
ORIOLE PARK WEST

NEIGHBOURHOOD AREA STRUCTURE PLAN

Original Outline Plan
Approved by City Council, October 20, 1997

Amended Outline Plan
(Creation of multi-family site – Avalon Homes)
Approved by City Council, June 1, 1998

Adopted as an Area Structure Plan
By City Council, December 7, 1998

Application by Stantec Consulting Ltd. on behalf of Reid Worldwide Corporation
to Amend Neighbourhood Area Structure Plan
(Introduction of R1N lots and a Semi-detached Condominium Development)
Adopted by City Council, August 28, 2000

Application by Will Inns to Amend Neighbourhood Area Structure Plan
(Expansion of C4 Commercial) Adopted by City Council, November 2001

Application by the City of Red Deer to Amend Neighbourhood Area Structure Plan
(Redesign of the City-owned lands)
Bylaw 3217/B-2005 adopted by City Council, July 4, 2005

Application by Stantec Consulting Ltd on behalf of Reid Build Homes to Amend Neighbourhood
Area Structure Plan
(Identification of two storey homes with walkouts on South leg of Oswald Close)
Adopted by City Council April 2007

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1. INTRODUCTION

This Neighbourhood Area Structure Plan was prepared on behalf of Reid Worldwide Corporation and the City of Red Deer, in accordance with the City of Red Deer's 1998 Planning and Subdivision Guidelines. The plan document also recognizes the requirements of, and input provided by, City Administration and Parkland Community Planning Services (the City's Planning Department).

1.1 Location and Land Ownership

The Plan Area includes lands owned by Conwood (actually, formerly owned by Conwood; in 2005 this portion was fully built-out and sold to individual homeowners), the City of Red Deer and Reid Worldwide Corporation, and is generally bordered by 67 Street on the north, Highway 2 and the CP mainline on the west and existing development (residential and industrial) on the east, west of Overdown Drive. In the south the plan boundary is a line which runs along the north boundary of the existing road right-of-way parallel to the top-of-bank of the river valley.

The land ownership pattern is shown on Figure 1 (note that built-out areas are included, but these areas may have been sold to individual homeowners). The Reid Worldwide Corporation land holdings comprise the north 39 hectares of the plan area, while the south 31 hectares are under City ownership, and Conwood owns the 9 hectares on the east. The total plan area is approximately 79 hectares.

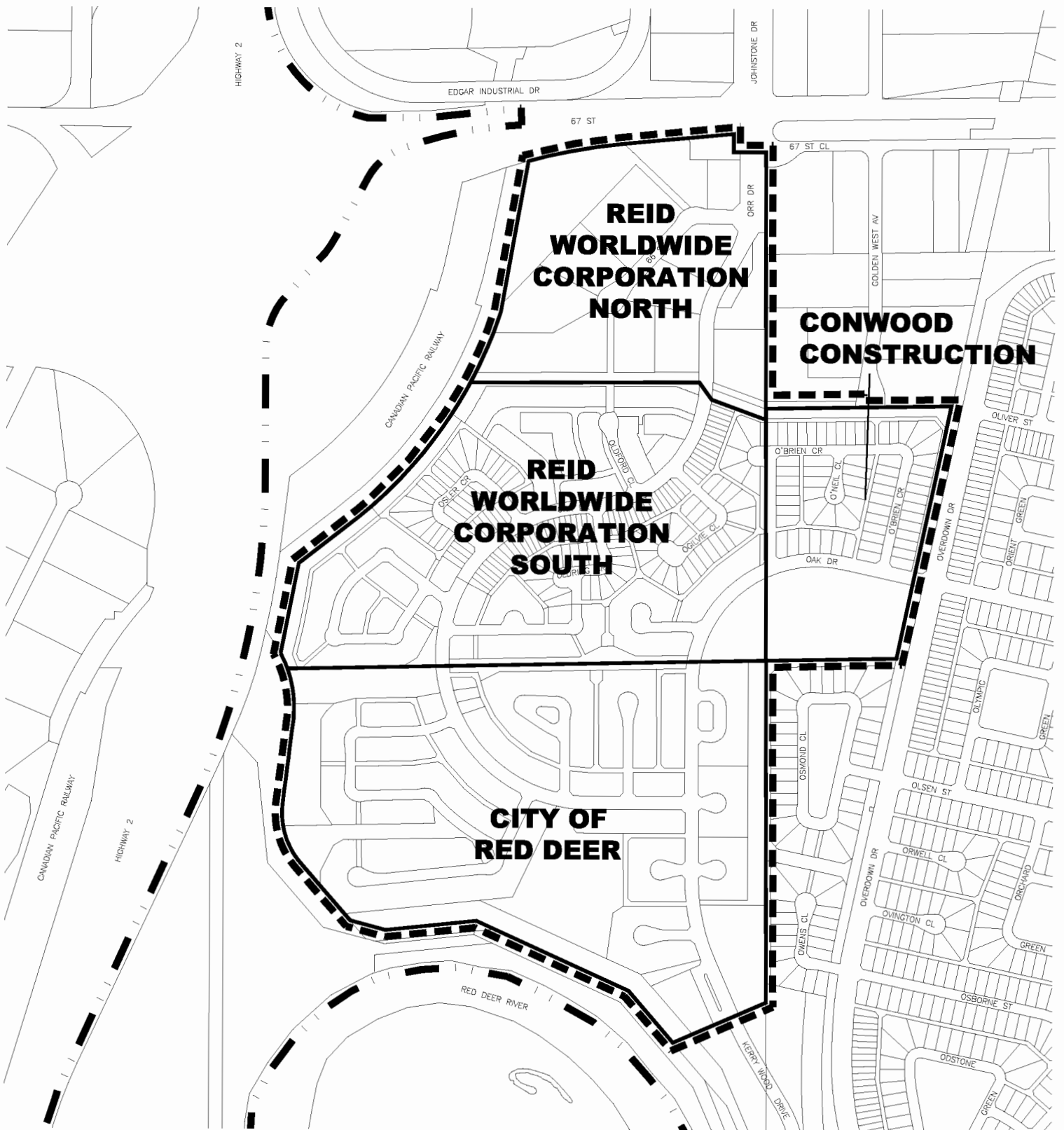
1.2 Natural Features

Existing natural features located within the plan area are illustrated by Figure 2. The escarpment of the Red Deer River is the most significant such feature, and requires a subdivision setback to protect both its integrity and the integrity of future development. More information is provided under section 2.3.4.

A treed natural area, known as Maskepetoon Park and comprising a portion of the River Valley system below the escarpment, is located directly southwest of the plan area. This area contains pristine parkland habitat.

Within the Oriole Park West plan area itself, the following significant concentrations of trees are evident:

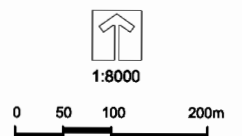
- A stand of trees in the northeast segment
- Along the east boundary, adjacent to Overdown Drive
- Along the south boundary adjacent to the valley escarpment, as part of an abandoned farmstead; and
- A windrow made up of poplars and willows extends east-west along the south side of the quarter section line in the centre of the plan area.

