



CITY PLANNING & GROWTH DEPARTMENT

Respondent Report for the Subdivision and Development Appeal Board
(SDAB) Hearing

Thursday, September 17, 2026, at 5:00 p.m. – Council Chambers

Appellant:	Gary Oosterhoff
Applicant:	Gary Oosterhoff
Respondent:	The City of Red Deer
Appeal No:	SDAB 003 2026
Subdivision File No:	SUB26209
Proposed Subdivision:	Two-lot residential subdivision
Proposed Site:	5055-45 Avenue, Red Deer AB
Legal Description:	Lot 7; Block 1; Plan K9 (within N.E. ¼ of Sec 16, Twp 38, Rge 27, W4M)

Part I – Summary of Appeal

1. April 27, 2026

The applicant submitted a subdivision application (SUB26209) to subdivide the existing residential lot at 5055-45 Avenue into two residential lots, retaining the existing dwelling on the proposed west lot (Lot 12) and creating a new east lot (Lot 13) to allow for the development of a new dwelling. (Exhibit A)

The subject site is located within the Residential Low-Density Zone: R-L in the Woodlea neighbourhood and is subject to the Woodlea Character Statements, which form Appendix D of Zoning Bylaw 3357/2024. The site is addressed to 45 Avenue, with its longer boundary running along 51 Street.

2. April 28, 2026

The application fee was received and deposited, the referral letter was prepared, and the application was opened. The Subdivision Authority must render a decision within the time prescribed by the subdivision and development regulations, which may be extended by written agreement under section 681 of the Municipal Government Act.

3. May 1, 2026

Referrals were circulated to internal City departments and to external agencies and utility providers. Thirty-one (31) notification letters were mailed to landowners within 100m of the subject site.

4. **May 7, 2026**

The application was circulated by email to the Woodlea Community Association.

5. **May 20, 2026**

The Subdivision Application Time Extension Agreement was emailed to the applicant, indicating Administration's intent to bring the application to the July 22, 2026 meeting of the Municipal Planning Commission.

The extension was sought early in the review for two reasons. First, the complexity of the application warranted additional review time. Second, the regular Municipal Planning Commission meeting schedule made it unlikely that the application could be brought before the Commission within the initial period. The extension was agreed before the expiry of that period.

6. **May 22, 2026**

Deadline for written comments (4:30 p.m.). Sixteen (16) responses were received, all of which opposed the proposed subdivision, including a submission from the Waskasoo Community Association. There are five (5) adjacent property owners, all of whom provided comments.

Referral responses were received from Engineering Services, Development Services and ATCO Gas. No referral agency objected to the proposed subdivision.

7. **May 26, 2026**

A site inspection was completed.

8. **June 5, 2026**

The applicant signed the Subdivision Application Time Extension Agreement, extending the period within which a decision was to be made to and including July 31, 2026. (Exhibit B)

9. **July 8, 2026**

Notice of the July 22, 2026 Municipal Planning Commission meeting date was emailed to each person who had provided written comment on the application, and to the applicant.

10. **July 15, 2026**

The Municipal Planning Commission agenda package, including the subdivision report, was published on the City's website. (Exhibit A)

11. **July 22, 2026**

The application was presented to the Municipal Planning Commission (MPC) at its meeting commencing at 9:00 a.m. The Subdivision Officer had referred the application to MPC for decision. Under section 55(2)(b) of Committees Bylaw

3576/2016, MPC is the Subdivision Authority for any subdivision application that the Subdivision Officer refers to it.

Administration presented the report and recommended approval of the application subject to conditions. Eight people spoke to the item. MPC defeated the motion to approve the application and carried a motion to refuse it. (Exhibits A, C and D)

At the outset of Administration's presentation, Administration advised the Commission that one page of the written submissions had been omitted from the agenda package. Administration read the omitted submission into the record during the presentation. The Commission subsequently resolved to accept the handout from the City Planning & Growth Department dated July 22, 2026 respecting public comment into the Corporate Record. The omitted page has been inserted in its correct place, following page 52 of Appendix G, in the copy of the agenda package filed as Exhibit A. (Exhibit A and D).

12. July 23, 2026

The written decision of MPC, with reasons, was issued to the applicant and circulated to the referral agencies listed in the decision letter. The Municipal Government Act does not require a decision on a subdivision application to be advertised, and the decision was not advertised. (Exhibit D)

13. August 5, 2026

The appellant filed the Notice of Appeal with the intent to appeal the decision of refusal given by MPC. (Exhibit E)

No other notice of appeal was filed in respect of this decision.

14. August 25, 2026

The Subdivision and Development Appeal Board issued the Notice of Hearing, setting the hearing for September 17, 2026. (Exhibit F)

Part II – Authority of the Board Under The Municipal Government Act

15. The right to appeal a decision on a subdivision application is narrower than the right to appeal a decision on a development permit. Under Section 678(1), the decision of a subdivision authority may be appealed by the applicant for the approval; by a Government department, if the application is required by the subdivision and development regulations to be referred to that department; by the council of the municipality in which the land is located, but only where the council, a designated officer of the municipality or the municipal planning commission is not the subdivision authority; and by a school board with respect to the allocation, location or amount of municipal reserve or school reserve. In this case the Municipal Planning Commission is the Subdivision Authority, so Council has no right of

appeal. Adjacent landowners and community associations do not have a right of appeal from a decision on a subdivision application.

16. Under Section 678(2), an appeal lies to the Land and Property Rights Tribunal rather than to the Board where the land that is the subject of the application is within the Green Area as classified by the Minister responsible for the Public Lands Act; contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site; is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission; or is the subject of an authorization granted by the Minister of Environment and Protected Areas or the Minister of Forestry, Parks and Tourism. None of those circumstances apply to the subject land, and the appeal accordingly lies with the City of Red Deer Subdivision and Development Appeal Board.
17. Under Section 678(2), an appeal may be commenced by filing a notice of appeal within 14 days after receipt of the written decision of the subdivision authority. Under Section 678(3), the date of receipt is deemed to be 7 days from the date the decision is mailed. The written decision of MPC was issued on July 23, 2026. The Notice of Appeal was filed on August 5, 2026.
18. Section 680(1) provides that the Board is not required to hear from any person or entity other than a person or entity notified under Section 679(1) and each owner of land adjacent to the land that is the subject of the appeal, or a person acting on their behalf. Section 679(1) requires at least 5 days' written notice of the hearing to the applicant, the subdivision authority that made the decision, an adjacent municipality where the land abuts its boundary, any school board to whom the application was referred, and every Government department given a copy of the application under the subdivision and development regulations. Section 679(2) requires at least 5 days' notice to owners of adjacent land. Under Section 680(3), the Board must hold the hearing within 30 days of receipt of the notice of appeal and must give its decision in writing, together with reasons for the decision, within 15 days after concluding the hearing.

HEARING AND DECISION

19. Section 680(1) sets out the persons the Board must hear at the hearing. Under Section 680(3), the Board must hold the hearing within 30 days of receipt of the notice of appeal and must give its decision in writing, together with reasons for the decision, within 15 days after concluding the hearing.
20. Section 680(2) provides:

680(2) In determining an appeal, the board hearing the appeal

(a) repealed 2020 c39 s10(48);

(a.1) must have regard to any statutory plan;

(b) must conform with the uses of land referred to in a land use bylaw;

(c) must be consistent with the land use policies;

(d) must have regard to but is not bound by the subdivision and development regulations;

(e) may confirm, revoke or vary the approval or decision or any condition imposed by the subdivision authority or make or substitute an approval, decision or condition of its own;

(f) may, in addition to the other powers it has, exercise the same power as a subdivision authority is permitted to exercise pursuant to this Part or the regulations or bylaws under this Part.

21. The power referred to in Section 680(2)(f) includes the power of a subdivision authority under Section 654(2) of the MGA to approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw, where in its opinion the criteria in Section 654(2)(a) and (b) are met.

654(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

(a) the proposed subdivision would not

(i) unduly interfere with the amenities of the neighbourhood, or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

Part III – Legislative Framework

MUNICIPAL GOVERNMENT ACT AND REGULATION (EXHIBIT A, APPENDIX A)

22. Section 654(1) of the MGA provides that a subdivision authority must not approve an application for subdivision approval unless the land proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended; the proposed subdivision conforms to the provisions of any growth plan, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land; the proposed subdivision complies with Part 17 and Part 17.1 and the regulations under those Parts; and all outstanding property taxes have been paid or satisfactory arrangements have been made for their payment.
23. Section 654(2) of the MGA provides that a subdivision authority may approve an application even though the proposed subdivision does not comply with the land use bylaw if, in its opinion, the proposed subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw. Section 654(3) provides that a subdivision authority may approve or refuse an application for subdivision approval.
24. Section 9 of the Matters Related to Subdivision and Development Regulation (AR 84/2022) sets out the matters that a subdivision authority must consider, being the topography of the land, its soil characteristics, storm water collection and disposal, any potential for flooding, subsidence or erosion, accessibility to a road, the availability and adequacy of a water supply, sewage disposal system and solid waste disposal, the use of land in the vicinity, and any other matters it considers necessary to determine whether the land is suitable for the purpose for which the subdivision is intended.
25. No municipal reserves are owed as a result of this subdivision, as the subject parcel is 0.8 hectares or less in size (Section 663(c)).

ZONING BYLAW (EXHIBIT A, APPENDIX D)

26. Section 6.10.1 – the purpose of the Residential Low-Density Zone: R-L is to allow the development of low-density housing and compatible Non-Residential Uses. A House is a Permitted Use in the R-L Zone (s.6.10.2.4). A Duplex is a Discretionary Use (s.6.10.3.3).
27. Section 6.10.4 – the minimum Site Area for a House in the R-L Zone is 324.0m² and the minimum Frontage is 12.0m.
28. Section 6.10.5 – the minimum Setbacks for a House in the R-L Zone are a Front Yard of 3.0m for the live portion of the Dwelling Unit and 6.0m for an attached Garage

forming part of the Dwelling Unit, a Rear Yard of 7.5m, and a Side Yard of 1.5m. Lot depth is not a regulated standard in the R-L Zone.

29. Section 3.190.1 – the Developed Areas Regulations apply to residential Sites, and the subject site falls within the Developed Areas Map (Figure 3.190-1). Section 3.190.2 provides that the Developed Areas Regulations are in addition to and prevail over the Zone regulations where a conflict occurs. Section 3.190.3 provides that Character Statements are in addition to and prevail over the Developed Areas Regulations where a conflict occurs.
30. Section 3.190.4.1.1 – Front Yard Setbacks must be within 1.2m of the average existing Front Yard Setback of Principal Buildings in the Immediate Road Context.
31. “Immediate Road Context” refers to existing Development along the same Road Frontage, on both sides of the Road, as the proposed Development and within the same block. The Woodlea Character Statements use the term “Immediate Street Context” to refer to the same concept.

WOODLEA CHARACTER STATEMENTS (ZONING BYLAW 3357/2024, APPENDIX D; EXCERPTS AT EXHIBIT A, APPENDIX E)

32. The subject site falls within the Central Woodlea Character Area. Section 1.2 provides that when a development permit application to redevelop a lot, or a subdivision application, is received, the appropriate approving authority will evaluate the application based on conformity with, among other matters, the applicable Character Statements, and that where the regulations in the Land Use Bylaw or the Neighbourhood Planning and Design Standards conflict with the Character Statements, the Character Statements shall prevail.
33. Appendix E of Exhibit A contains excerpts of the Woodlea Character Statements relevant to the application and does not include section 1.4. As the Municipal Planning Commission relied on section 1.4 in its reasons for refusal, it is reproduced in full below.

Section 1.4 refers to the Development Authority in describing the effect of "should" and "may" statements. Section 1.2 provides that the Character Statements are applied by the appropriate approving authority, which for a subdivision application is the Subdivision Authority. Section 2.3.6, being the Character Statement applicable at the subdivision stage, is a "shall" statement.

"Wording contained in the following Character Statements are intentional and contain "shall", "should" and "may" statements. Character Statements that contain "shall" are those which must be followed. "Should" statements mean compliance is recommended and generally expected but acknowledge that the Development Authority may vary these statements based on the extraordinary

circumstances of the specific case. "May" statements indicate that the Development Authority determines the level of compliance that is required. Terms identified by a capitalized first letter are found in the Definitions section of this document or in the Land Use Bylaw."

34. Section 2.3.6 provides: "Lots shall be compatible in the width, depth and area with properties existing within the Immediate Street Context as the proposed Redevelopment." This is the Character Statement that applies to the lot itself at the subdivision stage.
35. The balance of the Woodlea Character Statements apply to a specific development proposal and are evaluated by the Development Authority at the development permit stage. These include section 2.3.2 (side windows and balconies and the privacy of neighbouring properties), section 2.3.7 (front attached Garages), section 3.6.1 (identification of existing trees, natural features, hedges, fences, gates and landscaped boulevards on a site plan for redevelopment), and section 3.6.2 (siting of Dwelling Units compatible with the existing pattern of dwelling placement in terms of Front Yard, Side Yard and Flankage Setbacks prevalent in the Immediate Street Context).

MUNICIPAL DEVELOPMENT PLAN (EXHIBIT A, APPENDIX F)

36. The Municipal Development Plan is the applicable statutory plan. There is no adopted neighbourhood area structure plan or area redevelopment plan in place for the Woodlea neighbourhood. The MDP general land use concept identifies this area for primarily residential land uses. Policies 5.10, 7.7, 10.9 and 10.10 were identified in the subdivision report as relevant to the application.

Part IV – Analysis

37. The subject site is designated Residential Low-Density Zone: R-L. The purpose of this Zone is to allow the development of low-density housing and compatible Non-Residential Uses. The proposed subdivision would create two lots for residential development. A House is a Permitted Use in the R-L Zone, and the proposed subdivision does not involve any change in zoning.
38. Given the level of public interest in the application and the planning questions raised, the Subdivision Officer referred the application to MPC for decision as the Subdivision Authority.
39. In addition to the referrals to internal departments and external agencies, 31 letters were mailed to landowners within 100m of the subject site and the application was circulated by email to the Woodlea Community Association. That circulation was undertaken in recognition of the consultation contemplated by section 1.2 of the

Woodlea Character Statements and to ensure procedural fairness. Section 653(3)(b) of the Municipal Government Act requires the subdivision authority to give notice of the application to owners of adjacent land. The Act does not require notice to landowners beyond those adjacent, and the circulation undertaken for this application exceeded that requirement.

PUBLIC INPUT

40. Sixteen responses were received, all opposed to the proposed subdivision. The principal issues raised were lot depth and compatibility with the Woodlea Character Statements; the developable area of the proposed east lot and the extent of any variances that would be required to build on it; privacy and overlook; the mature trees on the site; parking, traffic and the absence of lane access; property values, density and precedent; and the loss of an existing rental dwelling.
41. Each issue raised is set out, with an administrative response, in Tables 2 and 3 of the subdivision report. The submissions are reproduced in full at Appendices G and H of that report. (Exhibit A)
42. One page of the written submissions was omitted from the agenda package and was read into the record at the meeting, as described in Part I. The Commission accepted the handout into the Corporate Record, and the omitted page has been inserted in its correct place in the copy of the agenda package filed as Exhibit A. (Exhibit D)
43. Eight people spoke to the item at the July 22, 2026 MPC meeting, being Wendy Verwey, Peter Slade, Brenda Garrett, Gary Oosterhoff, Grant McFadden, Peggy Johnson, Amanda Hegge and Sheila Bannerman. (Exhibit D)

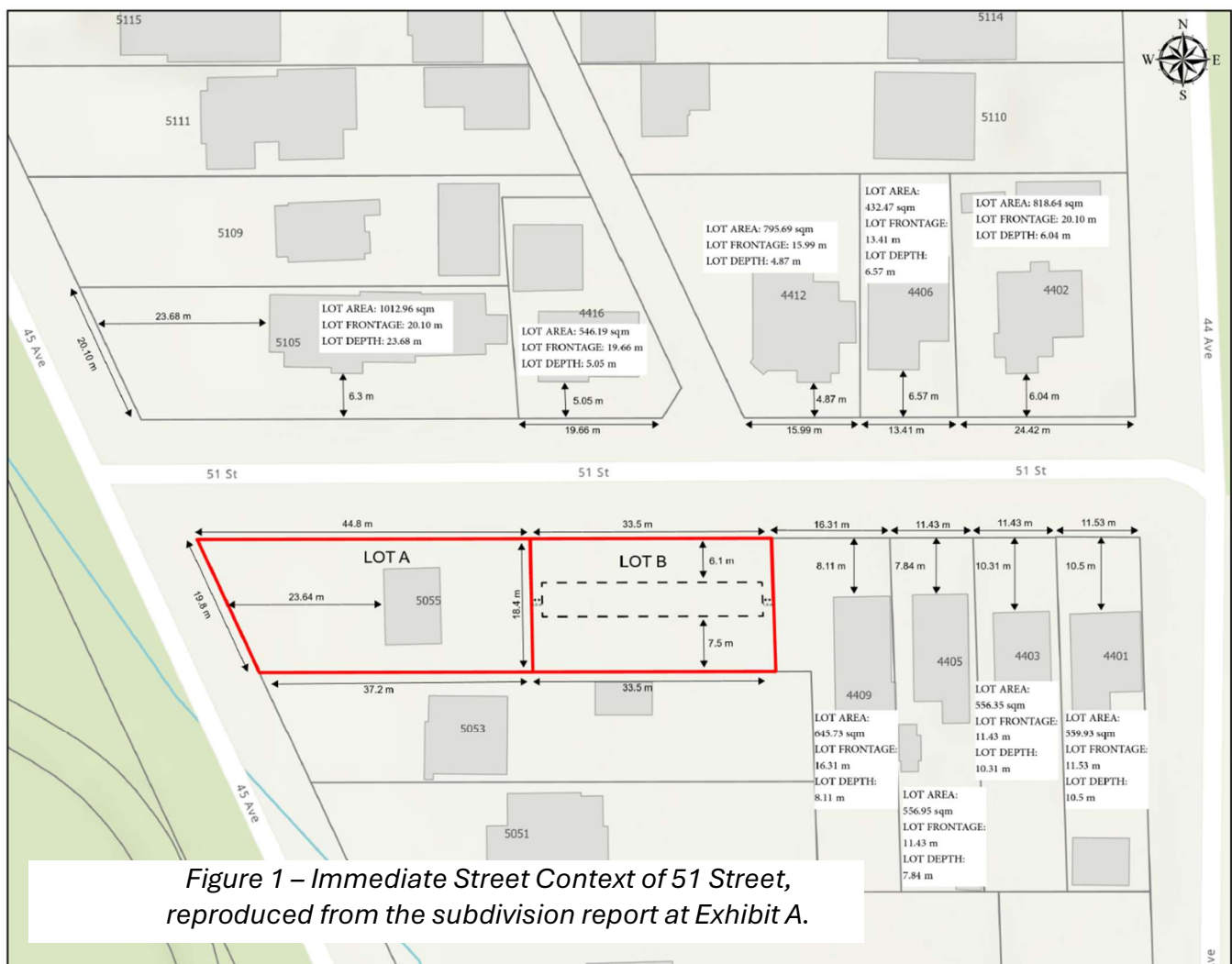
EVALUATION AGAINST THE CITY OF RED DEER ZONING BYLAW

44. The proposed lots were assessed against the standards of the R-L Zone and the Developed Areas Regulations as follows:

R-L Standard	Proposed West Lot	Comment	Proposed East Lot	Comment
Minimum Lot Frontage: 12.0m	19.8m	65% over the min. standard	33.50m	179.17% over min. standard
Minimum Lot Area: 324.0m ²	754.4m ²	132.84% over min. standard	616.4m ²	90.25% over min. standard
Front Yard Setback within 1.2m of the average of the Immediate Road Context (s.3.190.4.1.1): 6.09m to 8.49m (average 7.29m)	23.64m	Existing dwelling; the 23.64m setback is lawfully existing and is unaffected by the proposed subdivision. No new dwelling is proposed on the west lot as part of this application.	6.09m	Within 1.2m of the average Front Yard Setback of the Immediate Road Context as per s.3.190.4.1.1 of Bylaw 3357-2024.

The Front Yard Setback range of 6.09m to 8.49m is derived from the Immediate Road Context of 51 Street, being the Road Frontage of the proposed east lot. The proposed west lot fronts 45 Avenue, and its existing 23.64m Front Yard is measured to 45 Avenue.

45. Both proposed lots exceed the minimum Lot Frontage and minimum Site Area required for a House in the R-L Zone. Lot depth is not a regulated standard in the R-L Zone. The proposed east lot has a frontage of 33.5m, a depth of 18.4m and an area of 616.4m². The proposed west lot has a frontage of 19.8m and an area of 754.4m² and retains the existing dwelling.
46. The average Front Yard Setback of the Immediate Road Context of 51 Street was measured by Administration at 7.29m across the nine dwellings in that context, giving a permitted range of 6.09m to 8.49m under s.3.190.4.1.1. Some submissions estimated a higher block average. Setback measurements are ordinarily confirmed by the applicant at the development permit stage. Figure 1 of the subdivision report shows a developable area on the proposed east lot, based on a 6.1m Front Yard, a 7.5m Rear Yard and 1.5m Side Yards within the 18.4m lot depth, that complies with the Zoning Bylaw without any variance.



