the issuance of a sign permit in order to ensure the safety of a sign, awning or canopy design and placement.
- (10) Notwithstanding Section 4.1 of this Bylaw, the Development Authority may, with respect to an application for a sign permit,
 - (a) grant a sign permit to an applicant subject to such conditions considered necessary to ensure this Bylaw is complied with;
 - (b) refuse the application.

PART 12 - DISTRICTS AND REGULATIONS

12.1 ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

- (1) Land use district and land use regulations shall be set forth in Part 11 and may be amended in the same manner as any other Part or Section of this Bylaw.

12.2 LAND USE DISTRICTS

- (1) The Town is hereby divided into the following districts:

| Designation Name | Designation Acronym |
|---------------------------------|----------------------------|
| Low Density Residential | R1 |
| Low Density General Residential | R2 |
| High Density Residential | R3 |
| Manufactured Home Park | MHP |
| Manufactured Home Subdivision | MHS |
| Residential Country Estate | RCE |
| Central Commercial | C1 |
| Highway Commercial | C2 |
| Industrial | M |
| Public Service | PS |
| Direct Control | DC |

12.3 LAND USE DISTRICT MAP

- (1) Land use districts specified under 11.2 are described in the short form on the LAND USE DISTRICT MAP which is an integral part of this Bylaw.
- (2) Throughout this Bylaw and amendments thereto, a District may be referred to either by its full name or its abbreviation.
- (3) The district regulations are delineated on the LAND USE DISTRICT MAP. Where uncertainty arises as to the precise location of the property of any district, the following rules shall apply:

- (a) Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centreline thereof.
- (b) Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
- (c) In circumstances not covered by (a) and (b) the location of the district boundary shall be determined by:
 - (i) Where dimensions are set out on the Land Use District Map, by the dimensions so set, or
 - (ii) Where dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
- (4) Where the application of the above rules does not determine the exact location of the boundary of a district, the Council either on its motion or upon written application being made to it by a person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the regulations of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- (5) After Council has fixed a district boundary pursuant to the provisions of subsection (3), the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.
- (6) The Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

12.4 LOW DENSITY RESIDENTIAL (R1)

(1) Purpose

The R1 – Low Density Residential designation is intended to accommodate the development of low-density residential development on moderately sized lots throughout the community.

(2) Permitted and Discretionary Uses

Table 12.4.1 outlines the permitted and discretionary uses contemplated in the R1 designation where approval is subject to the issuance of an authorized development permit.

Table 12.4.1

| Permitted Uses | Discretionary Uses |
|---|---|
| <ul style="list-style-type: none"> • Housing, secondary suite • Housing, single-detached • Home based business • Park | <ul style="list-style-type: none"> • Bed and breakfast • Day care centre, adult • Day care centre, child • Group home • Housing, modular • Religious institution • Utility installations • Solar Collectors |

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

| Use | Minimum Lot Area |
|--|--------------------|
| Housing, single-detached | 550 m ² |
| Other principle uses listed in Table 1.2.1 | 550 m ² |

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

| Use | Minimum Lot Frontage (m) |
|--|--------------------------|
| Housing, single-detached | 15 metres |
| Other principle uses listed in Table 1.2.1 | 15 metres |

(5) Lot Coverage

The maximum lot coverage of buildings (principle and accessory) shall be in accordance with the following table:

| Use | Maximum Lot coverage (%) |
|--|--------------------------|
| Housing, single-detached | 40% |
| Other principle uses listed in Table 1.2.1 | 40% |

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

| Use | Minimum Front Yard Setback (m) |
|--|--------------------------------|
| Housing, single-detached | 6 metres |
| Other principle uses listed in Table 1.2.1 | 6 metres |

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

| Use | Minimum Rear Yard Setback (m) |
|--|-------------------------------|
| Housing, single-detached | 6 metres |
| Other principle uses listed in Table 1.2.1 | 6 metres |

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

| Use | Minimum Side Yard Setback (m) |
|--|-------------------------------|
| Housing, single-detached (side property line of a flanking street) | 3.0 metres |
| Housing, single-detached (on one side of the lot where there is no road or lane access from the rear yard) | 3.0 metres |
| Other principle uses listed in Table 1.2.1 | 1.5 metres |

(9) Height

The maximum building height shall be in accordance with the following table:

| Use | Maximum Building Height (m) |
|--|-----------------------------|
| Housing, single-detached | 11 metres |
| Other principle uses listed in Table 1.2.1 | 11 metres |

(10) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.5 LOW DENSITY GENERAL RESIDENTIAL (R2)

(1) Purpose

The R2 – Low Density General Residential designation is intended to provide opportunities for innovation in residential development. Through the provision of narrower lots the development of low density housing types will be provided at higher than conventional densities

(2) Permitted and Discretionary Uses

Table 12.5.1 outlines the permitted and discretionary uses contemplated in the R2 designation where approval is subject to the issuance of an authorized development permit

Table 12.5.1

| Permitted Uses | Discretionary Uses |
|--|---|
| <ul style="list-style-type: none"> • Housing, duplex • Housing, single-detached • Housing, secondary suite • Home based business • Park | <ul style="list-style-type: none"> • Bed and breakfast • Day care centre, adult • Day care centre, child • Group home • Housing, modular • Religious institution • Utility installations • Solar Collectors |

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

| Use | Minimum Lot Area |
|---|-------------------------------|
| Housing, duplex | 200 m ² (per unit) |
| Housing, single detached (with adjacent rear lane) | 250 m ² |
| Housing, single detached (without adjacent rear lane) | 400 m ² |
| Other principle uses listed in Table 2.2.1 | 325 m ² |

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

| Use | Minimum and Maximum Lot Frontage (m) |
|---|--|
| Housing, duplex | Minimum 7.5 metres but maximum 10.5 metres |
| Housing, single detached (with adjacent rear lane) | Minimum/maximum of 7.5 metres |
| Housing, single detached (without adjacent rear lane) | Minimum/maximum of 10.5 metres |
| Other principle uses listed in Table 2.2.1 | Minimum 7.5 metres but maximum 10.5 metres |

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

| Use | Maximum Lot coverage (%) |
|---|--------------------------|
| Housing, duplex | 55% |
| Housing, single detached (with adjacent rear lane) | 55% |
| Housing, single detached (without adjacent rear lane) | 55% |
| Other principle uses listed in Table 2.2.1 | 55% |

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

| Use | Minimum Front Yard Setback (m) |
|---|--------------------------------|
| Housing, duplex | 6 metres |
| Housing, single detached (with adjacent rear lane) | 6 metres |
| Housing, single detached (without adjacent rear lane) | 6 metres |
| Other principle uses listed in Table 2.2.1 | 6 metres |

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

| Use | Minimum Rear Yard Setback (m) |
|--|-------------------------------|
| Housing, duplex | 5 metres |
| Housing, single detached (with adjacent rear | 5 metres |

| | |
|---|----------|
| lane) | |
| Housing, single detached (without adjacent rear lane) | 5 metres |
| Other principle uses listed in Table 2.2.1 | 5 metres |

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

| Use | Minimum Side Yard Setback (m) |
|--|-------------------------------|
| Housing, duplex | 1.5 metres |
| Housing, single-detached (side property line of a flanking street) | 3.0 metres |
| Housing, single-detached (on one side of the lot where there is no road or lane access from the rear yard) | 3.0 metres |
| Other principle uses listed in Table 2.2.1 | 1.5 metres |

(9) Height

The maximum building height shall be in accordance with the following table:

| Use | Maximum Building Height (m) |
|---|-----------------------------|
| Housing, duplex | 11 metres |
| Housing, single detached (with adjacent rear lane) | 11 metres |
| Housing, single detached (without adjacent rear lane) | 11 metres |
| Other principle uses listed in Table 2.2.1 | 11 metres |

(10) Design Regulations

- (a) Where a lot has access to an adjacent rear lane, no vehicular access to the lot shall be provided from the fronting public roadway.
- (b) Where there is an attached garage accessed via the fronting public roadway, the garage shall not extend more than 1.0 metre in front of the living space of the dwelling.
- (c) Where there is an attached garage accessed via the fronting public roadway, the width of the garage facing the fronting roadway shall not exceed 50 percent of the total front façade/elevation of a dwelling.

(11) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.6 HIGH DENSITY RESIDENTIAL (R3)

(1) Purpose

The R3 - High Density Residential designation is intended to provide opportunities for the development of higher density residential. The intent of this zone is to encourage residential development at higher densities in close proximity to key nodes and/or corridors

(2) Permitted and Discretionary Uses

Table 12.6.1 outlines the permitted and discretionary uses contemplated in the R3 designation where approval is subject to the issuance of an authorized development permit

Table 12.6.1

| Permitted Uses | Discretionary Uses |
|---|---|
| <ul style="list-style-type: none"> • Housing, duplex • Housing, triplex • Housing, fourplex • Housing, row housing • Housing, secondary suite • Public parks and recreation areas | <ul style="list-style-type: none"> • Bed and breakfast • Day care centre, adult • Day care centre, child • Group home • Home businesses • Housing, high rise apartment • Housing, low rise apartment • Religious institution • Utility installations • Solar Collectors |

(3) Lot Area

The minimum lot area shall be as specified in the following table:

| Use | Minimum Lot Area (m2) |
|--|-------------------------------|
| Housing, duplex | 250 m ² |
| Housing, low rise/high rise apartment | 500 m ² |
| Housing, triplex | 500 m ² |
| Housing, fourplex | 500 m ² |
| Housing, row | 120 m ² (per unit) |
| Other principle uses listed in Table 3.2.1 | 500 m ² |

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

| Use | Minimum Lot Frontage (m) |
|--|--------------------------|
| Housing, duplex | 7.5 metres |
| Housing, low rise/high rise apartment | 15 metres |
| Housing, triplex | 15 metres |
| Housing, fourplex | 15 metres |
| Housing, row | 4 metres (per unit) |
| Other principle uses listed in Table 3.2.1 | 15 metres |

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

| Use | Maximum Lot coverage (%) |
|--|--------------------------|
| Housing, duplex | 50% |
| Housing, low rise/high rise apartment | 50% |
| Housing, triplex | 50% |
| Housing, fourplex | 50% |
| Housing, row | 50% |
| Other principle uses listed in Table 3.2.1 | 50% |

(6) Setback

Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

| Use | Minimum Front Yard Setback (m) |
|--|--------------------------------|
| Housing, duplex | 6 metres |
| Housing, low rise/high rise apartment | 6 metres |
| Housing, triplex | 6 metres |
| Housing, fourplex | 6 metres |
| Housing, row | 6 metres |
| Other principle uses listed in Table 3.2.1 | 6 metres |

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

| Use | Minimum Rear Yard Setback (m) |
|-----------------|-------------------------------|
| Housing, duplex | 5 metres |

| | |
|--|----------|
| Housing, low rise/high rise apartment | 5 metres |
| Housing, triplex | 5 metres |
| Housing, fourplex | 5 metres |
| Housing, row | 5 metres |
| Other principle uses listed in Table 3.2.1 | 5 metres |

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

| Use | Minimum Side Yard Setback (m) |
|--|-------------------------------|
| Housing, duplex | 1.5 metres |
| Housing, low rise/high rise apartment | 3 metres |
| Housing, triplex | 1.5 metres |
| Housing, fourplex | 1.5 metres |
| Housing, row | 1.5 metres |
| Other principle uses listed in Table 3.2.1 | 1.5 metres |

(9) Height

The maximum building height shall be in accordance with the following table:

| Use | Maximum Building Height (m) |
|--|-----------------------------|
| Housing, duplex | 11 metres |
| Housing, low rise/high rise apartment | 20 metres |
| Housing, triplex | 11 metres |
| Housing, fourplex | 11 metres |
| Housing, row | 11 metres |
| Other principle uses listed in Table 3.2.1 | 11 metres |

(1) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.7 MANUFACTURED HOME PARK (MHP)

(1) Purpose

The MHP – Manufactured Home Park designation is intended to provide for and regulate the development of land for the use of manufactured homes on lots in comprehensively designed parks wherein no individually titled parcels have been created.

(2) Permitted and Discretionary Uses

Table 12.7.1 outlines the permitted and discretionary uses contemplated in the MHP designation where approval is subject to the issuance of an authorized development permit.

Table 12.7.1

| Permitted Uses | Discretionary Uses |
|--|---|
| <ul style="list-style-type: none"> • Housing, manufactured home • Housing, modular • Park | <ul style="list-style-type: none"> • Group homes • Home businesses • Utility installations • Solar Collectors |

(3) General Regulations

- (a) A Comprehensive site plan shall be required for manufactured home parks developed after 2015.
- (b) Prior to the development of a new Manufactured Home Park the applicant will submit to the Development Authority a comprehensive site plan and/or any other supporting documentation that will identify the following elements:
 - (i) Site area with lot lines of the manufactured home park and any titled lots clearly delineated.
 - (ii) Proposed layout and placement of individual housing units.
 - (iii) Internal and adjacent pedestrian or walkway connections.
 - (iv) Internal and adjacent roadways.
 - (v) Internal and perimeter landscaping.
 - (vi) Garbage areas.
 - (vii) Parking areas.
 - (viii) Recreational areas.
 - (ix) Storage areas.
- (c) A development permit and move-in permit are required anytime a new manufactured home unit is moved onto a Manufactured Home Park site. Move-in permits shall require the Manufactured home unit serial number, model number and Canadian Standard Association Certification.
- (d) A move-out permits is required when units vacate a site. A new move-in permits shall not be issued until a move-out permit has been completed for the lot.

- (e) All permits are the responsibility of the Manufactured Home Park site.

(4) Manufactured Home Park Size

- (a) The gross density of a residential home park is 17 manufactured homes per hectare
- (b) A residential home park shall have a minimum park area of 2 hectares but a maximum park area of 4 hectares

(5) Setbacks

- (a) The minimum yard requirements for manufactured homes shall be at least:
 - (i) 3.5 m from a similar manufactured home unit.
 - (ii) 6.0 m from any lot line of the manufactured home park.
 - (iii) 3.0 m from any internal access road or common parking area.

(6) Height

- (a) The maximum height as specified in section 11.8 shall apply.

(7) Design Regulations

- (a) All additions shall be designed in a manner that complements the manufactured homes.
- (b) Five percent of the gross area of a manufactured home park shall be developed for recreational use either in the form of indoor community building and/or outdoor recreational space.

(8) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.8 MANUFACTURED HOME SUBDIVISION (MHS)

(1) Purpose

The MHS – Manufactured Home Subdivision designation is intended to provide for and regulate the development of land for the use of manufactured homes on separately titled parcels.

(2) Permitted and Discretionary Uses

Table 12.8.1 outlines the permitted and discretionary uses contemplated in the MHS designation where approval is subject to the issuance of an authorized development permit.

Table 12.8.1

| Permitted Uses | Discretionary Uses |
|---|--|
| <ul style="list-style-type: none"> • Housing, manufactured home • Housing, modular • Public parks and recreation areas | <ul style="list-style-type: none"> • Group homes • Home businesses • Utility installations • Uses accessory to the above • Solar Collectors |

(3) Manufactured Home Subdivision

The following development standards apply to areas where individually titled parcels have been created.

(4) Lot Area

The minimum lot area shall be as specified in the following table:

| Use | Minimum Lot Area (m ²) |
|----------------------------|------------------------------------|
| Housing, manufactured home | 375 m ² |
| All other principle uses | 500 m ² |

(5) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

| Use | Minimum Lot Frontage (m) |
|----------------------------|--------------------------|
| Housing, manufactured home | 7.5 metres |

| | |
|--------------------------|-----------|
| All other principle uses | 15 metres |
|--------------------------|-----------|

(6) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

| Use | Maximum Lot coverage (%) |
|----------------------------|--------------------------|
| Housing, manufactured home | 50% |
| All other principle uses | 50% |

(7) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

| Use | Minimum Front Yard Setback (m) |
|----------------------------|--------------------------------|
| Housing, manufactured home | 6 metres |
| All other principle uses | 6 metres |

(8) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

| Use | Minimum Rear Yard Setback (m) |
|----------------------------|-------------------------------|
| Housing, manufactured home | 3 metres |
| All other principle uses | 5 metres |

(9) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

| Use | Minimum Side Yard Setback (m) |
|----------------------------|-------------------------------|
| Housing, manufactured home | 1.5 metres |
| All other principle uses | 1.5 metres |

(10) Height

The maximum building height shall be in accordance with the following table:

| Use | Maximum Building Height (m) |
|----------------------------|-----------------------------|
| Housing, manufactured home | 5 metres |
| All other principle uses | 11 metres |

(11) Design Regulations

- (a) All additions shall be designed in a manner that complements the manufactured homes.
- (b) Ten percent of the gross area of a manufactured home park shall be developed for recreational use either in the form of indoor community building and/or outdoor recreational space.

(12) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.9 RESIDENTIAL COUNTRY ESTATE (RCE)

(1) Purpose

The RCE – Residential Country Estate designation is intended to accommodate low-density residential development in a naturalized environment but where minimal urban infrastructure and services are provided

(2) Permitted and Discretionary Uses

Table 12.9.1 outlines the permitted and discretionary uses contemplated in the RCE designation where approval is subject to the issuance of an authorized development permit

Table 12.9.1

| Permitted Uses | Discretionary Uses |
|--|--|
| <ul style="list-style-type: none"> • Housing, secondary suite • Housing, single-detached • Park | <ul style="list-style-type: none"> • Bed and breakfast • Day care centre, adult • Day care centre, child • Group home • Home businesses • Religious institution • Utility installations • Solar Collectors |

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

| Use | Minimum Lot Area |
|--|------------------|
| Housing, single-detached | 0.5 acres |
| Other principle uses listed in Table 5.2.1 | 0.5 acres |

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

| Use | Minimum Lot Frontage (m) |
|--|--------------------------|
| Housing, single-detached | 15 metres |
| Other principle uses listed in Table 5.2.1 | 15 metres |

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

| Use | Maximum Lot coverage (%) |
|--|--------------------------|
| Housing, single-detached | 50% |
| Other principle uses listed in Table 5.2.1 | 50% |

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

| Use | Minimum Front Yard Setback (m) |
|--|--------------------------------|
| Housing, single-detached | 10 metres |
| Other principle uses listed in Table 5.2.1 | 10 metres |

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

| Use | Minimum Rear Yard Setback (m) |
|--|-------------------------------|
| Housing, single-detached | 20 metres |
| Other principle uses listed in Table 5.2.1 | 20 metres |

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

| Use | Minimum Side Yard Setback (m) |
|--|-------------------------------|
| Housing, single-detached | 5 metres |
| Other principle uses listed in Table 5.2.1 | 5 metres |

(9) Height

The maximum building height shall be in accordance with the following table:

| Use | Maximum Building Height (m) |
|--|-----------------------------|
| Housing, single-detached | 11 metres |
| Other principle uses listed in Table 5.2.1 | 11 metres |

(10) Additional Regulations

(a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.

- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.10 CENTRAL COMMERCIAL (C1)

(1) Purpose

The C1 – Central Commercial designation is intended to provide for a wide variety of commercial, institutional and residential uses within the town centre. The intent is to foster mixed-use development and encouraging vibrancy in a manner that facilitates pedestrian movement.

(2) Permitted and Discretionary Uses

Table 12.10.1 outlines the permitted and discretionary uses contemplated in the C1 designation where approval is subject to the issuance of an authorized development permit.

Table 12.10.1

| Permitted Uses | Discretionary Uses |
|---|--|
| <ul style="list-style-type: none"> • Art gallery • Bakery • Club • Convenience store • Dry cleaning/Laundromat services • Financial Services • Funeral home • Grocery store • Hotel • Housing, mixed use • Office • Medical clinic • Motel • Personal Services • Public administration • Religious Institution • Restaurant • Retail • Sign • Theatre | <ul style="list-style-type: none"> • Adult entertainment • Automotive sales and/or rental • Automotive supply store • Car/Truck wash • Contracting services • Gas bar • Housing, apartment (low rise) • Housing, apartment (high rise) • Liquor store • Nightclub • Parking facility • Pawn shop • Recycling depot • Repair shop • Restaurant – drive thru • Solar Collectors • Utility installations |

(3) Development Standards

The Development Standards for all uses listed in Table 12.10.1 shall adhere to the standards listed in Table 12.10.2

Table 12.10.2

| Development Standard | Site Standard |
|------------------------------------|--------------------|
| Minimum Lot Area (m ²) | 250 m ² |
| Minimum Lot Frontage (m) | 6 m |
| Maximum Lot Coverage (%) | 80% |
| Minimum Front Yard Setback (m) | nil |
| Minimum Rear Yard Setback (m) | 6 m |
| Minimum Side Yard Setback (m) | Nil |
| Maximum Height | 15 m |

(4) Design Regulations

- (a) The façade of any principle building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) Buildings should be built to the property line in order to create a defined relationship with the public realm.
- (c) A minimum of 60% of the ground floor of any building should be finished in clear glazing to allow for natural surveillance, and to create an engaging and vibrant public realm. Reflective or tinted glazing should be discouraged.
- (d) The street wall, where it runs parallel to a roadway, should be designed to occupy 100% of a lot's frontage.
- (e) The provision of canopies or awnings are encouraged in order to provide weather protection for pedestrians.
- (f) No parking area shall be located within the front yard of any lot. Parking areas should be located within the rear yard, with vehicular access from an adjacent lane.
- (g) The ground floor of any residential building should be utilized for commercial purposes.
- (h) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.11 HIGHWAY COMMERCIAL (C2)

(1) Purpose

The C2 – Highway Commercial designation is intended to accommodate the development of a wide array of commercial uses on lots adjacent to roadways that facilitate large volumes of automotive traffic.

(2) Permitted and Discretionary Uses

Table 12.11.1 outlines the permitted and discretionary uses contemplated in the C2 designation where approval is subject to the issuance of an authorized development permit.

Table 12.11.1

| Permitted Uses | Discretionary Uses |
|--|---|
| <ul style="list-style-type: none"> • Auction mart • Automotive sales and/or rental • Automotive supply store • Bakery • Car/Truck wash • Club • Convenience store • Dry cleaning/laundromat services • Financial Services • Funeral home • Gas bar • Grocery store • Hotel • Office • Medical clinic • Motel • Personal Services • Public administration • Religious Institution • Restaurant • Restaurant – drive thru • Retail • Sign | <ul style="list-style-type: none"> • Any permitted use with a height exceeding 10 metres • Adult entertainment • Amusement arcade • Automotive service and/or paint shop • Contracting services • Gambling and gaming hall • Liquor store • Nightclub • Pawn shop • Recycling depot • Repair shop • Solar Collectors • Theatre • Trucking establishment • Utility installations • Warehouse |

(3) Development Standards

The Development Standards for all uses identified in Table 12.11.1 shall adhere to the standards listed in Table 12.11.2.

Table 12.11.2

| Development Standard | Site Standard |
|------------------------------------|----------------------|
| Minimum Lot Area (m ²) | 1000 m ² |
| Minimum Lot Frontage (m) | 6 m |
| Maximum Lot Coverage (%) | 65% |
| Minimum Front Yard Setback (m) | 8 m |
| Minimum Rear Yard Setback (m) | 5 m |
| Minimum Side Yard Setback (m) | 3 m |
| Maximum Height | 15 m |

(4) Design Regulations

- (a) The façade of any principle building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (a) No access to a lot shall be provided from Highway 20 or Highway 53 without obtaining the approval of Alberta Transportation.
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (c) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (d) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (e) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (f) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (g) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.12 INDUSTRIAL (M)

(1) Purpose

The M – Industrial designation is intended to accommodate the development of a wide array of industrial uses but which will not cause any objectionable or noxious conditions, be it noise, odour, dust, vibration or any other similar sensation, beyond the lot on which they are located.

(2) Permitted and Discretionary Uses

Table 12.12.1 outlines the permitted and discretionary uses contemplated in the M designation where approval is subject to the issuance of an authorized development permit.

(3) Table 12.12.1

| Permitted Uses | Discretionary Uses |
|---|---|
| <ul style="list-style-type: none"> • Agricultural sales and/or service • Animal kennel • Animal shelter • Auction mart • Automotive sales and/or rental • Automotive service and/or paint shop • Automotive supply store • Bakery • Car/Truck wash • Club • Convenience store • Contracting services • Dry cleaning/Laundromat services • Gas bar • Greenhouse • Manufacturing, processing, packaging or assembly of goods or materials • Mini storage • Public Administration • Repair shop • Sign • Trucking establishment • Warehouse • Veterinary clinic | <ul style="list-style-type: none"> • Abattoir • Amusement arcade • Adult entertainment • Auction mart • Bulk fuel and/or fertilizer sales and storage • Gambling and gaming hall • Liquor store • Meat processing plant • Recycling depot • Restaurant • Restaurant, drive-thru • Salvage yard • Solar Collectors • Wrecking yard |

(4) Development Standards

The Development Standards for all uses identified in Table 12.12.1 shall adhere to the standards listed in Table 12.12.2.

Table 12.12.2

| Development Standard | Site Standard |
|------------------------------------|----------------------|
| Minimum Lot Area (m ²) | 500 m ² |
| Minimum Lot Frontage (m) | 15 m |
| Maximum Lot Coverage (%) | 50% |
| Minimum Front Yard Setback (m) | 6 m |
| Minimum Rear Yard Setback (m) | 5 m |
| Minimum Side Yard Setback (m) | 3 m |
| Maximum Height | 15 m |

(5) Design Regulations

- (a) The façade of any principle building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) No outdoor storage of goods, materials, or equipment shall be permitted within any portion of a front, side, or rear yard, which runs parallel to an adjacent roadway.
- (c) All loading facilities should be located and accessed from a side and/or rear yard.
- (d) Additional design regulations may be required at the discretion of the Development Authority.

(6) Additional Regulations

- (a) No access to a lot shall be provided from Highway 20 or Highway 53 without obtaining the approval of Alberta Transportation.
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (c) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (d) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (e) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (f) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (g) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.13 PUBLIC SERVICE (PS)

(1) Purpose

The PS – Public Services designation is intended to accommodate the development of uses which serve the public and which are of benefit to the community.

(2) Permitted and Discretionary Uses

Table 12.13.1 outlines the permitted and discretionary uses contemplated in the PS designation where approval is subject to the issuance of an authorized development permit.

Table 12.13.1

| Permitted Uses | Discretionary Uses |
|--|---|
| <ul style="list-style-type: none"> • Cemetery • Community centre • Hospital • Landfill • Library • Museum • Park • Public administration • Recreational facility • School • Tourism information centre • Utility installations | <ul style="list-style-type: none"> • Animal shelter • Campground • Day care centre, adult • Day care centre, child • Golf course • Retail • Restaurant • Sign • Solar Collectors |

(3) Development Standards

The Development Standards for all uses identified in Table 12.13.1 shall adhere to the standards listed in Table 12.13.2.

Table 12.13.2

| Development Standards | Site Standard |
|------------------------------------|--------------------|
| Minimum Lot Area (m ²) | 500 m ² |
| Minimum Lot Frontage (m) | 15 m |
| Maximum Lot Coverage (%) | 75% |
| Minimum Front Yard Setback (m) | 7.5 m |
| Minimum Rear Yard Setback (m) | 5 m |
| Minimum Side Yard Setback (m) | 3 m |

| | |
|----------------|--------|
| Maximum Height | 12.2 m |
|----------------|--------|

(4) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.14 DIRECT CONTROL (DC)**(1) Purpose**

The DC – Direct Control designation is intended to provide control over the use and development of land or buildings for which Council has determined that, because of unique land use characteristics, innovative ideas, or special environmental concerns, such development could not be effectively accommodated under any other land use designation in this Bylaw.