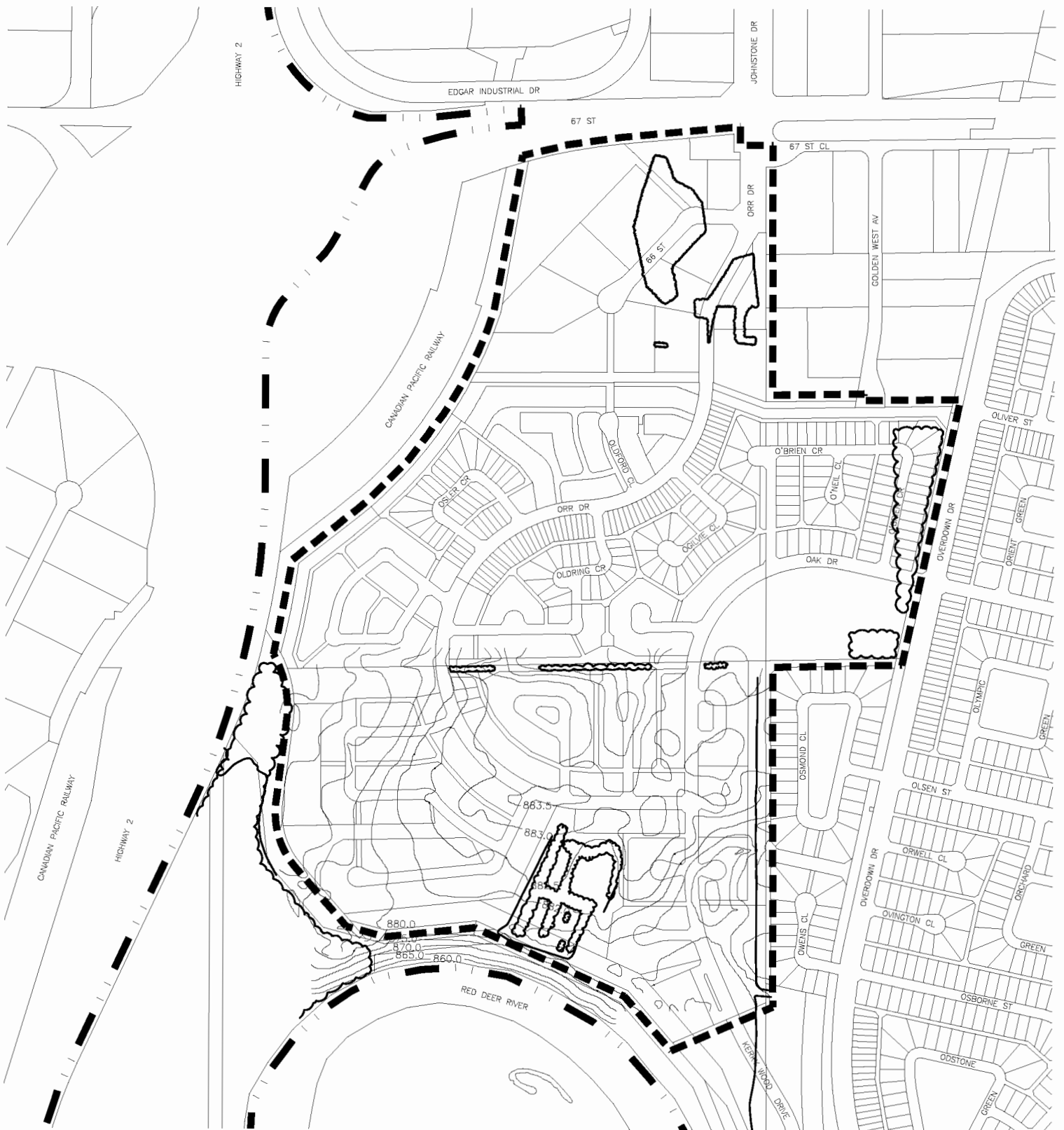


**City of Red Deer
 Oriole Park West
 Neighbourhood Area Structure Plan**

**Figure 1
 Land Ownership**

- Plan Area
- Municipal Boundary
- Ownership Boundary

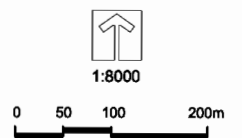




**City of Red Deer
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**Figure 2
Natural Features**

- Plan Area
- Municipal Boundary
- ☁ Major Vegetation
- Surveyed Treeline



The contour intervals shown on Figure 2 indicate a high point located approximately central to the plan area. This high point slopes relatively sharply towards the west/northwest. The slopes toward the southwest and southeast are less evident. A low, seasonally wet area exists in the southeast corner of the plan area. Low areas are also evident in the northwest and southwest corners. All three of these areas provide opportunities for storm water retention facilities.

1.3 **Policy Context**

The Oriole Park West Neighbourhood Area Structure Plan area is part of the Northwest Major Area Structure Plan Bylaw No. 3213/98 (originally Bylaw No. 3071/92). The commercial and residential uses proposed for the Oriole Park West plan conform to the future land use pattern approved under the Major Area Structure Plan.

2. DEVELOPMENT CONCEPT

2.1 Land Use Statistics

The proposed development concept is shown on Figure 3. The primary use proposed for the most northerly portion of the plan area, located in close proximity to 67 Street, is commercial, while the balance of the area is proposed for residential development ranging from single family low density, semi-detached and narrow lots to medium density multi-family. The concept also proposes that a significant portion of the plan area be used for parks and open space. The land use breakdown is summarized in Table 1.

Table 1

Land Use Breakdown

| Land Use | Area by Landowner* (hectare) | | | | | | | | Total | |
|--|----------------------------------|------------|----------------------------------|------------|---------------------------|------------|------------------|------------|-----------------------------|-----------------------------|
| | Reid Worldwide Corporation North | | Reid Worldwide Corporation South | | Conwood Construction Ltd. | | City of Red Deer | | | |
| Commercial | 9.21 | | - | | - | | - | | 9.21 | 11.7% |
| R1 Detached dwelling | - | | 6.26 | | 3.74 | | 11.90 | | 21.90 | 27.8% |
| R1A Semi-detached | - | | 5.01 | | - | | - | | 5.01 | 6.4% |
| R1N Narrow lot | - | | 3.21 | | - | | - | | 3.21 | 4.0% |
| R2 Medium density | - | | 1.27 | | - | | - | | 1.27 | 1.6% |
| Mixed Housing (min. 50% R1 and min. 35% R1A) | - | | - | | - | | 2.98 | | 2.98 | 3.8% |
| Day Care | - | | 0.12 | | - | | - | | 0.12 | 0.15% |
| Social Care/Day Care/Retirement Home | - | | - | | - | | 0.12 | | 0.12 | 0.15% |
| Circulation** | 2.11 | | 5.79 | | 2.14 | | 5.97 | | 16.01 | 20.3 |
| Open Space | Municipal Reserve*** | - | 1.57 | 6% | 3.04 | 34% | 7.62 | 25% | 12.23 (do not add to total) | 15.5% (do not add to total) |
| | Public Utility Lot | 2.70 | 1.77 | | 0.05 | | 2.26 | | 6.78 (do not add to total) | 8.6% (do not add to total) |
| | Total | 2.70 | 3.34 | | 3.09 | | 9.88 | | 19.01 | 24.1% |
| TOTAL | 14.02 | 18% | 25.0 | 32% | 8.97 | 11% | 30.86 | 39% | 78.85 | 100% |

* The land areas (hectares) are estimates only and subject to change at the time of subdivision.

** Circulation includes collectors, local roads and lanes.

*** Includes a 2.46 ha abandoned historic farmstead located within City south lands.

2.2 Commercial Area

The 14 hectares comprising the north segment of the plan area, north of the east/ west 15 metre wide Public Utility Lot (PUL), are designated for commercial development. That portion of this north segment located west of Orr Drive (68 Avenue) has been subdivided into nine lots, ranging in size from 1.21 hectares (3.0 acres) to 0.51 hectares (1.51 acres). These lots are zoned C4 Commercial (Major Arterial) District.

A dry storm pond is planned within a 1.967 hectare (4.86 acre) PUL in the north west corner of the subdivided lands. A second PUL (15 metre wide) extends in an east/west



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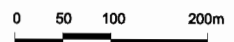
Figure 3
Development Concept

- Plan Area
- Municipal Boundary
- Residential - Detached Dwelling (R1)
- Residential - Semi-Detached (R1A)
- Residential - Narrow Lot (R1N)
- Residential - Medium Density (R2)
- Residential - Mixed Housing*