47. The setback average under s.3.190.4.1.1 is calculated from the dwellings in the Immediate Road Context, while the count of ten lots referred to below is of properties with a front or side boundary on 51 Street. That count includes the lot directly across 51 Street to the north of the subject site. Although that lot is addressed to 45 Avenue and reads as a narrow and deep lot on title, its 45 Avenue frontage is a continuous wall of vegetation with no ability to pass through it and is visually obscured from the street, and all access is from 51 Street, with the driveway located off 51 Street and the front walk to the front door leading from 51 Street. While the front door itself faces 45 Avenue, the side yard along 51 Street functions as the lot's front yard.
48. Administration concluded that a dwelling can be constructed on the proposed east lot in full compliance with the Zoning Bylaw, including the Developed Areas Regulations, and that no variance is required in order to build. The resulting building form would be wider and shallower than is conventional in the area. Variances to the Front Yard and Rear Yard Setbacks would remain available at the development permit stage and, if granted, would increase the available building depth, but were not considered necessary for development to occur.
49. The site is previously developed, serviced urban land with no known topographic, soil, flooding, subsidence or erosion constraints. Storm water management, water supply, sanitary servicing and solid waste collection are available through existing municipal systems, with separate service connections required for the proposed east lot at the development permit stage. Both proposed lots have direct access to a road.

WOODLEA CHARACTER STATEMENTS AND LOT FORM

50. As the subject site falls within the Woodlea Character Statement area, the application was evaluated for conformity with the applicable Character Statements. At the subdivision stage the matter capable of assessment is the lot itself, being its width, depth, area and compatibility within the Immediate Street Context under s.2.3.6. The balance of the Character Statements apply to a specific development proposal at the development permit stage.
51. Administration's opinion was that the proposed lots are compatible in width, depth and area with the properties existing within the Immediate Street Context. Ten lots share a front or side boundary with 51 Street, being four narrow and deep lots at the east end of the south side, four larger and more conventionally proportioned lots on the east half of the north side, and the sides of two lots addressed to 45 Avenue at the west end. Administration's position was that the northern of those two lots, although addressed to 45 Avenue and reading as narrow and deep on title, functions as a wide and shallow lot within the Immediate Street Context of 51 Street, and that the depth the proposed east lot would present to 51 Street is

therefore consistent with an existing lot form on that street. (Exhibit A, Figures 1 to 3)

52. The subdivision report set out, in the alternative, that should MPC find the proposed east lot incompatible in depth under s.2.3.6, approval under s.654(2) of the MGA would be available on the basis that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and conforms with the use prescribed for the land in the Zoning Bylaw.
53. Administration recommended a condition requiring, prior to endorsement of the subdivision plan, evidence satisfactory to the Subdivision Authority that the Development Authority has approved a development permit for a dwelling on the proposed east lot and that the approval is final and non-appealable. The report described this as a pre-endorsement control, the purpose of which is to ensure that the proposed east lot is not created as a separate title unless the dwelling design relied upon in reaching the opinion on suitability is in fact approved, and stated that the condition does not delegate or defer the determination of suitability under s.654(1)(a).

DECISION OF THE MUNICIPAL PLANNING COMMISSION

54. The minutes of the July 22, 2026 meeting record that a motion to approve the application in the terms recommended by Administration, including the four recommended conditions, was moved and seconded and was defeated by a vote of two in favour and three opposed. A subsequent motion to refuse the application was moved and seconded and was carried by a vote of three in favour and two opposed. (Exhibit D)
55. MPC determined that the application did not meet the requirements of Section 654 of the MGA and refused the application with the following reasons given:
1. In the opinion of the subdivision authority, the land proposed to be subdivided is not suitable for the purpose for which the subdivision is intended [s.654(1)(a)], as the developable area of the proposed east lot is so limited that the subdivision authority is not satisfied that a development permit for a dwelling could be obtained; and
 2. The proposed subdivision does not meet the intent of the Woodlea Character Statements (Appendix E), including s.2.3.6, which requires lots to be compatible in width, depth and area with properties existing within the Immediate Street Context, and the subdivision authority declines to exercise its discretion under s.654(2) of the Municipal Government Act to approve the proposed subdivision despite that non-compliance.
 3. The Subdivision Authority does not support the subdivision of this property as compatibility of a subdivided lot with the neighborhood is critical. It does not meet the intent of the Woodlea Character Statements and would not be

compatible with the depth, width and area of the immediate properties within the immediate street context and streetscape.

4. The Subdivision Authority acknowledges the statement from the City Zoning Bylaw 3357/2024 and the Woodlea Character Statements, Section 1.2 and how character Statements applied, “Where the regulations in the Land Use Bylaw or the Neighborhood Planning and Design Standards conflict with the Character Statements, the Character Statements shall prevail”.
5. The Subdivision Authority relies on ‘Section 1.4 – Interpretation’ within the Woodlea Character Statements that states “Character Statements that contain “shall” are those which must be followed.”
6. The Subdivision Authority relies on the statement from the Applicant that there is an expected and likelihood of significant variances and setbacks if this application would be approved.

56. For context, MPC considered the application at its meeting of July 22, 2026, at which Administration presented the report and eight people spoke. MPC recessed twice during its consideration of the item. The reasons recorded in the minutes for the motion to refuse are the same as the reasons set out in the written decision. The minutes do not record the discussion of the members. (Exhibit D)

57. The reasons for refusal are those set out in the written decision at Exhibit D. This report does not supplement, interpret or expand upon those reasons.

58. The grounds of appeal are set out in the Notice of Appeal at Exhibit E and will be addressed by the appellant in the appellant’s own submission to the Board. Administration makes no submission on those grounds.

SUMMARY OF THE MATTERS BEFORE THE BOARD

59. The proposed lots meet or exceed the measurable standards of the R-L Zone, being minimum Lot Frontage and minimum Site Area, and lot depth is not a regulated standard in that Zone. The proposed subdivision conforms with the use prescribed for the land in the Zoning Bylaw and with the general land use concept of the Municipal Development Plan. No referral agency objected, and no municipal reserves are owed.

60. Administration's recommendation to MPC was approval of the application subject to four conditions, the fourth of which required, prior to endorsement of the subdivision plan, evidence satisfactory to the Subdivision Authority that a final and non-appealable development permit for a dwelling on the proposed east lot had been approved. That recommendation is unchanged.

61. MPC, as the Subdivision Authority, formed a different opinion. It was not satisfied that the land is suitable for the purpose for which the subdivision is intended under s.654(1)(a), found that the proposed subdivision does not meet the intent of the

Woodlea Character Statements including s.2.3.6, and declined to exercise the discretion available under s.654(2).

62. The Board hears the appeal on the evidence before it. The questions raised on this appeal are whether the land proposed to be subdivided is suitable for the purpose for which the subdivision is intended; whether the proposed lots are compatible in width, depth and area with the properties existing within the Immediate Street Context under s.2.3.6 of the Woodlea Character Statements; and, if they are not, whether the subdivision should nonetheless be approved under s.654(2) of the MGA.

Part V – Conclusion

Subdivision application SUB26209 was processed in accordance with the Municipal Government Act, the Matters Related to Subdivision and Development Regulation (AR 84/2022) and The City of Red Deer Zoning Bylaw 3357/2024, including the Woodlea Character Statements. The Municipal Planning Commission, acting as the Subdivision Authority, refused the application on July 22, 2026 and issued its written decision on July 23, 2026, citing the reasons set out at Exhibit D.

Administration recommended approval of the application subject to conditions, and that recommendation is unchanged. The purpose of this report is to place before the Board the record that was before the Municipal Planning Commission. Administration does not supplement the reasons for refusal and takes no position on the grounds of appeal.

In determining this appeal, and pursuant to Section 680(2) of the Municipal Government Act, the Board may:

- a. Confirm the Decision: Uphold the MPC's refusal if the Board is not satisfied that the land proposed to be subdivided is suitable for the purpose for which the subdivision is intended, or is not satisfied that the proposed lots are compatible in width, depth and area with the properties existing within the Immediate Street Context, and declines to exercise the discretion available under Section 654(2) of the MGA.
- b. Revoke the Decision: Overturn the refusal and approve the subdivision if the Board is satisfied that the requirements of Section 654 of the MGA are met, that the proposed subdivision conforms to the statutory plan and the Zoning Bylaw including the Woodlea Character Statements, and that the land is suitable for the purpose for which the subdivision is intended.

- c. Vary the Decision: Approve the subdivision and impose conditions of its own, including conditions of the kind recommended in the subdivision report, or vary any condition imposed by the Subdivision Authority.
- d. Substitute its Own Decision: Make or substitute an approval, decision or condition of its own, exercising the same powers as a subdivision authority under Part 17 of the MGA. Those powers include the power under Section 654(2) to approve a subdivision that does not comply with the land use bylaw where, in the Board's opinion, the proposed subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and conforms with the use prescribed for that land in the land use bylaw.

David Girardin, RPP, MCIP

Acting Manager

City Planning & Growth | The City of Red Deer

EXHIBITS:

Exhibit	Description of Exhibit
A	MPC Package – Subdivision Report SUB26209 dated July 22, 2026, including Appendices A to I
B	Subdivision Application Time Extension Agreement
C	MPC Presentation and Speaking Notes, July 22, 2026
D	Minutes of the Municipal Planning Commission meeting of July 22, 2026
E	Notice of Appeal
F	Notice of Hearing, August 25, 2026

EXHIBIT A

MPC Package – Subdivision Report SUB26209 dated July 22, 2026,
including Appendices A to I



Municipal Planning Commission Agenda

09:00 AM, Wednesday, July 22, 2026 - Crimson Star Meeting Room, 2nd Floor, City Hall

1. Call to Order

2. Approval of Minutes

2.1 Approval of the July 13, 2026 Meeting Minutes Page 2

3. Planning

3.1 Subject Site: 5055-45 Ave. - Lot 7, Block 1, Plan K9 (Within N.E. ¼ of Sec 16, Twp 38, Rge 27, W4M) Page 10

4. Next Meeting

4.1 The next meeting of the Municipal Planning Commission is scheduled for July 29, 2026 at 9:00 a.m. in the Crimson Star Meeting Room, 2nd Floor, City Hall.

5. Adjournment



Unapproved - MINUTES
of the **MUNICIPAL PLANNING COMMISSION**,
held in Council Chambers, 2nd Floor, City Hall,
Monday, July 13, 2026, commencing at 9:00 a.m.

Present:

Mayor Cindy Jefferies, Chair
Councillor Chad Krahm
Councillor Dianne Wyntjes
Joseph D'Onofrio, Citizen Representative
Lorrie Prosser, Citizen Representative

Absent:

Sonia Montes Figueroa, Citizen Representative
Kolson Moore, Citizen Representative

Administration:

Inspections & Licensing Manager, Erin Stuart
Engineering Services Manager, Russ Watts
Acting Planning & Growth Manager, David Girardin
Senior Development Officer, Jay Hallett
Legislative Advisor, Alisha Wilson
Legislative Advisor, Teri Underhill

1. Call to Order

Mayor Cindy Jeffries, Chair, called the meeting to order at 9:00 a.m.

2. Approval of Minutes

2.1 Approval of the June 3, 2026 Meeting Minutes

Moved By Lorrie Prosser

Seconded By Joseph D'Onofrio

Resolve that the Minutes of June 3, 2026 Meeting of the Municipal Planning Commission be approved, as transcribed.

IN FAVOUR (5): Mayor Cindy Jefferies, Councillor Chad Krahn, Councillor Dianne Wyntjes, Joseph D'Onofrio, and Lorrie Prosser
ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

3. Development

3.1 Development Permit Consideration - 4837 54 Ave (Lot 1; Block 7; Plan 1821266) & 5402 47 Street (Lot 12; Block 7; Plan 1523586)

Development Permit application has been received for the Permitted Use of a Commercial Service Facility (financial institution) with the Permitted Accessory Use of a Drive-Through, at 4837 - 54 Avenue & 5402 - 47 Street along with seven (7) request variances.

Jay Hallett, Senior Development Officer, presented the report.

The following people spoke to this item: Bill Ramji

The Municipal Planning Commission recessed at 9:54 a.m. and reconvened at 10:08 a.m.

The Municipal Planning Commission recessed at 10:17 a.m. and reconvened at 10:21 a.m.

Moved By Councillor Chad Krahn

Seconded By Joseph D'Onofrio

RESOLVED that the Municipal Planning Commission approves the application for a Development Permit for the Permitted Use of a Commercial Service Facility with the Accessory Use of a Drive-Through, as shown on the plans dated June 10, 2026 and stamped as "Approved", copies of which form part of this approval (collectively referred to as the "Approved Plans"), on the lands zoned CAP-TD, located at 4837 54 Avenue, and 5402 47 Street, legally described as Lot 1; Block 7; Plan 1821266 & Lot 12; Block 7; Plan 1523586 (the "Site"), subject to the variances and conditions listed below:

- A variance to allow a landscaped area of 8.08%, where 20% is required

- (s.10.20.16.1);
- A variance to allow the provision of 12 trees, where 41 trees are required (s.3.130.1.7.1);
- A variance to allow the provision of 21 shrubs, where 82 shrubs are required (s.3.130.1.7.2);
- A variance to allow a 1-storey building, where a minimum of 3 storeys is required (s.10.20.6);
- A variance to allow an overall Site Coverage of 29%, where a minimum of 40% is required (s.10.20.7.1);
- A variance where bicycle racks are required in the Edge Zone (s.10.20.14.1); and
- A variance where the Building must Abut the Edge Zone and not be set back farther than the maximum Edge Zone (s.10.20.2.2).

Conditions

1. A Development Permit shall not be deemed completed based on this approval until all conditions, except those of a continuing nature, have been fulfilled to the satisfaction of the Development Officer.
2. All Development must conform to the conditions of this Development Permit and the Approved Plans, and any revisions thereto, as required pursuant to this Approval. Any revisions to the Approved Plans must be approved by the Development Authority.
3. The Applicant shall repair or reinstate, or pay for the repair or reinstatement, to original condition, any public property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction on the site. Repairs shall be done to the satisfaction of The City of Red Deer. In the event that the City undertakes the repairs the Applicant shall pay the costs incurred by the City within 30 days of being invoiced for such costs.
4. Prior to the commencement of any construction, demolition or other work associated with this approval, the Applicant must provide the following documents, plans or drawings (the "Additional Documents") to the Development Officer, which must be consistent with the Approved Plans. The Additional Documents are:
 - a) Revised drawings conforming to the requirements specified in Section 17 of The City of Red Deer Design Guidelines. Additional plans may be requested

upon review of the civil drawings.

b) Auto-turn analysis is required to be submitted, identifying the design vehicle(s) and illustrating on-site turning movements, trash pickup movements, and drive-through turning movements.

c) Additional plans may be requested upon review of the civil drawings. The Additional Documents shall, once provided to, and accepted by the Development Officer, be deemed to form part of the Approved Plans.

5. The Applicant shall, prior to the commencement of any construction, demolition, or other work associated with this approval, if the development requires new service stubs, make application to the Engineering Section for service connections (water, sanitary, and storm). All costs associated with the services shall be at the expense of the Applicant. Please contact Carly Cowles, Development Coordinator, at carly.cowles@reddeer.ca to initiate the agreement.

6. All landscape design, materials, installation, and construction must conform to the current City of Red Deer Design Guidelines and applicable City of Red Deer Contract Specifications.

7. The Applicant must consolidate Lot 1; Block 7; Plan 1821266 and Lot 12; Block 7; Plan 1523586, so that the Site is under one Certificate of Title. The Applicant shall provide a copy of the registered consolidation plan to the Development Officer.

NOTE: Additional approvals further to this Development Permit, including, but not limited to, Safety Codes Permits and Business Licensing, may be required.

Prior to consideration of the motion, the following motion to amend was introduced

Moved By Councillor Dianne Wyntjes

Seconded By Mayor Cindy Jefferies

RESOLVED that the Municipal Planning Commission amend the resolution by striking:

- A variance to allow a landscaped area of 8.08%, where 20% is required (s.10.20.16.1);
- A variance to allow the provision of 12 trees, where 41 trees are required (s.3.130.1.7.1);
- A variance to allow the provision of 21 shrubs, where 82 shrubs are required

(s.3.130.1.7.2);

and replacing with:

- A variance to allow a landscaped area of 10%, where 20% is required (s.10.20.16.1);
- A variance to allow the provision of 20 trees, where 41 trees are required (s.3.130.1.7.1);
- A variance to allow the provision of 41 shrubs, where 82 shrubs are required (s.3.130.1.7.2);

and further that an additional condition at #8 be added, as follows:

"8. Prior to the commencement of any construction, demolition or other work associated with this approval, the Applicant shall submit a revised Landscape Plan to the satisfaction of the Development Officer, demonstrating a minimum landscaped area of 10% of the total Site Area, a minimum of 20 trees, and a minimum of 41 shrubs, and maintaining the approximate 2:1 deciduous-to-coniferous ratio required under s.3.130.1.7. The revised Landscape Plan shall, once accepted by the Development Officer, be deemed to form part of the Approved Plans."

IN FAVOUR (4): Mayor Cindy Jefferies, Councillor Dianne Wyntjes, Joseph D'Onofrio, and Lorrie Prosser

OPPOSED (1): Councillor Chad Krahn

ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

The original motion, as amended, was then back on the floor

Moved By Councillor Chad Krahn

Seconded By Joseph D'Onofrio

RESOLVED that the Municipal Planning Commission approves the application for a Development Permit for the Permitted Use of a Commercial Service Facility with the Accessory Use of a Drive-Through, as shown on the plans dated June 10, 2026 and stamped as "Approved", copies of which form part of this approval (collectively referred to as the "Approved Plans"), on the lands zoned CAP-TD, located at 4837 54 Avenue, and 5402 47 Street, legally described as Lot 1; Block 7; Plan 1821266 & Lot 12; Block 7; Plan 1523586 (the "Site"), subject to the variances and conditions

listed below, as amended:

- A variance to allow a landscaped area of 10%, where 20% is required (s.10.20.16.1);
- A variance to allow the provision of 20 trees, where 41 trees are required (s.3.130.1.7.1);
- A variance to allow the provision of 41 shrubs, where 82 shrubs are required (s.3.130.1.7.2);
- A variance to allow a 1-storey building, where a minimum of 3 storeys is required (s.10.20.6);
- A variance to allow an overall Site Coverage of 29%, where a minimum of 40% is required (s.10.20.7.1);
- A variance where bicycle racks are required in the Edge Zone (s.10.20.14.1); and
- A variance where the Building must Abut the Edge Zone and not be set back farther than the maximum Edge Zone (s.10.20.2.2).

Conditions

1. A Development Permit shall not be deemed completed based on this approval until all conditions, except those of a continuing nature, have been fulfilled to the satisfaction of the Development Officer.
2. All Development must conform to the conditions of this Development Permit and the Approved Plans, and any revisions thereto, as required pursuant to this Approval. Any revisions to the Approved Plans must be approved by the Development Authority.
3. The Applicant shall repair or reinstate, or pay for the repair or reinstatement, to original condition, any public property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction on the site. Repairs shall be done to the satisfaction of The City of Red Deer. In the event that the City undertakes the repairs the Applicant shall pay the costs incurred by the City within 30 days of being invoiced for such costs.
4. Prior to the commencement of any construction, demolition or other work associated with this approval, the Applicant must provide the following documents, plans or drawings (the "Additional Documents") to the Development Officer, which

must be consistent with the Approved Plans. The Additional Documents are:

- a) Revised drawings conforming to the requirements specified in Section 17 of The City of Red Deer Design Guidelines. Additional plans may be requested upon review of the civil drawings.
- b) Auto-turn analysis is required to be submitted, identifying the design vehicle(s) and illustrating on-site turning movements, trash pickup movements, and drive-through turning movements.
- c) Additional plans may be requested upon review of the civil drawings. The Additional Documents shall, once provided to, and accepted by the Development Officer, be deemed to form part of the Approved Plans.

5. The Applicant shall, prior to the commencement of any construction, demolition, or other work associated with this approval, if the development requires new service stubs, make application to the Engineering Section for service connections (water, sanitary, and storm). All costs associated with the services shall be at the expense of the Applicant. Please contact Carly Cowles, Development Coordinator, at carly.cowles@reddeer.ca to initiate the agreement.

6. All landscape design, materials, installation, and construction must conform to the current City of Red Deer Design Guidelines and applicable City of Red Deer Contract Specifications.

7. The Applicant must consolidate Lot 1; Block 7; Plan 1821266 and Lot 12; Block 7; Plan 1523586, so that the Site is under one Certificate of Title. The Applicant shall provide a copy of the registered consolidation plan to the Development Officer.

8. Prior to the commencement of any construction, demolition or other work associated with this approval, the Applicant shall submit a revised Landscape Plan to the satisfaction of the Development Officer, demonstrating a minimum landscaped area of 10% of the total Site Area, a minimum of 20 trees, and a minimum of 41 shrubs, and maintaining the approximate 2:1 deciduous-to-coniferous ratio required under s.3.130.1.7. The revised Landscape Plan shall, once accepted by the Development Officer, be deemed to form part of the Approved Plans.

NOTE: Additional approvals further to this Development Permit, including, but not

limited to, Safety Codes Permits and Business Licensing, may be required.