(2) Permitted and Discretionary Uses

- (a) All permitted and discretionary uses shall be as prescribed in the previously written Statutory Plan.
- (b) In the absence of an adopted Area Structure Plan or Area Redevelopment Plan, any use which, in the opinion of the Development Authority, is compatible with the character of existing surrounding uses and adjacent designated Land Use Districts may also be allowed.

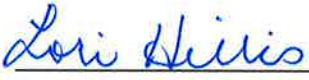



(3) 11.3 Development Standards

- (a) The Development Authority may require additional information to properly evaluate the proposed development in terms of its compliance with this Bylaw, and any applicable Statutory Plan.
- (b) All development shall comply with the lot sizes, building setback requirements and other development criteria as prescribed in any applicable Statutory Plan.

(4) Additional Regulations

- (a) All other development requirements shall be at the discretion of the Development Authority. In determining the appropriate requirements for a development in the DC District, the Development Authority shall have regard to any provisions in this Bylaw for similar uses or developments.
- (b) In the absence of an adopted Area Structure Plan or Area Redevelopment Plan, the regulations which will be applied to a development will be those which, in the opinion of the Development Authority, are compatible with the character of existing surrounding uses and adjacent designated Land Use Districts.

| | |
|------------------------------------|--|
| Council Agenda Item | 6.3 |
| Council Meeting Date | June 13, 2016 |
| Subject | Bylaw 918/16 Bylaw to Repeal Bylaw 749/03 |
| For Public Agenda | Public Information |
| Background | <p>Bylaw 749/03 was first presented to Council at a Regular Council Meeting held April 14, 2003. A review of the Minutes of April 14, 2003 verifies Council passed this Bylaw with four (4) motions, <u>Motion 147/03</u> (First Reading), <u>Motion 148/03</u> (Second Reading), <u>Motion 149/03</u> (Unanimous Consent), and <u>Motion 150/03</u> (Third and Final Reading).</p> <p>Council at its Regular Council Meeting of March 9, 2011 passed <u>Motion 65/11</u> to repeal Bylaw 749/03.</p> <p>MGA s191(2) states “The amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise.”</p> |
| Discussion | <p>It is clear the Council of 2011 had full intentions of repealing Bylaw 749/03, however proper procedure was not followed.</p> <p>As the MGA s 347 allows Council the options of cancellation, reduction, refund or deferral of taxes, there is no need for Bylaws which do the same thing.</p> <p>A cancellation, reduction, refund or deferral of taxes must be done on a roll by roll basis, whereby a ratepayer of the jurisdiction would submit in writing a detailed request to Council for a cancellation, reduction, refund or deferral of taxes.</p> |
| Relevant Policy/Legislation | MGA 187, 189, 191(2) 347 |
| Options/Consequences | |
| Desired Outcome(s) | To repeal Bylaw 749/03 as desired by the Council of 2011 and do so properly as per the requirements of the MGA. |
| Financial Implications | |
| Follow Up | |

| | |
|--|---|
| Attachments | Bylaw 918/16 Bylaw to Repeal Bylaw 749/03 Pages 2 and 3 of March 9, 2011 Regular Council Meeting Minutes Page 4 of April 14, 2003 Regular Council Meeting Minutes Page 64 of Bylaw Listings of the Town of Rimbey (bottom line) Pages 109 and 110 of MGA, Sections 187, 189 191(2) Pages 186 and 187 of MGA, Section 347 Original Bylaw 749/03 |
| Recommendation | Administration recommends Council give first reading of Bylaw 918/16 Bylaw to Repeal Bylaw 749/03. Administration recommends Council give second reading of Bylaw 918/16 Bylaw to Repeal Bylaw 749/03. Administration recommends Council unanimously agree to give third and final reading to Bylaw 918/16 Bylaw Repeal Bylaw 749/03. Administration recommends Council give third and final reading of Bylaw 918/16 Bylaw to Repeal Bylaw 749/03. |
| Prepared By:  _____ Lori Hillis, CPA, CA Acting Chief Administrative Officer/Chief Financial Officer  _____ Date | |
| Endorsed By:  _____ Donna Tona, CTS Interim Chief Administrative Officer  _____ Date | |



A BY-LAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO REPEAL BYLAW 749/03 WHICH ENABLED COUNCIL TO PROVIDE PROPERTY TAX INCENTIVES TO ENCOURAGE NEW DEVELOPMENT.

WHEREAS The Municipal Government Act, R.S.A., 2000 Chapter M-26, permits a Town Council to repeal a bylaw; and

AND WHEREAS The Council of the Town of Rimbey on March 9, 2011 passed Motion #65/11 to repeal Bylaw 749/03 which enabled Council to provide property tax incentives to encourage new development;

NOW THEREFORE The Council of the Town of Rimbey, duly assembled, hereby enact as follows:

1. Bylaw 749/03 is hereby rescinded.

This By-Law comes into effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____ 2016.

READ a Second Time in Council this _____ day of _____ 2016.

UNANIMOUSLY AGREED to present this Bylaw for Third and Final Reading.

READ a Third Time and Finally Passed this _____ day of _____, 2016.

Mayor Rick Pankiw

Interim Chief Administrative Officer Donna Tona

Business

operation of a Recreational Vehicle Storage and parking venture at Pas-Ka-Poo Park. Councillor Rondeel will be the Town Representative when the Historical Society creates the committee for the parade truck.

Motion 60/11

Moved by Councillor Payson for Administration to allow the Rimbey Historical Society to operate a Recreational Vehicle Storage and Special Event Camping at Pas-Ka-Poo Park.

CARRIED
(5-0)

7.2 Rodeo Parade

Recreation Director presented that the Recreation Committee recommends moving the parade to Friday, July 8th at 2:00 pm in order to minimize congestion and allow for both events to take place without interference from one another. Council accepted as information.

7.3 Delinquent Accounts

Administration presented a status report from the collection agency of accounts that are considered uncollectable and are requesting Council's consent to write-off Invoice numbers 9189, 9365, 9116, 9518, 9519, 9520, 9521, 9523, 9571, 9575, 9576 and 9579 in the amount of \$3,704.42.

Motion 61/11

Moved by Mayor Ibbotson to write-off invoice numbers 9189, 9365, 9116, 9518, 9519, 9520, 9521, 9523, 9571, 9575, 9576 and 9579 in the amount of \$3,704.42.

CARRIED
(5-0)

7.4 Public Budget Meeting Date

Council discussed that the Public Budget Meeting will be held on Tuesday, March 22 at 7:00 pm at the Rimbey Community Centre Auditorium.

7.5 Ambulance Service

Mayor Ibbotson provided a brief summary of the developing situation with Ambulance Service Contract issues and the effects on the Town of Rimbey.

Motion 62/11

Moved by Councillor Rondeel to authorize Administration to provide written notice to Alberta Health Services to not extend the current EMS Ground Ambulance Contract and negotiate divesting of the ambulance service.

CARRIED
(4-1)

7.6.1 Council Remuneration Policy 155 Amendment

Councillor Anglin presented an amended copy of Remuneration Policy 155 that removes the cell phone charge, resulting in a reduction in the budget of \$2,500 in 2011 and adds compensation for special council meetings outside regular monthly or committee meetings, such as budget meetings.

Motion 63/11

Moved by Councillor Anglin to adopt Council Remuneration Policy 155 as amended.

CARRIED
(3-2)

7.6.2 Tax Incentive Bylaws and Policy

Mayor Ibbotson commented on the information that was provided from Brownlee LLP outlining the tax incentive bylaws and policy are in contravention of subsection 347(1) of the Municipal Government Act. Council voted (5-0) in favour of allowing public input at the meeting and allowed the following public

members to voice opinions: Rick Pankiw, Melvin Durand, Wayne Clark and Earl Geibelhaus.

Motion 64/11

Moved by Councillor Webb to table Tax Incentive Bylaws and Policy to next meeting.

DEFEATED
(2-3)

Motion 65/11

Moved by Councillor Payson to repeal Bylaws 827/08, 749/03, 826/08 and CIC Policy 6701.

CARRIED
(3-2)

7.7 Draft Budget

Administration presented the 2011 Draft Operating and Capital Budget projections that includes the following:

- 3% tax increase
- Cancellation of Tax Incentive Bylaws

Motion 66/11

Moved by Mayor Ibbotson to accept the 2011 Draft Operating and Capital Budget as presented.

CARRIED
(5-0)

8. Reports

8.1 Finance Reports:

8.1.1 Council Expenses

Director of Finance presented the council expense reports for the months of January and February 2011 for approval of Council.

Motion 67/11

Moved by Councillor Webb to approve the council expense reports for January and February 2011 as presented.

CARRIED
(5-0)

8.1.2 Special Meeting Request for Reimbursement

Administration presented that Policy 155 stated that the Mayor and Councillors will not be reimbursed for attending local meetings as their honorarium covers their local expenses; however, the policy also states the members should be reimbursed for all direct expenses as a result of their duties and Councillor Webb is requesting reimbursement expenses incurred in the amount of \$180.00. Councillor Payson is requesting reimbursement expenses incurred in the amount of \$140.00.

Councillor Webb withdrew from the meeting at 7:29 pm

Motion 68/11

Moved by Councillor Rondeel to reimburse Councillor Webb's expense amount of \$180.00 for the February 24 Budget Meeting in accordance with Council Remuneration Policy 155.

CARRIED
(4-0)

Councillor Webb re-entered the meeting and Councillor Payson withdrew from the meeting at 7:31 pm.

Motion 69/11

Moved by Mayor Ibbotson to reimburse Councillor Payson's expense amount of

Motion 143/03

Moved by Councillor Jarl that By-Law 748/03 be given first reading.

CARRIED

Motion 144/03

Moved by Councillor Karroll that By-Law 748/03 be given second reading.

CARRIED

Motion 145/03

Moved by Councillor Ring that By-Law 748/03 be presented for third reading.

UNANIMOUSLY AGREED

Motion 146/03

Moved by Councillor Conolley that By-Law 748/03 be given third and final reading.

CARRIED

By-Law 749/03 –
Property Tax
Incentives

By-Law 749/03, a By-Law to Provide Property Tax Incentives to Encourage New Development, was presented.

Motion 147/03

Moved by Councillor Jarl that By-Law 749/03 be given first reading.

CARRIED

Motion 148/03

Moved by Councillor Ring that By-Law 749/03 be given second reading.

CARRIED

Motion 149/03

Moved by Councillor Karroll that By-Law 749/03 be presented for third reading.

UNANIMOUSLY AGREED

Motion 150/03

Moved by Councillor Conolley that By-Law 749/03 be given third & final reading.

CARRIED

By-Law 750/03 –
Regulations and
Conditions for
Subdivision

By-Law 750/03, a By-Law to Provide Regulations and Conditions for Subdivision was presented.

Motion 151/03

Moved by Councillor Jarl that By-Law 750/03 be given first reading.

CARRIED

DP

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By-Laws of the Town of Rimbey

| By-Law # | Description | 1 st Read | 2 nd Read | 3 rd Read | Amending By-Law # | Repealed Date | Repealed by By-Law # |
|----------|---|----------------------|----------------------|----------------------|-------------------|---------------|----------------------|
| 731/01 | Authorize the Financing and Construction of Local Improvements <i>(Not signed)</i> | Nov 1/2001 | Nov 1/2001 | Nov 1/2001 | | | |
| 732/02 | To Enter Into an Agreement Granting Utilicorp Networks Canada (Alberta) Ltd. The Right to Provide Distribution Access Services Within the Town of Rimbey <i>(Not Signed)</i> | Feb 11/2002 | | | | | 883/13 |
| 733/02 | To Change Municipal Utility Rates <i>(Previous By-Law NOT Repealed)</i> | Apr 8/2002 | Apr 8/2002 | Apr 8/2002 | | Feb 24/2005 | 774/05 |
| 734/02 | Amends 563/90 – Regulates Water Distribution | Apr 8/2002 | Apr 8/2002 | Apr 8/2002 | | Apr 14/2005 | 776/05 |
| 735/02 | To Set the Mill Rate for Real Property for the Fiscal Year 2002 | Apr 22/2002 | Apr 22/2002 | Apr 22/2002 | | | Expired |
| 736/02 | Amend 627/95 – Prohibiting Certain Activities Creating Noise | Jul 15/2002 | Jul 15/2002 | Jul 15/2002 | | Jan 26/2011 | 859/10 |
| 737/02 | Regulate the Procedure, Content and costs of Permits for the Use, Occupancy, Construction, Relocation and Demolition of Buildings <i>(Repeals 677/97, 716/00 and any other by-laws and policies for this purpose)</i> | Jun 17/2002 | Jul 15/2002 | Jul 15/2002 | | Apr 14/2005 | 775/05 |
| 738/02 | Amend 657/97 – Cemetery By-Law | Aug 19/2002 | Aug 19/2002 | Aug 19/2002 | | Nov 13/2007 | 818/07 |
| 739/02 | To incur an Indebtedness By the Issuance of a Loan for the Purpose of Renovating the Library/Town Office Building | Sep 16/2002 | Sep 16/2002 | Sep 16/2002 | | | |
| 740/02 | To Authorize Council to Close and Sell or Trade Municipal Reserve | Sep 16/2002 | Oct 7/2002 | Oct 7/2002 | | | |
| 741/02 | Closing a Portion of a Certain Road | Oct 21/2002 | Jan 13/2003 | Jan 13/2003 | | | |
| 742/02 | Amend 617/94 – Land Use By-Law | Dec 17/2002 | Dec 17/2002 | Dec 17/2002 | | Jun 14/2004 | 762/04 |
| 743/03 | Amend 614/94 – Land Use By-Law | Feb 10/2003 | Mar 10/2003 | Mar 10/2003 | | Jun 14/2004 | 762/04 |
| 744/03 | Amend 719/00 – Appoint Municipal Treasurer – Bernice Birtsch <i>(Amendment not recorded – 2nd & 3rd reading? And signatures?)</i> | Mar 10/2003 | | | | Apr 14/2003 | 748/03 |
| 745/03 | To Provide Property Tax Incentives for the Creation of New Lots Through Subdivision | Mar 10/2003 | | | | Apr 14/2003 | 749/03 |
| 746/03 | To Provide Regulations and Conditions for Subdivision | Mar 10/2003 | | | | | |
| 748/03 | To Appoint a Designated Officer and Establish the Position of Municipal Treasurer | Apr 14/2003 | Apr 14/2003 | Apr 14/2003 | | January 26/15 | 898/15 |
| 749/03 | To Provide Property Tax Incentives to Encourage New Development | Apr 14/2003 | Apr 14/2003 | Apr 14/2003 | | | |

- (b) may abstain from voting on the bylaw or resolution if the councillor was only absent from a part of the public hearing.

1994 cM-26.1 s184

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(4) A proposed bylaw must not have more than 2 readings at a council meeting unless the councillors present unanimously agree to consider third reading.

(5) Only the title or identifying number has to be read at each reading of the bylaw.

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Rescission of previous bylaw readings

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1994 cM-26.1 s191

Receipt for payment of taxes

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343(1) A tax payment must be applied first to tax arrears.

(2) If a person does not indicate to which taxable property or business a tax payment is to be applied, a designated officer must decide to which taxable property or business owned by the taxpayer the payment is to be applied.

1994 cM-26.1 s343

Penalty for non-payment in current year

344(1) A council may by bylaw impose penalties in the year in which a tax is imposed if the tax remains unpaid after the date shown on the tax notice.

(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than 30 days after the tax notice is sent out.

1994 cM-26.1 s344

Penalty for non-payment in other years

345(1) A council may by bylaw impose penalties in any year following the year in which a tax is imposed if the tax remains unpaid after December 31 of the year in which it is imposed.

(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than January 1 of the year following the year in which the tax was imposed or any later date specified in the bylaw.

1994 cM-26.1 s345

Penalties

346 A penalty imposed under section 344 or 345 is part of the tax in respect of which it is imposed.

1994 cM-26.1 s346

Cancellation, reduction, refund or deferral of taxes

347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:

- (a) cancel or reduce tax arrears;

(b) cancel or refund all or part of a tax;

(c) defer the collection of a tax.

(2) A council may phase in a tax increase or decrease resulting from the preparation of any new assessment.

1994 cM-26.1 s347

Tax becomes debt to municipality

348 Taxes due to a municipality

(a) are an amount owing to the municipality,

(b) are recoverable as a debt due to the municipality,

(c) take priority over the claims of every person except the Crown, and

(d) are a special lien

(i) on land and any improvements to the land, if the tax is a property tax, a community revitalization levy, a special tax, a local improvement tax or a community aggregate payment levy, or

(ii) on goods, if the tax is a business tax, a community revitalization levy, a well drilling equipment tax, a community aggregate payment levy or a property tax imposed in respect of a designated manufactured home in a manufactured home community.

RSA 2000 cM-26 s348;2005 c14 s12

Fire insurance proceeds

349(1) Taxes that have been imposed in respect of improvements are a first charge on any money payable under a fire insurance policy for loss or damage to those improvements.

(2) Taxes that have been imposed in respect of a business are a first charge on any money payable under a fire insurance policy for loss or damage to any personal property

(a) that is located on the premises occupied for the purposes of the business, and

(b) that is used in connection with the business and belongs to the taxpayer.

1994 cM-26.1 s349

Tax certificates

350 On request, a designated officer must issue a tax certificate showing

**A BY-LAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO
PROVIDE PROPERTY TAX INCENTIVES TO ENCOURAGE NEW DEVELOPMENT**

- WHEREAS** Rimbey Town Council wishes to provide property tax incentives to encourage development growth by the creation of new lots through subdivision;
- AND WHEREAS** The Municipal Government Act, R.S.A. 2000, Chapter M-26, and amendments thereto, permits a Council to cancel or refund all or part of a tax;
- NOW THEREFORE** The Council of the Town of Rimbey, duly assembled, hereby enacts as follows:
1. Newly created lots shall be given a tax rebate equal to the Municipal portion of the taxes until developed to a maximum term of five (5) years from the subdivision approval date.
 2. Tax rebates shall be made by a resolution of Town Council no later than May 31st in each year, upon receipt of a report from the Town Manager.
 3. Tax rebates shall be made for a period of five (5) consecutive calendar years, unless the property is sold or built on.
 4. The tax rebate shall be applied to the individual tax accounts prior to tax notices being sent out.

By-Law 745/03, which was given 1st reading on March 10th, 2003 is hereby rescinded.

This bylaw shall come into effect on the date of third and final reading.

READ a First Time in Council this 14th day of April, 2003.

READ a Second Time in Council this 14th day of April, 2003.





UNANIMOUSLY AGREED to present By-Law 749/03 for third & final reading.

READ a Third Time in Council and Finally Passed this 14th day of April, 2003.


MAYOR


TOWN MANAGER

| | |
|------------------------------------|--|
| Council Agenda Item | 6.4 |
| Council Meeting Date | June 13, 2016 |
| Subject | Bylaw 919/16 Bylaw to Repeal Bylaw 826/08 |
| For Public Agenda | Public Information |
| Background | <p>Bylaw 826/08 was first presented to Council at a Regular Council Meeting held March 18, 2008. A review of the Minutes of March 18, 2008 verifies Council passed this Bylaw with four (4) motions, <u>Motion 88/08</u> (First Reading), <u>Motion 89/08</u> (Second Reading), <u>Motion 90/08</u> (Unanimous Consent), and <u>Motion 91/08</u> (Third and Final Reading).</p> <p>Council at its Regular Council Meeting of March 9, 2011 passed <u>Motion 65/11</u> to repeal Bylaw 826/08.</p> <p>MGA s191(2) states "The amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise."</p> |
| Discussion | <p>It is clear the Council of 2011 had full intentions of repealing Bylaw 826/08, however proper procedure was not followed.</p> <p>As the MGA s 347 allows Council the options of cancellation, reduction, refund or deferral of taxes, there is no need for Bylaws which do the same thing.</p> <p>A cancellation, reduction, refund or deferral of taxes must be done on a roll by roll basis, whereby a ratepayer of the jurisdiction would submit in writing a detailed request to Council for a cancellation, reduction, refund or deferral of taxes.</p> |
| Relevant Policy/Legislation | MGA 187, 189, 191(2) 347 |
| Options/Consequences | |
| Desired Outcome(s) | To repeal Bylaw 826/08 as desired by the Council of 2011 and do so properly as per the requirements of the MGA. |
| Financial Implications | |
| Follow Up | |

| | |
|--|---|
| Attachments | Bylaw 919/16 Bylaw to Repeal Bylaw 826/08 Pages 2 and 3 of March 9, 2011 Regular Council Meeting Minutes Page 2 of March 18, 2008 Regular Council Meeting Minutes Page 70 of Bylaw Listings of the Town of Rimbey (row 1) Pages 109 and 110 of MGA, Sections 187, 189 191(2) Pages 186 and 187 of MGA, Section 347 Original Bylaw 826/08 |
| Recommendation | Administration recommends Council give first reading of Bylaw 919/16 Bylaw to Repeal Bylaw 826/08. Administration recommends Council give second reading of Bylaw 919/16 Bylaw to Repeal Bylaw 826/08. Administration recommends Council unanimously agree to give third and final reading to Bylaw 919/16 Bylaw Repeal Bylaw 826/08. Administration recommends Council give third and final reading of Bylaw 919/16 Bylaw to Repeal Bylaw 826/08. |
| Prepared By: <div style="display: flex; justify-content: space-between;"><div data-bbox="472 814 1162 953"> _____ Lori Hillis, CPA, CA Acting Chief Administrative Officer/Chief Financial Officer</div><div data-bbox="1198 835 1495 919"> _____ Date</div></div> Endorsed By: <div style="display: flex; justify-content: space-between;"><div data-bbox="472 1010 1149 1167"> _____ Donna Tona, CTS Interim Chief Administrative Officer</div><div data-bbox="1187 1045 1495 1136"> _____ Date</div></div> | |



A BY-LAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO REPEAL BYLAW 826/08 WHICH ENABLED COUNCIL TO PROVIDE PROPERTY TAX INCENTIVES FOR RESIDENTIAL RENTAL ACCOMMODATIONS.

WHEREAS The Municipal Government Act, R.S.A., 2000 Chapter M-26, permits a Town Council to repeal a bylaw; and

AND WHEREAS The Council of the Town of Rimbey on March 9, 2011 passed Motion #65/11 to repeal Bylaw 826/08 which enabled Council to provide property tax incentives for residential rental accommodations;

NOW THEREFORE The Council of the Town of Rimbey, duly assembled, hereby enact as follows:

1. Bylaw 826/08 is hereby rescinded.

This By-Law comes into effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____ 2016.

READ a Second Time in Council this _____ day of _____ 2016.

UNANIMOUSLY AGREED to present this Bylaw for Third and Final Reading.

READ a Third Time and Finally Passed this _____ day of _____, 2016.

Mayor Rick Pankiw

Interim Chief Administrative Officer Donna Tona

Business

operation of a Recreational Vehicle Storage and parking venture at Pas-Ka-Poo Park. Councillor Rondeel will be the Town Representative when the Historical Society creates the committee for the parade truck.

Motion 60/11

Moved by Councillor Payson for Administration to allow the Rimbey Historical Society to operate a Recreational Vehicle Storage and Special Event Camping at Pas-Ka-Poo Park.

CARRIED
(5-0)

7.2 Rodeo Parade

Recreation Director presented that the Recreation Committee recommends moving the parade to Friday, July 8th at 2:00 pm in order to minimize congestion and allow for both events to take place without interference from one another. Council accepted as information.

7.3 Delinquent Accounts

Administration presented a status report from the collection agency of accounts that are considered uncollectable and are requesting Council's consent to write-off Invoice numbers 9189, 9365, 9116, 9518, 9519, 9520, 9521, 9523, 9571, 9575, 9576 and 9579 in the amount of \$3,704.42.

Motion 61/11

Moved by Mayor Ibbotson to write-off invoice numbers 9189, 9365, 9116, 9518, 9519, 9520, 9521, 9523, 9571, 9575, 9576 and 9579 in the amount of \$3,704.42.

CARRIED
(5-0)

7.4 Public Budget Meeting Date

Council discussed that the Public Budget Meeting will be held on Tuesday, March 22 at 7:00 pm at the Rimbey Community Centre Auditorium.

7.5 Ambulance Service

Mayor Ibbotson provided a brief summary of the developing situation with Ambulance Service Contract issues and the effects on the Town of Rimbey.

Motion 62/11

Moved by Councillor Rondeel to authorize Administration to provide written notice to Alberta Health Services to not extend the current EMS Ground Ambulance Contract and negotiate divesting of the ambulance service.

CARRIED
(4-1)

7.6.1 Council Remuneration Policy 155 Amendment

Councillor Anglin presented an amended copy of Remuneration Policy 155 that removes the cell phone charge, resulting in a reduction in the budget of \$2,500 in 2011 and adds compensation for special council meetings outside regular monthly or committee meetings, such as budget meetings.

Motion 63/11

Moved by Councillor Anglin to adopt Council Remuneration Policy 155 as amended.

CARRIED
(3-2)

7.6.2 Tax Incentive Bylaws and Policy

Mayor Ibbotson commented on the information that was provided from Brownlee LLP outlining the tax incentive bylaws and policy are in contravention of subsection 347(1) of the Municipal Government Act. Council voted (5-0) in favour of allowing public input at the meeting and allowed the following public

members to voice opinions: Rick Pankiw, Melvin Durand, Wayne Clark and Earl Geibelhaus.

Motion 64/11

Moved by Councillor Webb to table Tax Incentive Bylaws and Policy to next meeting.

DEFEATED
(2-3)

Motion 65/11

Moved by Councillor Payson to repeal Bylaws 827/08, 749/03, 826/08 and CIC Policy 6701.

CARRIED
(3-2)

7.7 Draft Budget

Administration presented the 2011 Draft Operating and Capital Budget projections that includes the following:

- 3% tax increase
- Cancellation of Tax Incentive Bylaws

Motion 66/11

Moved by Mayor Ibbotson to accept the 2011 Draft Operating and Capital Budget as presented.

CARRIED
(5-0)

8. Reports

8.1 Finance Reports:

8.1.1 Council Expenses

Director of Finance presented the council expense reports for the months of January and February 2011 for approval of Council.

Motion 67/11

Moved by Councillor Webb to approve the council expense reports for January and February 2011 as presented.

CARRIED
(5-0)

8.1.2 Special Meeting Request for Reimbursement

Administration presented that Policy 155 stated that the Mayor and Councillors will not be reimbursed for attending local meetings as their honorarium covers their local expenses; however, the policy also states the members should be reimbursed for all direct expenses as a result of their duties and Councillor Webb is requesting reimbursement expenses incurred in the amount of \$180.00. Councillor Payson is requesting reimbursement expenses incurred in the amount of \$140.00.

Councillor Webb withdrew from the meeting at 7:29 pm

Motion 68/11

Moved by Councillor Rondeel to reimburse Councillor Webb's expense amount of \$180.00 for the February 24 Budget Meeting in accordance with Council Remuneration Policy 155.

CARRIED
(4-0)

Councillor Webb re-entered the meeting and Councillor Payson withdrew from the meeting at 7:31 pm.

Motion 69/11

Moved by Mayor Ibbotson to reimburse Councillor Payson's expense amount of

Tire Recycling
Program Grant –
Deadline March 31,
2008

Administration provided an overview of the Tire Recycling grant. Discussion entailed that the project that is chosen should maximize the full potential of the matching grant. Administration will look into a community project that will maximize the tire recycling grant.