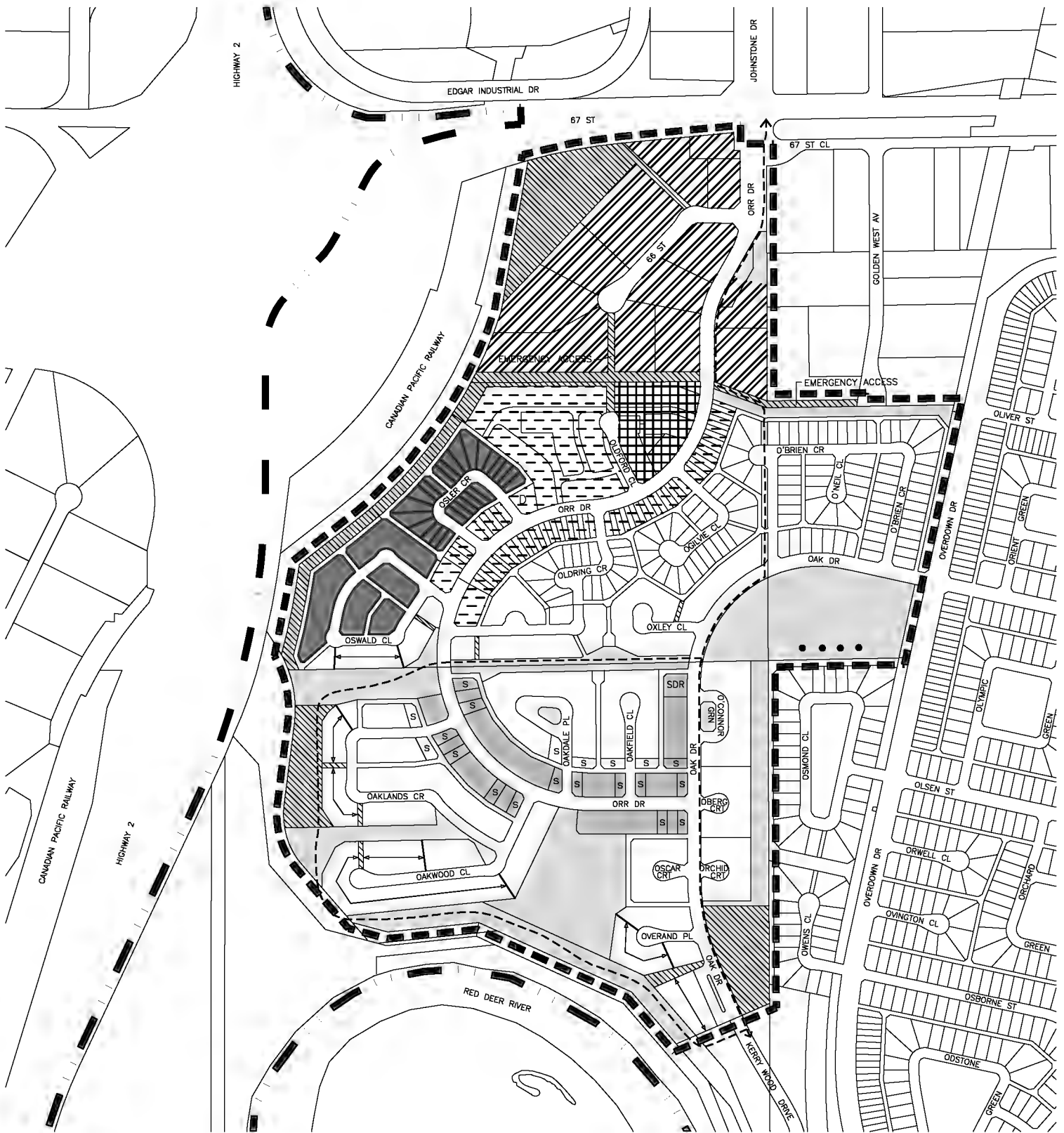
- Residential - Secondary Suite
- Daycare Site
- SDR Social/Daycare/Retirement Site
- Commercial - Major Arterial (C4)
- Municipal Reserve (P1)
- Public Utility Lot
- Two-Storey Homes w/ Possible Walkout Basements
- Major Pathway
- Reclaimed Gas Well



1:8000



*Min. 50% R1; min. 35% R1A



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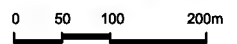
**Figure 3
Development Concept**

- | | |
|---|---|
| <ul style="list-style-type: none"> ■■■ Plan Area ■ Municipal Boundary □ Residential - Detached Dwelling (R1) ▨ Residential - Semi-Detached (R1A) ▩ Residential - Narrow Lot (R1N) ▧ Residential - Medium Density (R2) ▦ Residential - Mixed Housing* | <ul style="list-style-type: none"> □ S Residential - Secondary Suite □ D Daycare Site □ SDR Social/Daycare/Retirement Site ▨ Commercial - Major Arterial (C4) □ Municipal Reserve (P1) ▨ Public Utility Lot ▩ Two-Storey Homes w/ Walkout Basements ▨ Major Pathway ● Reclaimed Gas Well |
|---|---|

*Min. 50% R1; min. 35% R1A



1:8000



alignment along the entire length of the commercial lands and will contain a berm to buffer residential development proposed to the south from future commercial development to the north. The berm will be extended within a Municipal Reserve parcel further east to buffer future residential development on the Conwood Construction owned nine hectare parcel from existing industrial uses located outside the plan area. All linear PUL's and Municipal Reserves in the Neighbourhood Area Structure Plan area, which are proposed to contain berms, will incorporate naturalized landscaping techniques, as opposed to decorative landscaping. The natural grasses and shrubs used in naturalized landscaping reduce maintenance requirements, and are typical of new growth areas in the City.

Two commercial lots are proposed for the lands located east of Orr Drive (68 Avenue), directly across from the subdivided area. The south lot is 0.73 hectares (1.8 acres) in size. The north 0.61 hectare (1.5 acre) lot includes a mature poplar tree stand, which comprises the most northerly 0.2 hectare (0.5 acre) of the proposed lot. Conwood (the original land owner) has expressed a desire to retain these trees, and intend to register a restrictive covenant to this effect at the time of registration of the subdivision instrument. A sample restrictive covenant is contained in Appendix A. No access linkage is being contemplated through these lots to the industrial parcels lying directly east of the plan area.

East of Orr Drive (68 Avenue) a 10 metre wide lane is proposed to parallel, and abut, the PUL on its north side. This lane is required to provide emergency access from the cul-de-sac head proposed under this plan for Golden West Avenue. Although a road plan is registered to allow for the extension of Golden West to connect with the lands just south of the proposed PUL berm (see Figure 3), the City has agreed to cul-de-sac this roadway as shown, thereby separating future residential and industrial traffic.

An existing 138 kV power line, extending along the east boundary of the north segment of the plan area, is proposed to be accommodated within a 9.0 metre wide easement.

2.3 **Residential Area**

2.3.1 **Land Use Districts**

The residential lands are located south of the east/west PUL and will be designated R1 Residential (Low Density) District, R1A Residential (Semi-detached) District, R1N Residential (Narrow Lot) District, and R2 Residential (Medium Density) District (a multi-family town house site measuring 1.27 ha in extent). The Development Concept recognizes the Land Use Bylaw regulations for these Districts.

In total 33.10 hectares are proposed for single family housing (R1, R1A and R1N). This includes narrow lots west of Orr Drive and a mix of detached and semi-detached homes fronting east and west off Orr Drive, allowing for increased housing opportunities with a greater choice of product styles.

There are 20 R1 lots designated for secondary suite development. This is approximately 3% of the total number of R1 lots. These lots are selected based on their location as corner lots and dispersed throughout the plan area.

In order to create a balanced blend of housing types along Orr Drive within the lands owned by the City, the developer within the City-owned lands is required to provide the following mix of housing at the time of subdivision:

- a minimum of 50% of the number of lots provided in the mixed housing areas shall be designated for conventional single family detached dwellings and detached dwellings with secondary suites
- a minimum of 35% of the number of lots provided in the mixed housing areas shall be designated for semi-detached dwellings (for this purpose only, a pair of semi-detached dwelling units shall be counted as two separate lots) [this leaves 15% of the mixed use housing area to be developed with either R1 or R1A at the developer's discretion]
- at subdivision, groups of semi-detached lots shall consist of not more than three adjacent semi-detached lots (i.e. six dwelling units), and such groups shall be separated by at least two adjacent lots for conventional detached dwellings or detached dwellings with secondary suites, or a municipal reserve lot, a PUL, a street or a lane.