IN FAVOUR (4): Mayor Cindy Jefferies, Councillor Chad Krahn, Councillor Dianne Wyntjes, and Joseph D'Onofrio

OPPOSED (1): Lorrie Prosser

ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

4. Next Meeting

4.1 The next meeting of the Municipal Planning Commission is scheduled for July 22, 2026 at 9:00 a.m. in Crimson Star Meeting Room, 2nd Floor, City Hall

5. Adjournment

Moved By Councillor Dianne Wyntjes

Seconded By Lorrie Prosser

Resolved that the Monday, July 13, 2026 meeting of the Municipal Planning Commission be adjourned at 10:28 a.m.

IN FAVOUR (5): Mayor Cindy Jefferies, Councillor Chad Krahn, Councillor Dianne Wyntjes, Joseph D'Onofrio, and Lorrie Prosser

ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

Chair

Legislative Advisor

July 22, 2026

Subdivision Report

File No. SUB26209

Subject Site: 5055-45 Ave. - Lot 7, Block 1, Plan K9 (Within N.E. ¼ of Sec 16, Twp 38, Rge 27, W4M)

Report Summary & Recommendation

The proposal is to subdivide the existing residential lot into two residential lots to allow for the development of a new dwelling on the proposed Lot 13 (east) and the possible demolition and redevelopment of a dwelling on the proposed Lot 12 (west).

Administration recommends **approval** of the application.

The Commission's Decision

This report requests the Commission's decision for:

- **Approval or Refusal of the Subdivision Application**

Recommended Resolution: Approval

Whereas, in the opinion of the subdivision authority, being The City of Red Deer Municipal Planning Commission, the proposed application satisfies the requirements of Section 654 of the *Municipal Government Act*, including the requirement under s.654(1)(a) that the land proposed to be subdivided is suitable for the purpose for which the subdivision is intended, and the Relevant Considerations listed in Section 9 of the *Matters Related to Subdivision and Development Regulation* (AR 84/2022) (see attached Appendix A); and

Whereas the subdivision authority, being The City of Red Deer Municipal Planning Commission, is of the opinion that the proposed lots are compatible in width, depth and area with the properties existing within the Immediate Street Context, which displays a variety of lot forms including narrow and deep lots, conventionally proportioned lots, and a lot that functions as a wide and shallow lot on 51 Street, and that the proposed subdivision therefore complies with s.2.3.6 of the Woodlea Character Statements forming part of Zoning Bylaw 3357-2024, no provision of which requires lots in this area to be narrow and deep; and

Whereas, in the alternative, if and to the extent the proposed subdivision were found not to comply with s.2.3.6 of the Woodlea Character Statements, the subdivision authority is of the opinion, pursuant to s.654(2) of the *Municipal Government Act*, that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and that it conforms with the use prescribed for the land in the Zoning Bylaw; and

Whereas submissions from referral agencies and landowners within 100m were presented to and considered by the subdivision authority as outlined in the subdivision report dated July 22, 2026;

Therefore, the subdivision authority, being The City of Red Deer Municipal Planning Commission, **APPROVES** the subdivision application subject to the following conditions:

1. That the subdivision be effected by a Plan of Survey;
2. Payment of all outstanding property taxes, or arrangements made satisfactory to the City of Red Deer, for payment of outstanding taxes prior to endorsement of the plan of subdivision;
3. At the Development Permit stage:
 - a) The proposed east lot will require separate water and sanitary service connections, subject to review and approval; and
 - b) Proposed driveway locations will also be reviewed and are subject to acceptance.
4. Prior to endorsement of the subdivision plan, the applicant shall provide evidence satisfactory to the Subdivision Authority the Development Authority has approved a development permit for a dwelling on the proposed east lot and that the development permit approval is final and non-appealable, with all required notices given, with all appeal periods expired and any appeals finally disposed of. The development permit approval shall include approved plans, substantially consistent with the building envelope/site plan reviewed by the Subdivision Authority in considering this subdivision application, showing building siting, yards and setbacks, access, parking, grading/drainage, and privacy or screening measures, and identifying any approved variances from the Zoning Bylaw, including the Developed Areas Regulations and the applicable Woodlea Character Statement requirements, to the extent those requirements are lawfully variable. For the purpose of this condition, the development permit approval may remain subject to continuing conditions of approval or to a condition requiring registration of the plan of subdivision or creation of the proposed east lot as a separate title before the development permit is issued or before development commences. The subdivision plan shall be revised, if necessary, to correspond with the approved development permit plans prior to endorsement.

Notes:

- Administrative Implementation: For the purpose of administering this approval, the Subdivision Officer, being the Director of Planning Services or designate, will review and confirm satisfaction of the conditions of approval and process endorsement of the plan of subdivision pursuant to section 657 of the Municipal Government Act, in accordance with the authority and roles set out in Committees Bylaw 3576/2016.
- No municipal reserves owed as a result of this subdivision as the subject parcel is 0.8 hectares or less in size [MGA s.663(c)].
- Any existing utility services or lines requiring relocation or cutback to accommodate demolition or development on either lot will be identified and addressed at the owner's expense, subject to review and approval by the City and the relevant utility providers.
- Due to the limited building depth on the proposed east lot, a front attached garage is unlikely to be accommodated without variances, having regard to s.6.10.9 of the Zoning Bylaw and s.2.3.7 of the Woodlea Character Statements. The required off-street parking of a minimum of two stalls can be accommodated on the lot through a detached garage or parking pad, subject to review and acceptance at the development permit stage.

Rationale for Recommendation

1. **The Municipal Development Plan (MDP), Policy 5.10, expresses the City's desire to review potential redevelopment and intensification opportunities in established areas, including but not limited to: Vacant and under-utilized sites in communities.**

The proposal is for the development of an additional lot creating additional housing opportunities in the area.

2. **The Municipal Development Plan (MDP), Policy 7.7 Innovative Neighbourhood Designs encourages innovative neighbourhood designs that respond to environmental, economic, demographic and market conditions.**

An additional lot in Red Deer supports innovative neighbourhood design by increasing housing choice and density in response to evolving demographic and market needs. It contributes to a more efficient use of land while reinforcing compatible built form and scale within the existing neighbourhood.

3. **The Zoning Bylaw 3357-2024, section 6.10 Residential Low-Density Zone: R-L.**

The proposed subdivision conforms to the uses identified for this site in both the Municipal Development Plan and the Zoning Bylaw Residential Low-Density Zone; R-L.

4. **Suitable for Subdivision.**

The land proposed to be subdivided is suitable for the purpose for which the subdivision is intended, being residential development in accordance with the uses permitted or discretionary in the R-L Zone. Based on the subdivision report, the proposed lot dimensions, the conceptual building envelope shown in the Discussion section, and the applicable Zoning Bylaw requirements, a dwelling can be constructed on the proposed east lot in compliance with the R-L Zone and the Developed Areas Regulations. The resulting building form would be wider and shallower than is conventional, but no variance is required in order to build. Variances to the front and/or rear yard setbacks remain available to the landowner at the development permit stage and, if granted, would further increase the developable area. For the purpose of s.2.3.6 of the Woodlea Character Statements, it is the proposed width, depth and area of the lots that are compatible within the Immediate Street Context; compliance of the dwelling design with the remaining, design-specific Woodlea Character Statement requirements will be determined by the Development Authority at the development permit stage.

Alternate Option: Refusal Resolution

Should the Municipal Planning Commission wish to proceed with the alternate option of refusing the subdivision, Administration presents the following resolution and reasons:

WHEREAS the subdivision authority, being The City of Red Deer Municipal Planning Commission, is not satisfied that the proposed application meets the requirements of Section 654 of the *Municipal Government Act*, having considered the relevant matters listed in Section 9 of the *Matters Related to Subdivision and Development Regulation* (AR 84/2022) (see attached Appendix A); and

WHEREAS submissions from referral agencies and landowners within 100m were presented to and considered by the subdivision authority as outlined in the subdivision report dated July 22, 2026;

THEREFORE, the subdivision authority, being The City of Red Deer Municipal Planning Commission, **REFUSES** the subdivision (as shown in Appendix C) for the following reasons:

1. In the opinion of the subdivision authority, the land proposed to be subdivided is not suitable for the purpose for which the subdivision is intended [s.654(1)(a)], as the developable area of the proposed east lot is so limited that the subdivision authority is not satisfied that a development permit for a dwelling could be obtained; and
2. The proposed subdivision does not meet the intent of the Woodlea Character Statements (Appendix E), including s.2.3.6, which requires lots to be compatible in width, depth and area with properties existing within the Immediate Street Context, and the subdivision authority declines to exercise its discretion under s.654(2) of the *Municipal Government Act* to approve the proposed subdivision despite that non-compliance.

Discussion

Plans & Bylaws

Municipal Development Plan (MDP):

The MDP's general land use concept (Appendix F) identifies this area for primarily residential land uses. The MDP is the applicable statutory plan to guide subdivision and development in the Woodlea neighbourhood; there is no adopted neighbourhood area structure plan (NASP) or area redevelopment plan (ARP) in place. The purpose of the MDP is to guide and direct future growth and development in Red Deer and the MDP contains several goals, objectives and policies that address development and redevelopment.

Appendix F contains excerpts from the MDP with highlighted text that is relevant to the proposed subdivision.

Zoning Bylaw 3357-2024 (Land Use Bylaw):

The site is designated *Residential Low-Density Zone; R-L* under the Zoning Bylaw 3357-2024. The purpose of the R-L zone is to provide for low-density residential development, primarily in the form of detached dwellings. The applicable R-L zone standards are:

Table 1 below shows that the proposed west and east lots exceed the minimum standards for Lot Frontage and Lot Area.

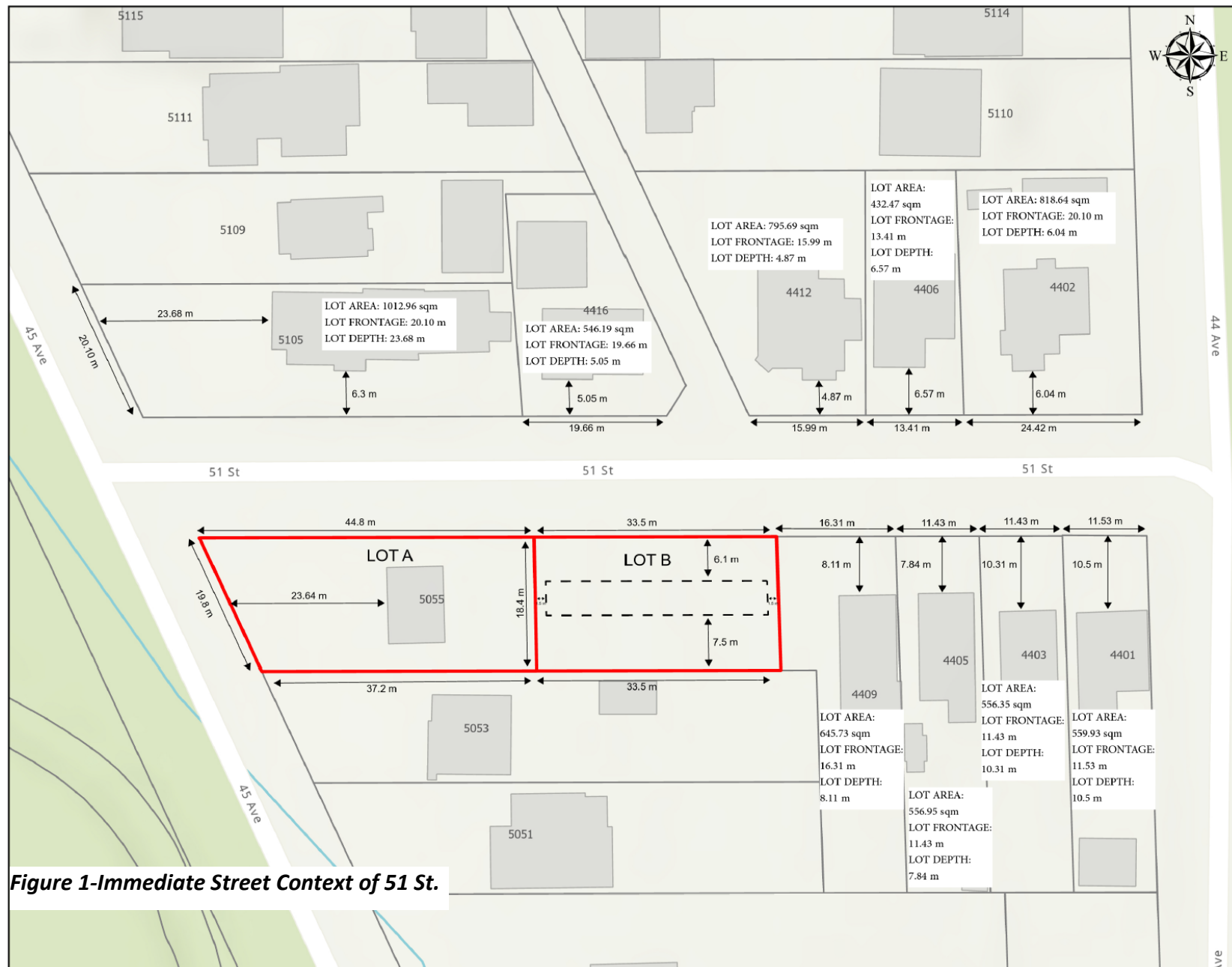
Table 1

R-L Standard	Proposed West Lot	Comment	Proposed East Lot	Comment
Minimum Lot Frontage: 12.0m.	19.8m	65% over the min. standard	33.50m	179.17% over min. standard
Minimum Lot Area: 324.0m ²	754.4m ²	132.84% over min. standard	616.4m ²	90.25% over min. standard
Front Yard Setback within 1.2m of the average of the Immediate Road Context (s.3.190.4.1.1): 6.09m to 8.49m (average 7.29m)	23.64m	Existing dwelling; the 23.64m setback is lawfully existing and is unaffected by the proposed subdivision. No new dwelling is proposed on the west lot as part of this application.	6.1m	Within 1.2m of the average Front Yard Setback of the Immediate Road Context as per s.3.190.4.1.1 of Bylaw 3357-2024.

Figure 1 below shows the developable area that is possible on the parcel. In accordance with the R-L Zone and Developed Areas standards, being a front yard setback within 1.2m of the average of the Immediate Road Context (6.09m to 8.49m), a minimum 7.5m rear yard, and minimum 1.5m side yards, there is a developable area on the lot that complies with the Zoning Bylaw without any variance. As well, note that the developable area is no closer to either the north or south boundary than the existing house.

In summary, the proposed subdivision would result in the creation of two developable R-L lots. A dwelling can be constructed on the proposed east lot in full compliance with the Zoning Bylaw, including the Developed Areas Regulations. The resulting dwelling would be wider and shallower than is conventional in the area, but it is buildable without any variance. Should the landowner wish to increase the depth of the building envelope, variances to the front and/or rear yard setbacks remain available at the development permit stage. As demonstrated in the sketches below, it is possible to develop the proposed east lot in such a manner that a house would be no closer to 51 Street or the adjoining property to the south than the existing houses.

The compliance of any future development with the Woodlea Character Statements will be determined by the Development Authority at the development permit stage. Those standards apply to a specific development proposal, including building siting, massing, privacy, and tree retention, and the details of any development on the proposed east lot have yet to be determined and applied for through the proper procedures. The Subdivision Authority's assessment at this stage is limited to the lot itself, being its width, depth, area, and compatibility within the Immediate Street Context, and is made in accordance with s.1.2 of the Woodlea Character Statements, which provides that the appropriate approving authority will evaluate a subdivision application based on conformity with the applicable Character Statements. This is why Administration is recommending that obtaining a development permit be a condition of the subdivision approval.



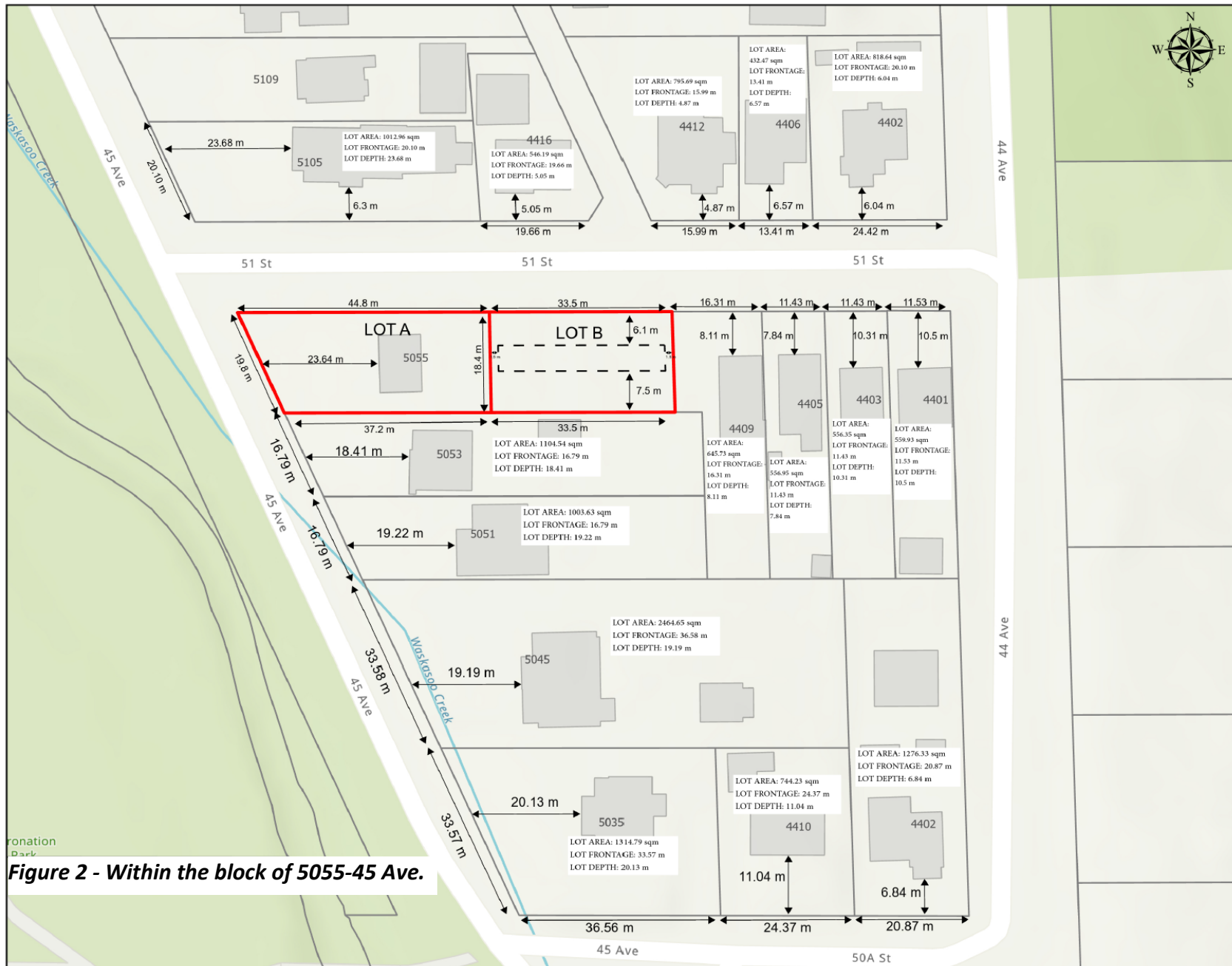




Figure 3 - Wide Shallow Lot

Figure 3 illustrates the lot directly across 51 Street (north) from 5055-45 Ave. Although this lot is addressed to 45 Ave and reads as a narrow and deep lot on title, it functions as a wide and shallow lot within the Immediate Street Context of 51 Street: its 45 Ave frontage is a continuous wall of vegetation with no ability to pass or see through it, and all access is from 51 Street, with the driveway located off 51 Street and the front walk to the front door leading from 51 Street. While the front door itself faces 45 Ave, the side yard along 51 Street functions as the lot's front yard. For the purpose of s.2.3.6 of the Woodlea Character Statements, the Immediate Street Context reflects what is present on 51 Street. A dwelling on the proposed east lot would present to 51 Street in the same wide and shallow form as this existing lot.

Woodlea Character Statements:

The Woodlea Character Statements emphasize maintaining the neighbourhood's established form while recognizing its diverse and varied character. Woodlea is characterized by architectural diversity, with a mix of building styles, ages, and forms contributing to a heterogeneous streetscape rather than a uniform appearance. The same is true of the lot fabric: Woodlea parcels are atypical of the R-L Zone elsewhere in Red Deer, being generally larger and deeper than standard R-L lots, with shapes and dimensions that vary rather than following a uniform rectangular pattern. Within the Immediate Street Context, there is a notable variation in lot widths and depths, which further reinforces this diversity. New development is not expected to replicate a single style or lot form, but to respect and respond to the existing variation, ensuring compatibility in scale and overall character.

In the Immediate Street Context of 51 Street, the following lot forms are present, as demonstrated in Figure 1:

- On the south side, at the east end of 51 St., there are 4 narrow and deep lots;
- 4 more standard shape lots, but larger, on the east half of the street (common, single-family homes); and
- On the western end of the street are the sides of two lots addressed on 45 Ave, the north lot functionally faces onto 51 Street and the lot proposed to be subdivided is oriented towards 45 Ave.

Appendix E contains excerpts from the Woodlea Character Statements with highlighted text that is relevant to the proposed subdivision.

Reserve Land:

No municipal reserves are owed as a result of this subdivision. The subject parcel is 0.8 hectares or less in size [MGA s.663(c)].