Motion 86/08

Moved by Councillor Karroll that administration look into a community project that is suitable to maximize the tire recycling grant.

CARRIED UNANIMOUS

In House Catering
Policy #2203

Recreation Director, Rick Kreklewich, presented an overview of the revised In-House Catering Policy #2203.

Motion 87/08

Moved by Councillor Clark to adopt the revised In-House Catering Policy #2203.

CARRIED UNANIMOUS

Bylaw 826/08 – Tax
Incentives Residential
Rental
Accommodations

Municipal Treasurer, Bernice Birtsch, presented Bylaw 826/08 to provide property Tax Incentives for new residential rental accommodations.

Motion 88/08

Moved by Councillor Huff that Bylaw No. 826/08 to provide property Tax Incentives for new residential rental accommodations be given first reading.

CARRIED UNANIMOUSLY

Motion 89/08

Moved by Councillor Clark that Bylaw No. 826/08 be given second reading.

CARRIED UNANIMOUSLY

Motion 90/08

Moved by Councillor Karroll that Bylaw No. 826/08 be given consideration for third reading.

CARRIED UNANIMOUS

Motion 91/08

Moved by Councillor Davies that Bylaw No. 826/08 be given third and final reading.

CARRIED UNANIMOUS

Bylaw No. 827/08 –
Property Tax
Incentives for New
Commercial and
Industrial
Development

Municipal Treasurer, Bernice Birtsch, presented Bylaw No. 827/08 property tax incentives for new commercial and industrial development.

Motion 92/08

Moved by Councillor Karroll that Bylaw No. 827/08 property tax incentives for new commercial and industrial development be given first reading.

CARRIED UNANIMOUS

Motion 93/08

Moved by Councillor Davies that Bylaw No 827/08 be given second reading

CARRIED UNANIMOUS

Motion 94/08



By-Laws of the Town of Rimby

| By-Law # | Description | 1 st Read | 2 nd Read | 3 rd Read | Amending By-Law # | Repealed Date | Repealed by By-Law # |
|----------|---|----------------------|----------------------|----------------------|-------------------|-------------------|----------------------|
| 826/08 | To Provide Property Tax Incentives for Residential Rental Accommodations | Mar 18/2008 | Mar 18/2008 | Mar 18/2008 | | | |
| 827/08 | To Provide Property Tax Incentives for New Commercial and Industrial Development | Mar 18/2008 | Mar 18/2008 | Mar 18/2008 | | | |
| 828/08 | To Amend the Operation of the Rimby Solid Waste Transfer Station Bylaw 807/07 | Apr 08/2008 | Apr 08/2008 | Apr 08/2008 | Bylaw 807/07 | | |
| 829/08 | To Set the Mill Rate for Real Property for the Fiscal Year 2008 | May 13/2008 | May 13/2008 | May 13/2008 | | | Expired |
| 830/08 | To Set the Mill Rate for Real Property for the Fiscal Year 2008 | May 13/2008 | May 13/2008 | May 13/2008 | | | Expired |
| 831/08 | To Amend Land Use Bylaw 762/04 | Jun 24/2008 | Jul 08/2008 | Jul 08/2008 | | | |
| 832/08 | To Amend Land Use Bylaw 762/04 (Rezoning – Jordons) | | | | | EXPIRED | |
| 833/08 | To Amend Land Use Bylaw 762/04 (Johnson Estates) | Aug 12/2008 | May 26/2009 | May 26/2009 | | July 11/2011 | 869/11 |
| 834/08 | To incur indebtedness to ATB Financial for the Northeast Lagoon Upgrade | Nov 12/2008 | Nov 12/2008 | Nov 12/2008 | | | |
| 835/09 | To Amend Land Use Bylaw 762/04 (Define wording) | Jan 13/2009 | Feb 10/2009 | Feb 24/2009 | | | |
| 836/09 | To amend Development & Building Permit Fees Bylaw 775/05 | Feb 10/2009 | Feb 24/2009 | Feb 24/2009 | Bylaw 775/05 | | |
| 837/09 | To appoint a Designated Officer & establish the position of Development Officer | Jan 13/2009 | Jan 13/2009 | Jan 13/2009 | | Jan 12/2010 | 848/10 |
| 838/09 | Retention & Destruction of Municipal Documents | Jan 13/2009 | Jan 13/2009 | Jan 13/2009 | | | |
| 839/09 | Purpose of adopting the Town of Rimby Area Structure Plan (ASP) | Jan 13/2009 | Sept 8/2009 | Sept 8/2009 | | February 24, 2014 | |
| 840/09 | Road Closure (portion of 49 th Ave, between 54 th Street and 55 th Street) | Jan 13/2009 | Nov 10/2009 | Nov 10/2009 | | | |
| 841/09 | To amend Land Use Bylaw 762/04 (Lot 26, Block 7, Plan 9823764) | Feb 10/2009 | Apr 14/2009 | Apr 14/2009 | | | |
| 842/09 | To Incur an indebtedness of a debenture for the purpose of local improvements (44 th Street) | Mar 10/2009 | Apr 14/2009 | Apr 14/2009 | | | |
| 843/09 | To Incur an indebtedness of a debenture for the purpose of local improvements (46 th Avenue) | Mar 10/2009 | Apr 14/2009 | Apr 14/2009 | | | |
| 844/09 | Amending Municipal Utility Rates (Garbage Rates) | Apr 14/2009 | Apr 14/2009 | Apr 14/2009 | | | Bylaw 856/10 |
| 845/09 | Mill Rate for Real Property for the Fiscal Year 2009 | Apr 28/2009 | Apr 28/2009 | Apr 28/2009 | | | Expired |
| 846/09 | Mill Rate for Real Property for the Fiscal Year 2009 | Apr 28/2009 | Apr 28/2009 | Apr 28/2009 | | | Expired |
| 847/09 | Amend the Rimby Traffic Bylaw No 545/88 | May 26/2009 | May 26/2009 | May 26/2009 | Bylaw 845/88 | Mar 12/2012 | 872/11 |
| 848/10 | To appoint a Designated Officer & establish the position of Development Officer & Ass't CAO | Jan 12/2010 | Jan 12/2010 | Jan 12/2010 | | Sept 24/2012 | 879/12 |

- (b) may abstain from voting on the bylaw or resolution if the councillor was only absent from a part of the public hearing.

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(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than 30 days after the tax notice is sent out.

1994 cM-26.1 s344

Penalty for non-payment in other years

345(1) A council may by bylaw impose penalties in any year following the year in which a tax is imposed if the tax remains unpaid after December 31 of the year in which it is imposed.

(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than January 1 of the year following the year in which the tax was imposed or any later date specified in the bylaw.

1994 cM-26.1 s345

Penalties

346 A penalty imposed under section 344 or 345 is part of the tax in respect of which it is imposed.

1994 cM-26.1 s346

Cancellation, reduction, refund or deferral of taxes

347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:

- (a) cancel or reduce tax arrears;

- (b) cancel or refund all or part of a tax;
- (c) defer the collection of a tax.

(2) A council may phase in a tax increase or decrease resulting from the preparation of any new assessment.

1994 cM-26.1 s347

Tax becomes debt to municipality

348 Taxes due to a municipality

- (a) are an amount owing to the municipality,
- (b) are recoverable as a debt due to the municipality,
- (c) take priority over the claims of every person except the Crown, and
- (d) are a special lien
 - (i) on land and any improvements to the land, if the tax is a property tax, a community revitalization levy, a special tax, a local improvement tax or a community aggregate payment levy, or
 - (ii) on goods, if the tax is a business tax, a community revitalization levy, a well drilling equipment tax, a community aggregate payment levy or a property tax imposed in respect of a designated manufactured home in a manufactured home community.

RSA 2000 cM-26 s348;2005 c14 s12

Fire insurance proceeds

349(1) Taxes that have been imposed in respect of improvements are a first charge on any money payable under a fire insurance policy for loss or damage to those improvements.

(2) Taxes that have been imposed in respect of a business are a first charge on any money payable under a fire insurance policy for loss or damage to any personal property

- (a) that is located on the premises occupied for the purposes of the business, and
- (b) that is used in connection with the business and belongs to the taxpayer.

1994 cM-26.1 s349

Tax certificates

350 On request, a designated officer must issue a tax certificate showing

**Town of Rimbey
Bylaw # 826/08**

**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO
PROVIDE PROPERTY TAX INCENTIVES FOR RESIDENTIAL RENTAL
ACCOMMODATIONS.**

WHEREAS

Rimbey Town Council wishes to provide property tax incentives to encourage assessment growth and the efficient provision of modern rental housing;

WHEREAS

The Municipal Government Act, R.S.A. 2000, and amendments thereto, permits a Council to cancel or refund all or part of a tax;

**NOW
THEREFORE**

The Council of the Town of Rimbey, duly assembled, hereby enacts as follows:

1. New residential rental developments will be rebated property taxes equal to the value of the **(current mill rate less 1.0 mill) multiplied by the assessed improvement value of the new development** (See attached Schedule "A", attached to and part of this Bylaw, for examples).
2. "New residential rental developments" shall be deemed to be only multi-family residential rental properties that are not owner occupied
 - a) Single family dwellings shall not qualify. Duplexes where the owner occupies one half of the duplex will not qualify. Basement suites shall not qualify, nor shall the upper portion of single family dwelling with a basement suite, regardless of the status of the upper portion (i.e. rented or owned.)
 - b) Properties where the owner has a direct familial relationship as parent, grandparent, child or sibling to the Tenant shall not qualify.
3. The tax rebates provision noted in Section 1 of this Bylaw shall apply to:
 - a) duplexes where both sides are rented out;
 - b) triplexes, fourplexes, row housing, apartment buildings, and other multi housing buildings wherein each unit is rented out.
4. For the purposes of this Bylaw, the definition of duplexes, triplexes, row housing, apartments and multi housing buildings shall be as defined in Town of Rimbey Land Use Bylaw in effect at the time.
5. Tax rebates shall be made by a resolution of Town Council no later than May 31st in each year, upon receipt of a report from the Chief Administrative Officer.
6. The tax rebate shall be applied to the individual tax accounts prior to tax notices being sent out.



7. Any disputes regarding the calculation of the tax rebates, or any entitlement under this bylaw, shall be referred to Town Council for resolution.
 - a) the decision of Council shall be final and binding upon all parties.
8. This bylaw shall come into effect for all multi-family residential developments which are re-assessed for the current taxation year. (See attached Schedule "A" attached to and part of this Bylaw).
9. Tax rebates shall be made for a period of five (5) consecutive calendar years, unless the property is sold during the five year period.
10. Only the party having title at the time of completion of the development, as noted on the development permit application, shall receive the benefit of the tax rebate.
11. Three years after the date of final passage this Bylaw shall be reviewed by the newly elected Town Council to ascertain whether the Bylaw has accomplished the objective of increasing residential rental property development.
12. Town of Rimbey Property Tax Incentives Bylaw No. 784/05 is hereby repealed.

Read a first time this _18th_ day of _____ March _____, 2008.

Read a second time this _18th_ day of _____ March _____, 2008.

UNANIMOUSLY AGREED to Present By-Law 826/08 for Third and Final Reading.

Read a third time this _18th_ day of _____ March _____, 2008



MAYOR



TOWN MANAGER

Schedule A – Bylaw # 826/08

Examples and illustrations of how Bylaw 826/08 would be implemented.

Example A: Owner lives in one-half of the duplex and rents out the other half:

Bylaw 826/08 would *not* apply in this case.

Example B: Owner rents out property to their mother, father, sister, brother, son, daughter, grandfather or grandmother.



Bylaw 826/08 would *not* apply in this case.

Example C: Owner builds new duplex, rents out both sides and constructs new detached garage.

Bylaw 826/08 would apply.

DE

| | |
|------------------------------------|--|
| Council Agenda Item | 6.5 |
| Council Meeting Date | June 13, 2016 |
| Subject | Bylaw 920/16 Bylaw to Repeal Bylaw 827/08 |
| For Public Agenda | Public Information |
| Background | <p>Bylaw 827/08 was first presented to Council at a Regular Council Meeting held March 18, 2008. A review of the Minutes of March 18, 2008 verifies Council passed this Bylaw with four (4) motions, <u>Motion 92/08</u> (First Reading), <u>Motion 93/08</u> (Second Reading), <u>Motion 94/08</u> (Unanimous Consent), and <u>Motion 95/08</u> (Third and Final Reading).</p> <p>Council at its Regular Council Meeting of March 9, 2011 passed <u>Motion 65/11</u> to repeal Bylaw 826/08.</p> <p>MGA s191(2) states “The amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise.”</p> |
| Discussion | <p>It is clear the Council of 2011 had full intentions of repealing Bylaw 827/08, however proper procedure was not followed.</p> <p>As the MGA s 347 allows Council the options of cancellation, reduction, refund or deferral of taxes, there is no need for Bylaws which do the same thing.</p> <p>A cancellation, reduction, refund or deferral of taxes must be done on a roll by roll basis, whereby a ratepayer of the jurisdiction would submit in writing a detailed request to Council for a cancellation, reduction, refund or deferral of taxes.</p> |
| Relevant Policy/Legislation | MGA 187, 189, 191(2) 347 |
| Options/Consequences | |
| Desired Outcome(s) | To repeal Bylaw 827/08 as desired by the Council of 2011 and do so properly as per the requirements of the MGA. |
| Financial Implications | |
| Follow Up | |

| | |
|---|--|
| <p>Attachments</p> | <p>Bylaw 920/16 Bylaw to Repeal Bylaw 827/08 Pages 2 and 3 of March 9, 2011 Regular Council Meeting Minutes Pages 2 and 3 of March 18, 2008 Regular Council Meeting Minutes Page 70 of Bylaw Listings of the Town of Rimby (row 2) Pages 109 and 110 of MGA, Sections 187, 189 191(2) Pages 186 and 187, Section 347 Original Bylaw 827/08</p> |
| <p>Recommendation</p> | <p>Administration recommends Council give first reading of Bylaw 920/16 Bylaw to Repeal Bylaw 827/08. Administration recommends Council give second reading of Bylaw 920/16 Bylaw to Repeal Bylaw 827/08. Administration recommends Council unanimously agree to give third and final reading to Bylaw 920/16 Bylaw Repeal Bylaw 827/08. Administration recommends Council give third and final reading of Bylaw 920/16 Bylaw to Repeal Bylaw 827/08.</p> |
| <p>Prepared By:</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <hr/> <p>Lori Hillis, CPA, CA Acting Chief Administrative Officer/Chief Financial Officer</p> </div> <div style="text-align: center;"> <p><i>June 6/16</i></p> <hr/> <p>Date</p> </div> </div> <p>Endorsed By:</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <hr/> <p>Donna Tona, CTS Interim Chief Administrative Officer</p> </div> <div style="text-align: center;"> <p><i>June 06/16</i></p> <hr/> <p>Date</p> </div> </div> | |



A BY-LAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO REPEAL BYLAW 827/08 WHICH ENABLED COUNCIL TO PROVIDE PROPERTY TAX INCENTIVES FOR NEW COMMERCIAL AND INDUSTRIAL DEVELOPMENT.

WHEREAS The Municipal Government Act, R.S.A., 2000 Chapter M-26, permits a Town Council to repeal a bylaw; and

AND WHEREAS The Council of the Town of Rimbey on March 9, 2011 passed Motion #65/11 to repeal Bylaw 827/08 which enabled Council to provide property tax incentives for new commercial and industrial development;

NOW THEREFORE The Council of the Town of Rimbey, duly assembled, hereby enact as follows:

1. Bylaw 827/08 is hereby rescinded.

This By-Law comes into effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____ 2016.

READ a Second Time in Council this _____ day of _____ 2016.

UNANIMOUSLY AGREED to present this Bylaw for Third and Final Reading.

READ a Third Time and Finally Passed this _____ day of _____, 2016.

Mayor Rick Pankiw

Interim Chief Administrative Officer Donna Tona

Business

operation of a Recreational Vehicle Storage and parking venture at Pas-Ka-Poo Park. Councillor Rondeel will be the Town Representative when the Historical Society creates the committee for the parade truck.

Motion 60/11

Moved by Councillor Payson for Administration to allow the Rimbey Historical Society to operate a Recreational Vehicle Storage and Special Event Camping at Pas-Ka-Poo Park.

CARRIED
(5-0)

7.2 Rodeo Parade

Recreation Director presented that the Recreation Committee recommends moving the parade to Friday, July 8th at 2:00 pm in order to minimize congestion and allow for both events to take place without interference from one another. Council accepted as information.

7.3 Delinquent Accounts

Administration presented a status report from the collection agency of accounts that are considered uncollectable and are requesting Council's consent to write-off Invoice numbers 9189, 9365, 9116, 9518, 9519, 9520, 9521, 9523, 9571, 9575, 9576 and 9579 in the amount of \$3,704.42.

Motion 61/11

Moved by Mayor Ibbotson to write-off invoice numbers 9189, 9365, 9116, 9518, 9519, 9520, 9521, 9523, 9571, 9575, 9576 and 9579 in the amount of \$3,704.42.

CARRIED
(5-0)

7.4 Public Budget Meeting Date

Council discussed that the Public Budget Meeting will be held on Tuesday, March 22 at 7:00 pm at the Rimbey Community Centre Auditorium.

7.5 Ambulance Service

Mayor Ibbotson provided a brief summary of the developing situation with Ambulance Service Contract issues and the effects on the Town of Rimbey.

Motion 62/11

Moved by Councillor Rondeel to authorize Administration to provide written notice to Alberta Health Services to not extend the current EMS Ground Ambulance Contract and negotiate divesting of the ambulance service.

CARRIED
(4-1)

7.6.1 Council Remuneration Policy 155 Amendment

Councillor Anglin presented an amended copy of Remuneration Policy 155 that removes the cell phone charge, resulting in a reduction in the budget of \$2,500 in 2011 and adds compensation for special council meetings outside regular monthly or committee meetings, such as budget meetings.

Motion 63/11

Moved by Councillor Anglin to adopt Council Remuneration Policy 155 as amended.

CARRIED
(3-2)

7.6.2 Tax Incentive Bylaws and Policy

Mayor Ibbotson commented on the information that was provided from Brownlee LLP outlining the tax incentive bylaws and policy are in contravention of subsection 347(1) of the Municipal Government Act. Council voted (5-0) in favour of allowing public input at the meeting and allowed the following public

members to voice opinions: Rick Pankiw, Melvin Durand, Wayne Clark and Earl Geibelhaus.

Motion 64/11

Moved by Councillor Webb to table Tax Incentive Bylaws and Policy to next meeting.

DEFEATED
(2-3)

Motion 65/11

Moved by Councillor Payson to repeal Bylaws 827/08, 749/03, 826/08 and CIC Policy 6701.

CARRIED
(3-2)

7.7 Draft Budget

Administration presented the 2011 Draft Operating and Capital Budget projections that includes the following:

- 3% tax increase
- Cancellation of Tax Incentive Bylaws

Motion 66/11

Moved by Mayor Ibbotson to accept the 2011 Draft Operating and Capital Budget as presented.

CARRIED
(5-0)

8. Reports

8.1 Finance Reports:

8.1.1 Council Expenses

Director of Finance presented the council expense reports for the months of January and February 2011 for approval of Council.

Motion 67/11

Moved by Councillor Webb to approve the council expense reports for January and February 2011 as presented.

CARRIED
(5-0)

8.1.2 Special Meeting Request for Reimbursement

Administration presented that Policy 155 stated that the Mayor and Councillors will not be reimbursed for attending local meetings as their honorarium covers their local expenses; however, the policy also states the members should be reimbursed for all direct expenses as a result of their duties and Councillor Webb is requesting reimbursement expenses incurred in the amount of \$180.00. Councillor Payson is requesting reimbursement expenses incurred in the amount of \$140.00.

Councillor Webb withdrew from the meeting at 7:29 pm

Motion 68/11

Moved by Councillor Rondeel to reimburse Councillor Webb's expense amount of \$180.00 for the February 24 Budget Meeting in accordance with Council Remuneration Policy 155.

CARRIED
(4-0)

Councillor Webb re-entered the meeting and Councillor Payson withdrew from the meeting at 7:31 pm.

Motion 69/11

Moved by Mayor Ibbotson to reimburse Councillor Payson's expense amount of

Tire Recycling
Program Grant –
Deadline March 31,
2008

Administration provided an overview of the Tire Recycling grant. Discussion entailed that the project that is chosen should maximize the full potential of the matching grant. Administration will look into a community project that will maximize the tire recycling grant.

Motion 86/08

Moved by Councillor Karroll that administration look into a community project that is suitable to maximize the tire recycling grant.

CARRIED UNANIMOUS

In House Catering
Policy #2203

Recreation Director, Rick Krekewich, presented an overview of the revised In-House Catering Policy #2203.

Motion 87/08

Moved by Councillor Clark to adopt the revised In-House Catering Policy #2203.

CARRIED UNANIMOUS

Bylaw 826/08 – Tax
Incentives Residential
Rental
Accommodations

Municipal Treasurer, Bernice Birtsch, presented Bylaw 826/08 to provide property Tax Incentives for new residential rental accommodations.

Motion 88/08

Moved by Councillor Huff that Bylaw No. 826/08 to provide property Tax Incentives for new residential rental accommodations be given first reading.

CARRIED UNANIMOUSLY

Motion 89/08

Moved by Councillor Clark that Bylaw No. 826/08 be given second reading.

CARRIED UNANIMOUSLY

Motion 90/08

Moved by Councillor Karroll that Bylaw No. 826/08 be given consideration for third reading.

CARRIED UNANIMOUS

Motion 91/08

Moved by Councillor Davies that Bylaw No. 826/08 be given third and final reading.

CARRIED UNANIMOUS

Bylaw No. 827/08 –
Property Tax
Incentives for New
Commercial and
Industrial
Development

Municipal Treasurer, Bernice Birtsch, presented Bylaw No. 827/08 property tax incentives for new commercial and industrial development.

Motion 92/08

Moved by Councillor Karroll that Bylaw No. 827/08 property tax incentives for new commercial and industrial development be given first reading.

CARRIED UNANIMOUS

Motion 93/08

Moved by Councillor Davies that Bylaw No 827/08 be given second reading

CARRIED UNANIMOUS

Motion 94/08

Moved by Councillor Clark that Bylaw No 827/08 be given consideration for third reading.

CARRIED UNANIMOUS

Motion 95/08

Moved by Councillor Huff that Bylaw No 827/08 be given third and final reading.

CARRIED UNANIMOUS

Seniors Week
Proclamation for
June 2-8, 2008

Motion 96/08

Moved by Councillor Karroll to proclaim June 2 - 8 as Seniors' Week.

CARRIED UNANIMOUS

Land Use Infraction

Administration provided an overview of the Land Use Infraction of a barn that was illegally constructed on town property. Legal counsel has been sought and an order has been drafted to have the building removed and will be hand delivered by the RCMP.

Motion 97/08

Moved by Councillor Huff to receive Land Use Infraction as information.

CARRIED UNANIMOUS

Garbage Contract

Tender call went out to four service providers. Interest was expressed but as of due date the only bid received was from the current provider. This contract would run for another three years from April 1, 2008 to Mar 31, 2011 and the Transfer site will be open an additional day which would be 3 times a week.

Motion 98/08

Moved by Councillor Davies to support a new contract agreement for the garbage with Nikirk Bros. Ltd.

CARRIED UNANIMOUS

Rural Development
Fund Grant
Application

The Rimbey Health Care Centre and the local physicians have expressed their desire to have an ALS Ambulance service capacity. An Expression of Interest for a Rural Development Fund Grant will be submitted to run a three year trial project. Costs to run this project would be approximately \$300,000 with funding split between Rimbey Hospital, DTHR, Rural Development Fund, and the Town.

Motion 99/08

Moved by Councillor Huff for Administration to continue with the Rural Development Grant Fund application for Ambulance upgrade service to ALS.

CARRIED UNANIMOUS

Rimbey District
Horticulture –
Request for Donation

The Rimbey and District Horticulture are volunteering their time to plant flowers up at the park and are requesting a donation from the town towards the purchase of bedding plants for the park.

Motion 100/08

Moved by Councillor Clark to donate \$500.00 for the purchase of flower plants for the park.

CARRIED UNANIMOUS

Duncan & Craig LLP
– Robert Noce Firm
Change

On March 28th, Mr. Robert Noce will be leaving Duncan & Craig LLP to join the firm of Miller Thomson LLP. A Letter of Authority is required stating if the Town would like Mr. Noce to continue to represent the Town. To maintain continuity it is recommended to continue to have Robert Noce as the Rimbey Legal Counsel.



By-Laws of the Town of Rimbey

| By-Law # | Description | 1 st Read | 2 nd Read | 3 rd Read | Amending By-Law # | Repealed Date | Repealed by By-Law # |
|----------|---|----------------------|----------------------|----------------------|-------------------|-------------------|----------------------|
| 826/08 | To Provide Property Tax Incentives for Residential Rental Accommodations | Mar 18/2008 | Mar 18/2008 | Mar 18/2008 | | | |
| 827/08 | To Provide Property Tax Incentives for New Commercial and Industrial Development | Mar 18/2008 | Mar 18/2008 | Mar 18/2008 | | | |
| 828/08 | To Amend the Operation of the Rimbey Solid Waste Transfer Station Bylaw 807/07 | Apr 08/2008 | Apr 08/2008 | Apr 08/2008 | Bylaw 807/07 | | |
| 829/08 | To Set the Mill Rate for Real Property for the Fiscal Year 2008 | May 13/2008 | May 13/2008 | May 13/2008 | | | Expired |
| 830/08 | To Set the Mill Rate for Real Property for the Fiscal Year 2008 | May 13/2008 | May 13/2008 | May 13/2008 | | | Expired |
| 831/08 | To Amend Land Use Bylaw 762/04 | Jun 24/2008 | Jul 08/2008 | Jul 08/2008 | | | |
| 832/08 | To Amend Land Use Bylaw 762/04 (Rezoning – Jordons) | | | | | EXPIRED | |
| 833/08 | To Amend Land Use Bylaw 762/04 (Johnson Estates) | Aug 12/2008 | May 26/2009 | May 26/2009 | | July 11/2011 | 869/11 |
| 834/08 | To incur indebtedness to ATB Financial for the Northeast Lagoon Upgrade | Nov 12/2008 | Nov 12/2008 | Nov 12/2008 | | | |
| 835/09 | To Amend Land Use Bylaw 762/04 (Define wording) | Jan 13/2009 | Feb 10/2009 | Feb 24/2009 | | | |
| 836/09 | To amend Development & Building Permit Fees Bylaw 775/05 | Feb 10/2009 | Feb 24/2009 | Feb 24/2009 | Bylaw 775/05 | | |
| 837/09 | To appoint a Designated Officer & establish the position of Development Officer | Jan 13/2009 | Jan 13/2009 | Jan 13/2009 | | Jan 12/2010 | 848/10 |
| 838/09 | Retention & Destruction of Municipal Documents | Jan 13/2009 | Jan 13/2009 | Jan 13/2009 | | | |
| 839/09 | Purpose of adopting the Town of Rimbey Area Structure Plan (ASP) | Jan 13/2009 | Sept 8/2009 | Sept 8/2009 | | February 24, 2014 | |
| 840/09 | Road Closure (portion of 49 th Ave, between 54 th Street and 55 th Street) | Jan 13/2009 | Nov 10/2009 | Nov 10/2009 | | | |
| 841/09 | To amend Land Use Bylaw 762/04 (Lot 26, Block 7, Plan 9823764) | Feb 10/2009 | Apr 14/2009 | Apr 14/2009 | | | |
| 842/09 | To Incur an indebtedness of a debenture for the purpose of local improvements (44 th Street) | Mar 10/2009 | Apr 14/2009 | Apr 14/2009 | | | |
| 843/09 | To Incur an indebtedness of a debenture for the purpose of local improvements (46 th Avenue) | Mar 10/2009 | Apr 14/2009 | Apr 14/2009 | | | |
| 844/09 | Amending Municipal Utility Rates (Garbage Rates) | Apr 14/2009 | Apr 14/2009 | Apr 14/2009 | | | Bylaw 856/10 |
| 845/09 | Mill Rate for Real Property for the Fiscal Year 2009 | Apr 28/2009 | Apr 28/2009 | Apr 28/2009 | | | Expired |
| 846/09 | Mill Rate for Real Property for the Fiscal Year 2009 | Apr 28/2009 | Apr 28/2009 | Apr 28/2009 | | | Expired |
| 847/09 | Amend the Rimbey Traffic Bylaw No 545/88 | May 26/2009 | May 26/2009 | May 26/2009 | Bylaw 845/88 | Mar 12/2012 | 872/11 |
| 848/10 | To appoint a Designated Officer & establish the position of Development Officer & Ass't CAO | Jan 12/2010 | Jan 12/2010 | Jan 12/2010 | | Sept 24/2012 | 879/12 |

- (b) may abstain from voting on the bylaw or resolution if the councillor was only absent from a part of the public hearing.