2.3.2 Population Density

The density calculation rests on the following assumptions:

- In the Reid Worldwide and Conwood lands north of the quarter section line there are 18.22 hectare net single family residential and 1.27 hectare net multi-family residential lands. Of the remaining single family lands approximately 80% are built-out in April 2005 (288 single family lots) while the multi-family lands are fully built out (51 multi-family units), for a total of 339 dwelling units. This gives average densities of 19.75 single family dwelling units (R1, R1A and R1N) per net hectare and 40 dwelling units per net hectare for multi-family housing (R2) in the Reid Worldwide lands. The undeveloped Reid Worldwide lands (approximately 4.0 hectares at April 2005) will accommodate approximately 75 R1 single family dwelling units at a density of 18.75 units per net hectare. The approximate total number of dwelling units to be developed in the area north of the quarter section line is 414 (i.e. 363 R1, R1A and R1N and 51 R2). This is an average of 21.25 dwelling units per net hectare.
- In the City-owned lands south of the quarter section line the total of 14.88 hectare net single family residential land is undeveloped in 2005. In this area the approximate average dimensions for a typical R1 lot is proposed at approximately 14 – 15 metres frontage by 35 to 36 metre depth, for an average lot size of approximately 515 m² (or 5541 ft²) [along the riverbank and backing onto natural green spaces the lots will be considerably larger than throughout other areas of the city lands]. The approximate average dimensions for a typical R1A lot is proposed at approximately 19 – 21 metres frontage by 35 to 36 metre depth, for an average lot size of approximately 710 m² (or 7643 ft²), each of which will accommodate two semi-detached dwelling units. Based on these assumptions the lands owned by The City will yield approximately 258 detached

dwellings in the R1 and the mixed used areas and approximately 20 R1A lots in the mixed use area for approximately 40 semi-detached dwellings. The combined total will be approximately 298 dwelling units overall, at an average density of 20 single family dwelling units (including R1 and R1A) per net hectare in the city lands.

Based on the density approximations outlined above, the overall plan area will yield approximately 661 single family units (R1, R1A and R1N) and 51 multi-family units (R2), totaling 712 dwelling units. Based on 3.4 persons per single family dwelling unit and 3.0 persons per multi-attached dwelling unit, the total population yield is estimated at 2,400 persons.

This results in a population density of 30.4 persons per gross hectare for the entire Plan Area (78.85 ha), and 34.5 persons per gross hectare (69.64 ha) when calculated exclusive of the commercial lands (9.21 hectare). The gross density is lower than the City's maximum neighbourhood density of 45 persons per gross hectare stated in the Planning & Subdivision Guidelines. This is due to the substantial land area dedicated to open space (i.e. municipal reserve and public utility lots), which makes up 24% of the total plan area (inclusive of the commercial lands) and 27% of the plan area exclusive of the commercial lands.

2.3.3 Noise Attenuation

The residential lots backing onto the west boundary of the plan area are buffered from adverse impacts resulting from the CP Railway/Highway 2 corridor:

- In the north portion of the residential area (Reid Worldwide Corporation lands) a 17.5 metre wide PUL will contain a combined berm and noise attenuation device. The required width of this PUL is based on the Report on Noise Measurements with Predictions and Barrier Design for Oriole Park West Subdivision, prepared by the City of Red Deer Engineering Department in September of 1994. Fencing may also be included in this PUL.
- In the south portion of the residential area (City lands) future lots will be set back from the transportation corridor (the noise source) through a combination of park and PUL. The PUL will contain a storm detention pond (see Section 3 - Servicing).

2.3.4 River Bank Setback

A strip of land in the south portion of the plan area is presently designated as A2 Environmental Preservation District. This designation was applied in the mid 1980's as part of a general setback from the river bank and to preserve natural vegetation. This setback is approximately 100 metre wide, with approximately 50 m located within the plan area, and a large portion of this is presently used for agriculture. A portion of these lands will be redesignated from the A2 District to the R1 Residential (Low Density) District and another portion to the P1 Parks & Recreation District (to be dedicated as municipal reserve).

A geotechnical investigation by AGRA Earth & Environmental in 1995 reviewed the minimum required setback from the river valley crest and stated the following minimum setbacks:

- a 50 metre setback for storm water detention pond construction
- a 20 metre setback for roads, and
- a 25 metre setback for development/structures

Based on field observation, the top of bank corresponds approximately to a setback of varying distance from and more or less parallel to the south boundary of the existing dirt road (i.e. Road Plan 256 ET and Road Plan 3626 J). The proposed residential lots backing onto the south plan boundary are set back 50 metres from the top of bank of the river valley. This 50 metre setback is in accordance with the AGRA River Bank Slope Stability Report and consists of the following:

- a 30 metre setback within the plan area which is to be dedicated as municipal reserve and redesignated from A2 Environmental Preservation District to P1 Parks & Recreation District; and
- a 20 metre setback outside of the plan area which is made up of the road plans for the existing dirt road and will be designated to A2 Environmental Preservation District to be added to the existing A2 Environmental Preservations District.

The AGRA report also notes that certain development restrictions, including limits on automatic sprinkler systems, swimming pools and the placement of fill material, should be required within 150 metres of the valley escarpment (top-of-the-bank - measured on the south boundary of the existing roadway) unless a site-specific review indicates no need for such restrictions. Site specific review would entail the undertaking of a detailed geotechnical study at the time of subdivision and development to identify specific limitations.

Without site specific reviews the restrictions and setbacks listed above, as detailed in the said 1995 AGRA report, will be included in land sale agreements and registered as a restrictive covenant against the land titles of individual lots.

2.4 **Transportation**

2.4.1 **Proposed Circulation Pattern**

The proposed circulation pattern recognizes the existing roadways surrounding the plan area, the two collectors proposed by the Northwest Area Structure Plan, and the City of Red Deer's transportation guidelines. The topography of the area, which includes a high point central to the Neighbourhood Area Structure Plan area, is also recognized. The lands generally slope towards the northwest, southeast and southwest from this high point.

The major features of the circulation pattern shown on Figure 3 are as follows:

- Orr Drive (68 Avenue) is proposed to extend as a collector roadway through the west central portion of the plan area.
- Oak Street is proposed to extend as a collector through the east segment of the plan area. In the longer term, Oak Street will be extended to link with Kerry Wood Drive. This linkage will provide direct access to the south from Oriole Park West to Taylor Drive and the Downtown.
- The City's 45 metre spacing requirement between intersections is maintained throughout.
- The east/west alignment of the registered road plan for Golden West Avenue is recognized by the circulation pattern. As was noted previously, Golden West Avenue is proposed to cul-de-sac at the south end of the existing industrial area, and a 10 metre wide emergency access will be provided to link with Orr Drive (68 Avenue) to the west, within the future commercial segment of the plan area. This emergency access will ensure separation of industrial and residential traffic.
- No direct linkages of streets or lanes are provided between Oak Street and the Orr Drive (68 Avenue) collector, thereby discouraging the potential for cross-cutting through the residential area from Overdown Drive to the commercial lands in the north segment of the plan area, and further north to 67 Street.
- A focal point will be created by an entry feature proposed directly north of the multi-family site, within the Orr Drive (68 Avenue) right-of-way. The Orr Drive (68 Avenue) collector will function as the major entry into the residential area. As such, the entry feature will include enhanced landscaping combined with a community identification sign.

2.4.2 Trail System

The following elements combine to provide an integrated walkway system within the Oriole Park West plan area:

- sidewalks to be developed within all road rights-of-way (a minimum of 2.5 metre on at least one side of all collector streets and a minimum of 1.5 metre along both sides of all local roadways and one side of all collector streets)
- perimeter PUL's to the north and west
- the north-south linear park (PUL/Municipal Reserve) extending along the east side of the plan area and containing a pathway north of Oak Drive
- an existing trail along the top-of-bank of the Red Deer River valley; and
- the east-west linear park (Municipal Reserve) through the centre of the plan area

The major trail system identified on Figure 3 shall be a minimum of 2.5 metre asphalt, with the exception of the portion running from Kerry Wood Drive along the river bank to Maskepetoon Park, which will be a minimum of 3.0 metre asphalt. This trail system links the majority of residential lands to all the major park features proposed for the plan area, as well as the river lands. The linkage to the river lands ensures access from Oriole Park West to the City-wide river valley parks and trail system.

2.5 **Public Facilities**

The 0.61 hectare commercial lot in the north portion of the plan area, located east of Orr Drive (68 Avenue), includes a mature poplar tree stand, which comprises the most northerly 0.2 hectare (0.5 acre) of the proposed lot. Conwood (the original land owner) has expressed a desire to retain these trees, and intend to register a restrictive covenant to this effect at the time of registration of the subdivision instrument. A sample restrictive covenant is contained in Appendix A.