Consultation**Internal referral**

Referral:	Comments from Engineering, Developments and ATCO
Conditions required:	Reflected in list of conditions from engineering and Developments. ATCO has a note about demolition
Notes:	The Development Officer indicated that support is contingent on confirmation that the applicant can meet the requirements of the Zoning Bylaw at the redevelopment stage. This comment is addressed in the Analysis section: the Subdivision Authority makes its own determination of suitability under s.654(1)(a), and the recommended pre-endorsement condition ensures the anticipated development approval is in place before the proposed lot is created as a separate title.

External referral

Referral:	31 letters were mailed out to landowners within 100m and emailed to Woodlea Community Association. Received 16 comments back, all opposed.
Conditions required:	None
Notes:	There are 5 adjacent property owners, of which all 5 provided comments on the application. See Table 2 below for adjacent landowner comments. Table 3 is additional issues/concerns received from landowners within 100m.

Comments received also included a submission from the Waskasoo Community Association regarding the broader implementation of Character Statements (see Table 3).

In recognition of the consultation contemplated by s.1.2 of the Woodlea Character Statements, which references the former s.2.7(d) of Land Use Bylaw 3357/2006, and to ensure procedural fairness, the application was circulated to all landowners within 100m. The former s.2.7(d) applied only to development permit applications and was discretionary in any event; the circulation undertaken for this application exceeds the notification required by the Municipal Government Act.

Table 2

Issue/Concern of Adjacent Landowners	Administrative Response
The east lot (Lot B) cannot be developed without a major relaxation	As per Figure 1, there is a developable area that complies with the Zoning Bylaw without any variance. The developable area is no closer to either the north or south boundary than the existing house. The average Front Yard Setback was measured by Administration across the nine dwellings in the Immediate Road Context of 51 Street at 7.29m, giving a permitted range of 6.09m to 8.49m under s.3.190.4.1.1 of the Zoning Bylaw; the higher front yard averages estimated in some submissions do not reflect the measured context. The setback measurements relied upon are typically confirmed by the applicant at the development permit stage through a plan of survey.
Subdivision does not comply with the Character Statements s 2.3.6	As per Table 1, the subdivision complies with lot area and lot width. Lot depth is not a regulated standard in the R-L Zone; under s.2.3.6 of the Woodlea Character Statements, the test is compatibility with the Immediate Street Context, being what is present on 51 Street rather than the legal address or frontage of a lot. As outlined in the Discussion section and shown in Figure 1, 51 Street displays a variety of lot forms. While the majority are narrow and deep, the property directly across 51 Street, although addressed to 45 Ave, presents and functions as a wide and shallow lot. The depth the proposed east lot would present to 51 Street is therefore consistent with an existing lot form within the Immediate Street Context.
Mature trees on property	There are no boulevard trees associated with the subject site; all trees on the property are privately owned. The landowner is able to remove any or all

	of the trees from the lot at any time without a permit, with or without subdivision. If a development permit is pursued, the Woodlea Character Statements (s.3.6.1) require existing trees to be identified on the site plan for redevelopment, including what is to be removed, relocated or preserved and any proposed tree replacements, which provides additional measures to protect some of the trees as part of the development.
Impacting Privacy and enjoyment (Character Statement s2.3.2)	Privacy considerations, including yards, building height, window placement, and screening, are addressed by the Development Authority at the development permit stage, including under s.2.3.2 of the Woodlea Character Statements, which requires windows and balconies to be located to minimize direct views into neighbouring living spaces. In an urbanized residential context there is a limited expectation of privacy, as properties are ordinarily visible from neighbouring homes, yards, and the street. The test under the Municipal Government Act is not whether a property can be seen, but whether the proposal would unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land [s.654(2)(a)].
Affect property values	The Subdivision Authority's consideration of property values is limited by the Municipal Government Act to whether the proposed subdivision would materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land [s.654(2)(a)(ii)]. No evidence was provided demonstrating that the proposed subdivision would materially affect the value of neighbouring parcels, and it is unclear how the development of a dwelling next to another dwelling, both zoned R-L, would do so.
Increase parking and traffic pressure beyond street's capacity, and no lane access.	Any development/redevelopment must provide adequate off-street parking as per the requirements of the Zoning Bylaw. A minimum of two off-street parking stalls is required for a detached dwelling, or as otherwise required by the Zoning Bylaw for the approved use. None of the lots on the block containing the subject site have lane access, nor do some of the lots to the north across 51 Street; lane access is not a requirement for subdivision under the MGA or the Zoning Bylaw. Proposed driveway locations are reviewed at the development permit stage.

Set a precedent for future infill in neighbourhood	Approval does not create a binding precedent. Each subdivision application must be evaluated on its own record under the Municipal Government Act, Zoning Bylaw, and applicable Character Statements. Any future application would require its own assessment of suitability, compatibility, and impacts.
The conduct and behavior of the current property owner over the past decade demonstrates he should not be entitled to the subdivision.	Not a relevant planning consideration.

Table 3

Issue/Concern of Landowners within 100m	Administrative Response
Developed Areas Regulations (s.3.190.4.1.1) require Front Yard Setbacks to be within 1.2m of the block average.	Figure 1 shows a front yard setback within 1.2m of the average Front Yard Setback of the Immediate Road Context of 51 St., as required by s.3.190.4.1.1 of Zoning Bylaw 3357-2024. The average was measured by Administration at 7.29m across the nine dwellings in the Immediate Road Context.
25% density increase on 51 street.	One additional lot along 51 Street would be an increase of only 10%, as there are 10 lots, including the subject site, that share a front or side boundary with 51 Street; the higher figures cited in some submissions reflect only the lots on the south side of the block. A duplex is a discretionary use in the R-L Zone and would require a separate development permit application, at which the applicant would need to demonstrate conformity with the Woodlea Character Statements, with its own notice and appeal rights.
Approval would destroy existing affordable rental property and displace long-term tenants.	The subdivision itself does not require demolition of the existing dwelling. Redevelopment of the existing dwelling is at the landowner's discretion with or without subdivision, and residential tenancies are governed by provincial legislation rather than the subdivision process. The proposal creates an additional lot and an additional housing opportunity in the area.
Undermine the confidence in the Woodlea Character Statements	The intent of the Woodlea Character Statements is not to limit flexibility, but to articulate the core attributes that define the neighbourhood's identity. These statements help ensure that future development aligns with community expectations and reinforces a coherent sense of place. No decision of the subdivision authority is precedent setting; every application must be reviewed and decided on the merits of that application. The Character Statements apply to both subdivision and development permit applications, although

	the matters capable of assessment at the subdivision stage are narrow, with the balance of the standards applied at the development permit stage.
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Analysis

In deciding this application, MPC, as the subdivision authority, must apply section 654 of the *Municipal Government Act* and must consider the matters listed in section 9 of the *Matters Related to Subdivision and Development Regulation* (AR 84/2022) (see Appendix A).

The proposed lots comply with the R-L Zone minimum site area and frontage standards, and lot depth is not a regulated standard in the R-L Zone. Under s.2.3.6 of the Woodlea Character Statements, which form part of Zoning Bylaw 3357-2024, lots are to be compatible in width, depth and area with properties existing within the Immediate Street Context. In Administration's opinion, the proposed lots meet this standard: the Immediate Street Context of 51 Street displays a variety of lot forms and, as outlined in the Discussion section, the depth the proposed east lot would present to 51 Street is consistent with an existing lot form on that street. On this basis, the proposed subdivision conforms with the land use bylaw and no relaxation or exception is required. Should MPC take a different view on compatibility under s.2.3.6, s.654(2) of the Municipal Government Act permits the subdivision authority to approve an application even though it does not comply with the land use bylaw where, in its opinion, the criteria of that subsection are met (see Appendix A for the full text of section 654). Having regard to the application material, the referral responses, the landowner submissions, and the site inspection, Administration's assessment is as follows:

1. The land proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended, being residential development in accordance with the uses permitted or discretionary in the R-L Zone [s.654(1)(a)]. This opinion is based on the subdivision report, the proposed lot dimensions, the conceptual building envelope shown in the Discussion section, the applicable Zoning Bylaw requirements including the Developed Areas Regulations, and the site inspection. A dwelling can be constructed on the proposed east lot in full compliance with the Zoning Bylaw; the resulting building form would be wide and shallow relative to conventional dwellings in the area, but it is buildable without any variance. Variances to the front and/or rear yard setbacks remain available to the landowner at the development permit stage and, if granted, would increase the available building depth, but they are not necessary for development to occur. Suitability at the subdivision stage does not prejudice the form of development: the design of any dwelling, including its compliance with the Woodlea Character Statements, will be determined by the Development Authority through the development permit process, and the recommended condition ensures that process is completed before the proposed lot is created as a separate title.
2. As the proposed subdivision does not involve any change in zoning, but will accommodate the development of a dwelling in an area that is developed with dwellings, the proposed subdivision will not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land [s.654(2)(a)].
3. The proposed subdivision conforms to the uses identified for this site in the Municipal Development Plan and to the use prescribed for the land in the Zoning Bylaw and its applicable regulations [s.654(2)(b)].
4. The proposed subdivision conforms to the goals, objectives, and policies of the Municipal Development Plan.

5. In the alternative, should MPC find the proposed east lot incompatible in depth under s.2.3.6 of the Woodlea Character Statements, approval under s.654(2) of the Municipal Government Act would be appropriate. The proposed east lot exceeds the R-L Zone minimum frontage and site area standards, lot depth is not a regulated standard in the R-L Zone under Zoning Bylaw 3357-2024, and for the reasons set out in findings 2 and 3 above, the proposed subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and it conforms with the use prescribed for the land in the Zoning Bylaw. The resulting east lot will provide a developable lot.
6. The recommended condition requiring a development permit prior to endorsement is a pre-endorsement control only. Its purpose is to ensure that the proposed east lot is not created as a separate title unless the dwelling design relied upon by the Subdivision Authority in reaching its opinion on suitability is in fact approved. The condition does not delegate or defer the Subdivision Authority's determination of suitability under s.654(1)(a), which is made by MPC on the evidence before it in this report.
7. With respect to the matters listed in s.9 of the *Matters Related to Subdivision and Development Regulation*: the subject site is previously developed, serviced urban land with no known topographic, soil, flooding, subsidence or erosion constraints; storm water management, water supply, sanitary servicing and solid waste collection are available through existing municipal systems, with separate service connections required for the proposed east lot; both proposed lots have direct access to a road; and the use of land in the vicinity is low-density residential, consistent with the intended use of the proposed lots.

Appendices

Appendix A – Excerpts from the Municipal Government Act and the Matters Related to Subdivision and Development Regulation

Appendix B – Location

Appendix C – Subdivision Sketch

Appendix D – Excerpts from Zoning Bylaw 3357-2024 Residential Low-Density: R-L and Excerpts from Zoning Bylaw 3357-2024 Developed Areas

Appendix E – Woodlea Character Statements

Appendix F – MDP General Land Use Concept and Policies

Appendix G – Adjacent Landowner Comments

Appendix H – Landowners within 100m Comments

Appendix I – Letter of Intent

Appendix A

Excerpts from the Municipal Government Act and the Matters Related to Subdivision and Development Regulation

Municipal Government Act

Approval of application

- 654(1)** *A subdivision authority must not approve an application for subdivision approval unless*
- (a) *the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,*
 - (b) *the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,*
 - (c) *the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and*
 - (d) *all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.*
- (1.1) *Repealed 2018 c11 s13.*
- (1.2) *If the subdivision authority is of the opinion that there may be a conflict or inconsistency between statutory plans, section 638 applies in respect of the conflict or inconsistency.*
- (2) *A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,*
- (a) *the proposed subdivision would not*
 - (i) *unduly interfere with the amenities of the neighbourhood, or*
 - (ii) *materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and*
 - (b) *the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.*
- (3) *A subdivision authority may approve or refuse an application for subdivision approval.*

RSA 2000 cM-26 s654;2016 c24 s109;2018 c11 s13

Matters Related to Subdivision and Development Regulation

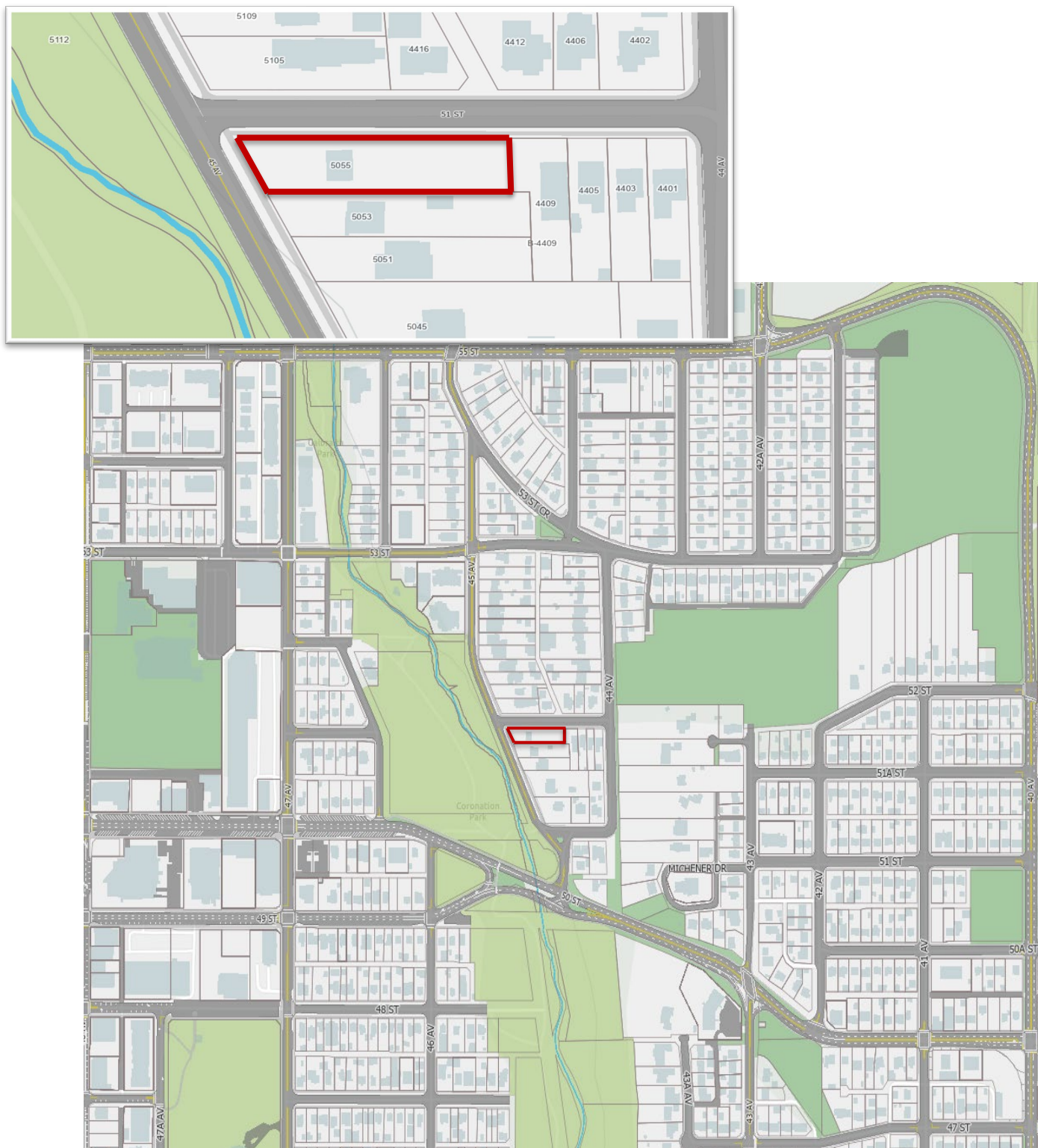
Relevant Considerations

- 9 *In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application,*
- (a) *its topography,*
 - (b) *its soil characteristics,*
 - (c) *storm water collection and disposal,*
 - (d) *any potential for the flooding, subsidence or erosion of the land,*
 - (e) *its accessibility to a road as defined in section 616(aa) of the Act,*
 - (f) *the availability and adequacy of a water supply, sewage disposal system and solid waste disposal,*
 - (g) *in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the Private Sewage Disposal Systems Regulation (AR 229/97) in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems as identified in Section 6(4)(b) and (c).*
 - (h) *the use of land in the vicinity of the land that is the subject of the application, and*
 - (i) *any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.*

Appendix B – Location

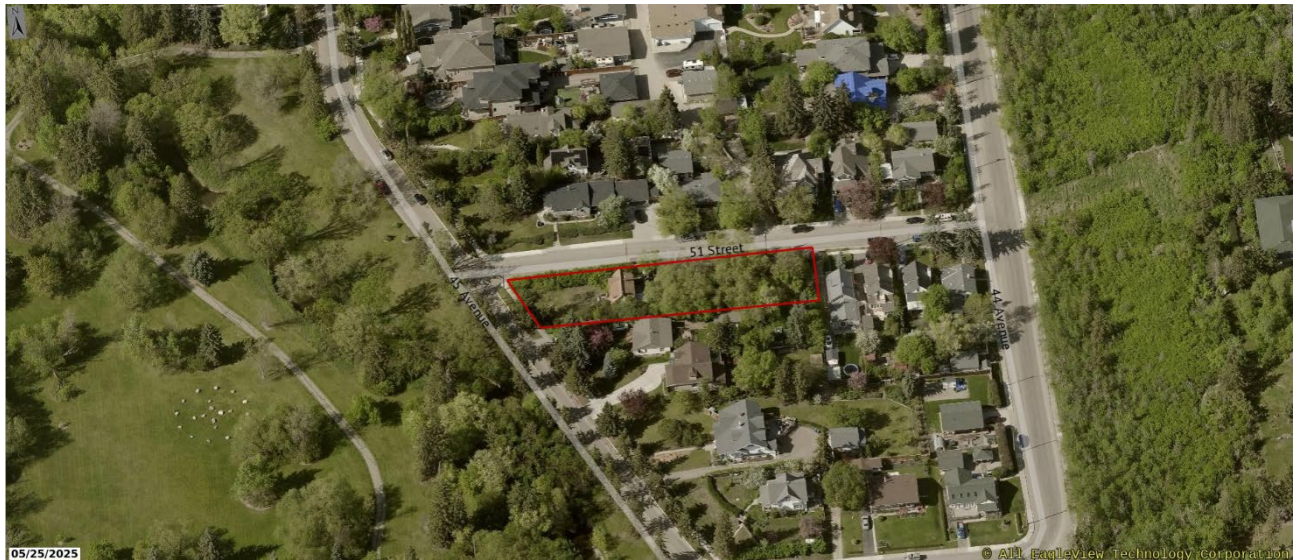
Location (2025)

5055-45 Ave. - Lot 7, Block 1, Plan K9 (Within N.E. ¼ of Sec 16, Twp 38, Rge 27, W4M)

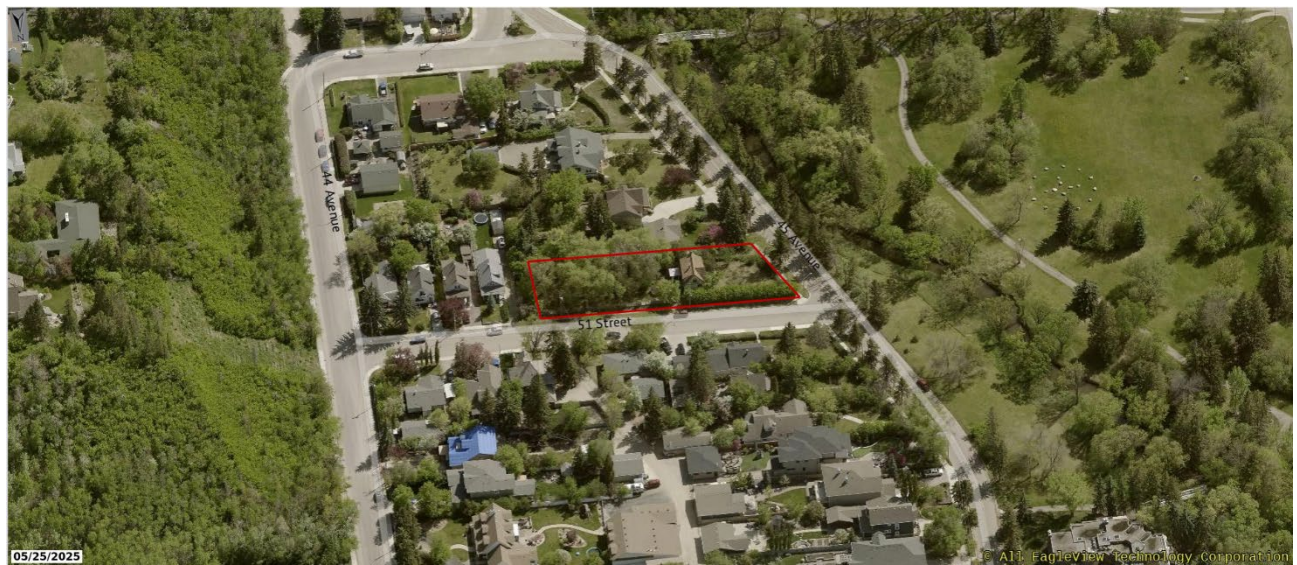


Air-photos (2025)

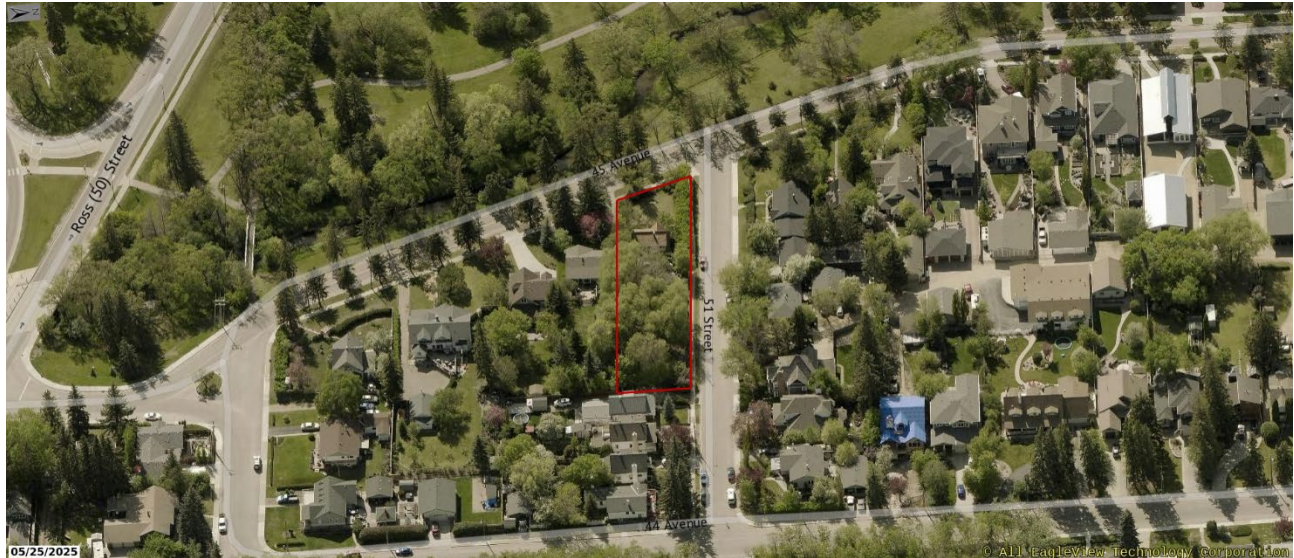




Oblique Photo 1



Oblique Photo 2



Oblique Photo 3



Oblique Photo 4

Site Inspection

A site-Inspection was completed on May 26, 2026



Site Photo 1 – Looking directly East toward the front of 5055-45 Ave. property.