1994 cM-26.1 s184

Recording of votes

185(1) Before a vote is taken by council, a councillor may request that the vote be recorded.

- (2) When a vote is recorded, the minutes must show the names of the councillors present and whether each councillor voted for or against the proposal or abstained.

1994 cM-26.1 s185

Secret ballot

185.1(1) Despite sections 185 and 197, at a meeting at which a council

- (a) establishes a council committee or other body under section 145, or
- (b) appoints a chief elected official under section 150,

a secret ballot must be held if requested by any councillor present at the meeting.

- (2) A vote by secret ballot under subsection (1) must be confirmed by a resolution of council.

1998 c24 s8

Tied vote

186 If there is an equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated.

1994 cM-26.1 s186

Passing a Bylaw**Bylaw readings**

187(1) Every proposed bylaw must have 3 distinct and separate readings.

- (2) Each councillor present at the meeting at which first reading is to take place must be given or have had the opportunity to review the full text of the proposed bylaw before the bylaw receives first reading.

- (3) Each councillor present at the meeting at which third reading is to take place must, before the proposed bylaw receives third reading, be given or have had the opportunity to review the full text of the proposed bylaw and of any amendments that were passed after first reading.

(4) A proposed bylaw must not have more than 2 readings at a council meeting unless the councillors present unanimously agree to consider third reading.

(5) Only the title or identifying number has to be read at each reading of the bylaw.

1994 cM-26.1 s187

Rescission of previous bylaw readings

188 The previous readings of a proposed bylaw are rescinded if the proposed bylaw

- (a) does not receive third reading within 2 years after first reading, or
- (b) is defeated on second or third reading.

1994 cM-26.1 s188

Passing of bylaw

189 A bylaw is passed when it receives third reading and it is signed in accordance with section 213.

1994 cM-26.1 s189

Coming into force

190(1) A bylaw comes into force at the beginning of the day that it is passed unless otherwise provided in this or any other enactment or in the bylaw.

(2) If this or any other enactment requires a bylaw to be approved, the bylaw does not come into force until the approval is given.

(3) No bylaw may come into force on a day before it is passed unless the enactment authorizing the passing of the bylaw specifically allows for the bylaw to come into force on a day before it is passed.

1994 cM-26.1 s190

Amendment and repeal

191(1) The power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw.

(2) The amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise.

1994 cM-26.1 s191

Receipt for payment of taxes

342 When taxes are paid to a municipality, the municipality must provide a receipt.

1994 cM-26.1 s342

Application of tax payment

343(1) A tax payment must be applied first to tax arrears.

(2) If a person does not indicate to which taxable property or business a tax payment is to be applied, a designated officer must decide to which taxable property or business owned by the taxpayer the payment is to be applied.

1994 cM-26.1 s343

Penalty for non-payment in current year

344(1) A council may by bylaw impose penalties in the year in which a tax is imposed if the tax remains unpaid after the date shown on the tax notice.

(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than 30 days after the tax notice is sent out.

1994 cM-26.1 s344

Penalty for non-payment in other years

345(1) A council may by bylaw impose penalties in any year following the year in which a tax is imposed if the tax remains unpaid after December 31 of the year in which it is imposed.

(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than January 1 of the year following the year in which the tax was imposed or any later date specified in the bylaw.

1994 cM-26.1 s345

Penalties

346 A penalty imposed under section 344 or 345 is part of the tax in respect of which it is imposed.

1994 cM-26.1 s346

Cancellation, reduction, refund or deferral of taxes

347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:

(a) cancel or reduce tax arrears;

- (b) cancel or refund all or part of a tax;
- (c) defer the collection of a tax.

(2) A council may phase in a tax increase or decrease resulting from the preparation of any new assessment.

1994 cM-26.1 s347

Tax becomes debt to municipality

348 Taxes due to a municipality

- (a) are an amount owing to the municipality,
- (b) are recoverable as a debt due to the municipality,
- (c) take priority over the claims of every person except the Crown, and
- (d) are a special lien
 - (i) on land and any improvements to the land, if the tax is a property tax, a community revitalization levy, a special tax, a local improvement tax or a community aggregate payment levy, or
 - (ii) on goods, if the tax is a business tax, a community revitalization levy, a well drilling equipment tax, a community aggregate payment levy or a property tax imposed in respect of a designated manufactured home in a manufactured home community.

RSA 2000 cM-26 s348;2005 c14 s12

Fire insurance proceeds

349(1) Taxes that have been imposed in respect of improvements are a first charge on any money payable under a fire insurance policy for loss or damage to those improvements.

(2) Taxes that have been imposed in respect of a business are a first charge on any money payable under a fire insurance policy for loss or damage to any personal property

- (a) that is located on the premises occupied for the purposes of the business, and
- (b) that is used in connection with the business and belongs to the taxpayer.

1994 cM-26.1 s349

Tax certificates

350 On request, a designated officer must issue a tax certificate showing

**Town of Rimbey
Bylaw # 827/08**

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO PROVIDE PROPERTY TAX INCENTIVES FOR NEW COMMERCIAL AND INDUSTRIAL DEVELOPMENT.

WHEREAS

Rimbey Town Council wishes to provide property tax incentives to encourage assessment growth and promote commercial and industrial development;

WHEREAS

The Municipal Government Act, R.S.A. 2000, and amendments thereto, permits a Council to cancel or refund all or part of a tax;

**NOW
THEREFORE**

The Council of the Town of Rimbey, duly assembled, hereby enacts as follows:

1. **New commercial and industrial developments will be rebated property taxes equal to the value of the (Current mill rate less 1.0 mill) multiplied by the assessed value of the new development**
2. **Businesses that renovate their existing buildings will be rebated property taxes equal to the difference between the current years municipal taxes on the improvement assessment and the year the renovations took place.**
 - a. School property taxes are excluded from any reduction in overall property taxes.
 - b. Renovations must exceed \$ 5,000.00 in value.
3. **Tax rebates shall be made by a resolution of Town Council no later than May 31st in each year, upon receipt of a report from the Chief Administrative Officer.**
4. **The tax rebate shall be applied to the individual tax accounts prior to tax notices being sent out.**
5. **Any disputes regarding the calculation of the tax rebates, or any entitlement under this bylaw, shall be referred to Town Council for resolution.**
 - a. **The decision of Council shall be final and binding upon all parties.**
6. **This bylaw shall come into effect for all commercial and industrial developments which are re-assessed for the taxation year. (See attached Schedule "A" attached to and part of this Bylaw).**
7. **Tax rebates shall be made for a period of five (5) consecutive calendar years, unless the property is sold during the five year period.**
8. **Three years after the date of final passage this Bylaw shall be reviewed by the newly elected Town Council to ascertain whether the Bylaw has accomplished the objective of increasing commercial and industrial development.**



100-813-0102

9. Town of Rimbey Property Tax Incentives Bylaw No. 785/05 is hereby repealed.

Read a first time this 18th day of March, 2008.

Read a second time this 18th day of March, 2008.

UNANIMOUSLY AGREED to Present By-Law 827/08 for Third and Final Reading.

Read a third time this 18th day of March, 2008.


MAYOR


TOWN MANAGER

Form 87310

Schedule A – By-Law #726/01

Examples and illustrations of how this by-law would be implemented

New improvement valued at \$100,000

Annual tax cancellation – 7.000mills x \$100,000 = \$700.00 per year for five years.

Renovations & Additions

| | |
|--|-----------|
| Municipal Taxes on improvement assessments prior to renovation | \$1000.00 |
| Municipal Taxes on improvement assessments after renovation | \$1500.00 |
| Amount of tax cancellation | \$ 500.00 |

The municipal mill rate does not include levies for:





School Requisitions
 The School Foundation Program
 The Rimoka Foundation







| | |
|------------------------------------|---|
| Council Agenda Item | 7.1 Concrete Disposal |
| Council Meeting Date | June 13, 2016 |
| Subject | Concrete Disposal Fees |
| For Public Agenda | Public Information |
| Background | <p>At the Regular Council Meeting held May 25, 2016, Council tabled further discussion on Concrete Disposal to the June 13, 2016 Regular Council Meeting to enable the Director of Public Works to further investigate costs regarding Concrete Crushing.</p> <p>Currently the Town of Rimbey does not charge for disposal of used concrete. Very few municipalities around us accept it.</p> |
| Discussion | <p>The Town of Rimbey is the main contributor to the concrete storage when infrastructure projects are in progress. After talks with Chris at Nikirk Bros Contracting, it was determined they would not be interested in taking our concrete or anyone else's. He noted it is too hard to monitor what is being brought in as far as contamination, rebar and other materials in the cement.</p> <p>Greg at D & M Concrete in Lacombe charges a varied rate for a concrete disposal. Regular customers that are regularly purchasing concrete and other aggregates and soil from him are not charged for this service. Regular concrete with no rebar or other material is \$20.00 per tonne. Concrete with rebar requires additional work prior to being ground. The fee for this varies on the amount of rebar. He indicated that \$35.00 per tonne would be an average cost when grinding concrete with rebar in it.</p> <p>D & M is the contractor who has done the Town's concrete crushing in the past. Greg suggests we continue excepting concrete and charge a reasonable fee to take it, grind it to a larger size than in the past which reduces crushing time and expenses and use the product for bedding and even larger pieces for rip rap around culverts and other projects.</p> <p>If the Town of Rimbey discontinues excepting concrete, it would leave the Town of Rimbey hauling our own concrete to a contractor and paying for disposal.</p> |
| Relevant Policy/Legislation | N/A |
| Options/Consequences | <p>a) The Town of Rimbey begins charging \$25.00 per tonne for concrete without rebar and \$40.00 per tonne with rebar of which \$5.00 per truck load, regardless of weight, would be reimbursed to Nikirk Bros Contracting for the use of their scale.</p> <p>b) The Town of Rimbey continues to cover full cost of disposing and crushing of the concrete;</p> |



TOWN OF RIMBEY REQUEST FOR DECISION

| | |
|-------------------------------|---|
| | c) The Town of Rimbey discontinue accepting concrete for disposal |
| Desired Outcome(s) | Public Works recommends the Town begin commence charging to accept concrete at our site. This would help offset the cost of crushing. |
| Financial Implications | To be determined. |
| Follow Up | Administration would need to amend the Schedule A in Bylaw 905/15 to reflect the new fees. |
| Attachments | None |
| Recommendation | Public Works recommends Council give consideration to recommendation: (a) The Town of Rimbey begins charging \$25.00 per tonne for concrete without rebar and \$40.00 per tonne with rebar of which \$5.00 per truck load, regardless of weight, would be reimbursed to Nikirk Bros Contracting for the use of their scale. |
| Prepared By: | |
| |  _____ Rick Schmidt Director of Public Works |
| |  _____ Date |
| Endorsed By: | |
| |  _____ Donna Tona, CTS Interim Chief Administrative Officer |
| |  _____ Date |

| | |
|------------------------------------|---|
| Council Agenda Item | 7.2 |
| Council Meeting Date | June 13, 2016 |
| Subject | Tagish Engineering Project Status Updates to May 16, 2016 |
| For Public Agenda | Public Information |
| Background | Tagish Engineering is supplying their status report. |
| Discussion | Tagish Engineering is the Town of Rimbey's Engineering firm. As such they are required to provide status updates as well as meeting with Administration. |
| Relevant Policy/Legislation | Not applicable. |
| Options/Consequences | Not applicable. |
| Desired Outcome(s) | Not applicable. |
| Financial Implications | None at this time. |
| Follow Up | None at this time. |
| Attachments | Tagish Engineering Project Status Update to May 16 and May 30, 2016. |
| Recommendation | To accept the Tagish Engineering Project Status Updates to May 16 and May 30, 2016, as information. |
| Prepared By: | <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  _____ Donna Tona, CTS Interim Chief Administrative Officer </div> <div style="text-align: center;">  _____ Date </div> </div> |
| Endorsed By: | <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  _____ Donna Tona, CTS Interim Chief Administrative Officer </div> <div style="text-align: center;">  _____ Date </div> </div> |



PROJECT STATUS UPDATES

May 30, 2016

| Date | Project Manager | Status Update |
|---|------------------|---|
| Town of Rimbey | | |
| Project: RBYM00000.16 RB00 - General Engineering 2016 | | |
| April 5, 2016 | Matichuk, Gerald | Project Description: This project is for small general requests for the Town. Tagish Engineering is working with Town staff providing information and budget estimates for grant funding. |
| April 19, 2016 | Matichuk, Gerald | April 11, Town Council and staff held a "Developers Summit" to discuss development issues and proposed changes to the Land Use By-Law. The Summit was well attended by the local Developers. |
| May 3, 2016 | Matichuk, Gerald | No Change. |
| May 17, 2016 | Matichuk, Gerald | No Change. |
| May 30, 2016 | Matichuk, Gerald | No Change. |
| Project: RBYM00106.00 RB106 -NE Lagoon General Engineering | | |
| April 5, 2016 | Matichuk, Gerald | Project Description: This project is related to all work involving the NE Lagoon repairs and drainage. Public Works is working with AMEC testing the ground water at Well # 13 and Main Reservoir. |
| April 19, 2016 | Matichuk, Gerald | Public Works is working with AMEC on testing at Well # 12 & # 13. |
| May 3, 2016 | Matichuk, Gerald | The Town continues to test ground water at Well # 13, and sending samples to AMEC for testing. |
| May 17, 2016 | Matichuk, Gerald | AMEC indicated that the Town should continue to test at Well # 13, # 12 for sucrose levels. |
| May 30, 2016 | Matichuk, Gerald | AMEC will complete the routine testing at Northeast Lagoon, South Lagoon, PW # 12, PW # 13 and the Nesting Place Well. |
| Project: RBYM00125.00 RB125 - Main Reservoir Upgrade | | |
| April 5, 2016 | Matichuk, Gerald | On March 30, Hunter Hydrovac Inc. on site to locate and depth of the existing shallow utilities, raw water supply line, main line leaving the pumphouse, and confirmed location of tie-in to the distribution system. |
| May 3, 2016 | Matichuk, Gerald | Tagish Engineering is working with LEX3 the structural engineers to provide comments on the feasibility on expanding the existing pumphouse to accommodate the installation of the proposed upgrades. |
| May 17, 2016 | Matichuk, Gerald | LEX3 has completed a draft report on the structural requirements that would have to be upgraded in and to the pumphouse. Tagish is working on the completing the entire pre-design report. |
| May 30, 2016 | Matichuk, Gerald | The pre-design report is being compiled, staff will complete a internal review by June 6, 2016. |
| Project: RBYM00126.00 RB126 - 2015 New Water Well Ph 1 | | |
| April 5, 2016 | Matichuk, Gerald | Project Description: Included in the 2015 Capital Budget, Council approved funds to retain a Hydrogeologist to assist the Town in locating a new ground water source. To complete this task the Town of Rimbey selected Omni-McCann Consulting Services. Phase 1 of the project includes reviewing all of the Town of Rimbey's water well data and Alberta Environment data to determine a probably location and water source. Phase 1 would include the drill and testing of an observation wells to determine a location for a production well. Phase 2 (2016 Capital) would include the drilling, testing and registering of a new production well. |
| April 19, 2016 | Matichuk, Gerald | Access Land Services is preparing documentation to be used to acquire Land Owners consent to drill exploration water wells. Access Land has indicated that the land could be a 99 year lease then no subdivision would be required. |
| May 3, 2016 | Matichuk, Gerald | On April 11 Administrative staff, Access Land and Tagish Engineering met to discuss the proposed locations for the exploratory wells. |
| May 3, 2016 | Matichuk, Gerald | Access Land Services Ltd. has supplied the Town with copy of the offer to purchase land documents which are being reviewed by the Town Solicitors. |

| | | |
|--------------|------------------|---|
| May 17, 2016 | Matichuk, Gerald | Town Solicitors have reviewed the purchase agreement documents from Access Land Services and have indicated that the documents can be used to acquire land for the new wells. Access Land will be contacting the land owners in the next few weeks. |
| May 30, 2016 | Matichuk, Gerald | Access Land Services will be contacting the land owners to obtain legal access to drill new water wells. |

Project: RBYM00128.00 RB128 - 2016 Street Improvements

Project Description: Included in the 2016 Capital Budget, Council approved funds to provide an in-term solution to extend the life of roadways and to ensure that the travelling public can continue using the streets in a safe manner, until such time the Town completes a total street reconstruction. Roads and concrete structures will be repaired as required with an asphalt overlay installed to the following roads.

- 50 Street asphalt overlay from 52 Ave to 56 Ave
- 49 Street asphalt overlay from 52 Ave to 54 Ave
- 49 Street repair and overlay from 49 Ave to 50 Ave
- Concrete replacement at various locations

| | | |
|----------------|------------------|--|
| April 5, 2016 | Matichuk, Gerald | Border Paving Ltd. has returned the signed Contract Documents and is waiting for the frost to come out and the weather to improve. |
| April 19, 2016 | Matichuk, Gerald | Public Works and Tagish Engineering inspected sidewalk locations on 50 Av and 51 St which will be included in the concrete replacement program. Public Works has indicated that 46 Ave from 50 St to 51 St would be included in the 2016 Street Improvements. |
| May 3, 2016 | Matichuk, Gerald | A Change Order is being prepared and sent to Border Paving to include 46 Ave from 50 St to 51 St to the 2016 – Street Improvement program. |
| May 17, 2016 | Matichuk, Gerald | Change Order # 1 signed by Town, Contractor and Tagish and will be included in the Contract. A site meeting with Contractor will be scheduled for later in the week of May 16 to mark out concrete to be replaced. Contractor is anticipating starting project the week of May 30, 2016. |
| May 30, 2016 | Matichuk, Gerald | Concrete replacement was to start this week but due to weather will be delayed and construction will start June 6, 2016. Pre-Construction was held June 1, 2016. |

Project: RBYM00129.00 RB129 - Land Use Bylaw Update

| | | |
|----------------|----------------|---|
| April 5, 2016 | Solberg, Lloyd | Awaiting Liz to finish up with the draft of the residential districts so that we can finish up the mapping. |
| April 19, 2016 | Solberg, Lloyd | Working on bylaw mapping and reviewing the land use bylaw text document. Should be complete for the Town's review by the end of the week. |
| May 3, 2016 | Solberg, Lloyd | Met With Liz last week to discuss bylaw text document. Have submitted bylaw map for Liz's review and comments. |
| May 17, 2016 | Solberg, Lloyd | Have submitted bylaw map for Liz's review and comments. Will make any required revisions once she has reviewed the information. |
| May 30, 2016 | Solberg, Lloyd | No change. |

Project: RBYM00130.00 RB130 - Rimoka Shallow Utilities

| | | |
|----------------|------------------|--|
| April 5, 2016 | Matichuk, Gerald | Town is scheduling a meeting with SJC Development Inc. regarding the placement of the shallow utilities to service the Rimoka Housing Site. |
| April 19, 2016 | Matichuk, Gerald | ACUITY Engineering and Berry Architecture are working with Fortis Alberta to select the electrical transformer for the new Rimoka Seniors Lodge. |
| May 17, 2016 | Matichuk, Gerald | Town Administration has indicated that the shallow utilities will be installed by SJC Development with the assistance of WSP Engineering. |
| May 30, 2016 | Matichuk, Gerald | No Change. |

Project Status Updates

Monday, May 16, 2016

4:11:38 PM

Tagish Engineering Ltd.

| Date | Project Manager | Status Update |
|---|------------------|---|
| Town of Rimbey | | |
| Project: RBYM00000.16 RB00 - General Engineering 2016 | | |
| | | Project Description: This project is for small general requests for the Town. |
| March 22, 2016 | Matichuk, Gerald | No Change |
| April 5, 2016 | Matichuk, Gerald | Tagish Engineering is working with Town staff providing information and budget estimates for grant funding. |
| April 19, 2016 | Matichuk, Gerald | April 11, Town Council and staff held a "Developers Summit" to discuss development issues and proposed changes to the Land Use By-Law. The Summit was well attended by the local Developers. |
| May 3, 2016 | Matichuk, Gerald | No Change. |
| May 17, 2016 | Matichuk, Gerald | No Change. |
| Project: RBYM00106.00 RB106 -NE Lagoon General Engineering | | |
| | | Project Description: This project is related to all work involving the NE Lagoon repairs and drainage. |
| March 22, 2016 | Matichuk, Gerald | March 17, conference call held with Town, AMEC and Tagish to discuss the most current VOA test results. AMEC to provide a budget estimate for testing prior to any additional work being completed. |
| April 5, 2016 | Matichuk, Gerald | Public Works is working with AMEC testing the ground water at Well # 13 and Main Reservoir. |
| April 19, 2016 | Matichuk, Gerald | Public Works is working with AMEC on testing at Well # 12 & # 13. |
| May 3, 2016 | Matichuk, Gerald | The Town continues to test ground water at Well # 13, and sending samples to AMEC for testing. |
| May 17, 2016 | Matichuk, Gerald | AMEC indicated that the Town should continue to test at Well # 13, # 12 for sucrose levels. |
| Project: RBYM00125.00 RB125 - Main Reservoir Upgrade | | |
| March 22, 2016 | Matichuk, Gerald | CCG provided Tagish with some preliminary cost estimates for electrical and mechanical components for Pumphouse upgrade. |
| April 5, 2016 | Matichuk, Gerald | On March 30, Hunter Hydrovac Inc. on site to locate and depth of the existing shallow utilities, raw water supply line, main line leaving the pumphouse, and confirmed location of tie-in to the distribution system. |
| May 3, 2016 | Matichuk, Gerald | Tagish Engineering is working with LEX3 the structural engineers to provide comments on the feasibility on expanding the existing pumphouse to accommodate the installation of the proposed upgrades. |
| May 17, 2016 | Matichuk, Gerald | LEX3 has completed a draft report on the structural requirements that would have to be upgraded in and to the pumphouse. Tagish is working on the completing the entire pre-design report. |
| Project: RBYM00126.00 RB126 - 2015 New Water Well Ph 1 | | |
| | | Project Description: Included in the 2015 Capital Budget, Council approved funds to retain a Hydrogeologist to assist the Town in locating a new ground water source. To complete this task the Town of Rimbey selected Omni-McCann Consulting Services. Phase 1 of the project includes reviewing all of the Town of Rimbey's water well data and Alberta Environment data to determine a probably location and water source. Phase 1 would include the drill and testing of an observation wells to determine a location for a production well. Phase 2 (2016 Capital) would include the drilling, testing and registering of a new production well. |
| March 22, 2016 | Matichuk, Gerald | Access Land Services is preparing documentation to be used to acquire Land |

| | | |
|----------------|------------------|--|
| April 5, 2016 | Matichuk, Gerald | Owners consent to drill exploration water wells. Access Land has indicated that the land could be a 99 year lease then no subdivision would be required. |
| April 19, 2016 | Matichuk, Gerald | Access Land Services is preparing documentation to be used to acquire Land Owners consent to drill exploration water wells. Access Land has indicated that the land could be a 99 year lease then no subdivision would be required. On April 11 Administrative staff, Access Land and Tagish Engineering met to discuss the proposed locations for the exploratory wells. |
| May 3, 2016 | Matichuk, Gerald | Access Land Services Ltd. has supplied the Town with copy of the offer to purchase land documents which are being reviewed by the Town Solicitors. |
| May 17, 2016 | Matichuk, Gerald | Town Solicitors have reviewed the purchase agreement documents from Access Land Services and have indicated that the documents can be used to acquire land for the new wells. Access Land will be contacting the land owners in the next few weeks. |

Project: RBYM00128.00 RB128 - 2016 Street Improvements

Project Description: Included in the 2016 Capital Budget, Council approved funds to provide an in-term solution to extend the life of roadways and to ensure that the travelling public can continue using the streets in a safe manner, until such time the Town completes a total street reconstruction. Roads and concrete structures will be repaired as required with an asphalt overlay installed to the following roads.