No school site is contemplated for the plan area (as per the Northwest Major Area Structure Plan). Notwithstanding this, a considerable area is identified for park and open space. Three major park sites, to be designated as Municipal Reserve, are identified in the NASP: one site is located in the east portion of the plan area, a smaller site is located in the west and a third site is located in the south. Combined with the open space dedicated for the riverbank setback this amounts to approximately 19 hectares of park space being provided (see Table 1). All major park sites are located along collector roadways.

The east park site will serve as a central park facility for the lands to the east and south of the Oriole Park West area, as well as for the plan area itself. As per the City of Red Deer's Recreation, Parks and Culture Department's guidelines, the central park site should be approximately eight to nine acres in size to allow proper facility development. That portion of the site located on the Reid Worldwide Corporation lands and the Conwood owned east segment comprises 3.5 hectares (8.7 acres), thereby meeting the City's size requirement. This portion of the east park site has been cleared and is shaped to allow for appropriate sizing and configuration of recreation facilities. The site is proposed to extend in a linear configuration to the south, on City owned land, to encompass existing tree cover.

The west park site straddles the boundary between the Reid Worldwide Corporation and City owned lands, and extends eastward into the proposed residential area. This park is linked to the east park site by the 20 metre wide Municipal Reserve strip, which is proposed to contain a pathway extending through the centre of the plan area. This linear park and multi-use trail system draws open space into the residential areas to facilitate pedestrian linkages between the major park sites and throughout the community. The ends of the linear park open onto both Orr Drive and Oak Drive, providing pedestrian access and an attractive view of the linear park. The linear park contains a node which stands as both a physical and visual amenity to the neighbourhood promoting the safety of users in the interior of the linear system.

Park sites are located throughout the neighbourhood to provide a balanced distribution of open space. The developer will work with the City at the time of subdivision to address

boundaries, areas and development criteria for individual park sites.

As was noted in Subsection 2.4.2 the two park sites and the open space lands are integrated into the overall pedestrian circulation system proposed by the development concept.

2.6 **Social Facilities**

One site is proposed for a Day Care facility beside the semi-detached development. In this location it is closer to the more populated areas of the Neighbourhood Area Structure Plan with household profiles more likely to make use of a local Day Care facility. The location is accessed directly from Orr Drive.

A Social Care/Day Care/Retirement Home site of 0.12 hectare is located across from the east park and along a future collector roadway.

These sites are proposed in accordance with the City of Red Deer Planning and Subdivision Guidelines. The Day Care site in the north portion of the plan area is developed. If the Social Care/Day Care/Retirement Home site is not sold for its intended use within six months it may be converted to either single family or semi-detached lots within the mixed use area.

2.7 **Natural and Cultural Features**

The Red Deer River valley and the historic abandoned farmstead (ruins of foundation remain) located adjacent to the valley form the south boundary of Oriole Park West, and are the most significant natural and cultural features in the general vicinity of the plan area. The farmstead comprises a 2.46 hectare (6 acre) parcel and contains a considerable treed area.

The park site proposed in the east segment of the plan area will allow for preservation of a significant tree concentration. The lengths of all the lots backing onto Overdown Drive have been extended to allow for the retention of the existing trees in this segment of the plan area.

The poplar and willow trees comprising the east/ west windrow extending through the centre of the plan area will not be preserved. Site grading will result in a cut line up to two metres high which will jeopardize the tree root systems and result in the trail being elevated, creating difficulty in meeting universal access standards. Native trees will be replanted as part of landscaping within the 20 metre wide linear park (which is to be dedicated as Municipal Reserve). The linear park is made up of 10 metre wide MR dedication on the lands owned by Reid Worldwide Corporation and a 10 metre wide MR dedication on the City-owned lands. This linear park will provide an important pedestrian and bike trail linkage between the two major parks proposed for Oriole Park West.

The Development Concept shown on Figure 3 protects the integrity of the trees identified for preservation by providing an approximately 8 metre setback of residential lots from the tree dripline to protect the trees' root systems during site grading and ensure access for parks maintenance vehicles. The concept also ensures that park and pedestrian linkages allow for resident access.

2.8 Environmental Considerations

The river valley slope is a significant environmental feature in the vicinity of the plan area. The Maskepetoon natural area below this slope as well as a strip of land parallel to the river valley above the escarpment is designated A2 Environmental Preservation District.

As was noted in Subsection 2.3.4 the Development Concept (Figure 3) recognizes the setback requirements from the top-of-the-bank of the Red Deer River as defined by the 1995 AGRA report on the geotechnical site investigation. Within the plan area a strip of land 30 metres wide is identified as municipal reserve dedication in order to ensure and maintain the required river bank setback. This strip of land will be redistricted from its existing A2 Environmental Preservation District to the P1 Parks & Recreation District.

Although not considered a hazard, low lying lands are found along the west and east boundaries of the plan area and in the south portion of the (formerly) Conwood owned segment. These low areas are proposed to be contained in public utility lots (PUL's) and park land, and are well suited for such uses.

There are four abandoned gas wells in the plan area. These wells have been reclaimed and a copy of Reclamation Certificate No. 31203 is contained in Appendix B. The approximate location of the wells is shown on the development concept in Figure 3. The four wells have been incorporated into the park proposed in the south portion of the easterly Conwood owned segment. In accordance with the requirements of Alberta Energy and Utilities Board, the design ensures that the wells are set back at least 5 metres from any permanent structures, 3 metres from any underground utilities, and that there is sufficient working space in the unlikely event that a drilling rig requires access to the wells.

3. SERVICING

An existing power transmission line extends along the east side of the lands owned by Reid Worldwide Corporation and the south City owned lands. This line is accommodated within a combination of easement, PUL and municipal reserve. A trail is proposed to extend along the section of the transmission line north of Oak Drive. The PUL component of this linear feature extends between the emergency access to the north and Oak Street to the south, and is proposed to be approximately 14 metres wide to allow for municipal services, as well as the bike trail and the power line.

The ISL water modeling will be updated as part of detailed studies for subdivision of the land.

3.1 Water Mains

Oriole Park West will be serviced by water by extending the existing 350 mm diameter water main at the intersection of Orr Drive (68 Avenue) and 67 Street. The water distribution network will be designed to accommodate all future development areas in Oriole Park West, with looping of mains and cross connections to existing developed areas as necessary to provide an efficient system with adequate fire flows. Figure 4 schematically shows the network of proposed water mains. The water mains may be located in lanes rather than the road rights-of-way, depending on functional and geotechnical considerations.

3.2 Sanitary Sewers

Oriole Park West will be serviced by the extension of the existing 250 mm diameter sanitary sewer located at the intersection of Orr Drive (68 Avenue) and 67 Street. This sewer has the capacity to serve the entire catchment area, although some fill will have to be placed in the western areas of the site to ensure adequate depth of cover. Figure 5 schematically shows the routing of the sanitary system. It should be noted that design considerations may dictate that the sewers be located in the lanes rather than within the road rights-of-way.

All sanitary sewers will be seated and installed in a suitable bedding material in order to provide long term stability to the pipe, and a pipe type will be specified to prevent ingress of groundwater to the system.

3.3 Storm System

3.3.1 Minor System (Piped)

Runoff from storms up to the 1 in 5 year event will be conveyed by gravity via a piped system to two storm water ponds, one located in the extreme northwest and the other on the west side of the plan area (see Figure 6). Pipe sizes and materials will be designed in accordance with City of Red Deer guidelines.