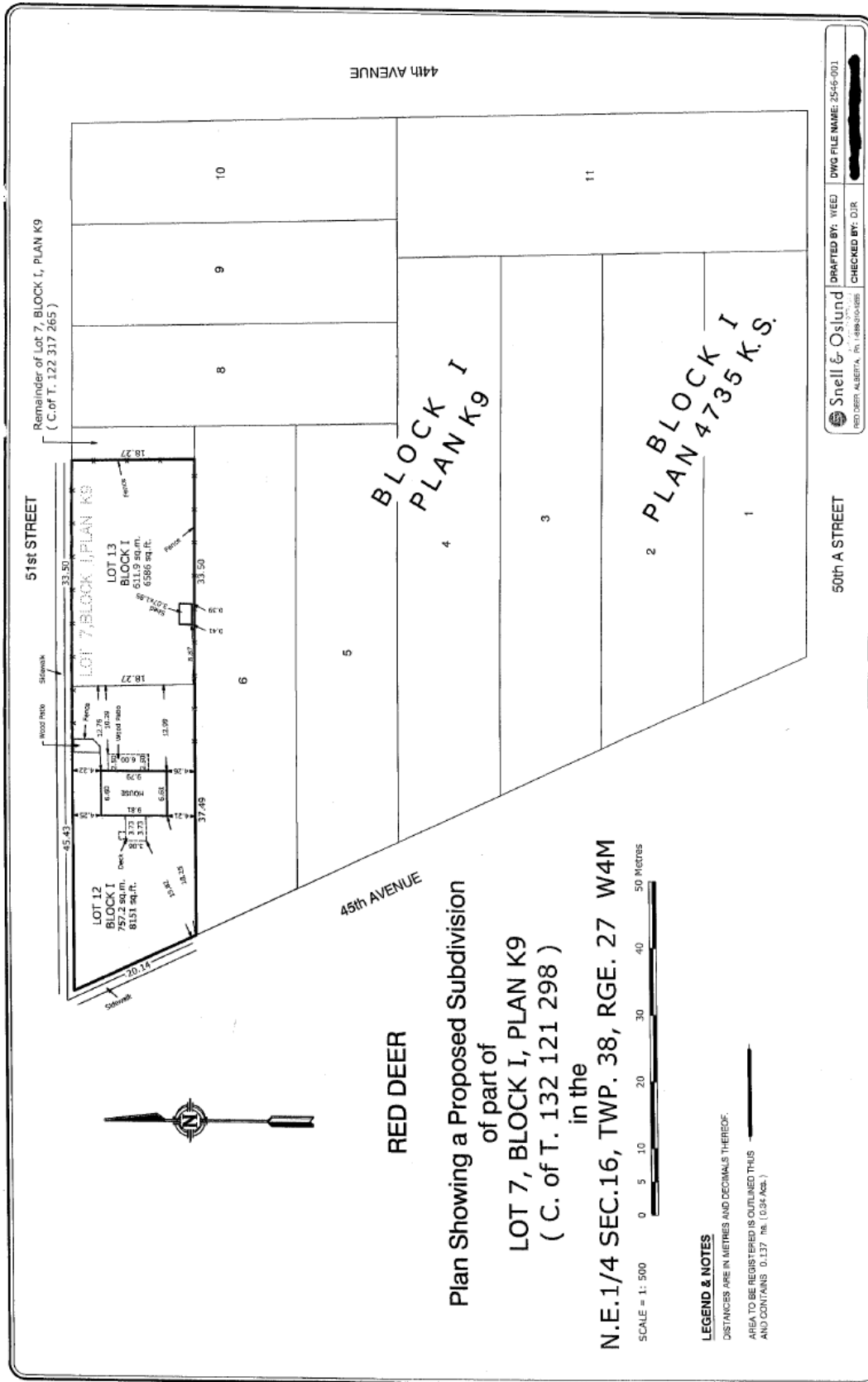
Site Photo 2 – Looking Southwest from 51 St. towards 5055-45 Ave. Property



Site Photo 3 - Looking Northeast at subject property 5055-45 Ave.

Appendix C – Subdivision Sketch

Item 3.1



Appendix D – Excerpts from Zoning Bylaw 3357-2024
Residential Low- Density Zone: R-L



Part 6 Residential Zones

6.10 Residential Low-Density Zone: R-L

Key Information

6.10.1 This Zone allows Development of low-density housing and compatible Non-Residential Uses.

6.10.2	Permitted Uses
6.10.2.1	Accessory Building
6.10.2.2	Backyard Suite in Timberlands North neighbourhood
6.10.2.3	Home Occupation Minor
6.10.2.4	House
6.10.2.5	House Suite
6.10.2.6	Show Home
6.10.3	Discretionary Uses
6.10.3.1	Backyard Suite outside Timberlands North neighbourhood
6.10.3.2	Day Care Facility
6.10.3.3	Duplex
6.10.3.4	Home Occupation Major
6.10.3.5	Public Assembly
6.10.3.6	Supportive Living Accommodation
6.10.3.7	Temporary Care Facility

Regulations

6.10.4 Minimum Dimensions		
Use	Site Area	Frontage
House	324.0m ²	12.0m
Duplex	232.0m ² per Dwelling Unit	7.6m per Dwelling Unit



Public Assembly	800.0m ²	12.0m
All other uses	324.0m ²	12.0m

6.10.5 Minimum Setbacks			
Use	Front Yard	Rear Yard	Side Yard
House	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	1.5m
Duplex	Live Portion of Dwelling Unit: 3.0m Attached Garage part of Dwelling Unit: 6.0m	7.5m; or With a rear attached Garage: 6.0m	Boundary with a party wall: 0.0m Interior Side Setback without entrance: 1.5m Interior Side Setback with entrance: 2.4m Exterior Side Setback without entrance: 1.5m Exterior Side Setback with entrance: 2.4m
All other Uses	Building with no front attached Garage or Parking Pad: 3.0m Buildings with front attached Garage or Parking Pad: 6.0m	7.5m	1.5m

- 6.10.6 Despite any other section in this Bylaw, the Live Portion of the Dwelling Unit of a House with a Backyard Suite that fronts a P-1 Zone must be Setback a minimum of 2.0m and a maximum of 3.0m.
- 6.10.7 Despite any other section in this Bylaw, on a Site with no lane, a House with a Garage in the Rear Yard must have 1 Side Yard that is at least 3.0m.



6.10.8 Building Height, Site Coverage, and Landscaping	
Category	Regulations
Building Height	Maximum: 3 storeys with an overall maximum height of 15.0m measured from Grade
Site Coverage	Maximum: 45%, unless the Site contains a Backyard Suite, then 60%
Landscaped Area	Minimum: 30% of Site Area, and including 20% of the Front Yard for a House or Duplex

6.10.9 Front attached Garages on Sites less than 27.0m deep must meet the following regulations:

- 6.10.9.1 the front attached Garage must not be closer to the Street than the Live Portion of the Dwelling Unit;
- 6.10.9.2 the Garage cannot be wider than 67% of the entire front face of the Live Portion of the Dwelling Unit and Garage combined;
- 6.10.9.3 the width of the front Driveway must not be wider than the front Façade of the Garage.

Excerpts from Zoning Bylaw 3357-2024 Developed Areas

3.190 Developed Areas Regulations

3.190.1 Developed Areas Regulations apply to:

3.190.1.1 Residential Sites, except in the R-H Zone and R-MH Zone, as shown in Figure 3.190-1; and

3.190.1.2 Developments where proposed is:

3.190.1.2.1 Buildings that contain a Dwelling Unit;

3.190.1.2.2 construction of new Dwelling Units; or

3.190.1.2.3 enclosed structural additions to existing Dwelling Units, except for sunrooms projecting from the rear of the Dwelling Unit.

90



3.190.2 Developed Areas Regulations are in addition to and prevail over the Zone regulations and General Regulations for Residential Zones where conflict occurs.

3.190.3 Character Statements are in addition to and prevail over the Developed Areas Regulations where conflict occurs.

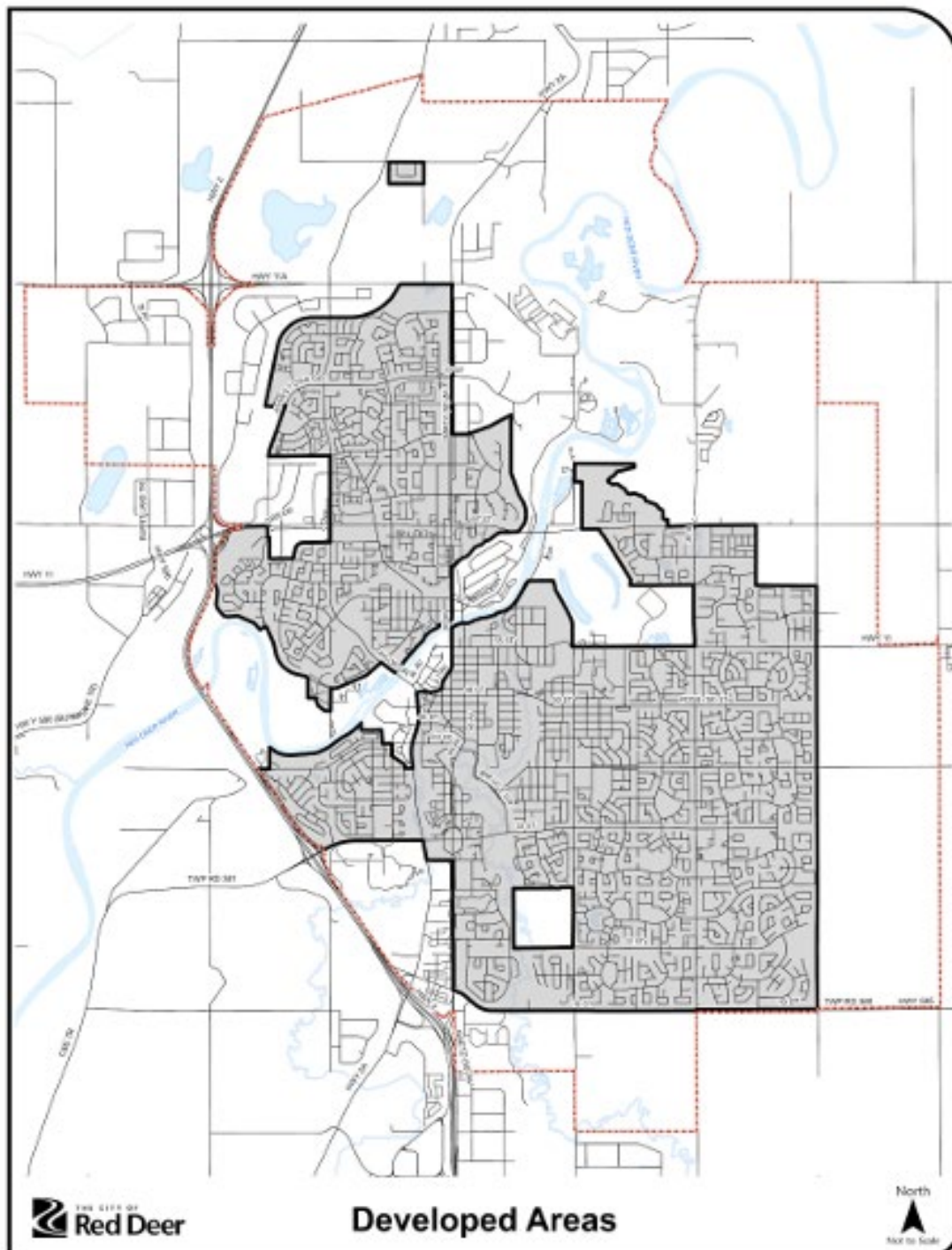


Figure 3.190-1: Developed Areas



3.190.4.2.2.2 meet the minimum Front Yard Setback;
and

3.190.4.2.2.3 are a maximum 40% of the front Façade
of the Building.

3.190.5 Grade and Vegetation

3.190.5.1 Development must minimize disruption to existing topography and vegetation.

3.190.5.2 City owned trees and shrubs must not be disturbed or removed to construct or service a Dwelling Unit unless approved on the Site Plan by the Development Authority through an issued permit.

3.190.5.3 Changing of Grades should be avoided for the construction of a new Dwelling Unit or structural enclosed addition.

3.190.6 Design Criteria

3.190.6.1 The front Façade of a Dwelling Unit facing a Road must have projections or recesses give visual variety.

3.190.6.2 The maximum Building Height must be within 1 storey of the existing Principal Building with the least number of storeys on an Abutting Residential Zone Site, except if the Abutting Site with the least number of storeys is within the R-H Zone, then the Zone regulations for maximum Building Height applies.

3.190.6.3 Despite any other section in this Bylaw, the overall Building Height of a House or Duplex in a Developed Area must not exceed 12.5m measured from Grade.

3.190.6.4 Building design must place Side Yard windows to minimize overlook into living spaces and Rear Yards of Abutting Sites by:

3.190.6.4.1 reducing direct line of sight into windows of the Dwelling Unit on an Abutting side Site by using obscured glass, staggered window location, raised windows, or privacy screening; and

3.190.6.4.2 not locating Side Yard windows beyond the rear Façade on an Abutting side Site unless:

3.190.6.4.2.1 the window is completely below the second storey; or



- 3.190.6.4.2.2 the glass in the window is entirely obscured; or
 - 3.190.6.4.2.3 there is a minimum distance of 1.5m between the finished floor and the bottom of the windowsill and the window does not extend beyond the storey it is placed on.
 - 3.190.6.5 The threshold of Rear Yard and Side Yard doors, and walking surfaces of Decks, balconies, patios, and other similar access points, should be less than 1.0m above Grade to maintain privacy of Abutting Sites.
 - 3.190.6.6 Fencing, screening, or landscaping must be used to protect the privacy of Abutting Sites.
 - 3.190.6.7 Principal Building façade that face a Road may only have horizontal or vertical walls longer than 5.0m if they are broken up by features such as porches, Projections, terracing, gables, windows, different exterior finishing materials, or variations in rooflines.
- 3.190.7 **Houses and Duplexes**
 - 3.190.7.1 Primary entrances to Dwelling Units must face the Front Boundary of the Site with a direct Walkway to the Sidewalk or to the Road if there is no Sidewalk, unless:
 - 3.190.7.1.1 the Dwelling Unit is on a Corner Site, it may face the Side Boundary closest to the Road if other Dwelling Units on Corner Sites within the Immediate Road Context face the Side Boundary.
 - 3.190.7.2 Dwelling Units must not be identical to or mirror the front façade of an Abutting side Site.
- 3.190.8 Every Townhouse unit at Grade that faces a Road must have a direct Walkway from its primary entrance to the Sidewalk or to the Road if there is no Sidewalk.

Neighbourhood Planning and Design Standards conflict with the Character Statements, the Character Statements shall prevail.

The Context and History, Common Forms and Scale of Buildings, Common Building Materials and Other Common Elements sections within each Character Statement identify various aspects that add to the distinct character and should be considered when evaluating whether a proposed development complements or maintains the character of the area.

A Letter of Intention shall be submitted by the Applicant with development permit applications for Redevelopment within a Character Statement area addressing how the proposal is sensitive to the Immediate Street Context as identified in the relevant Character Statements.

2. Design Standards applicable to the entire Woodlea neighbourhood

2.1 Vehicular Access

1. Where a property does not have Rear Yard or Side Yard vehicular access, Front Yard vehicular access is allowed.

2.3 Building and Site Design

1. For corner lots where the primary entrance of the Dwelling Unit is not at the front of the property, the design of the Dwelling Unit should create a strong sense of entry from the Front Façade (such as thoughtful design of pathways, Landscaping, or porch features). All other properties shall have the primary entrance of the Dwelling Unit at the front of the property.
2. Side windows and balconies on Dwelling Units are to respect the privacy of neighbouring properties. They should be located to minimize direct views into existing neighbouring windows and views overlooking neighbouring yards. A sketch showing the window locations of existing adjacent Buildings shall be accompanied with any development application for a new Dwelling Unit or major structural addition to the front or side of the existing Dwelling Unit that is wholly or partially visible from the street. Additional design elements to respect privacy of neighbouring properties may be required by the Development Authority.
3. Excessive loss of sunlight on adjacent properties due to Redevelopment may be considered by the Development Authority.
4. If a new Dwelling Unit or major structural addition to the front or side of the existing Dwelling Unit that is wholly or partially visible from the street is larger in Scale than the existing adjacent Dwelling Units, a transition in building widths should be created by visually dividing the building into smaller sections that approximate the width of adjacent Dwelling Units, and by scaling down the height as it approaches the adjacent Dwelling Units.
5. For the purpose of assessing the Scale of a Dwelling Unit or major structural addition to the front or side of the existing Dwelling Unit that is wholly or partially visible from the street, photos of the adjacent properties on each side yard shall be accompanied with any development application. Supplementary information may be required by the Development Authority to further assess the impact of the proposed Dwelling Unit Scale on adjacent properties.
6. Lots shall be compatible in the width, depth and area with properties existing within the Immediate Street Context as the proposed Redevelopment.
7. Where front Attached Garages are allowed, the dominance of the garage shall be reduced by having the façade of the garage flush with the Front Façade of the Dwelling Unit or recessed behind the Front Façade of the Dwelling Unit. In addition, in areas where there is Rear Yard

or Side Yard vehicular access, the Front Façade of a front Attached Garage shall only be developed to less than or equal to 50% of the Front Façade of the Dwelling Unit.