- 50 Street asphalt overlay from 52 Ave to 56 Ave
- 49 Street asphalt overlay from 52 Ave to 54 Ave
- 49 Street repair and overlay from 49 Ave to 50 Ave
- Concrete replacement at various locations

| | | |
|----------------|------------------|--|
| March 22, 2016 | Matichuk, Gerald | Contract documents were sent to Border Paving for endorsement. Town has indicated that additional concrete repair would be required and that 46 St from 50 Ave to 51 Ave be included in the 2016 Street Improvement Program. |
| April 5, 2016 | Matichuk, Gerald | Border Paving Ltd. has returned the signed Contract Documents and is waiting for the frost to come out and the weather to improve. |
| April 19, 2016 | Matichuk, Gerald | Public Works and Tagish Engineering inspected sidewalk locations on 50 Av and 51 St which will be included in the concrete replacement program. Public Works has indicated that 46 Ave from 50 St to 51 St would be included in the 2016 Street Improvements. |
| May 3, 2016 | Matichuk, Gerald | A Change Order is being prepared and sent to Border Paving to include 46 Ave from 50 St to 51 St to the 2016 – Street Improvement program. |
| May 17, 2016 | Matichuk, Gerald | Change Order # 1 signed by Town, Contractor and Tagish and will be included in the tender. A site meeting with Contractor will be scheduled for later in the week of May 16 to make out concrete to be replaced. Contractor is anticipating starting project the week of May 30, 2016. |

Project: RBYM00129.00 RB129 - Land Use Bylaw Update

| | | |
|----------------|----------------|---|
| March 22, 2016 | Solberg, Lloyd | New Town base map has been acquired. Awaiting Liz to finish up the draft of the residential districts. Once that information has been given to Tagish, we will finish the draft version of the bylaw map for Town review. |
| April 5, 2016 | Solberg, Lloyd | Awaiting Liz to finish up with the draft of the residential districts so that we can finish up the mapping. |
| April 19, 2016 | Solberg, Lloyd | Working on bylaw mapping and reviewing the land use bylaw text document. Should be complete for the Town's review by the end of the week. |
| May 3, 2016 | Solberg, Lloyd | Met With Liz last week to discuss bylaw text document. Have submitted bylaw map for Liz's review and comments. |
| May 17, 2016 | Solberg, Lloyd | Have submitted bylaw map for Liz's review and comments. Will make any required revisions once she has reviewed the information. |

Project: RBYM00130.00 RB130 - Rimoka Shallow Utilities

| | | |
|----------------|------------------|---|
| March 22, 2016 | Matichuk, Gerald | Fortis and ACUITY Engineering are reviewing the electrical requirements for the new Rimoka Housing complex. |
|----------------|------------------|---|

| | | |
|----------------|------------------|--|
| April 5, 2016 | Matichuk, Gerald | Town is scheduling a meeting with SJC Development Inc. regarding the placement of the shallow utilities to service the Rimoka Housing Site. |
| April 19, 2016 | Matichuk, Gerald | ACUITY Engineering and Berry Architecture are working with Fortis Alberta to select the electrical transformer for the new Rimoka Seniors Lodge. |
| May 17, 2016 | Matichuk, Gerald | Town Administration has indicated that the shallow utilities will be installed by SJC Development with the assistance of WSP Engineering. |

| | |
|-----------------------------|---|
| Council Agenda Item | 7.3 |
| Council Meeting Date | June 13, 2016 |
| Subject | SJC Development Corp. Subdivision Application |
| For Public Agenda | Public Information |
| Background | <p>On October 19, 2015, the Town of Rimbey Subdivision and Development Appeal Board rendered its decision pertaining to subdivision TR15/03. The applicant, Mr. Stan Cummings on behalf of SJC Development Corp, chose to resubmit the subdivision application for review. Under the MGA there are no limits on the number of times an applicant can submit a subdivision application. The SDAB Decision is included as an appendix as it provides a sound history of the subdivision up-until this point.</p> <p>On November 23, 2015 Donna Tona and Liz Armitage met with Stan Cummings to discuss a new subdivision application. It was discussed that upon review of the new application by Mrs. Armitage, the subdivision as presented is not compliant with the Land Use Bylaw. The Land Use Bylaw requires all R3 lots to have a lane/back alley which are not shown on the tentative subdivision plan. Specifically, Land Use Bylaw 762-04 states in clause 4.11 that "A new subdivision intended to be classified R3 shall contain lanes serving every residential lot." Three options were presented to Mr. Cummings:</p> <ol style="list-style-type: none"> 1. Complete TR-13-03 as approved by the Subdivision and Development Appeal Board. This includes paying the Municipal Reserve owing as determined by the board. 2. Extend the Subdivision application deadline to allow the Land Use Bylaw review to include a review of clause 4.11 and/or redesignate the three parcels from R3 to R1. 3. Immediately apply and pay to amend the land use bylaw to remove clause 4.11 and/or redesignate the lands from R3 to R1. <p>On November 25, 2016 Mr. Cummings submitted a letter which opted to extend the subdivision while the Land Use Bylaw review is undertaken by administration (as attached).</p> <p>On December 14, 2015 Mr. Cummings submitted an additional letter requesting that the redesignation of three R3 lots to R1 as part of the overall Land Use Bylaw project starting in January 2016 (as attached)</p> <p>Mr. Cummings presented a delegation at the February 22, 2016 council meeting. At this time Mr. Cummings requested the lots be redesignated immediately.</p> <p>Upon further conversation with Mrs. Tona on February 25, 2016, Mr. Cummings indicated his preference was for a text amendment to the Land Use Bylaw to remove the requirement of the lanes as required by Clause 4.11.</p> <p>On February 25, 2016 the application information was forwarded to Mr. Cummings by</p> |

administration. At that time he indicated that he is not going to apply as he does not want to pay the application fee.

A further email was received by Mrs. Tona and Mrs. Armitage on March 2, 2016 from Mr. Cummings. This email expressed a desire to seek resolution on the 5 lot subdivision, the Municipal Reserve owed and the rezoning of the lots prior to the council meeting on March 7, 2016. On March 7, 2016 Council directed administration to begin processing the land use re-designation application and waived the application fee.

Land Use Bylaw 912/16, to re-designate a portion of these lands from R3 to R1 received First reading on March 30, 2016, Public Hearing on April 25, 2016, Second Reading on April 25, 2015 and Third Reading on May 9, 2016.

Further, the most recent site visit were conducted by Elizabeth Armitage on May 30, 2016. Michael Fitzsimmons also conducted a site visit on June 7, 2016 to take photographs of the site. The site visits indicated that the site is currently vacant.



North facing view of subdivision from Rimstone Drive.



West facing view of Subdivision from Rimstone Drive.



South facing view of subdivision from the Rimstone Ridge Hotel.



South facing view of subdivision from the Rimstone Ridge Hotel.



North east facing view of subdivision from Rimstone Drive.

Circulation notices to adjacent neighbours and government agencies were sent out on November 9 2015. Upon request, neighbouring landowner Rimoka Seniors Lodge was re-circulated on May 31, 2016. As changes were not substantial a full circulation was not completed. Copies of the circulation responses are included as appendices and discussed in the *Discussion* section of this report.

Note that as a Subdivision application a bylaw process is not followed. Therefore a public hearing is not required.

Discussion

Once the land use re-designation was approved by council, administration conducted a review of the subdivision. Through discussions with Mr. Cummings two lots were altered slightly to ensure they match the requirements of the R1 designation. On June

3, 2016, administration received the final subdivision submission. The subdivision as presented meets the requirements of Land Use Bylaw 762/04 and the requirements of the Municipal Development Plan.

On May 30, 2016 Administration met with Mr. Cummings to present a draft of Administration's recommended subdivision conditions. The draft conditions discussed were as follows:

1. Engage an Alberta Land Surveyor to prepare a plan of subdivision to be registered at Land Titles Office based on the approved drawing dated June 2, 2016, 2015. On completion of the survey plan, your surveyor must submit the plan to West Central Planning Agency for endorsement.
2. The applicant shall enter into and comply with a development agreement, on terms satisfactory to the Town of Rimbey, for the purposes described in Section 655 of the *Municipal Government Act*, and including:
 - a. The provision of municipal services, utilities and the payment of related fees and levies.
 - b. Provision to assist in future improvement to the intersection of 50th Ave and Rimstone Dr.
 - c. All shallow services including but not exclusive to natural gas, power, and cable.
 - d. Payment of full securities.
3. The applicant is required to build Rimstone Drive to Town specification to ensure each propose lot has public road access.
4. Make any necessary changes to the gas utility, AltaGas Utilities, to provide service to the lots and provide any easements required.
5. Make arrangements with the power utility, Fortis, to provide service to the lots, and provide any easements required.
(You should contact the utilities before finalizing the survey, because they may require easements to be registered simultaneously with the plan of subdivision.)
6. All outstanding costs associated with the development of Rimstone Drive as per the Tri-Party Cost Sharing Agreement dated July 8, 2015, shall be paid in full.
7. Any outstanding taxes on the property are to be paid.
8. Municipal Reserves are owing in the amount of 0.221 hectares or 0.5461 acres. The applicant is to pay cash-in-lieu of the reserves. The amount to be paid as cash-in-lieu shall be calculated by using the value of \$36,342.00 per acre. The amount to be paid as cash-in-lieu is \$19,846.37.
9. The applicant is pay and endorsement fee of \$1000 to the Town of Rimbey.
10. The approval of Subdivision Application TR 15/03 located on Lot 1 Block 19 Plan 072 9960 is null and void.

On June 5, 2016 Mr. Cummings submitted a response to the subdivision conditions. His response via email is as follows (Appendix 3):

Liz and Donna; Attached Meeting

As per our meeting regarding my application for the 5 lot Sub Division, I comment on the following;

1 Engage an Alberta Land Surveyor etc.

This was done and a copy sent to Liz Armitage

2 The applicant shall enter into and comply with a development etc.

SJC Dev Corp has a Development Agreement in place that was renewed by the Town of Rimbey in Aug 2015 for a two year period and included terms regarding the Rimstone Drive extension. I am satisfied with that agreement as it has served to allow the sub division of several other lots including the one sold for the Seniors Lodge. I will not accept a different Development Agreement as I now have one in place.

3 The applicant is required to build Rimstone Drive to Town specifications etc.

SJC Dev Corp has been given a certification of completion by the Town's engineering firm with the understanding the pavement will be placed once the Seniors Lodge has completed construction and the road is refurbished ready for pavement. As per Towns own by law, pavement will be completed once 60% of the lots facing Rimstone Ridge are sold.

4 Make any necessary changes to the gas etc.

SJC Dev Corp has engaged the services of DES Engineering to design, tender and supervise the construction, coordination and completion of shallow services on Rimstone Drive.

5 Make and arrange with the power utility etc.

SJC Dev Corp has engaged the services of DES Engineering to design, tender and supervise the construction, coordination and completion of shallow services on Rimstone Drive.

6 All outstanding costs associated with the etc.

Arrangements with DB Bobcat in regards to payment have been made ie: They have placed a caveat on properties owned by SJC Dev Corp for payment. I have a problem with the Town instructing me to make payments when I have made arrangements for such payments.

7 Any outstanding taxes etc.

All taxes are paid up to date

8 Municipal Reserves are owing etc.

Rimoka Foundation will take care of this as part of my agreement allowing them to place shallow servicing in Rimstone Ridge Drive.

9 The applicant is to pay endorsement etc.

Agreed upon receiving approval of SD

10 The approval of etc.

Agreed

One of the items to consider is the tax base this SD will contribute to the

Town, approximately \$3,000 more per year. Check this out

Now, lets get this done. Either the SD is approved, council accepts my responses or I will look at other options

Stan Cummings
Owner

The circulation comments received from required government agencies indicated (originals are in appendix 4):

- Atco Gas.
- Alberta Transportation.
- Alberta Energy Regulator (AER).
- Atco Pipelines.

Two written responses were received from directly adjacent neighbours (originals are in appendix 5):


- Earl Repas.
- Rimoka Seniors Lodge.

Further, Administration would like to note that during the Public Hearing for Bylaw 912/16 pertaining to the Land Use Re-designation members of the public did speak against the land use re-designation and subdivision.

As the proposed subdivision is consistent with Town policy, Administration recommends approval of subdivision file TR/15/06 contingent on the following list of conditions:

1. Engage an Alberta Land Surveyor to prepare a plan of subdivision to be registered at Land Titles Office based on the approved drawing dated June 2, 2016, 2015. On completion of the survey plan, your surveyor must submit the plan to the Town of Rimbey for endorsement.
2. The applicant shall enter into and comply with a new development agreement, on terms satisfactory to the Town of Rimbey, for the purposes described in Section 655 of the *Municipal Government Act*, and including but limited to:
 - a. The provision of municipal services, utilities and the payment of related fees and levies.
 - b. Provision to assist in future improvement to the intersection of 50th Ave and Rimstone Dr.
 - c. All shallow services including but not exclusive to natural gas, power, and cable.
 - d. Payment of full securities for all municipal infrastructure including shallow utility installation.
3. All infrastructure is to be constructed as per the approved engineering documents (ex. plans and specifications), verified by the responsible engineer, and confirmed by submission of fully endorsed record drawings and all support construction related documents. All information to be submitted to the Town

| | |
|---|--|
| | <p>for final approval before acceptance of the infrastructure.</p> <ol style="list-style-type: none"> 4. The applicant is required to build Rimstone Drive to Town specification to ensure each propose lot has public road access. 5. Make any necessary changes to the gas utility, AltaGas Utilities, to provide service to the lots and provide any easements required. 6. Make arrangements with the power utility, Fortis, to provide service to the lots, and provide any easements required. <i>(You should contact the utilities before finalizing the survey, because they may require easements to be registered simultaneously with the plan of subdivision.)</i> 7. Payment of all outstanding costs as per the Tri-Party Cost Sharing Agreement dated July 8, 2015. 8. Any outstanding taxes on the property are to be paid. 9. Municipal Reserves are owing in the amount of 0.221 hectares or 0.5461 acres. The applicant is to pay cash-in-lieu of the reserves. The amount to be paid as cash-in-lieu shall be calculated by using the value of \$36,342.00 per acre. The amount to be paid as cash-in-lieu is \$19,846.37. 10. The applicant is pay and endorsement fee of \$1000 to the Town of Rimbey. 11. The approval of Subdivision Application TR 15/03 located on Lot 1 Block 19 Plan 072 9960 is null and void. |
| <p>Relevant Policy/Legislation</p> | <p>Municipal Government Act Subdivision and Development Regulations</p> |
| <p>Options/Consequences</p> | <p>Option 1: Approve the subdivision with the conditions proposed. Option 2: Approve the subdivision with revised conditions. Option 3: Refuse the subdivision stating reasons.</p> |
| <p>Desired Outcome(s)</p> | <p>Council approve the subdivision with the conditions proposed.</p> |
| <p>Financial Implications</p> | <p>None to the Town</p> |
| <p>Follow Up</p> | <p>N/A</p> |
| <p>Attachments</p> | <ol style="list-style-type: none"> 1. TR15/03 Subdivision and Development Appeal Board Notice of Decision 2. Applicant Correspondence 3. Applicant Response to Administration’s Draft Conditions. 4. Agency Circulation Responses. 5. Adjacent Neighbour Circulation Responses. 6. Application including Land Title 7. Plan Showing Survey of Subdivision |

| | |
|---|--|
| Recommendation | As the proposed subdivision is consistent with Town policy, Administration recommends approval of subdivision file TR/15/05. |
| Prepared By: <p style="text-align: center;"> _____ Liz Armitage Development Officer</p> <p style="text-align: right;">_____ June 8, 2016 Date</p> Endorsed By: <p style="text-align: center;"><i>Donna Tona</i> _____ Donna Tona, CTS Interim Chief Administrative Officer</p> <p style="text-align: right;">_____ June 09, 2016 Date</p> | |

THE TOWN OF RIMBEY
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Notice of Decision

Appeal by: SJC Development Corp (“SJC”)

RE: SUBDIVISION APPLICATION: TR 15/03

LEGAL DESCRIPTION: Lot 1 Block 19 Plan 072 9960 (the “Lot 1”)

The appeal from the decision of the Subdivision Authority for the Town of Rimbey (the “SA”) is DENIED. The Subdivision Decision of the SA, and all conditions attached to that Subdivision Decision are confirmed with the exception of Condition 8. Condition 8 is amended to read:

Municipal Reserves are owing in the amount of 0.221 hectares or .5461 acres. The applicant is to pay cash-in-lieu of the reserves. The amount to be paid as cash-in-lieu shall be calculated by using the value of \$29,421.89 per acre. The amount to be paid as cash-in-lieu is \$16,067.29.

A. INTRODUCTION

On June 30, 2015 SJC submitted an application for subdivision of the lands legally described as Plan 072 9960, Block 19, Lot 1 (“Lot 1”). The proposed subdivision, if approved, would reduce the size of Lot 1 by creating five new lots from Lot 1 as shown on the attached map. Lot 1, although reduced in size, would continue to exist. The application was processed and reviewed by the West Central Planning Agency (“WCPA”), planning consultants retained by the Town of Rimbey (the “Town”). WCPA recommended to the SA that the subdivision be approved subject to conditions. The SA approved the application subject to nine conditions. SJC was advised of the SA decision by WCPA by letter dated August 5, 2015 (“TR 15/03”).

SJC appealed decision TR 15/03 on August 13, 2015. On the Notice of Appeal form filed by SJC with the Subdivision and Development Appeal Board of the Town of Rimbey (the “Board”), SJC indicated that SJC wanted to appeal decisions TR15/01 and TR15/03. It was determined during the course of the Hearing that SJC wanted to appeal decision TR14/01 and TR15/03. TR 14/01 is a decision approving a prior subdivision of Lot 1 that resulted in the creation of a lot that SJC sold to Ponoka County (the “Ponoka Lot”). With respect to decision TR15/03 SJC objected to Condition 8 of decision TR15/03. Condition 8 provides:

Municipal Reserves are owing in the amount of 0.221 hectares. The applicant is to pay cash-in-lieu of the reserves. This shall be calculated by the current market value per hectare.

In the initial appeal document that SJC filed it was argued that only 0.166 acres (0.067 hectares) municipal reserve ("MR") was due from Lot 1 and that the value used to calculate the cash-in-lieu payment should be \$29,421.89 per acre, based on the value of Lot 1 when the first development agreement between the Town and SJC, regarding the development of Lot 1, was entered into in August, 2008. The value of \$29,421.89 per acre was the amount paid by SJC when SJC purchased Lot 1 (and other land) from Do-Mar Farms Ltd ("Do-Mar") in 2008. Given the proximity in time between the original Development Agreement between the Town and SJC and SJC's purchase of the land, SJC considered that the purchase price would accurately reflect the market value for the land at the time of the Development Agreement. SJC's position was that the cash-in-lieu amount, if calculated according to SJC numbers, would be \$4,884.03.

Prior to the commencement of the Hearing on August 26, 2015, SJC submitted a revised calculation of the MR owing by way of a letter dated August 17, 2015. The revised calculation indicated that only 0.162 acres (0.066 hectares) of MR was due from Lot 1. SJC's position was that the cash-in-lieu amount, if calculated according to SJC numbers, would be \$1,874.92.

The position of the Town's administration both before and at the Hearing on August 26, 2015 was that the value used to calculate the cash-in-lieu should be the current, assessed value for the land as indicated by the Town's Assessor. The Assessor had advised the Town that the current value for the land was \$36,342.00 per acre. The Town converted the 0.221 hectares to 0.5461 acres and had calculated the cash-in-lieu owing as being the sum of \$19,846.37 (0.546 acres X \$36,342.00/acre.)

B. THE HEARING

The Hearing was held in two parts. The Hearing commenced August 26, 2015. The Hearing was adjourned and the Board began its deliberations. During the course of its deliberations the Board concluded that the Board needed additional information in order to render a decision. On September 10, 2015 the Board sent a letter to SJC, the Town's Development Officer and other individuals that attended the August 26, 2015 hearing identifying the specific additional information that the Board wanted to see and advising that the Hearing on the Appeal would reconvene on October 5, 2015.

Hearing on August 26, 2015

At the commencement of the Hearing on August 26, 2015, members of the Board were introduced and the Chair asked the Appellant and those in attendance if there were any objections to the composition of the Board. There were no objections.

During the Hearing on August 26, 2015 the Board heard evidence from Kemi Apanisile and Jason Tran of WCPA, the Appellant SJC Corporation represented by Stan Cummings and the engineer for the project Dean Reid, Liz Armitage, contract planner for the Town and Stacey Johnson, a resident of Ponoka County.

Evidence of WCPA

Mr. Apanisile and Mr. Tran presented an Appeal Brief to the Board. A copy of the Appeal Brief was provided to both the Appellant and Ms. Johnson. With respect to the issue of the calculation of the MR, Mr. Tran advised that there was a Deferred Reserve Caveat (the "DRC") registered against the Certificate of Title for Lot 1. Copies of the DRC, Land Titles Instrument No. 142 219 391 and the Certificate of Title for Lot 1 (Title # 142 219 389 +1) were provided to the Board. The Certificate of Title, obtained from the Registrar of Land Titles on July 2, 2015, showed that the DRC was registered on the Certificate of Title. Given the registration of the DRC on the Certificate of Title to the land that was the subject of the subdivision, Mr. Tran recommended that the Board uphold Condition 8 as imposed by the SA.

When asked by the Board Mr. Tran indicated that WCPA had not reviewed the 2008 Agreement between the Town and SJC so WCPA did not know whether a new development agreement would be required or if the 2008 Agreement covered off all the requirements.

Evidence of SJC Corporation

Mr. Cummings reviewed with the Board the detailed calculation that SJC had prepared to determine the amount of MR owing from Lot 1. A copy of the calculation had been provided to the Board by Mr. Cummings on August 17, 2015. The letter stated that the calculations of the MR on the addendum submitted on August 17, 2015 were to replace the original calculations set out on the Notice of Appeal. Mr. Cummings indicated that SJC purchased 29.06 acres of land from Do-Mar in 2007. In 2014 SJC sold 8.54 acres from the 29.06 acres of land to the County of Ponoka (the "Ponoka Lot"). This left SJC with 20.52 acres of land. Mr. Cummings submitted that as a result SJC would only owe 2.052 acres of land as MR. According to his calculations SJC should get MR credit for the size of the MR Pond that will be constructed on the Ponoka Lot, being 2.029 acres, leaving only a balance of 0.023 acres. Further, Mr. Cummings argued that because the size of the MR Pond had increased and because now it was expected that more than 2.77 acres of land would be taken as MR for the Pond from the Ponoka Lot and by extrapolation from Lot 1, no more MR land, or cash-in-lieu, was due from Lot 1. All necessary or required MR that would have been required from Lot 1, as of the date the Lot was purchased by SJC, would be provided from the Ponoka Lot and the current Lot 1 should not have to dedicate or pay cash-in-lieu for MR. Additionally SJC had paid cash-in-lieu for 1.4493 acres of MR in 2014.

Mr. Cummings submitted that if cash-in-lieu were to be required the value used in the calculation should be \$7,500.00 which was the value that the SA stipulated be used for the cash-in-lieu calculation in 2014. Mr. Cummings advised the Board that SJC and the Town had entered into an agreement to provide for the servicing of the lands that SJC had purchased from Do-Mar including the lands that are the subject of this subdivision application (the "2008 Agreement"). The Town and SJC had just recently entered into an Extension and Novation Agreement extending the time that SJC had to complete the obligations in the 2008 Agreement. A copy of the 2008 Agreement and the Extension and Novation Agreement were provided to the Board.

Mr. Reid, SJC's engineer supported the representations of Mr. Cummings. Mr. Reid stated that, based on his understanding of the requirements to dedicate MR, the municipality was only allowed to take 10% of the land originally purchased from Do-Mar as MR. The expansion of the MR Pond meant that even more than 10 % of the original 29.06 acres would become MR.

In questioning the Board clarified that the MR Pond was being built on the lands that SJC sold to Ponoka County. Neither Mr. Cummings nor Mr. Reid provided an explanation as to why SJC should be able to offset the Lot 1 requirements to dedicate MR against MR that may or may not be dedicated by Ponoka County from the Ponoka Lot.

Evidence of Liz Armitage, Town Planning Consultant

Ms. Armitage advised that following receipt of the appeal of the decision of the SA she had asked the Town's Assessor to provide her with the current assessed value of Lot 1. Ms. Armitage indicated that in her view the current assessed value was an indicator of the current market value. The Town's Assessor advised Ms. Armitage that the current assessed value was \$36,341.00 per acre. Ms. Armitage submitted that this was the value that should be used to calculate the cash-in-lieu payable as per Condition 8 of the SA Approval.

Evidence of Stacey Johnson

Ms. Johnson advised the Board that her company also develops land within the Town. She expressed concerns about a deal between Ponoka County and another developer. She was concerned with the number of benefits that have been given to SJC referencing the fact that the Town waived/forgave the dedication of 1 acre of MR in 2014 and the fact that the Town utilized \$7,500.00/acre for the purposes of calculating SJC's cash-in-lieu of MR payment in 2014. She advised the Board that in her opinion the DRC on Lot 1 was correct, the Board should not decrease the amount of MR to be provided and that the Board should, if ordering the payment of cash-in-lieu, utilize a fair market value and not use \$7,500.00 to calculate the cash-in-lieu to be paid.

Hearing on October 5, 2015

The Hearing was reconvened on October 5, 2015. The documents listed in the Board's letter of September 10, 2015 had been provided to the Board prior to the start of the Hearing on October 5.

On October 5, 2015 the Board again heard from Mr. Cummings of SJC Corporation. Mr. Cummings was accompanied by his legal counsel, Josh Mohr, Sirrs LLP. Mr. Mohr made representations to the Board. Ms. Stacey Johnson made comments to the Board. Mr. Jason Tran of WCPA answered questions from the Board. Ms. Armitage was not in attendance at the continuation of the Hearing on October 5.

Evidence of Mr. Mohr and Mr. Cummings

Mr. Mohr presented a new argument as to why no MR should be taken from Lot 1. Mr. Mohr advised the Board that at the time Mr. Cummings purchased Lot 1 from Do-Mar the DRC was not registered against Lot 1 and Do-Mar had not disclosed to Mr. Cummings that MR obligations from other lands were being transferred to Lot 1. Mr. Mohr explained that the DRC claiming an interest in Lot 1 in the amount of 1.562 hectares (3.9 acres) increased the amount of MR that would have to be dedicated from Lot 1 by .40 hectares (1.0 acre). Mr. Mohr advised that SJC did not agree to assume this obligation when SJC purchased Lot 1 from Do-Mar. Because the DRC was registered after the transfer of land occurred, SJC had no knowledge of the additional obligation that was being transferred to Lot 1. Mr. Mohr acknowledged that SJC may have a remedy against Do-Mar but suggested that the Board ignore the DRC and only look at the amount of MR that Lot 1 would need to dedicate given its size. As Lot 1 was approximately 20.5 acres after the registration of the subdivision creating the Ponoka Lot, Lot 1 should only have to give up 2.05 acres. Mr. Mohr then went through a calculation that showed that when the original size of the proposed Pond (2.03 acres) was considered to be MR, and if all of that MR is considered to be coming from Lot 1, then Lot 1 would only have to provide an additional 0.022 acres. When the proposed increase in the Pond size is factored in (now estimated to be 2.744 acres), and if all of that MR is considered as coming from Lot 1, and given that SJC paid cash-in-lieu for 1.449 acres of MR with the subdivision in 2014, SJC would actually have over dedicated MR from Lot 1 by 1.287 acres. Mr. Cummings indicated that Ponoka County knew that the land for the Pond would come from the Ponoka Lot and that SJC should get a “credit” against the MR obligation of Lot 1 for the size of the Pond. Mr. Mohr suggested that part of the difficulty was that the deal between SJC and Ponoka County that required Ponoka County to give up MR for the benefit of Lot 1, was not reflected on the titles to Lot 1 and the Ponoka Lot. Mr. Cummings was asked why, if the size of the Pond increased after the sale of the Ponoka Lot, SJC should get additional credit for the growth in the size of the Pond. Mr. Mohr responded that his understanding was that Ponoka County had agreed to assume the MR burden for the Pond.

Comment of Stacey Johnson

Ms. Johnson advised the Board that it was her understanding, based on comments that she has heard from Ponoka County representatives, that Ponoka County had only agreed to assume responsibility for the dedication of .854 acres of MR as per the deferred reserve caveat registered on the Ponoka Lot. Ms. Johnson indicated that the size of the Pond was a surprise to Ponoka County.

FINDINGS

1. SJC’s Notice of Appeal referred to two subdivision decisions: TR15/01 and TR15/03. It became clear that SJC actually wanted to appeal TR 14/01 and TR 15/03. TR14/01 was approved in June, 2014. The Board finds that the document filed in August 2015, attempting to appeal subdivision TR14/01 was not filed within the time prescribed for the filing of subdivision appeals to the Board (which is 14 days according to s 687 of the *Municipal*

Government Act). Because the appeal was not filed within the prescribed time, the Board has no jurisdiction to deal with an appeal of conditions related to decision TR 14/01. The Board also notes that a subdivision plan has been registered implementing decision TR 14/01. Notice of the decision on TR15/03 was given to SJC on August 5, 2015. The appeal of TR15/03 was filed on August 13, 2014. The appeal of TR 15/01 was filed within the time prescribed by the *Municipal Government Act*. The Board finds that it has jurisdiction to deal with an appeal of the decision TR15/03.