3.3.2 Major System (Overland)

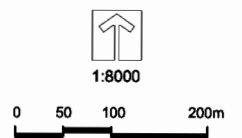
For storm events in excess of the 1 in 5 year event, roads and laneways will be designed

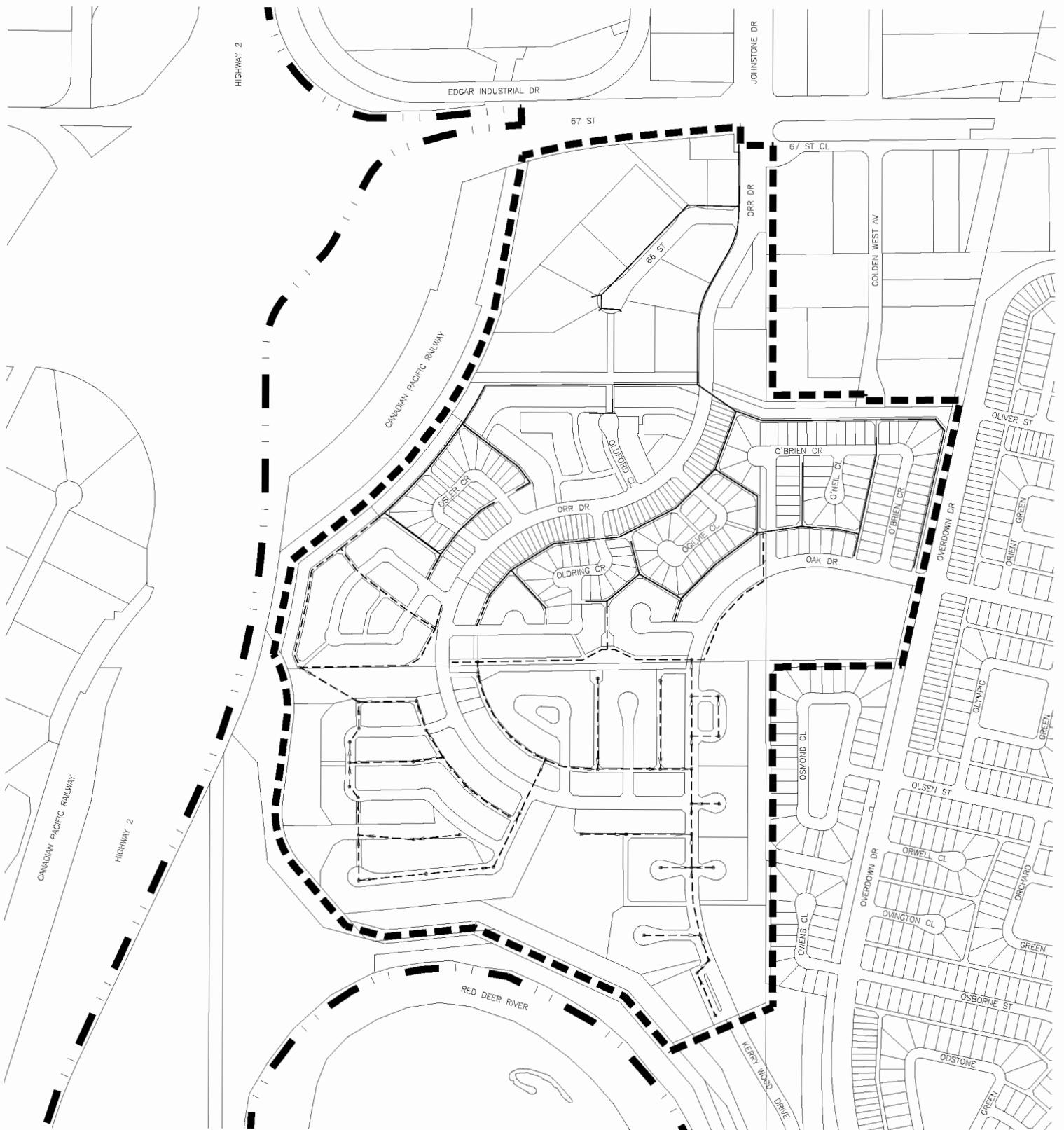


**City of Red Deer
Oriole Park West
Neighbourhood Area Structure Plan**

**Figure 4
Water Distribution**

- ■ ■ Plan Area
- — — Municipal Boundary
- Existing Water Main
- - - Future Water Main

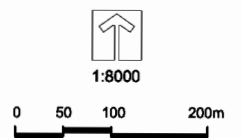


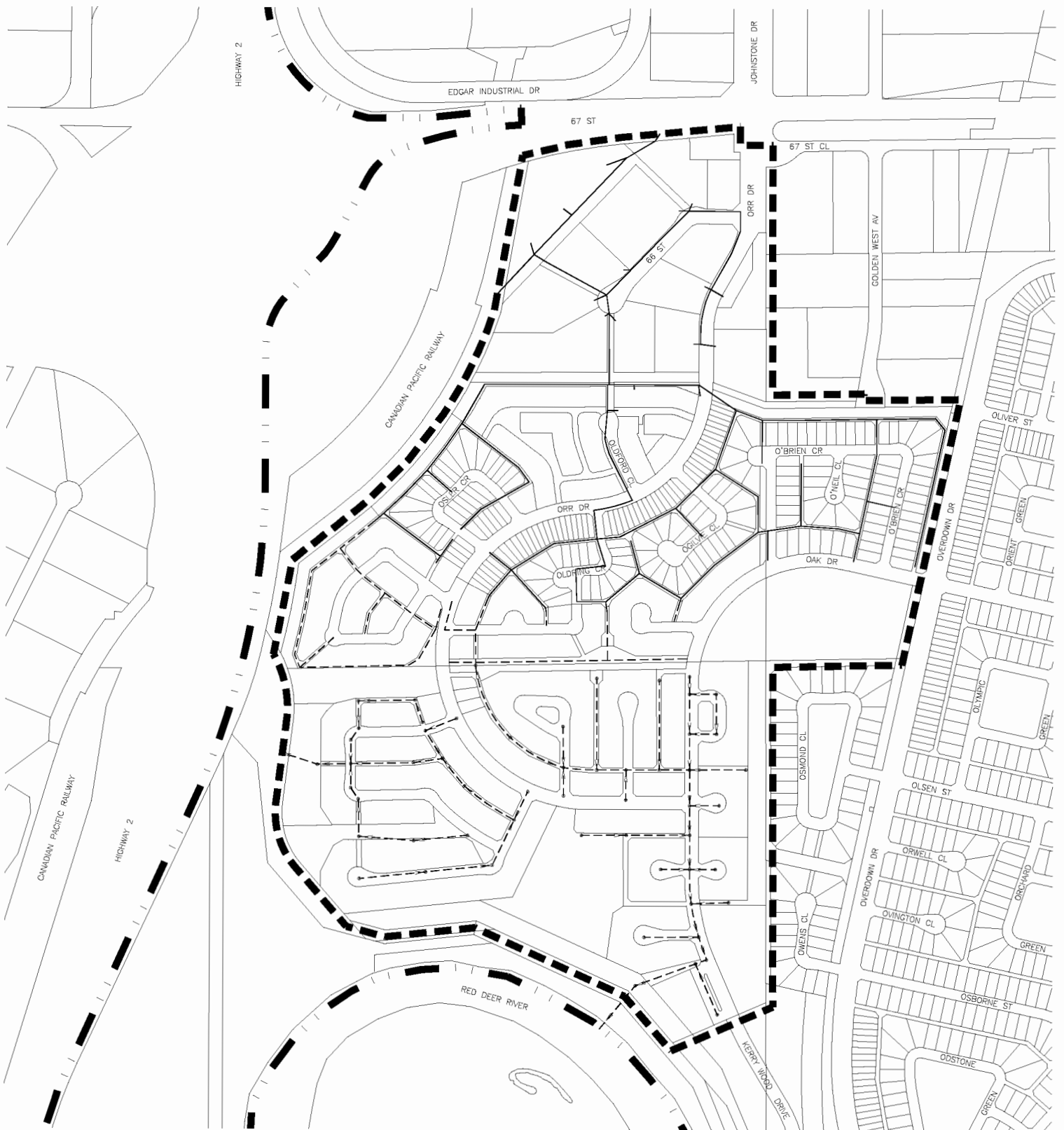


**City of Red Deer
Orile Park West
Neighbourhood Area Structure Plan**

**Figure 5
Sanitary Servicing**

- Plan Area
- Municipal Boundary
- Existing Sanitary Main
- - - Future Sanitary Main





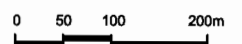
**City of Red Deer
Orile Park West
Neighbourhood Area Structure Plan**

**Figure 6
Storm Servicing
- Piped**

- Plan Area
- Municipal Boundary
- Existing Storm Main
- - - Future Storm Main



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to convey overland flows to the storm water ponds identified in Section 3.3.1. Ponding within roadways or lanes will be permitted in strict accordance with the City of Red Deer guidelines. The major overland flow routing is indicated schematically on Figure 7.

3.4 **Power, Telephone and Cablevision**

Red Deer Electric Light and Power, Telus and Shaw Cable advise that their networks have sufficient capacity to provide service to the fully developed Oriole Park West.

3.5 **Natural Gas**

ATCO Gas advises that they will be able to service the proposed development by extending their existing distribution facilities.