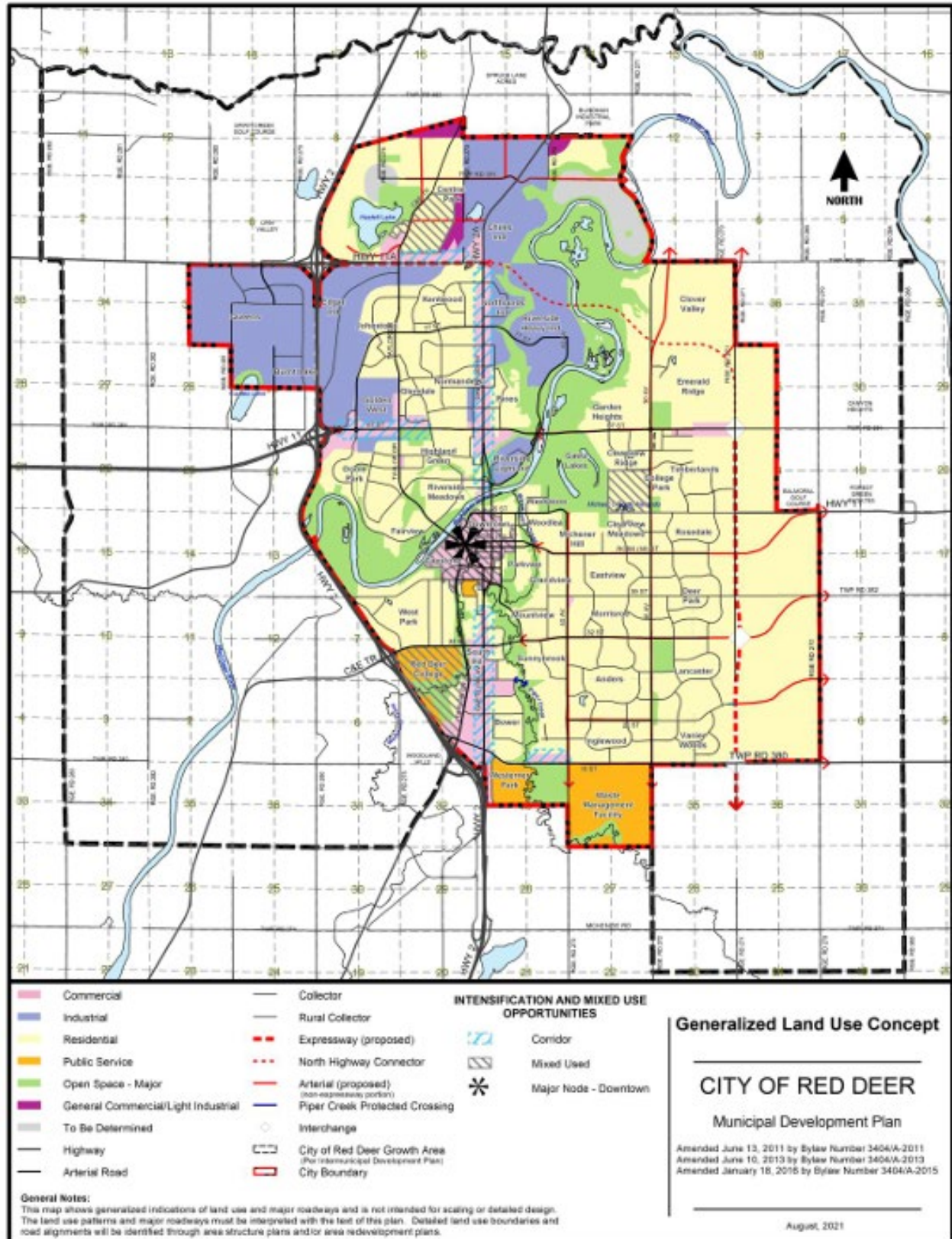
8. The height and total floor area of all Accessory Buildings shall not exceed the footprint area or height of the principal Building.

3.6 Design Standards

1. Existing trees, natural features, Boundary Hedges, fences, gates and Landscaped boulevards shall be identified on a site plan for Redevelopment. The plan shall identify what is to be removed/relocated/preserved on site as well as any proposed tree replacements required as a result of tree removal.
2. Dwelling Units shall be sited on the lot to be compatible with the existing pattern of dwelling placement in terms of Front Yard, Side Yard, and Flankage Setbacks, prevalent in the Immediate Street Context.
3. Side Yard and Rear Yard Setbacks for Accessory Buildings shall be in accordance with the requirements of the underlying land use district.
4. Slight variances to the Front Yard Setback may be allowed to maintain existing natural features/trees to better align with the Immediate Street Context.
5. Dwelling Units shall have a primary Prominent Entrance facing the front of the property and are encouraged to incorporate a permitted projection (such as a porch). Side Rear Front Setbacks Front Yard Parking
6. Front projections shall require the same Front Yard Setbacks as the Dwelling Unit. Rear Yard Parking Prominent Entrance
7. Upper storey living spaces, wholly or partially, may be incorporated within the roof structure for increased floor area. Dormer/end Gable windows are encouraged to provide adequate light to these spaces.
8. Additions to the Front Façade shall not be allowed unless the proposed Front Yard Setback, Building design, siting, and materials utilized are compatible with the Immediate Street Context.
9. Dwelling Units shall incorporate a range of architectural features and design details along the front façade of the Dwelling Unit. Exterior Building Materials and colors should be reflective of, similar to and compatible with those present within the Immediate Street Context.

In summary, the lot area and width of the proposed west and east lots are comparable to existing lots in the Immediate Street Context. While the proposed east lot is shallower than most lots on 51 Street, the Immediate Street Context displays a variety of lot forms, including a lot that functions as a wide and shallow lot, and in Administration's opinion the proposed lots are compatible in width, depth and area under s.2.3.6. The balance of the Character Statement standards, including siting, scale, privacy, and design, apply to a specific development proposal and will be evaluated by the Development Authority at the development permit stage, supported by the recommended condition requiring a development permit prior to endorsement.

Appendix F – MDP General Land Use Concept and Policies



5.0 GROWTH MANAGEMENT AND URBAN FORM

- Goals:**
- Ensure the efficient utilization of lands and infrastructure, while encouraging a greater mix of uses and socio-economic activities in both new and established areas.**
 - Identify and secure the land and infrastructure capacity required to meet future growth needs.**
 - ¹Strive to achieve safe and orderly co-existence between oil or gas development (e.g. wells, pipelines, and processing facilities, even if suspended or abandoned) and urban development.**

Objectives:

- (a) Ensure an appropriate supply of land and infrastructure to accommodate future growth;
- (b) Encourage growth in locations and patterns that can utilize existing or planned infrastructure capacity and reduce overall travel demands;**
- (c) Ensure the provision of an adequate supply of land appropriately located, and serviced for, residential, industrial and commercial purposes;
- (d) Minimize conflicts between efficient urban growth, the preservation of ecologically important natural areas, and the extraction of natural resources and existing agricultural operations;
- (e) Encourage a compact and efficient urban form;**
- (f) Seek opportunities to increase the overall density of the city; and**
- (g) Work with Red Deer County to implement the Intermunicipal Development Plan.
- (h) ¹ Prioritize the safety of the public respecting oil or gas development;
- (i) ² Minimize nuisance and other land conflict respecting oil or gas development (recognizing that oil and gas activities may extend beyond oil and gas facilities);
- (j) ³ Minimize oil or gas interference with The City's ability to undertake timely urban growth and efficiently utilize the land;
- (k) ⁴ Encourage communication among all parties involved in or affected by oil or gas development and urban development; and
- (l) ⁵ Affirm and exercise City authority while recognizing legislated requirements related to oil or gas. The oil and gas industry is primarily regulated by federal and provincial authorities. However, The City retains considerable authority to develop policies, bylaws, and regulations directly and indirectly applicable to the oil and gas industry to achieve safe, orderly, economical, and beneficial land use."

Policies:

5.10 Redevelopment and Intensification

- The City shall undertake reviews of potential redevelopment and intensification opportunities in the established areas, including but not limited to:**
- Greater Downtown

- Gaetz Avenue Corridor
- Michener Centre lands
- Red Deer College area
- Vacant and under-utilized sites in communities

5.17 Efficiency of Land Use

The City should promote intensification of the urban areas by ensuring its design guidelines and specifications encourage the efficient use of land.

5.18 Infill Development

The City should support infill residential and commercial development on vacant or underutilized parcels of land in established areas, particularly along major transit routes.

7.0 URBAN DESIGN

Goals: To create a physical environment that is attractive, safe, functional, vibrant and a source of community pride, where residents and visitors experience a strong sense of place.

To design neighbourhoods focused on the human scale while maintaining a high level of attractiveness. Site design and architecture goes beyond function and addresses creativity, aesthetics and form.

Objectives:

- Promote a high quality of architecture and urban design in commercial, industrial, institutional and residential development;
- Support and encourage innovative neighbourhood and building designs; and
- Ensure public spaces are designed to encourage their use, while ensuring community safety.

Policies:**7.4 Promote Urban Design That Encourages Pedestrian Accessibility**

The City shall promote urban design that encourages pedestrian accessibility by providing functional and attractive pedestrian linkages connecting:

- residential neighbourhoods with the trails system and adjacent community services and
- commercial developments with the public sidewalk system.

7.6 Encouraging Transit Oriented Development (TOD)

The City shall encourage Transit Oriented Development by promoting higher density development in proximity to transit stops and along transit corridors, managing parking to encourage walking and transit use, making appropriate provision for both vehicular and pedestrian circulation and creating a sense of place.

7.7 Innovative Neighbourhood Designs

The City shall encourage innovative neighbourhood designs that respond to environmental, economic, demographic and market conditions; and align with the goals, objectives and policies in this Plan. Neighbourhood design shall consider the relationship between the built form and human environment including but not limited to: scale, type of streets, blocks, and buildings.

10.0 HOUSING AND NEIGHBOURHOOD DESIGN

Goals: To facilitate the creation of inclusive neighbourhoods, containing a range of housing options and related compatible uses, supporting the needs and preferences of a variety of household types and income levels.

To facilitate the design of neighbourhoods that can adapt to global and local trends including an aging demographic, intensifying climate change, economics, local growth projections and traditional neighbourhood lifecycle.

Objectives:

- (a) Promote the establishment of neighbourhoods that are designed based on the principles of social, environmental and economic sustainability through implementation of the Red Deer Growing Smarter Study;
- (b) Provide for a mix of housing types to meet a variety of lifestyles, special needs, life cycle demands and market preferences;
- (c) Encourage re-investment and infill in older neighbourhoods;
- (d) Promote the creation of affordable housing and housing for special needs; and
- (e) Promote the efficient utilization of land by achieving increased residential densities
- (f) ²Encourage neighbourhood design that accommodates a variety of future uses that will allow buildings, public spaces and neighbourhood amenities to be converted, salvaged or reused.
- (g) ¹To build community resiliency, neighbourhood design should consider climate change adaptation including, but not limited to, the impacts of predicted changes in temperature, precipitation, and increase in the frequency of severe weather events.

Policies:

10.9 Infill and Intensification in Established Neighbourhoods

Intensification shall be encouraged in established neighbourhoods through residential and mixed use infill projects where there is adequate capacity in major municipal infrastructure and in accordance with the infill guidelines referred to in Policy 10.10, unless otherwise determined through an approved area structure plan or area redevelopment plan.

10.10 Infill Planning Guidelines and Standards

The City shall prepare and maintain planning guidelines and standards for infill development with the intent of ensuring that infill development and intensification of established areas occurs in an appropriate manner.

In summary, the proposed subdivision conforms to the goals, objectives and policies of the Municipal Development Plan.

Appendix G – Adjacent Landowners Comments



Adam Hegge <radamhegge@gmail.com>

To Planning Services

This sender radamhegge@gmail.com is from outside your organization.

Reply Reply All Forward

Wed 2026/05/20 1:17 PM

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Proposed Subdivision at 5055 45 Ave. (File SUB26209)

Thank you for the opportunity to comment on this proposed subdivision application.

As a nearby resident within 100 metres of the property, I strongly object to the proposed subdivision at 5055 45 Ave.

I support the concerns raised by the Woodlea Community Association regarding the City of Red Deer Zoning Bylaw, the Woodlea Character Statements, and the Municipal Government Act. These policies and regulations exist to protect the established character and livability of our neighbourhood, and I believe this proposal conflicts with those objectives.

One of my biggest concerns is the impact this subdivision would have on the mature trees currently on the property. Some of these trees are estimated to be over 120 years old and are an important part of the character, beauty, and environmental value of the Woodlea neighbourhood. Once these trees are removed, they cannot simply be replaced. Losing them would permanently change the streetscape and diminish the historic nature of the area.

I am also concerned about the negative impact this development could have on surrounding property values. The existing neighbourhood character, lot sizes, green space, and mature landscaping are major reasons people choose to live in this area. Approving subdivisions that require significant variances and remove established natural features risks reducing the appeal and value of neighbouring properties.

In addition, I believe this proposal sets a concerning precedent for future developments that may further erode the integrity and intent of the Woodlea Character Statements. Residents placed trust in the City's planning process and in the protections outlined within these policies. Approving applications that do not align with those standards undermines confidence in both the Character Statements and the City's broader planning process.

For these reasons, I respectfully ask the Subdivision Authority to reject this application.

Sincerely,
Adam Hegge

Amanda Hegge
5105 – 45th Avenue
Red Deer, Alberta
T4N 3L2
ahegge@shaw.ca
(403) 318-7662

May 22, 2026

City Planning & Growth Department
4914 – 48th Avenue
Red Deer, Alberta
T4N 3T4

Dear Sir/Madam:

Re: Objection to Proposed Subdivision – 5055 – 45th Avenue

I am writing to formally object to the proposed residential subdivision application for the above-noted property.

My objection is based primarily on the fact that the proposed subdivision does not comply with the *Municipal Government Act*, the Red Deer Zoning Bylaw, and the Woodlea Character Statements and introduces a lot configuration that is inconsistent with the established development pattern of the area. Specifically, the proposed Lot B appears to be substantially shallower than surrounding residential lots which raises concerns regarding compatibility with neighbouring residences, reduced rear yard and side yard privacy, pressure for setback relaxations or future variances, site layout constraints, and inconsistency with the established lot rhythm and streetscape character.

I would respectfully request that the City Planning & Growth Department deny the application as submitted or require redesign of the subdivision plan to ensure all proposed lots comply with the established Woodlea Character Statements to protect the historic character of the Woodlea neighbourhood.

2

Kindly notify me of any future hearings, decisions, or appeal opportunities relating to this subdivision.

Yours truly,



Amanda Hegge

5053 45 Ave.,
Red Deer, AB, T4N 3L1

May 20, 2026

City Planning and Growth Department,
4914-48 Ave.,
Box 5008,
Red Deer, AB, T4N 3T4

Attn: Kimberly Couture

RE: PROPOSED SUBDIVISION AT 5055 45 AVE. (FILE SUB26209)

As neighbours immediately adjacent to this property, we wish to register our ongoing objection to the proposed subdivision. **It does not meet the requirements of the Alberta Municipal Government Act, or of the R-L Zone in the Red Deer Zoning Bylaw, or of the Woodlea Character Statements, which are a fully enforceable part of the City of Red Deer Zoning Bylaw.**

There is some important history here. The current owner made an initial subdivision application in 2014, shortly after he purchased the property, and it was denied in 2015 by the Subdivision and Development Appeal Board under the provincial laws and municipal bylaws in place at the time. Because of major process errors made by the City, it cost us \$6,000 personally in legal fees (and an additional \$6,000 subsidised by the City) to ensure that the application was fairly considered and adjudicated by the SDAB.

The property owner has had more than ten years since that decision to choose among a number of options available to him: 1) redevelop the property within the limits of the relevant bylaws; 2) sell the property; or 3) maintain the property and existing residence in a way that provides appropriate housing for himself or renters, and at the same time respects the neighbourhood. He has chosen none of these.

Instead, he has let the property deteriorate, and he has failed to monitor and manage the numerous renters that have come and gone in the meantime. In the course of the past ten years we have seen the following at 5055 45 Ave.: RCMP intervention to deal with stolen goods in the house and yard; RCMP investigation of drug crime; Child Welfare removal of children from the home; visits from the Fire Warden to deal with unsafe fire practices; and RCMP investigation of potential pet poisoning.

This property owner has not earned the respect or confidence necessary for us to support his application for a subdivision **that does not meet the requirements of R-L Zoning or the Woodlea Character Statements and would require major relaxations.** There have been Bylaw changes since the 2015 SDAB decision, but the current Zoning Bylaw, inclusive of the Woodlea Character Statements, still means that this is a subdivision that cannot be approved.

The full 2015 decision of the SDAB may be viewed here: <https://www.reddeer.ca/media/reddeerca/city-government/appeals/sdab-decisions/SDAB-January-13-2015-Hearing---Board-Decision.pdf>.

Main Issues Regarding the Current Application

As in 2015, Section 654(1) of the Alberta Municipal Government Act states that a property must not be approved for subdivision unless it is “suitable for the purpose for which the subdivision is intended . . . and conforms to the provisions of any statutory plan and . . . any land use bylaw that affects the land proposed to be subdivided” Given this statement, the Subdivision Authority must not artificially separate the consideration of subdivision from consideration of potential development, if the general nature of potential future development is known or can be reasonably foreseen.

The proposed subdivision fails to meet the above conditions in Section 654(1) because it would be impossible to build a residence on the eastern lot without major relaxations to one or both of the Zoning Bylaw R-L provisions, and/or the Woodlea Character Statements, as explained further below.

Section 654(2) of the Alberta MGA does permit non-conforming subdivisions if they do not “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.” In our view, any significant variance from the Character Statements represents a potential interference with the amenities of the neighbourhood in terms of the streetscape, generous lots, and mature landscaping that residents of Woodlea consistently say they value and are in fact among the main reasons they live here. Furthermore, any significant variance to the rear-yard setback of any new residence would seriously interfere with our personal enjoyment of our adjacent property, and have a significant negative impact on its financial value as well, as detailed below.

Requirements of the Zoning Bylaw: R-L Zone + Included Woodlea Character Statements

- 1) One requirement of development in R-L is a rear-yard setback of 7.5 meters.
- 2) One set of requirements in the Woodlea Character Statements is that “Dwelling Units shall be sited on the lot to be compatible with the existing pattern of dwelling placement in terms of Front Yard, Side Yard, and Flankage Setbacks, **prevalent in the Immediate Street Context**” (Section 2.3.6 , emphasis added). Front-yard setbacks in the “immediate Street Context” here are approximately 11+ metres.
- 3) Given that the depth of the east lot would be 18.4 metres, there would be literally no room for a residential building that would respect these two setback requirements (7.5m + 11m = 18.5 m).
- 4) To make even a shallow-depth house of 8 metres work on the proposed eastern lot would require a total relaxation over rear- and front-yard setbacks in the range of 45%.
- 5) This magnitude of relaxation is even greater than what SDAB rejected in 2015 (40%).

For these reasons we urge the Subdivision Authority to reject this application based on the MGA requirement that a subdivision should be fit for purpose.

Potential Impacts on Us Personally

A subdivision that left the way open for a residence (or possibly a duplex, since duplexes are a discretionary use in R-L) on the eastern parcel would necessarily position that building extremely close to our side lot-line (within much less than the required 7.5 metres, as explained above), overlooking our yard and back deck. Whatever mitigation might be done at the development application stage with window placements, it would be impossible to imagine that a new build would not inevitably invade our privacy, something that we greatly value.

We have lived in our home for more than forty years, maintained it well, and paid property taxes. What we value about our home is the location close to Coronation Park, the large lot (about one quarter acre), the large trees and mature grounds, and ultimately the privacy that

these surroundings afford. Our large back yard offers us the chance to relax, garden, enjoy privacy with visiting friends on our deck, and appreciate the peace and quiet of what was conceived about a hundred years ago (as noted in the Woodlea Character Statements) as following "the Garden City" or "City Beautiful" models of urban development.

What is more, we have no doubt that a house or duplex on the proposed east parcel, positioned close to our lot line, would have a significant and unfair impact on the monetary value of our property. As Woodlea residents say repeatedly every time issues of redevelopment and densification come up, people want to live in in this neighbourhood because of the generous lots and mature landscaping. They don't move here to have neighbours overlooking their back decks or interrupting the peace of their morning coffee. Admittedly it is difficult to make this point about financial value in a way that is "objective" and persuasive—the value of real estate is by its very nature subjective. However, we would like to quote from the 2015 SDAB decision: "Rebecca Benedict, a local realtor who is not an adjacent landowner, advised that she polled five purchasers with regard to recent purchases in the Woodlea area. She asked them whether the proposed subdivision would have affected their decision to purchase in Woodlea. All indicated they would not have purchased in that area, or would have purchased a lower price. The highlight and attraction of Woodlea is the privacy and large lot sizes." This is entirely consistent with what our friends and visitors tell us when they join us to enjoy our back deck and yard.

For the additional reasons given immediately above, we again urge that the Subdivision Authority reject this application since it fails to meet the conditions of MGA Section 654(2), that a subdivision should not "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."

Thank you for the opportunity to make this submission.

Sincerely,

Peggy Johnson and Peter Slade

[External] SUB26209



Shawna Talma <honke@telus.net>
To Planning Services

Reply Reply All Forward ...

Fri 2026/05/22 11:43 AM

This sender honke@telus.net is from outside your organization.

[You don't often get email from honke@telus.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I am writing to you with concern in regard to the proposed subdivision of property at 5055 45 Avenue, in the neighborhood of Woodlea. I am opposed to this proposal as my home faces this property. My concerns are that the trees on this property would potentially be removed. The character that these historic trees adds to our neighborhood is what makes Woodlea different and special. They are treasures.

As well, parking would be an additional concern. The narrowness of 51 Street, especially in the winter when snow rows have been added, is already an issue. My property runs along side the alley between 44 Avenue and 45 Avenue. The waste management trucks already have a hard time navigating this alley and have damaged my fencing and a city power pole trying to turn out of the alley. Parking across from the alley would makes these turns even more difficult.

The significant relaxations that would be needed for potential structures on these lots is my greatest concern, especially for 'Lot B'. The precedent this may set for subsequent subdivisions in Woodlea in the future is worrisome.

Regards,

Shawna Talma

Sent from my iPhone

Proposed Subdivision at 5055 45 Ave. (File SUB26209)

Thank you for the opportunity to comment on this application for subdivision. As neighbours within a 100-metre radius of the property, we wish to object. We support the position taken by the Board of the Woodlea Community Association that the Municipal Government Act and the City of Red Deer Zoning Bylaw, including the Woodlea Character Statements, provide grounds for rejecting the application. The MGA requires the Subdivision Authority to consider the fitness for purpose of any property created through subdivision. In this case, the east parcel created by subdivision cannot support a residential building without very large variances to a) the rear-yard setback required by the R-L zone in the Zoning Bylaw, and/or b) the front-yard setback required by the Character Statements (which are a fully enforceable part of the Bylaw).

As owners of the property directly across from proposed Lot B, we would be directly impacted by any increase in density or development that is inconsistent with the established character of the neighbourhood.