2. Based on the information contained in the WCPA Appeal Brief and the fact that WCPA recommended approval of the subdivision to the SA, the Board finds, with respect to the lands identified in TR15/03, that
 - the land is suitable for subdivision; and
 - the proposed subdivision complies with the Town's Land Use Bylaw and the applicable area structure plan.
3. The Board accepts the information Ms. Armitage provided from the Town's Assessor as to the current assessed value of the land. However, the Board does not agree that the current assessed value of the land should be used for calculating the amount owing as money-in-lieu of MR. The assessed value was determined by the Town's Assessor based on one sale of land. The Board was not satisfied that the sale relied upon by the Town's Assessor reflected a value for the land based on land in an un-subdivided state. The 2014 sale from SJC to Ponoka County was for a subdivided parcel.
4. The Board was not persuaded by the arguments of SJC that there were no reserves owing from Lot 1. Whether there was miscommunication or a misunderstanding between Do-Mar and SJC as to the amount of MR that would be provided from Lot 1 is not an issue for the Board to decide. Nor can the Board assume that Ponoka County has, as a term of its agreement with SJC, agreed to dedicate MR for the benefit of SJC and Lot 1. The Board finds based on the evidence presented to it, that the only obligation that Ponoka County has to dedicate MR is the obligation identified in the deferred reserve caveat registered on the Ponoka Lot.
5. The Board finds that the issue of the MR owing on Lot 1 is separate and distinct from the issue of the MR that may or may not be owing and may or may not be provided from the lands sold to Ponoka County by SJC Corporation. The fact that the Pond may have expanded in size, and that some or all of the Pond may be on land that may be designated MR, does not mean that SJC, who no longer owns the land on which the Pond shall be built, is entitled to an increased MR credit based on the increased size of the Pond.
6. The Board finds, based on the DRC registered against the Certificate of Title for Lot 1, that MR in the amount of 0.221 ha or 0.5461 acres remains owing from Lot 1.
7. There was no evidence that the DRC was registered in error. The evidence from WCPA, as set out in their submissions to the Board, supports the conclusion that the DRC was validly

registered. The WCPA submission included a letter, from the Town to WCPA dated April 29, 2014, setting out the motions that dealt with the disposition of the MR owing from Lot 1 at the time of the 2014 subdivision which created the Ponoka Lot. Included in one of the motions, Motion 153/14, is the statement "10% of the remainder shall be deferred into the remainder parcel". This part of the motion resulted in the registration of the DRC that is currently registered on the certificate of title for Lot 1.

8. It is the opinion of the Board that if SJC objected to the registration of the DRC or objected to the calculation of the amount of MR that was being deferred and protected by the DRC, SJC should have raised those objections when the 2014 subdivision was approved. As SJC did not question the registration of the DRC in 2014, the Board does not accept that the DRC should be ignored at this time.
9. The Board was not persuaded by SJC's argument that the Board should direct that the value of \$7,500.00/acre should be used for the calculation of the cash-in-lieu of MR. The Board is not bound by the decisions of the SA or the Municipal Council but must make its own determination as to the market value of the land based on the evidence provided to the Board. There was no evidence provided to the Board that would support a conclusion that the market value of the land is \$7,500.00/acre. The Board finds that \$7,500.00/acre is not a number that reflects the current market value of the land being subdivided.
10. The Board finds that the land value to be used for calculating the money-in-lieu of reserves is \$29,421.89 per acre which was the price paid by SJC when it purchased the un-subdivided Lot 1 from Do-Mar. The Board is satisfied that this value reflects what a willing buyer would pay to a willing seller for land on the open market in an un-subdivided state.
11. For these reasons the Board DENIES the appeal from the decision of the Subdivision Authority for the Town of Rimbey (the "SA") on subdivision TR15/03. Subdivision Decision TR15/03 of the SA and all conditions attached to that Subdivision Decision are confirmed with the exception of Condition 8 which is amended to read:

Municipal Reserves are owing in the amount of 0.221 hectares or .5461 acres. The applicant is to pay cash-in-lieu of the reserves. The amount to be paid as cash-in-lieu shall be calculated by using the value of \$29,421.89 per acre. The amount to be paid as cash-in-lieu is \$16,067.29.

Dated:

TOWN OF RIMBEY

October, 19, 2015

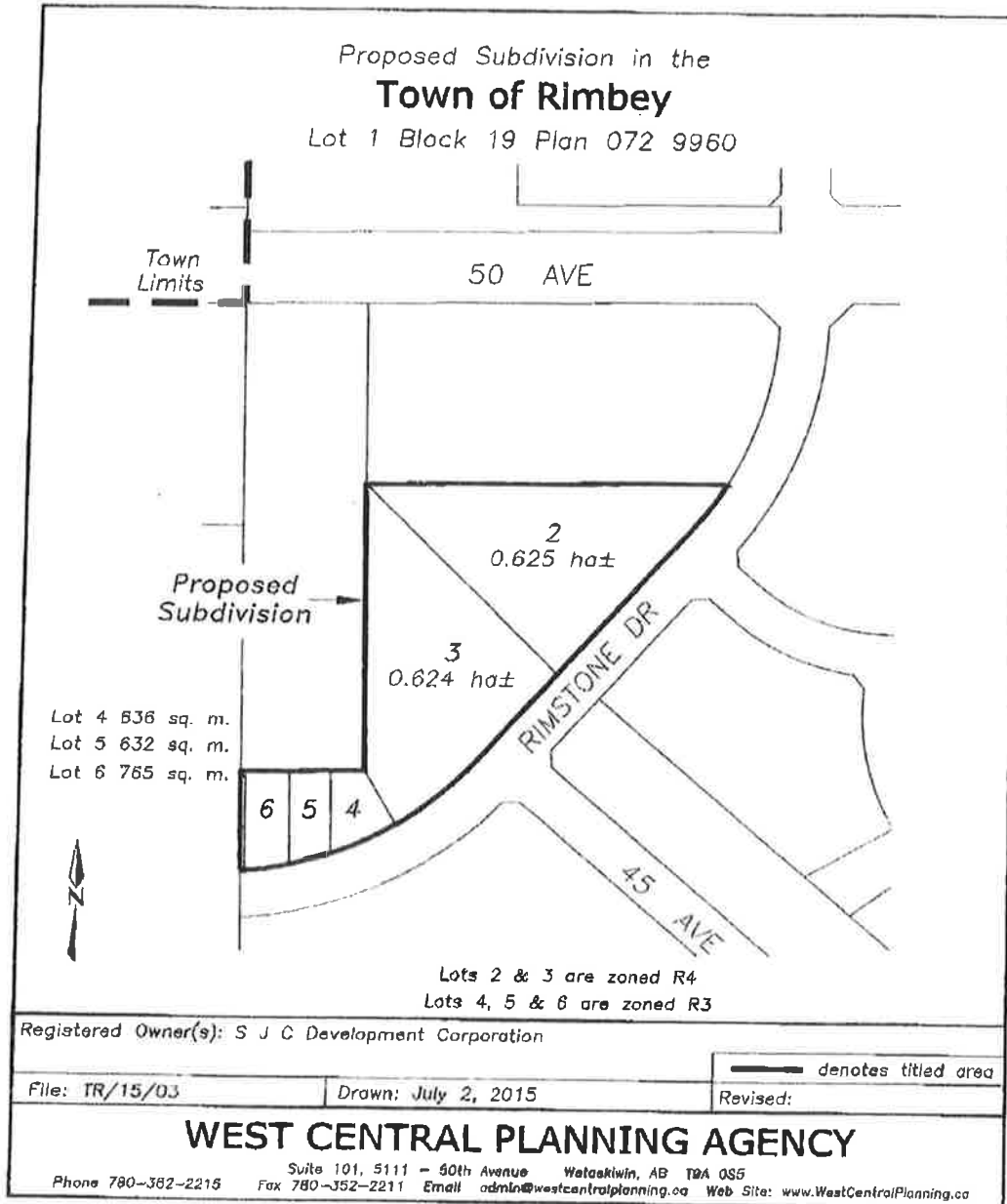
Per:


 Chairman Kathy Pfau
 Subdivision and Development Appeal Board

Attachment: Plan of Approved Subdivision

ATTACHMENT

Plan of Approved Subdivision



SJC DEVELOPMENT CORPORATION
P.O. Box 1546, Rimbey, Alberta T0C 2J0
Tel 1 587-679-6907 Fax 1 403 843 2997

Nov 25, 2015

Town of Rimbey

Attn: Donna Tonna CEO

Re: Extend Sub Division Application Date

Dear Donna;

As per our discussion regarding the sub division of 5 lots on SJC Dev. Corp. Land, the options gave to me were:

1. Pay the Municipal Reserve as per Sub-Division Development Appeal Board and reactivate the original sub-division application.
2. Extend the date on the second application dated Nov 2, 2015 to July 1 2016, (to enable the Town Council to determine if lanes are required as per R3 zoning item 4.11).
3. Apply for rezoning of the R3 Lots to R1.
4. Drop the sub-division and let it remain designated as farm land.

I have reviewed the above option and decided option 2 is the best course of action, "Extend the date on the second application dated Nov 2, 2015 to July 1 2016".

Therefore I am requesting the Town of Rimbey give me an extension on the date on the second application dated Nov 2, 2015 to July 1 2016.

I am also requesting The Town of Rimbey provide me with confirmation, the legal opinion they obtained that the Municipal Reserve has to be calculated in "real numbers" as per the MGA, and the Municipal Reserve as the Retention Pond dedicated in my Development Agreement dated Aug 8 2008, is void because I sold land to The County of Ponoka.

The County of Ponoka dedicated that land to The Rimoka Foundation for a Seniors Residence, who in turn subdivided out a parcel of land containing the expanded Retention Pond by 30,000 sq ft as Municipal Reserve to The Town of Rimbey, and the original dedicated Municipal Reserve cannot be used as SJC Dev Corp contribution.

Thank you;

Signed:


Stan Cummings
SJCDC Director/Owner

**SJC DEVELOPMENT CORPORATION
P.O. Box 1546, Rimbey, Alberta T0C 2J0
Tel 1 587-679-6907 Fax 1 403 843 2997**

Town of Rimbey

Dec 11, 2015

Re: Subdivision Application 5 Lots Dated October 2015.

To Members of The Town of Rimbey Council;

Please change the 3 lots that are presently zoned as R3 to R1 Single Family Dwelling when you review the above Subdivision Application 5 Lots Dated October 2015. as part of the Town's comprehensive review of the Land Use Bylaw starting in January 2016

Thank you

Stan Cummings _____

Subject: FW: 5 lot sub division Municipal Reserve Owed back alley in 3 lots
From: "Stanley Cummings" <stan@sjcdc.ca>
Sent: 2016-03-02 12:31:29 PM
To: "Liz Armitage" <vicinia.planning@gmail.com>

Note sent to Donna

From: Stanley Cummings [mailto:stan@sjcdc.ca]
Sent: March-02-16 12:31 PM
To: 'Donna Tona'
Subject: 5 lot sub division Municipal Reserve Owed back alley in 3 lots

Donna;

I have received your addendum to the Tri-party agreement and have no problem with it.

I would like to try and get some resolution to the following prior to the council meeting on Monday evening:

1. 5 lot subdivision application
2. SJC Dev Corp Municipal Reserve Owed
3. E lots re-zoned in error

The big push to get this 5 lot subdivision in place, is to enable the shallow servicing to proceed to the Seniors Residence and service the 5 lot subdivision.

The reason I agreed to the Tri-party agreement and agreed to input \$100,000 was to be able to service these 3 residential lots.

I agreed with Rimoka Foundation that I would take their place in the Tri-party agreement so they could develop a fish pond and remove my \$100,000 commitment to the development of the retention pond, and not be a party to the road extension

Give me a time and a date and I will make myself available

Stan

Subject: May 30 2016 Meeting
From: "Stanley Cummings" <stan@sjcdc.ca>
Sent: 2016-06-05 5:56:16 PM
To: "Liz Armitage" <vicinia.planning@gmail.com>; "Donna Tona" <Donna@rimbey.com>
CC: "Karen Conover" <kconover52@icloud.com>
Attachments: Meeting Town May 30 16.pdf

Liz and Donna; Attached Meeting

As per our meeting regarding my application for the 5 lot Sub Division, I comment on the following;

- 1 **Engage an Alberta Land Surveyor etc.**
This was done and a copy sent to Liz Armitage
- 2 **The applicant shall enter into and comply with a development etc.**
SJC Dev Corp has a Development Agreement in place that was renewed by the Town of Rimbey in Aug 2015 for a two year period and included terms regarding the Rimstone Drive extension. I am satisfied with that agreement as it has served to allow the sub division of several other lots including the one sold for the Seniors Lodge. I will not accept a different Development Agreement as I now have one in place.
- 3 **The applicant is required to build Rimstone Drive to Town specifications etc.**
SJC Dev Corp has been given a certification of completion by the Town's engineering firm with the understanding the pavement will be placed once the Seniors Lodge has completed construction and the road is refurbished ready for pavement. As per Towns own by law, pavement will be completed once 60% of the lots facing Rimstone Ridge are sold.
- 4 **Make any necessary changes to the gas etc.**
SJC Dev Corp has engaged the services of DES Engineering to design, tender and supervise the construction, coordination and completion of shallow services on Rimstone Drive.
- 5 **Make and arrange with the power utility etc.**
SJC Dev Corp has engaged the services of DES Engineering to design, tender and supervise the construction, coordination and completion of shallow services on Rimstone Drive.
- 6 **All outstanding costs associated with the etc.**
Arrangements with DB Bobcat in regards to payment have been made ie: They have placed a caveat on properties owned by SJC Dev Corp for payment. I have a problem with the Town instructing me to make payments when I have made arrangements for such payments.
- 7 **Any outstanding taxes etc.**
All taxes are paid up to date
- 8 **Municipal Reserves are owing etc.**
Rimoka Foundation will take care of this as part of my agreement allowing them to place shallow servicing in Rimstone Ridge Drive.
- 9 **The applicant is to pay endorsement etc.**
Agreed upon receiving approval of SD
- 10 **The approval of etc.**
Agreed

One of the items to consider is the tax base this SD will contribute to the Town, approximately \$3,000 more per

year. Check this out

Now, lets get this done. Either the SD is approved, council accepts my responses or I will look at other options

Stan Cummings
Owner



Your File: TR/15/05
Our File: RIMB01

November 17, 2015

Re: Subdivision Application TR/15/05

The Engineering Department of ATCO GAS, an Operating Name of ATCO Gas and Pipelines Ltd. has reviewed the above-named plan and have no objections, subject to the following:

CONDITIONS TO SUBDIVIDE:

1. ATCO Gas' existing Right-of-Way or other land rights shall be carried forward and registered on any newly created lots.
2. Work of any nature (i.e. grading, paving, stockpiling, landscaping, berms, etc.) affecting the surface of ATCO Gas' right-of-way must first receive prior written consent from ATCO Gas' Land Administration Department (780) 420-4135.
3. Should it be necessary to lower, relocate or make any alterations to our existing pipelines and/or appurtenances due to this project, contact ATCO Gas' Distribution Engineer at (403) 357-5220. If alterations are required, the cost shall be borne by owner/developer.

FOR YOUR INFORMATION:

1. Each lot is to have a separate service line.
2. When gas service is required for the individual lots, the owner/developer shall contact the local ATCO Gas office at 403-357-5200 to discuss their service requirements, timing and the associated costs
3. Remember to contact Alberta One-Call at 1-800-242-3447 to have the gas lines located at least 48 hours prior to any excavation.

If you have any questions or concerns, please do not hesitate to call.

Yours truly,

Per Godswill Onwunali, E.I.T.
District Engineer
Red Deer District Operations

cc Nicole Smith

November 17th, 2015

File: Rimbey (Sub)
Town File: TR/15/05

Town of Rimbey
4938 – 50th Avenue
PO Box 350
Rimbey, AB T0C 2J0
Sent via email to: generalinfo@rimbey.com

Attention: Elizabeth Armitage

**RE: PROPOSED FIVE (5) LOT SUBDIVISION (SJC DEVELOPMENT LTD.)
LOT 1, BLOCK 19, PLAN 072 9960; PT. NE 20-42-02-W5
SOUTH OF HIGHWAY 53 (50TH AVENUE) AND RIMSTONE DRIVE**

With reference to the above, I would advise that we have no objections to the proposed subdivision to create three (3) residential and two (2) apartment lots.

It is Alberta Transportation's position that development-driven improvements are the responsibility of the Town/Developer. Continued development may accelerate the need for intersection improvements at the Highway 53 and Rimstone Drive intersection. Although not required at this time, the Town may wish to consider updating the Area Structure Plan (ASP) or developing a Traffic Impact Assessment (TIA) to identify required improvements, timing, cost, responsibility that gives the Town the ability to collect for the improvements.

As well, if this subdivision proposal is approved, Block B, Plan 762 0599 will continue to have temporary physical access to Highway 53, but no legal access to a municipal road. Should there be future subdivision or development on Block B, Plan 762 0599 or the adjacent quarter section to the west, NW 20-42-02-W5, the legal access requirement to Block B, Plan 762 0599 will have to be addressed.

If you have any questions, please contact me or Sandy Choi at 403-340-5166.

Sincerely,


Lee Bowman
Development & Planning

SC/sc

Subject: FW: Setback Referral Process
From: "Michael Fitzsimmons" <michael@rimbey.com>
Sent: 2015-11-20 10:06:58 AM
To: "Liz Armitage" <vicinia.planning@gmail.com>

From: Setbackreferrals [mailto:SetbackReferrals@aer.ca]
Sent: Monday, November 09, 2015 3:11 PM
To: Michael Fitzsimmons <michael@rimbey.com>
Subject: Setback Referral Process

For referrals that are **required** to be submitted to the Alberta Energy Regulator (AER), as per the *AER Bulletin 2013-03 Mandated Subdivision and Development Application Referrals, Setback Relaxations, Land Development Information Package, and Abandoned Well Information*, an email reply will be sent within **30 business days**.

The bulletin can be found on the AER website at <http://aer.ca/rules-and-regulations/bulletins/aer-bulletin-2013-03>.

The form for submission of a setback referral to the AER can be found here at: <http://www.aer.ca/data-and-publications/aer-forms/miscellaneous-forms>

Questions can be directed to the EPA Helpline via EPAHelpline@aer.ca or (403) 297-2625.

| Not Required Setback Referrals | Required Setback Referrals |
|---|---|
| <p>Referrals are not required for subdivision or development applications:</p> <ul style="list-style-type: none"> ? that do not include a permanent dwelling, business, or public facility, as part of the application (such as applications for road closures, gravel pits, wind farms, storage lots, lot line adjustments, area structure plans, bylaw amendments, rezoning, etc. where no permanent dwellings or public facilities are being proposed in the application) or; ? Where it is known that no sour gas facilities are located within the distances set out above. | <p>Subdivision and development applications are only required to be referred to the AER if they meet the following AER land use description criteria (land use descriptions are defined in the bulletin's glossary):</p> <ul style="list-style-type: none"> ? Proposed permanent dwelling (8 or less dwellings/businesses per quarter section) where sour gas facilities may be found within a 100 metre radius. ? Proposed unrestricted country development (greater than 8 but less than 50 dwellings/businesses per quarter section) where sour gas facilities may be found within 500 metres. ? Proposed additional development within an urban centre (see definition in bulletin) located outside an urban centre, or a proposed public facility (see definition in bulletin) where sour gas facilities may be found within 1500 metres (1.5 kilometres). |
| <p>Replies will no longer be sent for</p> | <p>If this information is unknown, please indicate on the form submission or in your referral.</p> |

**setback referrals that are not required
by the AER for submission.**

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.


This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail.

Subject: FW: 15-3550 Response - Town of Rimbey - Subdivision TR/15/05
From: "Michael Fitzsimmons" <michael@rimbey.com>
Sent: 2015-11-20 1:30:10 PM
To: "Liz Armitage" <vicinia.planning@gmail.com>
Attachments: TR1505 - Agency Letter.pdf

From: Isabel.Solis@atcopipelines.com [mailto:Isabel.Solis@atcopipelines.com]
Sent: Friday, November 20, 2015 12:54 PM
To: Michael Fitzsimmons <michael@rimbey.com>
Subject: 15-3550 Response - Town of Rimbey - Subdivision TR/15/05

ATCO PIPELINES has no objection.

Thank you ☺

Isabel Solis | Operations Engineering Administrative Coordinator
ATCO Pipelines | 7210-42 Street NW | Edmonton, AB T6B 3H1
T: 780.420.3896 | F: 780.420.7411 | E: Isabel.Solis@atcopipelines.com
MISSION: ATCO Pipelines provides reliable and efficient delivery of natural gas and is committed to operational excellence and superior customer service while ensuring the safety of our employees and the public.
 Please consider the environment before printing this e-mail

From: Michael Fitzsimmons [mailto:michael@rimbey.com]
Sent: Monday, November 09, 2015 3:23 PM
To: Solis, Isabel
Subject: Town of Rimbey - Subdivision TR/15/05

Good afternoon,

I'm sending you this email on behalf of the Town of Rimbey. As a potentially affected agency, we are requesting that you review the enclosed information and forward your comments, recommendations and/or requirements with respect to this application. If you have any comments regarding this file, please contact our office within 10 days (November 19, 2015). Attached above is the letter which also includes the subdivision application.

Thank you,

Michael Fitzsimmons
Municipal Intern, Town of Rimbey
Phone: 403-843-2113
Fax: 403-843-6599
Email: michael@rimbey.com

The information transmitted is intended only for the addressee and may contain confidential, proprietary and/or privileged material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you receive this in error, please contact the sender and delete or destroy this message and any copies.

Nov. 19/15

To Town of Rimbey, att; Elizabeth Armitage

RE; subdivision application # TR/15/05, SJC Dev.

From; Earl Repas, adjacent land owner to the north

My concerns are;

* the flow of storm water being blocked by the build up of buildings and landscaping on lots 4,5, and 6

* lots 4,5 and 6 do not appear to conform to the bylaws under R3 zone, ie (4.11 page 26)

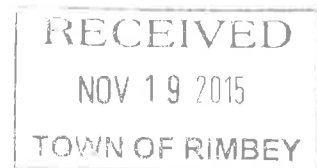
* are these lots servicable by natural gas and power, and where will the developer gain access to the mains?

* is there a provison for access to water and sewer to service my lands?

Yours Truly,



Earl Repas
5555 50 ave. Rimbey
403-704-0605





5608 57 Ave.
Ponoka, AB
T4J 1P2

Town of Rimbey
Rimbey, AB
T0C 2J0

Re: Circulation Notice of Subdivision TR/15/05

Ms. Armitage,

As you are aware, the Rimoka Housing Foundation is partnering with CMHC and Alberta Seniors housing to develop a new Seniors Lodge in Rimbey, Alberta, Canada. As a neighbouring landowner, The Rimoka Housing Foundation has no concerns with the proposed subdivision. Should the proposed subdivision be approved however, we wish to ensure the following points are included as part of the conditions of approval by the Town of Rimbey:

- Include reference to the terms of the Cost Sharing Agreement (between The Town of Rimbey, the Rimoka Housing Foundation, and SJC Development Corp) such that the terms of the agreement are implemented including specifically provision of deep and shallow utilities.
- That all other provisions of the Agreement become conditions of approval of the subdivision related to Rimstone Drive development based upon the timelines and conditions prescribed therein.

These are only our suggestions but, feel strongly that the town endeavor to enforce all the conditions of the Cost Sharing Agreement as part of your subdivision approval.

Best Regards,

A handwritten signature in black ink, appearing to be "P. McLauchlin", written over a horizontal line.

Paul McLauchlin
Chair Rimoka Housing Foundation

APPLICATION FOR SUBDIVISION APPROVAL

TOWN OF RIMBEY
 4938 50TH AVENUE
 Box 350
 Rimbey, Alberta, T0C 2J0-Tel: 403.843.2113/ Fax:403.843.6599

File _____
 Date Received Nov. 27 2015
 Date Registered _____
 Fees Received _____

REGISTERED OWNER

Name SJS DEVELOPMENT LTD.
 Address PO Box 1546
 Postal Code T0C 2J0 Telephone 587 679 6907 Fax _____

LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

Quarter _____ Section _____ Township _____ Range _____ Meridian _____
 Lot 1 Block 19 Plan 0729960
 Municipal Address if any _____

Area of current title 5 Ac Area of lot(s) to be created 1.56 Ac

LOCATION AND PRESENT USE

Name of Municipality RIMBEY

1.52 Ac
6888 Sq Ft
6781 Sq Ft
8934 Sq Ft

If the land is immediately adjacent to a municipal boundary, give name of the other municipality _____

If the land is within half a mile (800m) of a highway or secondary road, give its number Highway 53

If the proposed parcel is within 1.6km (one mile) of a sour gas facility, give its location _____

If the proposed parcel contains or is bounded by a river, stream, lake or other water body of water, or by a drainage ditch or canal, give it name _____

Present land classification (zoning) R1

PROPOSED SUBDIVISION

Describe the proposed subdivision 5 lots (3 Residential)
(2 Apt lots)

Number of lots to be created 5

Describe any existing buildings On the proposed parcel(s) _____

List all utility services available (water, sewer, gas, power, etc) All

Describe the soil, slope and vegetation OK.

Describe the present sewage disposal system and indicate its location on a sketch To ~~Box~~ To Lots

OWNER'S APPLICATION AND CONSENT

- 1. I am registered owner of the property above noted.
- 2. I apply for approval to subdivide the property as noted above.
- 3. The information 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.
- 4. I consent to staff of the Agency, municipality and referral agencies entering that land to conduct a site inspection.
- 5. The information on this form may be released under S.217 of the Municipal Government Act or successor legislation.
- 6. *(Delete if not applicable)* I nominate the person noted below to act as my agent in processing the application.



 Signature of owner

Nov 2/2015

 Date

OWNER'S AGENT

Name _____

Address _____

Postal Code _____ Telephone _____ Fax _____

Signature of Owner's Agent

Date

Application fees:

The application fee(s) are per Bylaw 905/15.

roads, utility lots, and reserves or

the adjustment of the boundary of an existing lot, or

where the new lot is defined by an existing intervening surveyed ownership, for example where a quarter is split by a highway.

Fees are non refundable but are exempt from GST.

Form: November 2, 2015

NOTE: A DETAILED SKETCH OF THE PROPOSED LOT MUST BE SUBMITTED ALONG WITH THE APPLICATION. WITHOUT THE DRAWING, THE APPLICATION CAN'T BE PROCESSED.

ABANDING PRESENT TR 3/15 SUB P.C. J
NEW APPLICATION NOV 2/2015 J

TO: NEW WEST GEOMATICS L

FROM: ALTA Production

02:09MST

Page 4/6



CERTIFIED COPY OF
CERTIFICATE OF TITLE

LINC SHORT LEGAL
0036 221 604 0729960;19;1

S

TITLE NUMBER: 142 219 389 +1
SUBDIVISION PLAN
DATE: 11/07/2014

AT THE TIME OF THIS CERTIFICATION

SJC DEVELOPMENT CORPORATION.
OF BOX 1546
RIMBEY
ALBERTA T0C 2J0

IS THE OWNER OF AN ESTATE IN FEE SIMPLE
OF AND IN

DESCRIPTIVE PLAN 0729960
BLOCK 19
LOT 1

CONTAINING 11.468 HECTARES (28.34 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

| | | HECTARES | (ACRES) | MORE OR LESS |
|-----------------|-------------|----------|---------|--------------|
| A) PLAN 0826554 | SUBDIVISION | 3.52 | 8.70 | |
| B) PLAN 0840365 | ROAD | 0.076 | 0.19 | |
| C) PLAN 1120539 | SUBDIVISION | 1.31 | 3.24 | |
| D) PLAN 1423218 | SUBDIVISION | 4.35 | 10.75 | |

EXCEPTING THEREOUT ALL MINES AND MINERALS

SUBJECT TO THE ENCUMBRANCES, LIENS AND INTERESTS NOTIFIED BY MEMORANDUM UNDER-
WRITTEN OR ENDORSED HEREON, OR WHICH MAY HEREAFTER BE MADE IN THE REGISTER.