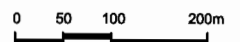
**City of Red Deer
Oriole Park West
Neighbourhood Area Structure Plan**

**Figure 7
Storm Servicing
- Overland**

- Plan Area
- ▣ Municipal Boundary
- Future Direction Flow of Overland Drainage
- ▨ Future Storm Detention Pond



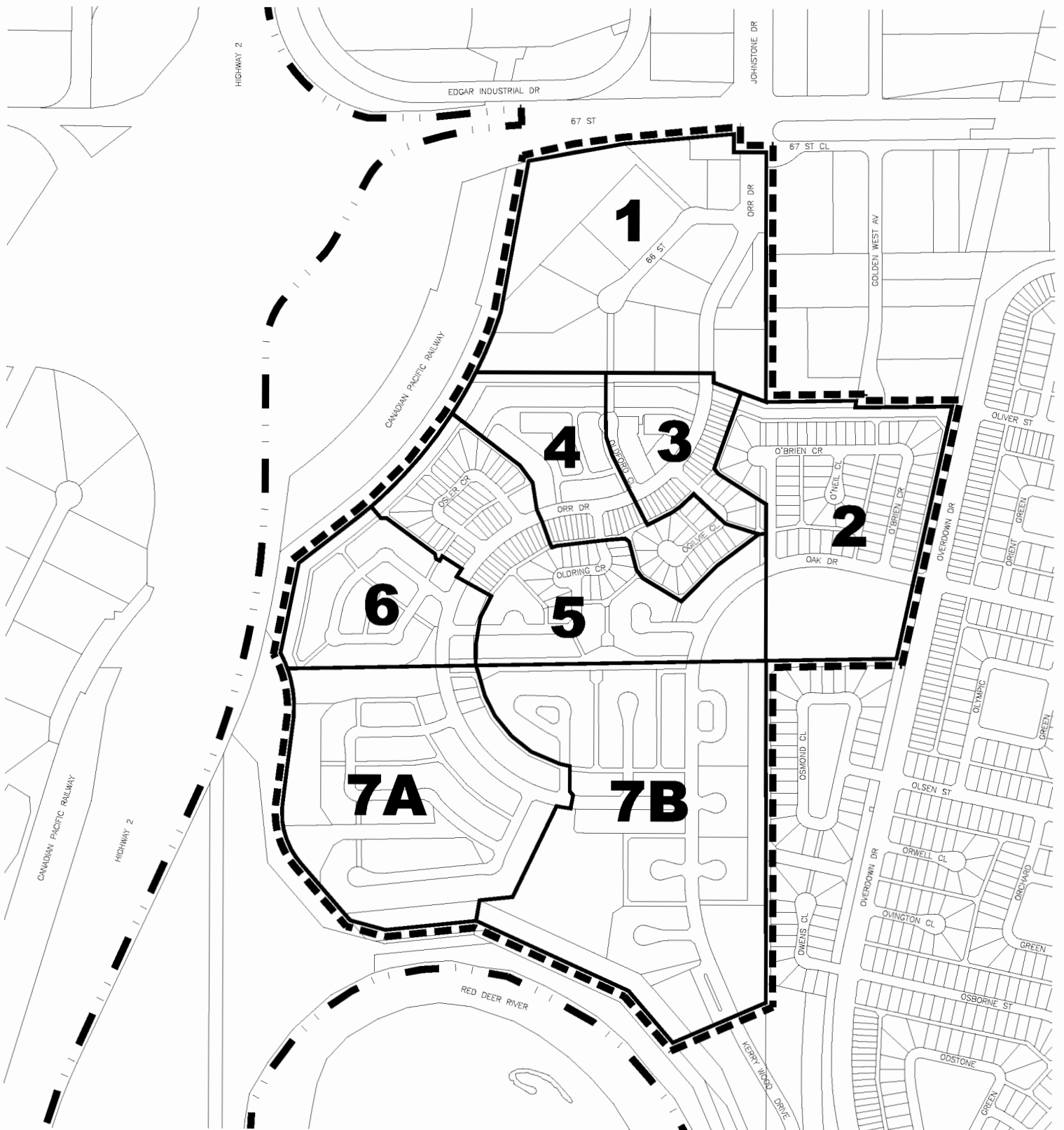
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4. STAGING

Future development within the Oriole Park West Neighbourhood Area Structure Plan will likely proceed on a number of fronts to cater to different markets. The logical and economical extension of municipal services and franchise services as well as market demand will ultimately determine development locations.

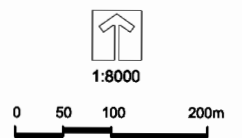
The proposed Staging Concept is reflected in general terms on Figure 8.



**City of Red Deer
Oriole Park West
Neighbourhood Area Structure Plan**

**Figure 8
Staging Concept**

- Plan Area
- Municipal Boundary
- Development Stage Boundary



The following is a sample of a Restrictive Covenant that may be used in a deed or other instrument.

1. The grantor hereby covenants, conditions and warrants that the land described in the foregoing instrument shall be used only for the purposes set forth in the instrument.

2. The grantor further covenants, conditions and warrants that the land shall not be used for any purpose other than those set forth in the instrument.

3. The grantor further covenants, conditions and warrants that the land shall not be used for any purpose other than those set forth in the instrument.

4. The grantor further covenants, conditions and warrants that the land shall not be used for any purpose other than those set forth in the instrument.

APPENDIX A

Sample Restrictive Covenant

The following is a sample of a Restrictive Covenant that may be used in a deed or other instrument. This sample is intended to illustrate the form and content of such a covenant and is not intended to constitute a complete legal instrument. It is suggested that the parties to such a covenant consult with legal counsel to ensure that the covenant is properly drafted and enforceable.

1. The grantor hereby covenants, conditions and warrants that the land described in the foregoing instrument shall be used only for the purposes set forth in the instrument.

2. The grantor further covenants, conditions and warrants that the land shall not be used for any purpose other than those set forth in the instrument.

3. The grantor further covenants, conditions and warrants that the land shall not be used for any purpose other than those set forth in the instrument.

4. The grantor further covenants, conditions and warrants that the land shall not be used for any purpose other than those set forth in the instrument.

RESTRICTIVE COVENANT

THIS RESTRICTIVE COVENANT AGREEMENT made and entered into this ___
day of _____, 1997.

BETWEEN:

CONWOOD CONSTRUCTION LTD.
a body corporate having its head office
at the City of Red Deer, in the Province
of Alberta;
(hereinafter referred to as "the Grantor")

OF THE FIRST PART

- and -

THE CITY OF RED DEER
^^
^^
(hereinafter referred to as "the Grantee")

OF THE SECOND PART

WHEREAS the Grantor is the registered owner of the lands in the
City of Red Deer legally described as:

PLAN ^^
BLOCK ^^
LOTS ^^
EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter referred to as "the Servient Lands")

AND WHEREAS the Grantee, a municipal corporation established
pursuant to the laws of the Province of Alberta is the registered
owner of those lands located in the City of Red Deer, in the
Province of Alberta, the legal description of which is:

^^
^^
(hereinafter referred to as the "Dominant Lands");

AND WHEREAS the Grantee has the control and management of the
public highways, parks, roads, streets, lanes and alleys within the
City of Red Deer adjacent to the Servient Lands;

AND WHEREAS the Grantor is entering into this Agreement with the
Grantee in order to assure to the Grantee and each successor or
transferee in title of the Servient Lands the continuation of the
restrictive covenant hereinafter described;

AND WHEREAS it is intended by the parties hereto that the Restrictive Covenant hereinafter set forth restricts the development of the Lands and that such covenant shall also constitute a covenant running with or capable of being legally annexed to the Lands pursuant to Section 52 of the Land Titles Act, being Chapter L-5 of the Revised Statutes of Alberta, 1980, as amended;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration paid by the Grantee to the Grantor, the receipt whereof is hereby acknowledged, the Grantor and the Grantee hereby covenant and agree as follows:

1. The Grantor, as registered owner of the Servient Lands, does for itself and its successors, assigns and successors in title to each of the parcels of land comprising the Servient Lands, hereby covenants and agrees to observe and be bound by the hereinafter mentioned covenants as the same affect the Servient Lands, provided that the said covenants shall be personally binding upon Grantor and its respective successors in title and assigns only while and so long as it or they are or remain the owner or owners of any part of the Servient Lands and then only in respect or such portion which may be so affected by any such covenants and as is owned by them or any one or more of them, inasmuch as the said covenants shall be construed to be and shall be covenants running with the land and shall be appurtenant thereto for the benefit of and may be enforced by Grantee as owner of the Dominant Lands and by virtue of its control and management of the public highways, parks, roads, streets, lanes and alleys adjacent to the Servient Lands namely:

- (a) No living tree shall be cut down or removed within the subject Lands without first obtaining the written permission of the Grantee.
- (b) Permission to remove trees shall only be considered after a site development plan is prepared showing the impact of the proposed development on the existing trees. A site inspection shall be arranged with the Grantor and Grantee to identify, on site by flagging, the trees that will be permitted to be removed to allow the development to proceed.