We purchased our property in Woodlea specifically because it is recognized as one of Red Deer's historic neighbourhoods, and because we were looking for the unique character and residential feel the neighbourhood is long known for. Woodlea is valued for its spacious lots, mature landscaping, lower-density residential feel, and established streetscape. The Woodlea Character Statements were created through collaboration between the City and the community with the express purpose of preserving these unique historic and architectural features.

We believe the proposed subdivision does not conform to the intent or requirements of the Woodlea Character Statements, particularly with respect to lot compatibility, setbacks, and consistency with the established development pattern of the immediate street context. Based on the proposed subdivision sketch, Lot B appears significantly shallower than the surrounding properties and may not reasonably accommodate compatible future residential development without substantial variances.

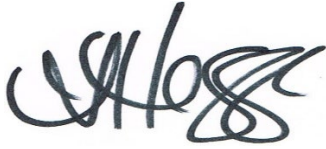
We are concerned that approval of this subdivision could facilitate future development that is not compatible with the historic residential pattern of Woodlea and could negatively affect privacy, parking availability, neighbourhood character, streetscape continuity, property values, and the overall enjoyment and livability of surrounding homes and properties. We respectfully ask that the Subdivision Authority give full consideration to the Woodlea Character Statements and reject the proposed subdivision application.

The Woodlea Character Statements were developed by the City and our community working collaboratively together about ten years ago, with the express purpose of protecting the historic character of the Woodlea neighbourhood. We trust that the Subdivision Authority will give those Statements and the R-L Zoning requirements full weight in its decision, and thus reject the

Page 1 of 2

Kindly notify me of any future hearings, decisions, or appeal opportunities relating to this subdivision.

Yours truly,

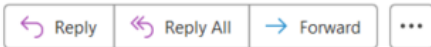
A handwritten signature in black ink, appearing to read 'A. Hegge', with a stylized, cursive script.

Amanda Hegge

[External] File SUB26209 — Proposed Subdivision at 5055 – 45 Avenue

Wendy Verwey <swalesgw@gmail.com>

To Planning Services



Tue 2026/05/12 9:18 PM

This sender swalesgw@gmail.com is from outside your organization.

Follow up. Start by May 13, 2026. Due by May 13, 2026.

You don't often get email from swalesgw@gmail.com. [Learn why this is important](#)

Good evening,

I am a direct adjacent neighbour at 4409 51 Street and write to formally oppose this application. My opposition is grounded in the Woodlea Character Statements and Design Standards applicable to this property under the City of Red Deer Land Use Bylaw 3357/2006. I do not believe this application can be approved in a manner consistent with those standards, and I ask that the MPC deny it on the following grounds.

Incompatibility with Lot Size and Scale in the Immediate Street Context

The subject property is located within the Central Woodlea Character Area, governed by both the Woodlea-wide Design Standards and the Central Woodlea Character Statement. Section 2.3(6) of the Woodlea Design Standards states that lots shall be compatible in width, depth, and area with properties existing within the Immediate Street Context. This is a mandatory standard. The proposed Lot B, with a frontage of 18.4m and a depth of only 33.5m, is notably smaller than the established lots in this immediate area. The Central Woodlea Character Statement (Section 3.3) specifically identifies larger lots with generous front and side yard setbacks as a defining characteristic of this neighbourhood. The proposed subdivision would create a lot that conflicts with both the mandatory design standards and the established character this area is explicitly protected to preserve.

Mature Trees and Natural Features

The subject property contains mature trees that contribute significantly to the character of this neighbourhood. Section 3.6(1) of the Central Woodlea Design Standards requires that existing trees and natural features shall be identified on a site plan for redevelopment, with a clear indication of what is to be removed, relocated, or preserved. No such information has been provided with this application. The creation of Lot B would place immediate development pressure on these trees, and their likely removal would cause irreversible harm to the character of the streetscape. This application should not advance without a full accounting of the existing trees on both proposed lots and a credible plan for their protection.

Parking and Traffic

51 Street is a narrow residential street that already has limited capacity for on-street parking. Adding a second dwelling to this property would increase vehicle traffic and parking demand in a way that is incompatible with the street's existing capacity and character. The Woodlea Design Standards explicitly discourage front-yard vehicular access where rear or side yard access is available. The City should not approve a subdivision that would predictably generate parking and traffic impacts this street cannot reasonably absorb.

Privacy and Adjacency

Section 2.3(2) of the Woodlea Design Standards requires that side windows and balconies on dwelling units respect the privacy of neighbouring properties and be located to minimize direct views into existing neighbouring windows and yards. As the immediately adjacent property owner to the east of the proposed Lot B, I am directly and materially affected by this application. Any development on Lot B would sit in close proximity to my home and yard. The application as submitted provides no information about how future development on this lot would address these privacy requirements, and that gap alone is sufficient reason to withhold approval.

I recognize that subdivision applications of this type are commonly approved, but the Central Woodlea Character Area exists precisely because this neighbourhood warrants a higher standard of scrutiny. I ask that the MPC apply that standard here and deny this application.

Wendy Swales

4409 51 Street, Red Deer, AB T4N 2A1

403-596-4292

Appendix H – Landowners within 100m Comments

City Planning & Growth Department

The City of Red Deer
Box 5008
Red Deer, AB T4N 3T4

Sent via Email: planning@reddeer.ca

RE: Proposed subdivision to create Two R-L residential lots: 55055 45 Ave (FILE SUB26209)

Land Description: Lot 7, Block I, Plan K9 (Within N.E. ¼ Sec 16: 38-27- W4M)

To the Subdivision Authority / Municipal Planning Commission:

We are writing as residents of the Woodlea neighborhood to formally express our opposition to the proposed subdivision at the above-noted property. Although our home is just outside the 100-meter notification radius, we are directly invested in the long-term integrity and character of this neighborhood.

We have owned our home in Woodlea for three years and made a deliberate decision to move here because of its established character, mature tree canopy, and generous lot sizes. These are defining qualities of Woodlea, and they are reinforced through the Character Statements within the City's planning framework.

Our concerns with this proposal are as follows:

- **Lot Compatibility (Character Statement 2.3.6):**
The Character Statements clearly require that new lots be compatible in width, depth, and area with those in the immediate street context. The proposed subdivision introduces shallower lots that do not reflect the established pattern on this block. This is not a minor variation; it is a measurable departure from a specific requirement intended to preserve neighborhood consistency.
- **Fit with Existing Development (Developed Area Regulations):**
The surrounding homes reflect consistent setbacks and modest scale. The density created by this subdivision makes it unlikely that future development can align with this pattern, as maintaining similar setbacks would leave little to no space for a functional backyard, potentially disrupting the street's visual continuity.
- **Front Streetscape and Garage Design (Character Statements 2.1.2 and 2.3.7):**
Woodlea's planning direction prioritizes rear access and limits the dominance of front-attached garages. Shallower lot widths make it significantly more difficult to meet these expectations, increasing the likelihood of front-facing garage dominance and altering the established streetscape.
- **Privacy and Neighborhood Character (Character Statement 2.3.2):**
The Character Statements also emphasize minimizing overlook into neighboring properties.

Increased density on smaller lots reduces spacing between homes and increases the potential for loss of privacy, directly affecting day-to-day livability.

Community Impact

This application should be considered in the broader context of its impact on Woodlea as a whole. Approving subdivisions that do not align with the Character Statements sets out a clear precedent. Over time, incremental decisions like this can fundamentally alter the neighborhood's character, eroding the very qualities that residents, including myself, chose to invest in.

Conclusion

Woodlea's Character Statements exist to guide development in a way that respects what is already here. In this case, the proposed subdivision does not meet those expectations, particularly with respect to lot compatibility, streetscape design, and protection of established character.

For these reasons, we respectfully request that this application be refused.

Please notify us of the date and time when this application will be considered, as we intend to remain engaged in the process.

Thank you for your consideration.

Sincerely,

Mr. & Mrs. Pertelson

[External] File: SUB 26209 - 5055 - 45 Avenue



Christopher Noren <daddioshaw@gmail.com>

To Planning Services

This sender daddioshaw@gmail.com is from outside your organization.

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Mon 2026/05/11 11:40 AM

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Good Day,

C. G. Noren - 4405- 51 Street

I am voting NO on this subdivision as I previously told you a few years back. My reasons are as follows:

1. I am a long-term resident of Woodlea since 1975. The neighborhood has changed since then. Some development has been good, some not so good.
2. We have never met the owners of this property and know nothing of their plans.
3. The home presently there has been rented since it was sold by Dr. Cummings family awhile back.
4. The previous renters were dealing narcotics .The present renters are negligent on snow removal of the city sidewalks.
5. There are 4 large trees on the lot that are most likely the oldest trees in Red Deer. We like trees.
6. On-street parking on 51 Street is presently very tight. 9 homes do not have back lanes. This will worsen the parking problems.
7. 51 Street residents are burning out from lack of City procedures and security:
 - A. The city ungraded the deep utilities in 2000. 2 years of living in chaos. We received 2 weeks' notice prior to construction start. The notice should have been delivered to us at least 2 months prior to construction. It should have stated that you will live in chaos for 2 years.
 - B. There was a drug house located north of 51 Street on 44 Avenue. In one year, 50 each of 911 calls to the premises. We complained but no real action from City authorities until the neighbours and me contacted SCAN. Since then, the home was sold and has been under renovation for 19.5 months. It may be finished this year. We love long term construction and 5 years of chaos. No more construction! No more crime!
 - C. More construction, more dust, no parking for construction vehicles. LIVING IN PARADISE!!!!!!
 - D. Adding more density was not what I or my neighbors signed up for. If I wanted to live in a high-density neighborhood, I would be living in Hong Kong or west Vancouver. Higher densities encourage more crime.
 - E. The 4 homes to the east were built in 1915. Our homes have historical architecture and history. We don't need some modern style housing.
 - F. I drive 55 Street regularly. It is a mess with the "high density" developments. Prior to 1980, there were stately, historical homes. It was nice. This will not happen on 51 Street.

Thank You for allowing myself to express my democratic rights. NO means NO!!!!!!!

[External] RE: File: SUB26209 - Subdivision proposal for 5055 45 Avenue



Debra Hunter <debramhunter@outlook.com>

To: Planning Services; MayorMailbox; City Council

This sender debramhunter@outlook.com is from outside your organization.

Reply Reply All Forward

Sun 2026/05/17 7:03 PM

File: SUB26209

Subdivision Proposal : 5055 45 Avenue

Lot 7, Block I, Plan K9

Dear Planning Department,

I am writing with regards to File: SUB26209, regarding a subdivision of the property at 5055 45 Avenue.

DENSITY & ACCESS

As a long term property owner on the street which would be impacted by the added density, I am OPPOSED to this proposed subdivision.

This proposed development would increase the number of houses on the south side of 51st Street by 25%. The block in which the property is situated is small, and without an alley.

A **density increase of 25%**, increases the noise, traffic, and parking strain on our side of 51st street by 25%.

Expecting any residential area to be **forced into a 25% increase in density is beyond unreasonable.**

A 25% increase in density is so immense for such a tiny area, that it provides a measurable diminishing of quality of life for those who reside on the south side of 51 street.

With NO ALLEY on the block, it means every neighbour faces impact of the 25% increase of density, every day, all the time.

25% more traffic. 25% more noise. 25% more chaos all the time, past the front of our house, as there is nowhere else for it to be diverted to.

Movement of the increased density isn't capable of being diluted through being diverted up a back alley. No alley exists. **Having no back alley has historically created massive problems in the block as it is (city construction, snow removal, blocked access, etc.)** Adding further density strain to an already problematic scenario would be pure insanity.

Having no alley access on the block, which is a non-negotiable, a situation that will NEVER change, means **the City has no choice but to deny this subdivision application**. It's the only responsible action.

The City should never increase density when access of infrastructure is substandard and inhibited by geographic situations. Ability to apply for a subdivision, with blocks with no access, should be prohibited by the City.

DIVERSE HOUSING STOCK

For years we have heard the City of Red Deer state the need for "housing diversity" and "affordable housing". If the City approves this subdivision proposal, **the City is choosing to DESTROY AFFORDABLE, DIVERSE HOUSING**.

This proposed development will remove an AFFORDABLE RENTAL PROPERTY from our neighbourhood and replace it with unaffordable housing.

Mathematically, there is no way an older rental single family home, can be replaced with a new build, with rent costs remaining the same. This is pure fact. "Renovictions" have been a feature among real estate news for over a decade. Developers spin a tall tale to municipalities about the amazing progress they plan for the development, renters are evicted, affordable housing bulldozed, then a shiny new build that no one can afford sprouts out of the earth, and sits on the market forever....empty...while the developer waits for his greedy little payday.

"Developments" such as this DESTROYS AFFORDABLE HOUSING STOCK, and DISPLACES LONG TERM RENTERS IN NEIGHBOURHOODS.

If the City of Red Deer really believes Red Deer needs affordable homes for families, this development needs to be blocked.

Every development like this, removes rental stock suitable for families (backyard, fenced, etc.) from the rental pool in Red Deer. If the City wants to retain a younger demographic, a demographic of giving Red Deer a future, it's time to consider that you need to protect the housing stock that is suitable to young families, and that families can afford.

Young families won't remain in Red Deer if there are no affordable single family homes to rent; they aren't raising families in apartments.

It's time the City analyzes the long term loss that development causes in established neighbourhoods.

RINSE & REPEAT

We have dealt previously with an identical proposal, regarding this property wishing to subdivide. At that time, it included unbelievable shenanigans being enacted on the behalf of the City of Red Deer. Full credit, at least this time we received notification of the application (*gives some context to the last time!*).

Last time when this property chose to try to subdivide, I ended up with a City Councillor, who was on the MPC, sitting in my house telling me **I was unreasonable** for wanting to block the subdivision. **She said** (*something to the effect of*) "**How would you feel if you bought a property with plans to subdivide it and you were blocked from doing it?**"

The long time property owners were viewed as the "bad guys" by the councillor on MPC.

The deck was clearly stacked against the residents, in favour of the developer.

If this councillor is still on MPC, here is my response:

- Upon purchasing the property in question, the OWNER KNEW there was NO ALLEY ACCESS, and that the LOT WAS UNDERSIZED REGARDING SETBACKS.
- The owner knew what they were purchasing.
- There is no reason long term residents should face a negative impact on the quality of their lives, just because a property purchaser didn't do their due diligence.
- **Our neighbourhood should never be offered up by City officials to have the lots SLASHED up, and our neighbourhood DESTROYED by developers wanting to make a profit.**

Planning Department, just to be clear, it is time the City of Red Deer refrained from assisting developers in the destruction of historic neighbourhoods.

You can't rebuild history.

You can't go and plant a 60-year-old tree.

Red Deer has a massive amount of development opportunities for developers, in areas designed for development. There is no reason to destroy historic neighbourhoods.

It should not be up to the residents of a neighbourhood to protect the historic neighbourhoods of Red Deer, and we should most certainly NOT be viewed as the "bad guys" by a City Councillor on the MPC.

It's time the City of Red Deer gets their act together, and protects their historic neighbourhoods from being pillaged by developers.

This type of application, application to slash up historic lots, should be banned by the City of Red Deer.

Seriously, it's time the City of Red Deer put some responsible policies in place.

As it is time the City of Red Deer reviews policies for development in historical neighbourhoods, this email will also be sent on to the Mayor and Council. This situation is far more serious than one development application in Woodlea. It's time to protect Woodlea, Waskasoo, and Parkvale.

Your solution is a "no subdivide" and "replica build" policy. It will protect historic neighbourhoods, protect affordable single family home stock, and protect residents of Red Deer from predatory developers destroying their quality of life.

This is an easy policy to implement, to solve an ongoing problem that is negatively impacting Red Deer.

Debra Hunter
4401 51 Street
Red Deer, AB
T4N 2A1
Email: debramhunter@outlook.com
Phone/Text: 403-588-4032

Proposed Subdivision at 5055 45 Ave.
(file SUB26209)

Thank you for the opportunity to comment on this application for subdivision. As neighbours within a 100 metre radius of the property, we wish to object.

We support the position taken by the Board of the Woodlea Community Association that the municipal Government Act, and the City of Red Deer Zoning Bylaw including the Woodlea Character Statements, provide grounds for rejecting the application. The MCA requires the Subdivision Authority to consider the fitness for purpose of any property created through subdivision. In this case, the least parcel created by subdivision cannot support ANY residential building without very large variances to a) the rear yard setback required by the R-L Zone in the Zoning Bylaw and/or b) the front yard setback required by the Character Statements (which are a fully enforceable part of the Bylaw).

The Woodlea Character Statements were developed by the City and our community working collaboratively together about ten years ago with the express purpose of protecting the historical character of the Woodlea neighbourhood.

-2-

We trust that the Subdivision Authority will give those statements and the R-L Zoning requirements full weight in its decision, and thus reject the application for subdivision. Failure to do so will undermine confidence in the character document, and in the City planning process more generally.

Sincerely,

Donna Gust
5051 45th Ave
Red Deer, Alta.



RECEIVED
MAY 15 2026

COMMENTS

File: SUB26209

We invite you to provide feedback on a proposed subdivision to create:
two R-L residential lots; 5055 – 45 Avenue
Lot 7, Block I, Plan K9 (Within N.E. ¼ Sec 16; 38 – 27 – W4M)

Please provide your comments by 4:30 PM, May 22, 2026

Name (Please Print): Jason Kottmann & Lana King-Kottmann
Mailing Address: 4402 51 ST Postal Code: T4N 2A2
Phone #: 403 597 7163 E-mail Address: lanaking@shaw.ca

Our family is against it. That is
a beautiful lot with 2 of the largest
trees in the city. We don't need more
population in our area. It is well maintained
highly desirable neighborhood to live
in. This proposal was shot down around
5 years ago, why are we being bothered
again by this idea? We already have a
forever construction job next door, they
have been building it next door for over
two years! Banging hammers, saws,
concrete pours, heavy equipment. Very
noisy. No, no, no!

[Handwritten signatures]

City Planning & Growth Department
The City of Red Deer
Box 5008
Red Deer, AB T4N 3T4

Sent via Email: planning@reddeer.ca

RE: Formal Letter of Opposition to Proposed Subdivision

Application File Number: SUB26209

Property Address: 5055 45 Avenue

Legal Address: Lot 7, Block I, Plan K9

May 22, 2026

To the Subdivision Authority / Municipal Planning Commission:

Please accept this letter as my formal opposition to the proposed subdivision of the Residential Low-Density (R-L) property located at 5055 45 Avenue. As a concerned resident within the 100-meter notification radius, I believe this proposal is unsuitable for the site and represents a material departure from the legally enforceable standards established for the Woodlea neighborhood.

My opposition is based on the following technical and planning grounds:

1. Violation of Woodlea Character Statement 2.3.6 (Lot Compatibility)

Section 1.2 of the Woodlea Character Statements (Appendix D of Land Use Bylaw 3357/2024) establishes that where character statements conflict with the general Land Use Bylaw, the Character Statements shall prevail. Section 2.3.6 explicitly mandates: **"Lots shall be compatible in the width, depth and area with properties existing within the Immediate Street Context"**.

The "Immediate Road Context" is defined as development on both sides of the road within the same block. The proposed subdivision into two would result in the second lot being significantly different than the established properties along 51 Avenue. Allowing the subdivision would degrade the "Garden City" rhythm and spaciousness that the Gaetz subdivision of 1905 was intentionally designed to preserve.

2. Conflict with Developed Areas Regulations (Section 3.190)

This property is subject to the Developed Areas Regulations, which aim to ensure new development is sensitive to the existing context. Specifically:

- **Front Yard Setbacks (3.190.4.1.1):** Setbacks must be within 1.2m of the average of the Immediate Road Context. The intensification inherent in this subdivision requires building forms that will not respect the deep, consistent setbacks of the adjacent historic homes.

3. Impact on Trees & Streetscape

The subdivision on the property will result in the loss of several if not all of the very large and mature trees on the property and significantly alter the streetscape of 51 Avenue. Woodlea regulations prioritize the preservation of the front streetscape, which would be 51 Avenue for the subdivided lot.

4. Erosion of Privacy and Amenity

The intensification of this site through subdivision increases the "overlook" potential into neighboring private yards. Section 2.3.2 of the Woodlea Statements requires that redevelopment minimize direct views into neighboring living spaces]. The increased density would unduly interfere with the "use, enjoyment, or value of neighboring land," which are valid grounds for refusal by the Municipal Planning Commission (MPC) under Section 2.110.3.2 of the Zoning Bylaw.

5. Standards Set Out in the Municipal Government Act

The Municipal Government Act addresses subdivisions in part as follows:
"654(1) A subdivision authority must not approve an application for subdivision approval unless (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended, (b) the proposed subdivision conforms to the provisions of any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided...."

The proposed subdivision fails on both these tests because it would be impossible to build a residence on the eastern lot without major relaxations (in the order of 45%) to one or both of the Zoning Bylaw R-L provisions. and/or the Woodlea Character Statements.

Conclusion

The City of Red Deer has stated that Character Statements are a tool to define what makes a geographic area "unique or special" and to assist in redeveloping an area *intentionally*. This proposal is not intentional redevelopment; it is generic intensification that fails the specific "compatibility" tests required for Woodlea.

I request that the Subdivision Authority rigorously uphold the "shall" statements within Appendix D of Land Use Bylaw 3357/2024 and refuse this application as it is not suitable for the site and does not meet the criteria of Section 654(1) of the Municipal Government Act.