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER

DATE (D/M/Y)

PARTICULARS

| | | |
|--------|------------|--|
| 7492LV | 18/11/1960 | CAVEAT RE : EASEMENT CAVEATOR - FORTISALBERTA INC. 320-17 AVE SW CALGARY ALBERTA T2S2V1 AGENT - GARRY SIMPSON " AFFECTS PART OF THIS TITLE " (DATA UPDATED BY: TRANSFER OF CAVEAT 022225106) (DATA UPDATED BY: TRANSFER OF CAVEAT 042105963) (DATA UPDATED BY: CHANGE OF NAME 042504289) |
| 310TG | 12/07/1972 | UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320-17 AVE SW CALGARY ALBERTA T2S2V1 AGENT - GARRY SIMPSON " AFFECTS PART OF THIS TITLE " (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 022194158) |

(CONTINUED)

TO: NEW WEST GEOMATICS L FROM: ALTA Production 02:09MST Page 5/6
PAGE 2

CERTIFIED COPY OF
CERTIFICATE OF TITLE

SHORT LEGAL 0729960;19;1
NAME SJC DEVELOPMENT CORPORATION
NUMBER 142 219 389 +1

ENCUMBRANCES, LIENS & INTERESTS

| REGISTRATION NUMBER | DATE (D/M/Y) | PARTICULARS |
|---------------------|--------------|--|
| | | (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 042105965) (DATA UPDATED BY: CHANGE OF NAME 042493265) |
| 072 674 608 | 15/11/2007 | UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 700, 801 - 7 AVE SW CALGARY ALBERTA T2P3P7 PORTION DESCRIBED SEE INSTRUMENT |
| 082 316 524 | 31/07/2008 | UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF RIMBEY. AS TO PORTION OR PLAN:0826555 |
| 102 017 307 | 15/01/2010 | UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. AS TO PORTION OR PLAN:0826555 |
| 102 017 309 | 15/01/2010 | UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. AS TO PORTION OR PLAN:1020623 |
| 102 084 329 | 15/03/2010 | MORTGAGE MORTGAGEE - CANADIAN WESTERN TRUST COMPANY. SUITE 600, 750 CAMBIE STREET VANCOUVER BRITISH COLUMBIA V6B0A2 ORIGINAL PRINCIPAL AMOUNT: \$800,000 (DATA UPDATED BY: TRANSFER OF MORTGAGE 102091318) |
| 102 084 330 | 15/03/2010 | CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - CANADIAN WESTERN TRUST COMPANY. SUITE 600, 750 CAMBIE STREET VANCOUVER BRITISH COLUMBIA V6B0A2 (DATA UPDATED BY: TRANSFER OF CAVEAT 102281966) |
| 142 219 391 | 11/07/2014 | CAVEAT RE : DEFERRED RESERVE CAVEATOR - THE TOWN OF RIMBEY. C/O WEST CENTRAL PLANNING AGENCY 5111-50 AVENUE WETASKIWIN ALBERTA T9A0S5 AGENT - JASON TRAN. |
| 162 115 013 | 29/04/2016 | CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - DB BOBCAT SERVICES LTD. 5913 LEN THOMPSON DRIVE LACOMBE ALBERTA T4L0E8 AGENT - KENNETH CRUICKSHANK |

(CONTINUED)

TO: NEW WEST GEOMATICS L

FROM: ALTA Production

02:09MST

Page 6/6

PAGE 3

CERTIFIED COPY OF
CERTIFICATE OF TITLE

SHORT LEGAL 0729960;19;1
NAME SJC DEVELOPMENT CORPORATION
NUMBER 142 219 389 +1

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

162 126 750 11/05/2016 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF RIMBEY.
AS TO PORTION OR PLAN:1621849

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF
THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 11 DAY OF MAY ,2016



SUPPLEMENTARY INFORMATION

MUNICIPALITY: TOWN OF RIMBEY
REFERENCE NUMBER:
112 018 073 +1
ATS REFERENCE:
5;2;42;20;NE
TOTAL INSTRUMENTS: 011

LAND TITLES OFFICE

PLAN NO.

ENTERED AND REGISTERED
ON _____
INSTRUMENT NO. _____

A.D. REGISTRAR

- LEGEND**
- Albera-Survey Control Marker
 - Bearing Trees
 - Check Marked
 - Cornermark
 - Corner of Tilt
 - Found
 - Global Navigation Satellite System
 - Statutory Iron Pin
 - Measured or Measured
 - Marked
 - Marker Found (Black Cap)
 - Paced

- ASCM
- S.T.S.
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NOTES

1. All area shown on this plan is shown as if it were all in one survey.
2. All area shown on this plan is shown as if it were all in one survey.
3. All area shown on this plan is shown as if it were all in one survey.
4. All area shown on this plan is shown as if it were all in one survey.
5. All area shown on this plan is shown as if it were all in one survey.

GEO-REFERENCE
NAD83 (Zone 18N)
UTM Zone 18N
Datum: NAD83
Spheroid: GRS 1980
Datum Shift: 114.000 m East
114.000 m North
Scale: 0.999 961 937 000 000
False Easting: 500 000 m
False Northing: 0 m
Easting: 100 000 m
Northing: 5 000 000 m

SURVEYOR

P. Lund, A.L.S.

DATE OF SURVEY: July 4th, 2015

SURVEYED IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEY ACT

REGISTERED OWNERS

SJC DEVELOPMENT CORPORATION

SUBDIVISION AUTHORITY

NAME: TOWN OF RIMBEY
FILE NO.: TR/15/05



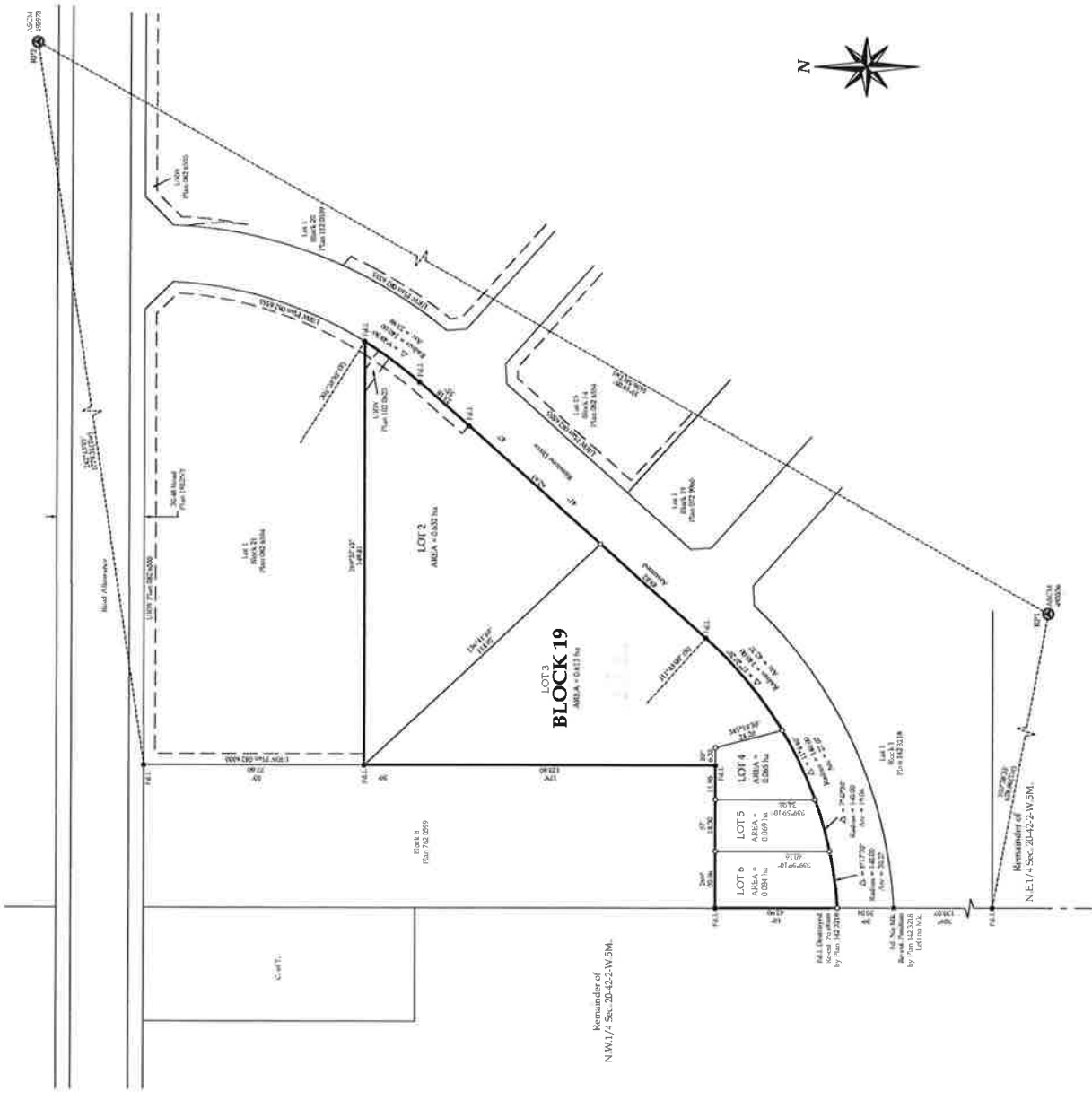
**Plan Showing Survey of
Subdivision of Part of
Lot 1, Block 19, Plan 072 9960
(within N.E.1/4 Sec. 20, Twp. 42, Rge. 2, W.5M.)**

Town of Rimbey, Alberta



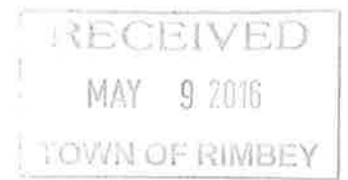
COMPASS GEOMATICS LTD.
1-4624 46th Street, Red Deer, Alberta T4N 7A6
Office: (403) 356-3111 Fax: (403) 356-3114
www.compassgeomatics.ca

Drawing: B/P/15-5248-02 Date: June 2, 2015 Drawn: TB/PM/L/REV



| | |
|-----------------------------|---|
| Council Agenda Item | 7.4 |
| Council Meeting Date | June 13, 2016 |
| Subject | Rimbey Airport |
| For Public Agenda | Public Information |
| Background | The Town of Rimbey has received correspondence indicating interest in purchasing the Rimbey Airport. |
| Discussion | <p>This following summarizes the process to dispose of regular parcels of land that are not indicated as Municipal Reserve (MR) on title.</p> <p>The Municipal Government Act outlines the following in regard to municipal disposal of such land:</p> <p><i>Disposal of land</i></p> <p><i>70(1) If a municipality proposes to transfer or grant an estate or interest in</i></p> <ul style="list-style-type: none"> <i>(a) land for less than its market value, or</i> <i>(b) a public park or recreation or exhibition grounds,</i> <p><i>the proposal must be advertised.</i></p> <p><i>(2) The proposal does not have to be advertised if the estate or interest is</i></p> <ul style="list-style-type: none"> <i>(a) to be used for the purposes of supplying a public utility,</i> <i>(b) transferred or granted under Division 8 of Part 10 before the period of redemption under that Division, or</i> <i>(c) to be used by a non-profit organization as defined in section 241(f)</i> <p style="text-align: right;"><i>1994 cM-26.1 s70;1995 c24s9</i></p> <p>To provide Council with additional information, Municipal Intern Michael Fitzsimmons contacted Transport Canada who provided him with the following information:</p> <p><i>As per our conversation regarding possible sale of the lands that the Rimbey aerodrome occupies; the Town of Rimbey does not require special dispensation from the Minister of Transport/Transport Canada to do so. Sale of private lands that have a registered aerodrome upon them is governed under civil law. The only area of involvement lies with the registration of the aerodrome and the obligations of the registered "owner" or operator to advise the Minister of changes, amendments or additions to the information required under CAR 301.03 which in the case of sale of the aerodrome would involve a change to the actual data for registered owner/operator. Similarly should the Minister see or perceive any risk or potential hazard where the public interest is concerned, the Minister may not register an aerodrome and may take other actions deemed appropriate to address this public interest.</i></p> <p><i>Changes can simultaneously be sent to Nav Canada for inclusion in the appropriate publications.</i></p> |

| | |
|------------------------------------|---|
| | <p>Should the interested buyers choose to not purchase the property, they may establish a Regional Airports Authority through Section (3)(1) and (3)(2) through the Alberta Government's <i>Regional Airport Authorities Act</i>. Members may petition for a formation of an authority through Section (4)(1) of Act:</p> <p><i>One or more bodies that in the Minister's opinion represent the interests of the public or public interests in the region in which a proposed authority's airports would be located may petition the Lieutenant Governor in Council, through the Minister, for the formation under this Act of a regional airports authority.</i></p> <p>Section (4)(3)(a-k) of the Act outlines specific information and details that must be included in a petition submitted to the Minister.</p> |
| Relevant Policy/Legislation | Municipal Government Act 70 |
| Options/Consequences | |
| Desired Outcome(s) | |
| Financial Implications | |
| Follow Up | |
| Attachments | Joint Letter dated May 6, 2016 from P. Couchman, P. Kusch, W Danser and G. Ernst |
| Recommendation | Administration requests direction from Council on a course of action with regard to the Rimbey Airport. |
| Prepared By: | <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  _____ Donna Tona, CTS Interim Chief Administrative Officer </div> <div style="text-align: center;">  _____ Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  _____ Donna Tona, CTS Interim Chief Administrative Officer </div> <div style="text-align: center;">  _____ Date </div> </div> |



May 6, 2016

Rimbey, Alberta

Dear "Mr. Mayor", "Town of Rimbey Councillors", and "The Great People of the Town of Rimbey",

From: Mr. Pete Couchman, Mr. Paul Kusch, Mr. Wayne Danser, and Mr. Gerald Ernst.

Proposal: To transfer title of the Rimbey Airport from the Town of Rimbey to the newly formed; Rimbey Airport Association.

As a group, the four of us possess in the neighbourhood of 150 years of business, aircraft and airport management experience. We are all very concerned about the continued decline in the quality and usability of the Rimbey Airport. We are extremely well qualified to take over the airport, and would sincerely appreciate the opportunity to do what we know how to do.

Our goal is to reverse the decline and bring the airport and runway conditions back to original. We will ensure the necessary work is done to facilitate continual improvements into the foreseeable future. We want the Airport to be a vibrant asset for the community, and we want people to congratulate the Town of Rimbey on the quality of the facility in their community.

Much has happened in the past to contribute to the decline of the runway and facilities. A lot of it has to do with limited knowledge of what was required to ensure it was properly maintained and what procedures were required to guarantee the structural integrity of the runway. For instance: To ensure a positive "crown", and to even out the longitudinal undulations of the runway, it must be rolled, while saturated, every two years. To the best of our knowledge, this has never been done. As a result, centerline potholes and low spots have developed. The reason the runway still remains usable is due in large part to the resident enthusiast's past and ongoing pick-up truck and shovel repairs to the dips potholes, and numerous old plowing divots.

Key point: Proper runway maintenance is critical to ensure the safety of the people using the airport. Pilots have to know the runway is always in top condition.

The functionality of the common property (access road, terminal, landscaping, vegetation clean-up, etc.) has, and is largely due to the resident caretaker/24-hour security person's ongoing upkeep efforts. The access road and the terminal building shows the same signs of too little attention.

Benefits to the Airport Association and General Aviation Community:

- We want to rebuild the Rimbey Airport to be a facility we can be very proud of!! We want the Rimbey Airport to be referred to as "The Best Grass Airport in Canada", once again!!
- We as a group have the knowledge and ability, and as Aviation Enthusiasts, the will to make this happen.
- Financial return to the Rimbey Airport Association:.....ABSOLUTELY NONE!!

Benefits to the Residents of the Town and outlying areas of Rimbey:

- The Town will no longer have any costs associated with operation of the Airport. That alone will realize a saving to the Town of Rimbey of \$30,000 in 2016 alone!!
- The Town will no longer have any liability risks or obligations associated with the operation of the Airport.
- Once immediate improvements have been made, the Town will reap the benefits of an increased number of Aviation visitors and permanent users.
- The airport will retain the name "Rimbey Airport", or as chosen by agreement.
- Coming and going for all, whether urgent or otherwise, will provide a significant new option (increased business traffic and safety for area residents).
- The New owners will provide a written guarantee of "primarily aviation use" for as long as the Airport is owned by the Association.
- If at anytime the airport is sold, the Town of Rimbey will be the sole beneficiary of any proceeds after any and all outstanding expenses are paid to the Association.
- The Town of Rimbey will select one person to sit on the Board of Directors of the new Association.
- The airport will immediately be returned to a year-round use facility. In the near future, the New Owners will have the upgrades completed to include 24-hour use.
- The Airport will enjoy "Registered Airport" status with Transport Canada.

Points of consideration:

Rather than dwell on shortcomings from past operations, we wish to focus all our efforts on building a better and brighter future for the Rimbey Airport. From day one, this has been a very noble project, and it is the sincere goal of the new owners to realize the full potential a well-run and maintained airport will provide our community.

Rimbey Airport is one of hundreds of Airports Transport Canada constructed and owned across Canada. All of these airports were signed over to the local jurisdictions, Flying Clubs, various Municipalities and Associations (like the one making this proposal), without financial return to Transport Canada. The Churchill Airport is the only one that remains under the ownership and management of Transport Canada.

Airports do not make money!! Rimbey Airport is no exception. The rewards reaped are in seeing it work to it's true potential.

What are the options???

- 1) The present course of steady decline:
 - Cancel the agreement with the resident security/caretaker (CURRENTLY FREE)
 - Impose a \$600 per month rental on the resident security/caretaker (A COST SHE IS UNABLE TO BEAR)
 - Force the present Tenants to absorb a 600% lease rate increase increase.....or move. A good choice only if the goal is to have the airport close permanently!!
- 2) Sell the property:
 - Roughly 75% of the airport area is drainage rock under hard pack, with just enough topsoil for hardy grasses (and dandelions) to grow.
 - The bit of land that exists is not farmable. That begs the question of who would buy it?? Few businesses would find anything profitable in owning it and certainly not if they were told it must stay and be maintained as an airport.

Back to Our Proposal:

The Town of Rimbey paid \$1 to the County of Ponoka for the title of, and agreed to obligations that came with this Airport. In light of the cost savings for the Town of Rimbey in 2016 alone, never mind the cost saving involved in "fixing" the facility that was left in it's care, our proposal is to unburden the Tax Payers, and provide the aforementioned benefits by way of the Transfer of Title for the same sum paid: One Dollar.

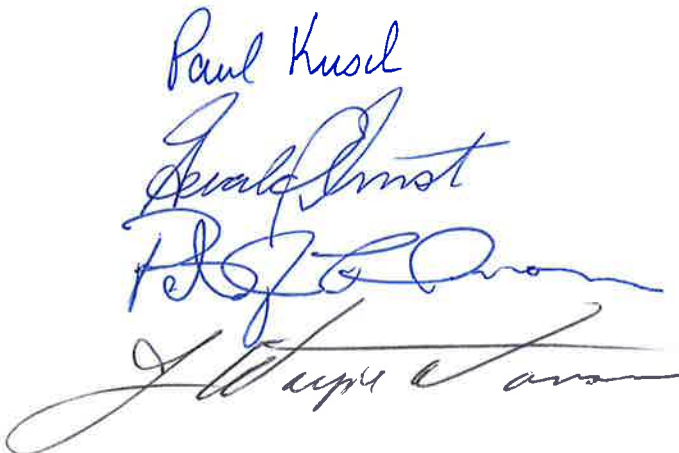
A voluntary annual grant from the Town of Rimbey to the new airport owners for keeping a top quality airport available for public use can be determined by town council and reviewed every two years.

Costs involved in the transfer of title will be equally shared between the Town of Rimbey and the new owners.

In the best interests of user safety (the need for immediate improvements), and the cost savings to the Town and its taxpayer's, we suggest that this be decided upon as quickly as possible.

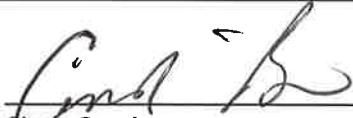
Best Regards

Rimbey Airport Association



| | |
|------------------------------------|---|
| Council Agenda Item | 7.5 |
| Council Meeting Date | June 13, 2016 |
| Subject | Community Grants Program Application |
| For Public Agenda | Public Information |
| Background | The Academy of European Swordsmanship will be hosting a Rugarok Open Martial Arts Tournament on June 25 th , 2016 in the Peter Lougheed Community Centre Main Auditorium. |
| Discussion | The AES Rimbey teaches adults and youth discipline, martial ability, inspires leadership and a sense of community. The Tournament will have spectators and participants from 3 provinces. The Tournament will consist of 3 events with 2 categories and they expect 20 fighters and approximately 30 spectators for the event. |
| Relevant Policy/Legislation | Community Events Grant Program Policy #5402 |
| Options/Consequences | Council may choose to assist the AES Rimbey Group with the \$500 towards their Event. Council may choose not to assist the AES Rimbey Group with their Tournament. Council may select a different amount of support. Under the current policy, the maximum contribution is \$500. Funding is currently available in the program to cover this request. |
| Desired Outcome(s) | Encourage the AES Group to continue hosting Tournaments in the future. |
| Financial Implications | \$500 from the Community Events Grant Program Budget |
| Follow Up | A letter will be sent to the organization after the meeting on the decision of Council. |
| Attachments | Grant Application |
| Recommendation | This application follows the policy guidelines and therefore it is recommended that Council approve the \$500 towards the Rugarok Open Martial Arts Tournament on June 25 th , 2016 |

Prepared By:



 Cindy Bowie
 Director of Community Services



 Date

Endorsed By:



 Donna Tona, CTS
 Interim Chief Administrative Officer



 Date



Town of Rimby
Community Events Grant Program Application

Contact/Group Information

Group/Assoc: AES Rimby Date: May 24/16
Contact Name: Justin Skjersberg Title/Position: Manager / President
Mailing Address: Box 1914 Rimby AB T0C 2T0
Telephone Number: 403 703 8388 Email: aesrimby@gmail.com

Describe the primary objectives of your organization:

To teach adults and youth Discipline and martial ability, and to inspire leadership and a sense of community amongst our students. We also strive to teach European history and values to our students.

Project/Event Information

Name of Project/Event: Ragnarok Open Martial arts tournament
Date of Event: June 25th /16 Expected Attendance: 50

Provide a description of the project/event for which this funding is being applied for:

A martial arts tournament with spectators and participants from 3 provinces. We will have 3 events each with 2 categories. We expect 20 fighters and approx 20-30 spectators. This event will be funded by entry fees and the remainder paid by our club.

Project/Event Funding

What is the funding amount requested from your organization for this project/event: \$ 500

*Note: The maximum amount of funding available for this application is \$500.00

Will your organization be requesting funds from any other sources for this project/event? If so, please list your funding sources below with anticipated funding amounts.

1. _____ \$ _____
2. _____ \$ _____
3. _____ \$ _____
4. _____ \$ _____

Budget Information

Expenses

| | |
|------------------|----------------------|
| Food | \$ 200 |
| water | \$ 100 |
| 1st place prizes | \$ 500 |
| 2nd place prizes | \$ 300 |
| 3rd place prizes | \$ 200 |
| hall rental | \$ 350 ⁰⁰ |
| | \$ |
| | \$ |
| Total Expenses: | \$ 1650 |

Revenues

| | |
|------------------------|--|
| | \$ |
| Entry Fee | \$ 50 each approx 20 entrants - \$1000 |
| Spectator food + Drink | \$ 200 approx |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| Total Revenues: | \$ 1200 |
| Net Profit/Loss: | \$ -450 ⁰⁰ Loss |

~~_____~~



PETER LOUGHEED
COMMUNITY CENTRE

Rimbey Recreation Services

Facility Rental

Facility Renter Name(s): Academy of European Swordsmanship
 Event Type/Name: Tournament + Fri Setup 8:30am - 4:30pm
 Date of Rental: June 25/16 Sat - 8:00am - 8pm
 Phone Number: 403-704-3882 - Justin 403-703-8388
 Email Address: aesrimbey@gmail.com
 Address: 46 Justin Skjonsberg Box 1914 Rimbey, AB

| Room | Deposit | Rate | GST |
|--------------------------------------|------------------|----------------------|---------------------|
| Main Auditorium | \$ 350.00 | | |
| Weekday Evening | | \$ 300.00 | \$ 15.00 |
| Fridays & Saturdays (Day or Evening) | | \$ 350.00 | \$ 17.50 |
| Sunday Day Use | | \$ 300.00 | \$ 15.00 |
| Before 4:00pm (Mon-Thurs) | | \$ 100.00 | \$ 5.00 |
| Funerals | | \$ 150.00 | \$ 7.50 |
| Kitchen | \$ 300.00 | | |
| Per Day | | \$ 150.00 | \$ 7.50 |
| Per Hour | | \$ 50.00 | \$ 2.50 |
| Upper Auditorium | \$ 150.00 | | |
| Evenings & Weekends | | \$ 150.00 | \$ 7.50 |
| Weekdays before 4:00pm | | \$ 100.00 | \$ 5.00 |
| Per Hour | | \$ 25.00 | \$ 1.25 |
| Kinsmen Room | \$ 50.00 | | |
| Per Day | | \$ 40.00 | \$ 2.00 |
| Per Hour | | \$ 15.00 | \$ 0.75 |
| Lion's Room | \$ 100.00 | | |
| Per Day | | \$ 60.00 | \$ 3.00 |
| Per Hour | | \$ 20.00 | \$ 1.00 |
| Arena (Summer) | \$ 500.00 | | |
| Per Day | | \$ 350.00 | \$ 17.50 |
| Clean Fee | | \$ 200.00 | \$ 10.00 |
| Lift Fee | | \$ 25.00 | \$ 1.25 |
| TOTAL | \$350.00 | \$350.00 | \$17.50 |
| Payment Receipt # | — | — | — |
| Date Paid | | | Apr. 18/16 |

| Schedule | Date |
|------------------------|------------|
| Room Booked | Apr. 8/16 |
| Paid Deposit | Apr. 18/16 |
| Signed Rental Contract | Apr. 19/16 |
| Notified of Clean Fee | |
| Notified Hours of Use | |
| Linen order placed | |
| Copy of Liquor License | |
| Copy of PAL Insurance | |
| Rental Paid in Full | Apr. 18/16 |

PAID




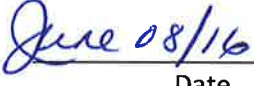
Notes:

Storing food in fridge.