2. The Grantee may enforce the provisions of this Restrictive Covenant with respect to any breach of any of the obligations hereby imposed on the owner or owners of the Servient Lands and may, in addition to any other remedy that may be available at law, in equity or otherwise, apply to a court of competent jurisdiction to restrain such breach by injunction.

3. If any provision of this Restrictive Covenant or its application to any parcel of land shall be determined by a court of

competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Restrictive Covenant shall not be affected thereby and each provision hereof shall be enforced to the fullest extent permitted by law.

4. The above mentioned restrictions shall continue in force in perpetuity and shall operate as covenants running with lands, for the benefit of the Grantee as owner of the Dominant Lands and by virtue of the Grantee's control and management of the public highways, parks, roads, streets, lanes and alleys adjacent to the Servient Lands.

IN WITNESS WHEREOF the parties hereto have hereunto set their corporate seals, attested to by the proper officer in that behalf the day and year first above written.

CONWOOD CONSTRUCTION LTD.

Per: _____

THE CITY OF RED DEER

Per: _____

Per: _____

APPENDIX B

Reclamation Certificate

RECLAMATION CERTIFICATE NO. 31203

This reclamation certificate is issued pursuant to section 123 of the Environmental Protection and Enhancement Act, following an inquiry on

August 21, 1997. (Date)

This certifies that the surface of the land held by Westridge Petroleum Corp.

within NE Sec. 19 Tp. 38 Rge. 27 W4M

in connection with or incidental to Westridge Cygnet 6,8,14,16-19-38-27 wells, drilled from a surface point in Lsd 10 of Sec. 19 Tp. 38 Rge. 27 W4M, as shown outlined in yellow on the attached plan, complies with the conservation and reclamation requirements of Part 5 of the Act.

Issued this 21 day of August, 1997

[Signature]
Inspector (s)

[Signature]

Operator/Agent:

Westridge Petroleum Corp.
12TH FLOOR, 630 6TH AVE SW
CALGARY AB T2P 0S8

Owners/Occupants:

City of Red Deer
Dave Dampsey

Section 84 of the Environmental Protection and Enhancement Act may provide a right of appeal against this decision to the Chair, Environmental Appeal Board. There may be a strict time limit for filing such an appeal. For further information, please contact the Executive Director of the Environmental Appeal Board at 11th Floor, Pacific Plaza, 10909 Jasper Avenue, Edmonton, Alberta T5J 3L9, telephone 427-6207; fax 427-4693.

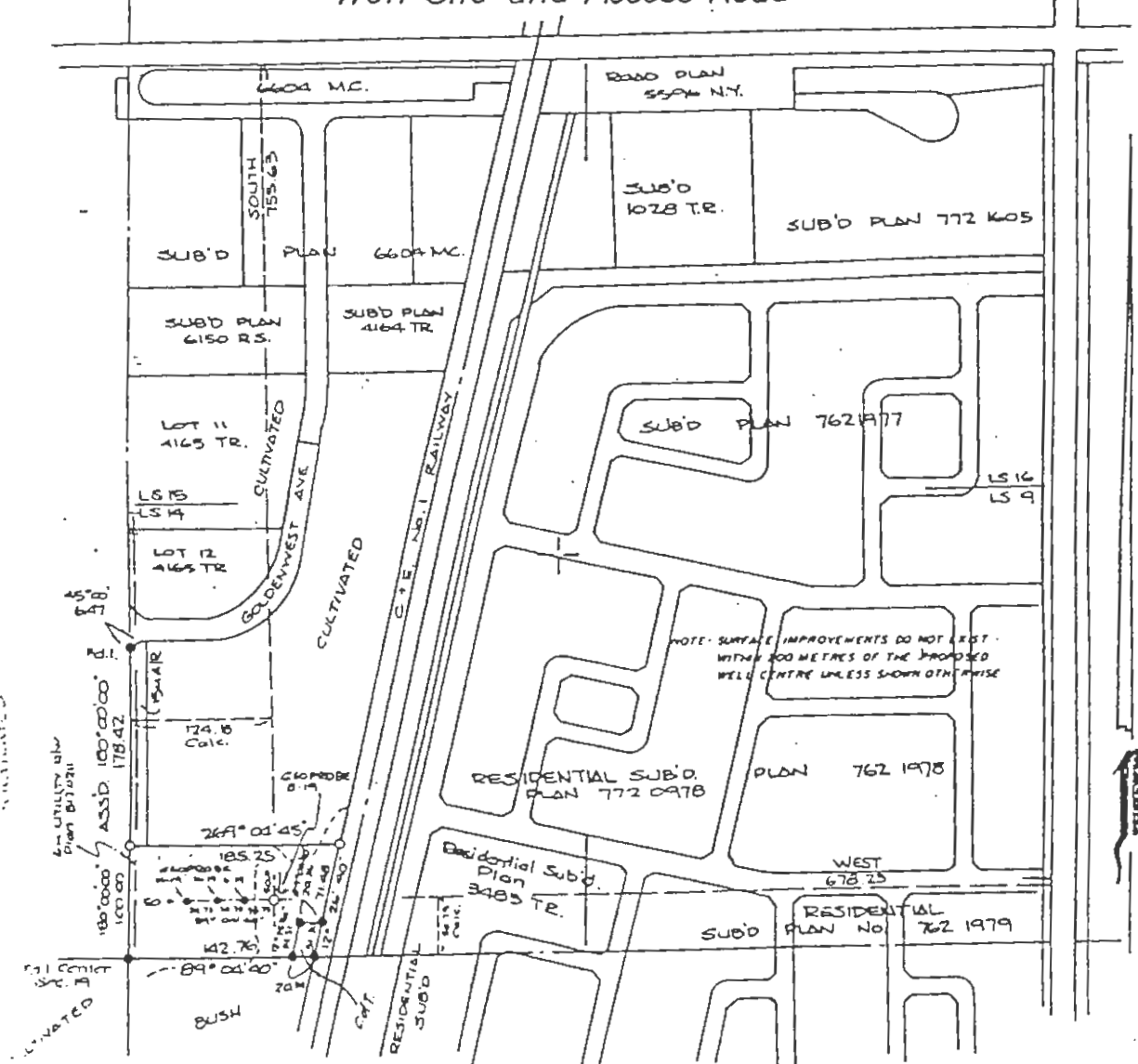
ADDENDUM ATTACHED: YES NO

GEOPROBE ET AL CYGNET 8-19-38-27

Directional Drilled from Surface Location

L.S. 10 Sec. 19 Tp. 38 Rge. 27 W 4 M.

Well Site and Access Road



I certify that the survey represented by this plan is correct to the best of my knowledge and was completed on the 6th day of June A.D., 1985



W. R. ...
Alberta Land Surveyor
[Signature]
Witness
MIDWEST SURVEYS & SERVICES LTD.

CO-ORDS: 755.63 South of North boundary } Sec. 19
678.73 West of East boundary }

ELEVATION: 882.27 Ground
Well Site Corner Elevations
N.W. 882.58 N.E. 883.27
S.W. 882.10 S.E. 881.91

AREAS: Well Site 1.680 ha. (4.15 acres)
Access Road 0.273 ha. (0.68 acres)
Total 1.953 ha. (4.83 acres)

GEOPROBE EXPLORATION AND RESOURCES LTD.

[Signature]

SCALE - 1:5000
Survey monuments found shown thus: ●
Survey monuments planted shown thus: ○
Portions referred to outlined
Distances are in metres and decimals



C-331-85-3