| Invoice #: | Invoice Date: |
|--------------|-------------------|
| Room | 1-74-560 \$ \$ \$ |
| Linens | 1-74-562 \$ \$ \$ |
| Rental Goods | 1-74-562 \$ \$ \$ |
| Clean Fee | 1-74-412 \$ \$ \$ |

| | | | |
|------------------------|----|--------------|--|
| Deposit Refund: | \$ | Date: | |
|------------------------|----|--------------|--|

| Council Agenda Item | 7.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------------------------|---|-----|-------|---------|-------------|----------|------------|--|--|-------|-----|-------|------|-----------|--------|--------|------------|-------|---|---|---------|----------|--------|----------|------------|-------|----|---|---------|----------|--------|----------|------------|-------|----|---|---------|-----------|---------|----------|------------|-------|----|---|---------|-----------|---------|----------|-----------|--|--|--|--|------------|---------|------------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-------------|-------|----|---|---------|----------|---------|----------|-----------|--|--|--|--|------------|----------|------------|-------------|--|--|--|--|-------------|----------|------------|
| Council Meeting Date | June 13, 2016 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Subject | Request for Municipal Property Tax Cancellation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| For Public Agenda | Public Information | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Background | <p>Administration has received correspondence from a local resident who has requested tax cancellation on the following properties:</p> <table border="1"> <thead> <tr> <th></th> <th>Roll#</th> <th>Lot</th> <th>Block</th> <th>Plan</th> <th>Municipal</th> <th>Rimoka</th> <th>School</th> </tr> </thead> <tbody> <tr> <td>Commercial</td> <td>24180</td> <td>6</td> <td>1</td> <td>0727008</td> <td>\$717.16</td> <td>\$8.13</td> <td>\$288.74</td> </tr> <tr> <td>Commercial</td> <td>26040</td> <td>35</td> <td>1</td> <td>1123761</td> <td>\$1614.3</td> <td>\$18.3</td> <td>\$649.94</td> </tr> <tr> <td>Commercial</td> <td>26070</td> <td>38</td> <td>1</td> <td>1222867</td> <td>\$2,003.2</td> <td>\$22.71</td> <td>\$806.52</td> </tr> <tr> <td>Commercial</td> <td>26080</td> <td>39</td> <td>1</td> <td>1222867</td> <td>\$2,003.2</td> <td>\$22.71</td> <td>\$806.52</td> </tr> <tr> <td>Sub total</td> <td></td> <td></td> <td></td> <td></td> <td>\$6,337.86</td> <td>\$71.85</td> <td>\$2,551.72</td> </tr> <tr> <td>Residential</td> <td>24440</td> <td>15</td> <td>1</td> <td>0820670</td> <td>\$785.94</td> <td>\$11.31</td> <td>\$266.15</td> </tr> <tr> <td>Residential</td> <td>24460</td> <td>17</td> <td>1</td> <td>0820670</td> <td>\$787.11</td> <td>\$11.32</td> <td>\$266.55</td> </tr> <tr> <td>Residential</td> <td>24470</td> <td>18</td> <td>1</td> <td>0820670</td> <td>\$798.54</td> <td>\$11.49</td> <td>\$270.42</td> </tr> <tr> <td>Residential</td> <td>24480</td> <td>19</td> <td>1</td> <td>0820670</td> <td>\$801.96</td> <td>\$11.54</td> <td>\$271.58</td> </tr> <tr> <td>Residential</td> <td>24490</td> <td>20</td> <td>1</td> <td>0820670</td> <td>\$759.58</td> <td>\$10.93</td> <td>\$257.22</td> </tr> <tr> <td>Residential</td> <td>24510</td> <td>22</td> <td>1</td> <td>0820670</td> <td>\$902.69</td> <td>\$12.99</td> <td>\$305.69</td> </tr> <tr> <td>Residential</td> <td>24520</td> <td>23</td> <td>1</td> <td>0820670</td> <td>\$892.35</td> <td>\$12.84</td> <td>\$302.19</td> </tr> <tr> <td>Residential</td> <td>24550</td> <td>26</td> <td>1</td> <td>0820670</td> <td>\$888.42</td> <td>\$12.78</td> <td>\$300.85</td> </tr> <tr> <td>Residential</td> <td>24570</td> <td>28</td> <td>1</td> <td>0820670</td> <td>\$785.94</td> <td>\$11.31</td> <td>\$266.15</td> </tr> <tr> <td>Residential</td> <td>24610</td> <td>32</td> <td>1</td> <td>0820670</td> <td>\$888.42</td> <td>\$12.78</td> <td>\$300.85</td> </tr> <tr> <td>Sub total</td> <td></td> <td></td> <td></td> <td></td> <td>\$8,290.95</td> <td>\$119.29</td> <td>\$2,807.65</td> </tr> <tr> <td>Grand Total</td> <td></td> <td></td> <td></td> <td></td> <td>\$14,628.81</td> <td>\$191.14</td> <td>\$5,359.37</td> </tr> </tbody> </table> | | | | | | | | | Roll# | Lot | Block | Plan | Municipal | Rimoka | School | Commercial | 24180 | 6 | 1 | 0727008 | \$717.16 | \$8.13 | \$288.74 | Commercial | 26040 | 35 | 1 | 1123761 | \$1614.3 | \$18.3 | \$649.94 | Commercial | 26070 | 38 | 1 | 1222867 | \$2,003.2 | \$22.71 | \$806.52 | Commercial | 26080 | 39 | 1 | 1222867 | \$2,003.2 | \$22.71 | \$806.52 | Sub total | | | | | \$6,337.86 | \$71.85 | \$2,551.72 | Residential | 24440 | 15 | 1 | 0820670 | \$785.94 | \$11.31 | \$266.15 | Residential | 24460 | 17 | 1 | 0820670 | \$787.11 | \$11.32 | \$266.55 | Residential | 24470 | 18 | 1 | 0820670 | \$798.54 | \$11.49 | \$270.42 | Residential | 24480 | 19 | 1 | 0820670 | \$801.96 | \$11.54 | \$271.58 | Residential | 24490 | 20 | 1 | 0820670 | \$759.58 | \$10.93 | \$257.22 | Residential | 24510 | 22 | 1 | 0820670 | \$902.69 | \$12.99 | \$305.69 | Residential | 24520 | 23 | 1 | 0820670 | \$892.35 | \$12.84 | \$302.19 | Residential | 24550 | 26 | 1 | 0820670 | \$888.42 | \$12.78 | \$300.85 | Residential | 24570 | 28 | 1 | 0820670 | \$785.94 | \$11.31 | \$266.15 | Residential | 24610 | 32 | 1 | 0820670 | \$888.42 | \$12.78 | \$300.85 | Sub total | | | | | \$8,290.95 | \$119.29 | \$2,807.65 | Grand Total | | | | | \$14,628.81 | \$191.14 | \$5,359.37 |
| | Roll# | Lot | Block | Plan | Municipal | Rimoka | School | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commercial | 24180 | 6 | 1 | 0727008 | \$717.16 | \$8.13 | \$288.74 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commercial | 26040 | 35 | 1 | 1123761 | \$1614.3 | \$18.3 | \$649.94 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commercial | 26070 | 38 | 1 | 1222867 | \$2,003.2 | \$22.71 | \$806.52 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Sub total | | | | | \$6,337.86 | \$71.85 | \$2,551.72 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24440 | 15 | 1 | 0820670 | \$785.94 | \$11.31 | \$266.15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24460 | 17 | 1 | 0820670 | \$787.11 | \$11.32 | \$266.55 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24470 | 18 | 1 | 0820670 | \$798.54 | \$11.49 | \$270.42 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24480 | 19 | 1 | 0820670 | \$801.96 | \$11.54 | \$271.58 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24490 | 20 | 1 | 0820670 | \$759.58 | \$10.93 | \$257.22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24510 | 22 | 1 | 0820670 | \$902.69 | \$12.99 | \$305.69 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24520 | 23 | 1 | 0820670 | \$892.35 | \$12.84 | \$302.19 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24550 | 26 | 1 | 0820670 | \$888.42 | \$12.78 | \$300.85 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24570 | 28 | 1 | 0820670 | \$785.94 | \$11.31 | \$266.15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | 24610 | 32 | 1 | 0820670 | \$888.42 | \$12.78 | \$300.85 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sub total | | | | | \$8,290.95 | \$119.29 | \$2,807.65 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grand Total | | | | | \$14,628.81 | \$191.14 | \$5,359.37 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Discussion | <p>The MGA section states as follows:</p> <p style="text-align: center;"><i>Cancellation, reduction, refund or deferral of taxes</i></p> <p style="text-align: center;"><i>347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:</i></p> <p style="text-align: center;"><i>(a) cancel or reduce tax arrears;</i></p> <p style="text-align: center;"><i>(b) cancel or refund all or part of a tax;</i></p> <p style="text-align: center;"><i>(c) defer the collection of a tax.</i></p> <p style="text-align: center;"><i>(2) A council may phase in a tax increase or decrease resulting from the preparation of any new assessment.</i></p> <p style="text-align: center;"><i>1994 cM-26.1 s347</i></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | |
| Relevant Policy/Legislation | MGA s347 |
| Options/Consequences | <ol style="list-style-type: none"> 1. Council may grant the request for Municipal Tax Cancellation. 2. Council may deny the request for Municipal Tax Cancellation. 3. Council may cancel part of the Municipal Tax. |
| Desired Outcome(s) | |
| Financial Implications | As per the decision of Council. |
| Follow Up | Advise the resident of Council decision. |
| Attachments | MGA s347 |
| Recommendation | <p>Administration recommends Council deny the request for Municipal Tax Cancellation for the above noted properties.</p> <p>Should Council decide to grant the residents request, Administration respectfully requests separate motions for each item including Roll Number, Lot, Block, Plan and amount of refund or cancellation.</p> |
| Prepared By: | <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  _____ Donna Tona, CTS Interim Chief Administrative Officer </div> <div style="text-align: center;">  _____ Date </div> </div> |
| Endorsed By: | <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  _____ Donna Tona, CTS Interim Chief Administrative Officer </div> <div style="text-align: center;">  _____ Date </div> </div> |

(2) If a person does not indicate to which taxable property or business a tax payment is to be applied, a designated officer must decide to which taxable property or business owned by the taxpayer the payment is to be applied.

1994 cM-26.1 s343

Penalty for non-payment in current year

344(1) A council may by bylaw impose penalties in the year in which a tax is imposed if the tax remains unpaid after the date shown on the tax notice.

(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than 30 days after the tax notice is sent out.

1994 cM-26.1 s344

Penalty for non-payment in other years

345(1) A council may by bylaw impose penalties in any year following the year in which a tax is imposed if the tax remains unpaid after December 31 of the year in which it is imposed.

(2) A penalty under this section is imposed at the rate set out in the bylaw.

(3) The penalty must not be imposed sooner than January 1 of the year following the year in which the tax was imposed or any later date specified in the bylaw.

1994 cM-26.1 s345

Penalties

346 A penalty imposed under section 344 or 345 is part of the tax in respect of which it is imposed.

1994 cM-26.1 s346

Cancellation, reduction, refund or deferral of taxes

347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:

- (a) cancel or reduce tax arrears;
- (b) cancel or refund all or part of a tax;
- (c) defer the collection of a tax.

(2) A council may phase in a tax increase or decrease resulting from the preparation of any new assessment.

1994 cM-26.1 s347

| | |
|------------------------------------|--|
| Council Agenda Item | 8.2 |
| Council Meeting Date | June 13, 2016 |
| Subject | Boards/Committee Reports |
| For Public Agenda | Public Information |
| Background | Various community groups supply minutes of their board meetings to Council for their information. |
| Discussion | |
| Relevant Policy/Legislation | Not applicable |
| Options/Consequences | Accept the various community groups' board meeting minutes submitted to Council as information. Discuss items in question from the submitting community boards with Council members who sit as a member on the Board. |
| Desired Outcome(s) | To keep Council and the community informed of actions taken by the various community groups. |
| Financial Implications | Not applicable |
| Follow Up | Not applicable |
| Attachments | 8.2.1 FCSS/RCHHS Minutes April 20, 2016 8.2.2 Rimoka Housing Foundation Minutes of March 23, 2016 8.2.3 Beatty Heritage House Society Minutes of May 2, 2016 |
| Recommendation | Motion by Council to accept the FCSS/RCHHS Minutes of April 20, 2016, Rimoka Housing Foundation Minutes of March 23, 2016 and the Beatty Heritage House Society Minutes of May 2, 2016, as information. |

Prepared By:



Donna Tona, CTS
Interim Chief Administrative Officer

June 08/16
Date

Endorsed By:



Donna Tona, CTS
Interim Chief Administrative Officer

June 08/16
Date

Family and Community Support Services (FCSS)
Rimbey Community Home Help Services (RCHHS)
BOARD MEETING MINUTES
April 20, 2016
10:00 a.m. Rimbey Provincial Building

Present

N. Hartford, Chairperson
I. Steeves, Vice Chairperson
J. Webb, Board Member
P. Weeks, Board Member
M. Josephison, Board Member
F. Pilgrim, Board Member
I. Wegmann, Board Member
P. Makofka, Executive Director
J. Adams, Recording Secretary

Regrets: B. Coulthard, Board Member

1. **CALL TO ORDER**
The meeting was called to order by N. Hartford at 10:00 a.m.

2. **APPROVAL OF AGENDA**
16-04-01 MOTION: By: I. Wegmann: That the agenda be adopted as presented or with the following additions:

 - 10.6 FCSSAA Regional Meeting**
 - 14.5 ECD Invitation**

 - 11. Progress Report on 2016**
 - 11.1 2014-2017 Operational Plan**
 - 11.2 Operational Plan Chart 2016**
 - 11.3 Business Continuity Plan 2015 (new format)**
 - 11.4 Board Governance- discussion**
CARRIED

3. **PREVIOUS MEETING MINUTES –March 30, 2016**
16-04-02 MOTION: By: F. Pilgrim: That the minutes of the March 30, 2016 Board Meetings be adopted as presented.

CARRIED

4. **BUSINESS ARISING FROM THE MINUTES**
16-04-03 MOTION: By M. Josephison: That the interest from the Reserve fund savings account be reinvested into the Reserve Fund. Seconded by: I. Steeves

CARRIED

5. **OLD BUSINESS**
 - 5.1 ICS- 100 & ICS-200 training

6. **FINANCE**
 - 6.1 April 20, 2016 Finance Committee Meetings Minutes/Highlights**16-04-04 MOTION:** By: I. Steeves: That the Minutes of the April 20, 2016 Finance Committee meetings be accepted as information.
Seconded by: J. Webb

CARRIED

6.2 Reserve Fund- interest
See 4.0

7. WRITTEN REPORTS

7.1 Home Support/Personal Care

16-04-05 MOTION: By: J. Webb: That up to 10 Health Care Aides can attend the HCA Appreciation Conference on September 30, 2016 in Sherwood Park at the cost of \$105.00 each and the Agency will pay for their registration. Seconded by: F. Pilgrim

CARRIED

7.2 Compass Program

7.3 Education Coordinator

7.4 Community Information & Referral Centre

16-04-06 MOTION: By: I. Steeves: That the Board approves the Agency to spend up to \$200.00 for an appreciation luncheon for the SIRC/CIRC volunteers and include the AB Seniors updates in June. Seconded by: M. Josephison

CARRIED

7.5 Volunteer Income Tax

7.6 Welcome to Canada

7.7 Food Bank

16-04-07 MOTION: By: I. Steeves: To give the Food Bank Coordinator the ability to offer cheddar cheese or chez whiz but not both in the hampers (if it's available) and that the Food Bank Coordinator be given authority to make other changes as she sees fit.
Seconded by: J. Webb

CARRIED

7.8 Volunteer Services

16-04-08 MOTION: By: P. Weeks: To support the nomination of Don and Audreyann Bresnahan for the Ministers Seniors Award.
Seconded by: I. Steeves

CARRIED

7.9 Palliative Care

7.10 Medical Alert

7.11 Volunteer Visitor

7.12 Meals on Wheels

16-04-09 MOTION: By: I. Wegmann: To enter into an agreement with Rimoka Housing Foundation similar to the existing agreement with Bethany for the Meals on Wheels service.
Seconded by: F. Pilgrim

CARRIED

7.13 Kitz 4 Kidz

7.14 Adult Day Support

7.15 Community Kitchen

7.16 Information Technology

7.17 Rimbey Parent Link Centre

7.18 Healthy Families/Young Parent Outreach

7.19 Rainbows

7.20 Family Resource Library

7.21 Big Brothers Big Sisters – First Quarter report

7.22 Office Manager/Quality Improvement/Accreditation Coordinator

16-04-10 MOTION: By: M. Josephison: That the Written Reports be accepted as information.

CARRIED

8. QUALITY IMPROVEMENT/RISK MANAGEMENT COMMITTEE – no report at this time

9. **DIRECTOR'S REPORT**

9.1 Dennis Jones-Regional Disaster Services

9.2 Rimbey Women's Conference debriefing

9.3 Volunteer Week

9.4 Compassion fund

16-04-11 MOTION: By I. Steeves: That the Agency design a brochure to increase awareness of donation opportunities through FCSS.

CARRIED

9.5 Alberta Home Visitation Network Association

9.6 Rimbey Trade Fair

9.7 Health Care Advocacy Meeting

16-04-12 MOTION: By: P. Weeks: That the Director's Report be accepted as information.

CARRIED

10. **NEW BUSINESS**

10.1 2016 Charity Golf Tournament

16-04-13 MOTION: By: M. Josephison: To appoint the following Board Members to the 2016 Charity Golf Tournament committee: I. Steeves, J. Webb, N. Hartford, P. Weeks and community member K. Gossen. Seconded by: F. Pilgrim

CARRIED

10.2 ADSP Caregivers Tea – May 26th, 2016 at 10:30 a.m.-1:30 p.m. at the Provincial Building.

10.3 Ponoka County Special Projects

16-04-14 MOTION: By: J. Webb :That the Board recommends the approved Ponoka County Special Project applications be submitted for the specific amounts requested by each organization to Ponoka County for consideration. Seconded by: M. Josephison

CARRIED

10.4 Community Kitchen- Pilot Project Review

16-04-15 MOTION: By: P. Weeks: To continue the Community Kitchen and Food Bank partnership with funds from the Food Bank account up to \$100.00 per month for supplies. The Community Kitchen will supply the staff, space and coordination of the program. Seconded by: I. Steeves

CARRIED

10.5 Quality Improvement Management Framework

16-04-16 MOTION: By: M. Josephison: To adopt the proposed Q.I. Management Framework document and the Agency use it going forward. Seconded by: J. Webb

CARRIED

10.6 FCSSAA Regional Meeting

16-04-17 MOTION: By: J. Webb :That six Board members and one staff attend the FCSSAA Regional Spring meeting on May 12, 2016 in Red Deer at the expense of the agency. Seconded by: I. Steeves

CARRIED

11. **Progress report on 2016 goals & objectives**

11.1 2014-2017 Operational Plan – distributed at meeting

11.2 Operational Plan Chart 2016 – distributed at meeting

11.3 Business Continuity Plan 2015 (new format) – distributed at meeting

11.4 Board Governance- discussion

12. **Workplace Health & Safety Committee – no report at this time (quarterly)**

13. **Review of Statistics**
- Home Care & Home Support Client totals
 - Monthly Board Program Statistics
 - Client Safety Reports – no report at this time (quarterly)
- 16-04-18 MOTION:** By: M. Josephison: To accept the review of the above reports and statistics as information. Seconded by: J. Webb

CARRIED

14. **CORRESPONDENCE**
- 14.1 March Payroll Memo
 - 14.2 Rimbey & Area Community Newsletter
 - 14.3 Emergency Management Workshop- Town of Ponoka
 - 14.4 Rimbey Women's conference Committee- thank you
 - 14.5 ECD Invitation

15. **NEXT MEETING DATE – FCSS Board Meetings**
- May 18, 2016
 - June 15, 2016
 - September 14, 2016

16. **ADJOURNMENT**
- 16-04-19 MOTION:** By: N. Hartford: That the meeting adjourns at 11:50 a.m.

CARRIED

17. **BOARD SHARING TIME**

N. Hartford, Chairperson

J. Adams, Recording Secretary



BOARD MEETING
Wednesday, March 23, 2016
9:00 am
Parkland Manor, Rimbey

PRESENT: P. McLauchlin, Board Chair L. Gulka M. Jaycox B. Liddle
D. MacPherson R. Pankiw W. Sheppard, Interim CAO
M. Nielsen, Recorder

ABSENT: C. Prediger

GUESTS: D. Inman & L. Holte, Auditors (Grant Thornton)

CALL TO ORDER

P. McLauchlin, Board Chair called the meeting to order at 8:54 am.

ADOPTION OF AGENDA

ADDITION TO AGENDA requested by R. Pankiw to add the ground breaking ceremony update to the agenda as item 8.6.

MOVED by L. Gulka that the Board meeting agenda be adopted as amended. (RHF 16-03-01)

Carried

APPROVAL OF MINUTES

MOVED by M. Jaycox that the Board accept the minutes of the February 24, 2016 Board meeting. (RHF 16-03-02)

Carried

FINANCIAL REPORTS

AUDIT PRESENTATION

D. Inman from Grant Thornton presented the 2015 audited financial statements. He recommended that the Board consider transferring surplus funds from unrestricted to internally restricted net assets as a reserve for future projects and ensure the funds will remain with the Rimoka Housing Foundation. The audit letter provided by Grant Thornton also recommends that journal entries be initialed by a party outside the accounting department as an additional internal control.

ACTION ITEM The Board to discuss transferring an amount of unrestricted net assets to internally restricted.

MOVED by R. Pankiw that the Board accept the Financial Audit for the twelve months ended December 31, 2015 as presented. (RHF 16-03-03)

Carried

MOVED by L. Gulka to accept the Cash in Bank report and cheque registers as presented. (RHF 16-03-04)

Carried

CAO REPORT

W. Sheppard is continuing to work with C. Salloum with Alberta Government on the transition of the Lodge Renewal Grant from The Bethany Group to the Rimoka Housing Foundation for the residual grant funds.

W. Sheppard will approach Rimbey Co-op in regard to donating a natural gas BBQ for Parkland Manor.

MOVED by R. Pankiw that the Board accept the CAO report as information. (RHF 16-03-05)

Carried

STANDING AGENDA ITEMS

SENIORS SELF CONTAINED

P. McLaughlin to schedule a meeting with the Ministry within the next two weeks to which he would like all Board Members to attend. The purpose of this meeting is to provide an update on our transition, discuss seniors self-contained and the repurposing of Parkland Manor.

MOVED by R. Pankiw for P. McLaughlin to draft a letter of intent on behalf of the Rimoka Housing Foundation to the Ministry for the repurpose of Parkland Manor to seniors self-contained units, the Rimbey municipal library and West Country Outreach School. (RHF 16-03-06)

Carried

RIMBEY PROJECT

UPDATE FROM BUILDING COMMITTEE

Our start up meeting was held on March 3 at G. Berry Architect with our new government liaison, Philip Harries in attendance. The contract with Shunda Construction still needs to be signed but everything is up to date and progressing well.

The government provided permission to update the stakeholders' signage at the site and this is now completed.

The building committee needs to provide Shunda with information on who will be the cable or satellite provider for the new lodge and also through whom we will be getting our internet connection. We are currently in the process of getting a proposal from Shaw for satellite/cable connection.

MOVED by P. McLaughlin to appoint M. Jaycox as Board representative to discuss with Telus Communications the possibility for Telus to provide optic service to the new lodge. (RHF 16-03-07)

Carried

OUT-OF-SCOPE ITEMS

Board Members are to contact L. Gulka or R. Pankiw for access or a tour of the site and they can arrange with J. Thompson of Shunda Construction. Once we are nearing completion of the project we can arrange site tours for residents as well with J. Thompson.

Shunda Construction needs direction on how many security cameras are needed for the new building.

MOVED by R. Pankiw to continue with the original security camera plan as provided by The Bethany Group.
(RHF 16-03-08)

Carried

ASCHA TRADE SHOW

MOVED by B. Liddle that a letter of intent be provided for Trade Show representatives to purchase beds up to \$120,000. (RHF 16-03-09)

Carried

MOVED by M. Jaycox that L. Gulka and R. Pankiw attend the ASCHA convention registering through FCSS and D. Macpherson attend the convention as a non-member through Rimoka Housing Foundation, with W. Sheppard and L. MacInnis attending the ASCHA trade show only. (RHF 16-03-10)

Carried

PARKLAND MANOR TOUR

Following the meeting, the Board will tour Parkland Manor to better visualize the future proposals for Parkland Manor.

NEW BUSINESS & CORRESPONDENCE

AUDIT REVIEW APPOINTMENT AND PARAMETERS

MOVED R. Pankiw that the Rimoka Board approve the appointment of G. Parker with Rowland & Parker to complete an audit review of the 2015 financial statements, the transition from The Bethany Group and preparation for the 2016 annual audit. (RHF 16-03-11)

Carried

2016 BUDGET & SALARY GRID INCREASE

MOVED by L. Gulka to accept and approve the 2016 proposed Lodge budget including the 2% wage increase retroactive to January 1, 2016. (RHF 16-03-12)

Carried

MOVED by R. Pankiw to accept and approve the 2016 proposed Legacy budget. (RHF 16-03-13)

Carried

PERSONNEL POLICIES - MANAGEMENT

The approval of the Employment Terms & Conditions for Management will be tabled until next meeting.

Tabled

ENDOWMENT FUND REQUEST

The Board approved an Endowment Fund request by A. Goetz for planters.

GROUND BREAKING CEREMONY FOR NEW RIMBEY LODGE

The RimbeY Drop-In Centre has proposed that the ground breaking ceremony be in conjunction with Senior's Week (June 6 – 10) and they would like to provide lunch with Rimoka sharing in the costs. L. Gulka will discuss with P. Harries, regarding government approval and confirm a date. Invitations would be provided for past Board Members, MLA's and MP's.

DATE AND LOCATION OF NEXT MEETING

The next regularly scheduled Board meeting will be held on April 20, 2016 at Legacy Place in Ponoka at 9 am.

ADJOURNMENT

MOVED by L. Gulka that the meeting adjourn at 11:43am. (RHF 16-03-14)

Carried



Paul McLaughlin, Board Chair

June 2/2016
Date Signed



Wendy Sheppard, Interim CAO

June 2/2016
Date Signed

BEATTY HERITAGE HOUSE SOCIETY
MAY 2, 2016 MEETING

Meeting was called to order at 7:35 PM by Chairperson, Teri Ormberg.

In attendance: Teri Ormberg Jackie Anderson
 Florence Stemo Audreyann Bresnahan
 Bronwen Jones Fred Schutz
 Murray Ormberg

MINUTES of previous meeting (April 4, 2016) read by Florence. Adopted as read by Bronwen, Seconded by Jackie. Carried.

CORRESPONDENCE: None.

TREASURER'S REPORT: Jackie reported a Balance of \$20,261.56. Adopted by Jackie, seconded by Fred. Society Membership now stands at 22, following the recent joining of James and Nancy La Plante and Joanne Millar.

OLD BUSINESS:

QUILT RAFFLE: On April 27 Judy accepted the handstitched quilt the Wooddale Ladies' Club members have made for the Society to raffle this year. Named "Wooddale Tropical Garden", it is the 28th quilt the Club has donated to the BHH Society. Tickets are now available from several members.

NEWSLETTER: Discussion re the format and content of a BHH Society newsletter.

CONCERT: "Twin Peaks" will perform at the BH at 7:30 PM on June 6th.

EARTH DAY: Not a large audience, but speakers and their subjects were deemed to be timely and interesting by those who did attend.

SUMMER STAFF:

Mackenzie Stratton - full-time as per conditions of federal grant
Ailen White - part-time
Meagan McFadden - spare

NEW BUSINESS:

HOME ROUTES CONCERTS: Decision reached to host the series 2016-17.

FLOWER BEDS: Bronwen and Florence will choose plants at Holly's.

RODEO BARBECUE: Annual event - July 9 this year.

NEXT MEETING: Tuesday,, June 7, 2016.

ADJOURNMENT: By Fred at 9:35 PM,

Minutes adopted at meeting on June 7/16
Florence Stemo