Please notify me of the date and time when the Municipal Planning Commission will consider this application so that I may attend.

Sincerely,

Jonathan Lang

5119 45 Avenue
Red Deer, AB T4N 3L2

Please provide your comments by 4:30 PM, May 22, 2020

Name (Please Print): LORI KUPSCH
Mailing Address: 4406 - 51 STREET Postal Code: T4N 2A2
Phone #: 403-358-1168 E-mail Address: lorikupsch@hotmail.com

RE: SUB26209

I am opposed to the proposed subdivision to create 2 lots. To do this would mean removing some of the oldest trees in Red Deer. Also, since our neighbourhood doesn't have back alleys, parking has been an issue with the one neighbour who has a basement suite. The current owner of 5055 - 45 ave does not keep the current house in good repair.

We also don't need multi-family residents in our nice quiet family neighbourhood. It would be a shame to lose these old trees just for multi-family housing.

[External] re: FILE: SUB26209



Torben Andersen <torben_885@hotmail.com>

To Planning Services

This sender torben_885@hotmail.com is from outside your organization.

Follow up. Start by May 21, 2026. Due by May 21, 2026.

You replied to this message on 2026/05/21 9:25 AM.

Reply Reply All Forward

Wed 2026/05/20 11:32 PM

20 May 2026

City Planning & Growth Department
City of Red Deer
planning@reddeer.ca

Re: FILE: SUB26209

Thank you for sending the notice of the proposed subdivision at 5055 – 45 Avenue.

I oppose this subdivision.

Proposed Lot B's dimensions, shape and situation relative to neighbouring properties seem to preclude the development of a house that would meet the Zoning Bylaw regulations, including those in Appendix D - Woodlea Character Statements.

In contradiction to Character Statement 2.3.6 governing Building and Site Design for all areas of Woodlea, proposed Lot B would be distinctly dissimilar to other contiguous parcels to the east and the south. The same would be true of Lot A.

The front setback requirement (based on Character Statement 3.6.2) together with the rear setback requirement for Residential R-L Zones (section 6.10.5) would claim the full depth of the lot, or nearly so, leaving little or no room for a dwelling, regardless of design.

It is important to me that these setback requirements be upheld because they are integral to the purposes of the Woodlea Character Statements created by the City working together with members of the Woodlea Community Association. These purposes include, among others, maintaining the aesthetic appeal of the streetscapes and the enjoyment of privacy in our homes and yards.

I appreciate your consideration of this feedback.

Sincerely,

Torben Andersen
5035 – 45 Avenue

RE: Proposed Subdivision at 5055 45 Ave. (File SUB26209)

Thank you for the opportunity to comment on this application for subdivision. As a neighbour, I wish to object.

I support the position taken by the Board of the Woodlea Community Association that the Municipal Government Act, and the City of Red Deer Zoning Bylaw including the Woodlea Character Statements, provide grounds for rejecting the application.

The MGA requires the Subdivision Authority to consider the fitness for purpose of any property created through subdivision. In this case, the east parcel created by subdivision cannot support ANY residential building without very large variances to a) the rear-yard setback required by the R-L zone in the Zoning Bylaw, and/or b) the front yard setback required by the Character Statements (which are a fully enforceable part of the Bylaw).

I was involved in creating the Woodlea character statements, which were painstakingly developed by the City and our community working collaboratively together about ten years ago with the express purpose of protecting the historical character of the Woodlea neighbourhood. I have personally already seen a lack of adherence when my neighbour was granted a curb cut several years ago by Engineering without consulting planning, which weakened my belief in the process.

Given the painstaking development process, I trust that the Subdivision Authority will have learned from previous mistakes and give these Statements and the R-L Zoning requirements full weight in its decision, and thus reject the application for subdivision. Failure to do so will undermine confidence in the Character document, and in the City planning process more generally.

Sincerely,

Patricia Campbell

[External] 5055 45 Ave Subdivision (File SUB26209)



garrettb@telus.net
To Planning Services

Reply Reply All Forward ...

Thu 2026/05/21 9:22 AM

This sender garrettb@telus.net is from outside your organization.

Follow up. Start by May 21, 2026. Due by May 21, 2026.

The Waskasoo Community Association Board submits the following comments regarding the subdivision application for 5055 45 Avenue (File SUB26209). While the parcel is in Woodlea, we are concerned over the impact on character statements in general and statements regarding lot size in particular.

Both Waskasoo and Woodlea worked with the City of Red Deer to develop character statements for specific areas of our neighbourhoods. These character statements involved years of research and community consultation and were incorporated into the Red Deer Zoning Bylaws by City Council in 2024. One of the main reasons for developing these character statements was to reduce red tape. Because the statements establish the local character and offer design elements that guide subdivision and development, applications can be easily decided without the need for extended and expensive Municipal Planning Commission, Council, and Subdivision and Appeal Board hearings. Reducing red tape has since become a primary goal for The City, making the Character Statements more, not less, important.

The Waskasoo Community Association shares Woodlea's concerns that the application to subdivide 5055 45th Avenue does not align with the recognized character elements of the Central Woodlea Plan Area and the general Design Standards for the entire Woodlea neighbourhood. Each character statement area contains information regarding Context and History, Common Forms and Scale of Buildings, and Other Common Elements which define the overall character. Under section 1.2, How the Character Statements are Applied," the Woodlea Character Statements state these sections "**should be considered when evaluating whether a proposed development complements or maintains the character of the area.**"

For the Central Woodlea Area, lot size is very clearly connected to overall character. Under "Context and History," the statements say, "The layout of parcels were atypical to what was already existing in Red Deer; the parcels were much larger and longer in size, and varied from the standard." This character element is carried on under "Common Form and Scale of Buildings," where it includes "Larger lots with generous Front and Side Yard Setbacks that are well treed and Landscaped adding to the aesthetic appeal of the streetscape." Lot size is even mentioned a third time under "Other Common Elements," where "Large ... yards complete with mature vegetation" is listed.

Therefore, the Design Standard for the entire Woodlea neighbourhood that, "**lots shall be compatible in the width, depth and area with properties existing within the Immediate Street Context as the proposed Redevelopment**" is particularly important in the Central Woodlea Area. There is no way to subdivide 5055 45 Ave that would meet the width, depth, and area of its immediate street context (the 50th Ave block of 45th Avenue). Further, as the Woodlea Character Statements document states, "**where the regulations in the Land Use Bylaw or the Neighbourhood Planning and Design Standards conflict with the Character Statements, the Character Statements shall prevail.**" The application to subdivide 5055 45 Avenue should not be supported by Administration.

Therefore, the Design Standard for the entire Woodlea neighbourhood that, "**lots shall be compatible in the width, depth and area with properties existing within the Immediate Street Context as the proposed Redevelopment**" is particularly important in the Central Woodlea Area. There is no way to subdivide 5055 45 Ave that would meet the width, depth, and area of its immediate street context (the 50th Ave block of 45th Avenue). Further, as the Woodlea Character Statements document states, "**where the regulations in the Land Use Bylaw or the Neighbourhood Planning and Design Standards conflict with the Character Statements, the Character Statements shall prevail.**" The application to subdivide 5055 45 Avenue should not be supported by Administration.

While this application is for a lot in Woodlea, Waskasoo shares Woodlea's concerns over the implementation of their character statements. We, too, have character statements in general and statements regarding lot size and subdivision of lots in particular.

Sincerely,
Brenda Garrett
President
Waskasoo Community Association
403 358 2646

WOODLEA COMMUNITY ASSOCIATION

**BOX 20013, MOUNTVIEW POSTAL STATION
RED DEER, AB, T4N 3B7**

May 20, 2026

Planning Department,
City of Red Deer,
Box 5008
Red Deer, AB, T4N 3T4

Attn: Kimberly Couture

RE: PROPOSED SUBDIVISION AT 5055 45 AVE. (FILE SUB26209)

The comments below reflect the views of the Woodlea Community Association Board, and are made in the same spirit as comments we made several months ago with respect to the proposed East Lincoln Properties project in Waskasoo: to protect the historic character of our neighbourhood by ensuring that the applicable R-L zoning provisions and—importantly—the Woodlea Character Statements are upheld and applied fairly. On these grounds we object to the proposed subdivision.

We want to acknowledge that some individual members of the Board may be personally impacted by the proposed subdivision, but in this submission we will restrict ourselves exclusively to the Alberta Municipal Government Act, the Red Deer Zoning Bylaw (R-L Zone), and the included Woodlea Character Statements. Affected individuals may submit separate comments of their own.

There was a prior application for subdivision of this property made in 2014 and rejected as “not suitable for development” by the Subdivision and Development Appeal Board in early 2015. Although the Land Use Bylaw then in place has been supplanted by the Zoning Bylaw (which has replaced R-1 zoning with R-L), Woodlea Character Statements have been introduced since the 2015 decision as well—in fact one impetus for developing them was the dispute around the application for subdivision. In our view, the Zoning Bylaw now in effect (including the Woodlea Character Statements) provides just as sound a reason for rejection of the application as not suitable for development as the Land Use Bylaw in effect in 2014 did at that point.

The full decision of the SDAB based on the hearing held on January 13, 2015, may be accessed here: <https://www.reddeer.ca/media/reddeerca/city-government/appeals/sdab-decisions/SDAB-January-13-2015-Hearing---Board-Decision.pdf>.

Standards Set Out in the Alberta Municipal Government Act

The Municipal Government Act addresses subdivisions in part as follows:

“654(1) A subdivision authority must not approve an application for subdivision approval unless

- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,

- (b) the proposed subdivision conforms to the provisions of any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided....”

We believe that the proposed subdivision fails on both these tests because it would be impossible to build a residence on the eastern lot without major relaxations (in the order of 45%) to one or both of the Zoning Bylaw R-L provisions and/or the Woodlea Character Statements, as explained under the next (boldfaced) heading.

Section 654(2) does permit subdivisions that do not conform with the bylaw if

- (a) the proposed subdivision would not (i) unduly interfere with the amenities of the neighbourhood, or (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

As for for (a)(i) above, **any significant variance from the Character Statements, particularly in terms of consistency of setback with homes in the immediate street context, represents a potential interference with the amenities of the neighbourhood in terms of the streetscape that the Statements are meant to preserve.** We will leave it to affected individuals to comment on potential impacts on the use, enjoyment, and value of their properties.

The Red Deer Zoning Bylaw including Woodlea Character Statements

It is worth repeating that the Woodlea Character Statements were developed in part as a community response to the 2014 application to subdivide this same property. And it is important that although the Character Statements are presented as an Appendix to the Zoning Bylaw, they are in fact a fully enforceable part of it (as was recently confirmed in practice by the Subdivision and Development Appeal Board decision re: the application by East Lincoln Properties to build a “supportive living” multiplex in Waskasoo).

As noted in the Character Statements document, Section 1.4, “Wording contained in the following Character Statements [is] intentional and contain[s] “shall”, “should” and “may” statements. **Character Statements that contain “shall” are those which must be followed**” (emphasis added).

In the section entitled “Building and Site Design,” the following requirement is set out:

- “2.3.6. Lots **shall** be compatible in width, depth and area with properties existing **within the immediate Street Context** in the proposed Redevelopment” (emphasis added).
 - Neither of the lots created by the proposed subdivision would fully meet this requirement, but most importantly, at 18.4 metres the eastern parcel would have a depth much shallower than any of its immediate neighbours—it would be about one quarter of the depth of its immediate neighbour to the south (5053 45 Ave.), and about one third the depth of the properties immediately to its east facing onto 51st St. None of the properties on the opposite side of 51st St. has a depth as shallow as 18.4 metres, as can be seen easily even from the simple map provided by the City Planning and Growth Department.

Even more importantly, in the section of the Character Statements on Design Standards for Central Woodlea (the relevant area), point 3.6.2 states,

- "Dwelling Units shall be sited on the lot to be compatible with the existing pattern of dwelling placement in terms of Front Yard, Side Yard, and Flankage Setbacks, prevalent in the Immediate Street Context.
 - Note that on the eastern parcel, it would be impossible to match the front-yard setback of the neighbouring properties (which is about 11+ metres) without making it **literally impossible to meet the rear-yard standard of the R-L zone, which is 7.5 meters**. That is to say, the required front and rear setbacks total approximately 18.5 metres, on a lot that would be 18.4 metres deep. Re-designating this lot as R-W would not solve the problem either, because that zone has the same rear yard setback minimums as exist in R-L, and of course the front-yard setback requirements governed by the Character Statements would still be in place. **To provide for even a modest home depth of 8 metres would require a total front + rear setback relaxation of 44%. This is even more than the 40% relaxation that the Subdivision and Development Appeal Board found unacceptable when it rejected this same proposal in 2015, under the old Land Use Bylaw and prior to the adoption of the Character Statements.**

Given the obligation that the Subdivision Authority has under the MGA to ensure that the subdivision creates lots that are "suitable for...purpose" and conform to "any land use bylaw that affects the land proposed to be subdivided," we urge the Authority to reject this application.

Sincerely,



Grant McFadden, Vice-Chair
For the Woodlea Community Association Board

Appendix I – Letter of Intent

Subdivision Application Letter

5055-45 Avenue Red Deer, Alberta

To the City of Red Deer's Planning and Development Department,

In 2023, the City of Red Deer undertook the task of reviewing and rewriting the zoning and land bylaws. The task was called the Land Use Bylaw Review Project. The purpose of that process was, in the City's Words, "to increase flexibility and adaptability by reducing regulations where they are not needed."

Citizens of Red Deer were invited to speak and provide input about this at a public gathering. One of the specific items in that discussion was that of lot sizes, dimensions, site area, etc. The feedback provided by the public was to remove minimum lot size requirements and the recommendation from City Planning was not only to remove minimum lot size requirements, but to also remove minimum building size and minimum site depth requirements.

Ultimately, the recommendations mentioned above were adopted and now form part of the City's new land use bylaws. The aim, or objective of that process, again in the City's words, was to, "create variety in site and building design with an emphasis on variety in site and building design." With these in mind, I'm presenting my application for subdivision, which falls into this category; variety in site and building design. We are taking one very large, underutilized lot and creating two, entirely conforming lots. Both of the resulting lots will still well-exceed the norm in terms of dimensions, area, etc. Additionally, the subdivision will complement the neighbourhood and even mimic a similar housing development configuration directly across the street.

The proposed subdivision and future development supports creativity and innovation and is not intrusive or detrimental to the character of the neighborhood — in fact, it adds some additional character. When considered on its own merits, the proposal is well thought out, is entirely reasonable, and fully supports the City's mandate of variety, added character, and growing need for additional housing. It's also in total conformity and meets the objectives of the *City's Municipal Development Plan: Section 5.0 Growth Management and Urban Form, as well as Section 10.0: Housing and Neighborhood Design (see attachments)*.

It is my hope and request that you consider this application with favor. Thank you for your time, attention, and consideration.

Sincerely,



Gary Oosterhoff



MUNICIPAL DEVELOPMENT PLAN

Prepared for
The City of Red Deer

by



ARMIN A. PREIKSAITIS
& ASSOCIATES LTD.

RKP Consulting

Bylaw 3404/2008

May 2008

Adopted by City Council May 5, 2008 (Bylaw 3404/2008)

5.0 GROWTH MANAGEMENT AND URBAN FORM

Growth management is the process of accommodating changes and growth in the community, while directing the location and pattern of development. It seeks to ensure that the quality of life in Red Deer is maintained as the size of the community increases. Growth management is also a tool to ensure that development occurs in a manner that contributes to, and works towards, making the community's future vision a reality. A lack of coordinated growth management can lead to land use conflicts and inefficient servicing patterns. This, in turn, can affect the ability of The City to provide municipal services in a cost effective manner and achieve the optimal use of limited funds for capital improvements and upgrades.

Urban form refers to the physical layout and design of Red Deer's urban environment. It includes issues such as location of growth, density, street patterns, major transportation routes and systems, major open space areas and employment centres. Red Deer's future urban form will reflect the concepts of Future Directions: Red Deer at 300,000 - A Growth Strategy, as amended by the Intermunicipal Development Plan to reflect the revised growth areas for The City and Red Deer County, and other City documents all of which seek to achieve more sustainable development practices.

Goals: **Ensure the efficient utilization of lands and infrastructure, while encouraging a greater mix of uses and socio-economic activities in both new and established areas.**

Identify and secure the land and infrastructure capacity required to meet future growth needs.

¹ Strive to achieve safe and orderly co-existence between oil or gas development (e.g. wells, pipelines, and processing facilities, even if suspended or abandoned) and urban development.

Objectives:

- (a) Ensure an appropriate supply of land and infrastructure to accommodate future growth;
- (b) **Encourage growth in locations and patterns that can utilize existing or planned infrastructure capacity and reduce overall travel demands;**
- (c) Ensure the provision of an adequate supply of land appropriately located, and serviced for, residential, industrial and commercial purposes;
- (d) Minimize conflicts between efficient urban growth, the preservation of ecologically important natural areas, and the extraction of natural resources and existing agricultural operations;

¹ 3404/A-2015

- 5.10 Redevelopment and Intensification** The City shall undertake reviews of potential redevelopment and intensification opportunities in the established areas, including but not limited to:
- Greater Downtown
 - Gaetz Avenue Corridor
 - Michener Centre lands
 - Red Deer College area
 - Vacant and under-utilized sites in communities
- 5.11 City Role in Land Banking** The City shall maintain its presence in land banking for residential, commercial and industrial uses and municipal purposes in accordance with Council's policies, as amended from time to time.
- 5.12 Allocation of Costs of Growth** The costs of servicing newly developing areas shall be allocated between The City and Developers in accordance with policies approved by Council from time to time.
- 5.13 Oil and Gas Facilities** The City shall endeavour to ensure with respect to oil or gas development that:
- Appropriate development setbacks are established and maintained. Development setback requirements from oil or gas development will meet or exceed provincial or federal minimum requirements. The City may require Developers to provide professional risk assessment respecting whether the minimum setback distance should be increased and measures to otherwise mitigate risks and land use conflict. The terms of reference for such study shall be developed in consultation with The City of Red Deer;
 - Developers may be required to submit professional risk assessment for new development within or adjacent to an Emergency Planning Zone (EPZ) unless the application is contained within an area structure plan for which a professional risk assessment was completed;
 - Various planning considerations may result in limits or restrictions on urban development near oil and gas development or within an EPZ. Risk assessment being among those planning considerations, particularly respecting sour or high pressure facilities;
 - Urban development in proximity to oil or gas development should be designed to minimize potential negative impacts to all stakeholders and to accommodate appropriate access to the oil or gas development;
 - The City reviews all referrals respecting oil or gas development

¹ 3404/A-2015

- | | |
|---|--|
| 5.14 New Oil and Gas Facilities | The City shall monitor proposals for new facilities related to the production, collection and distribution of oil and gas in the city and its proposed growth areas. |
| 5.15 Impact of Oil and Gas Facilities on Urban Development | <p>The City shall indicate its opposition to proposals for new wells and transmission facilities which will adversely impact the efficient utilization of lands for urban intensity development within the city or within the City Growth Areas identified in the Intermunicipal Development Plan to the proponents of the facilities and the Provincial government.</p> <p>The City shall encourage the clustering of transmission facilities in locations which minimize their impact on future urban growth patterns.</p> <p>The City shall require that emergency response plans and emergency planning zones prepared in accordance to provincial guidelines be submitted to The City to confirm that the emergency plan, communication and education components for impacted residents are adequate.</p> |
| 5.16 Natural Resource Extraction | The City shall encourage the early identification of areas where natural resource extraction should be the primary land use and work with the appropriate authorities to develop measures to mitigate safety or nuisance factors associated with the retrieval of that resource. |
| 5.17 Efficiency of Land Use | The City should promote intensification of the urban areas by ensuring its design guidelines and specifications encourage the efficient use of land. |
| 5.18 Infill Development | The City should support infill residential and commercial development on vacant or underutilized parcels of land in established areas, particularly along major transit routes. |

10.0 HOUSING AND NEIGHBOURHOOD DESIGN

Neighbourhoods are living entities which undergo demographic, social, economic and physical change over time. These changes include such things as altering preferences and needs in housing and changing views on the types of uses that should be within or close to the neighbourhood. Neighbourhoods experience life cycle effects such as population gain, peak and loss. More sustainable neighbourhoods are those that are able to adapt over time, due in large part, to the variety of housing types that are available. The Red Deer Growing Smarter Study suggests several ways to make Red Deer's future neighbourhoods inclusive and more sustainable. It recognizes that strong, well designed and sustainable neighbourhoods are a critical building block in making Red Deer a more sustainable city overall.

Goals: To facilitate the creation of inclusive neighbourhoods, containing a range of housing options and related compatible uses, supporting the needs and preferences of a variety of household types and income levels.

¹To facilitate the design of neighbourhoods that can adapt to global and local trends including an aging demographic, intensifying climate change, economics, local growth projections and traditional neighbourhood lifecycle.

Objectives:

- (a) Promote the establishment of neighbourhoods that are designed based on the principles of social, environmental and economic sustainability through implementation of the Red Deer Growing Smarter Study;
- (b) Provide for a mix of housing types to meet a variety of lifestyles, special needs, life cycle demands and market preferences;
- (c) Encourage re-investment and infill in older neighbourhoods;
- (d) Promote the creation of affordable housing and housing for special needs; and
- (e) Promote the efficient utilization of land by achieving increased residential densities
- (f) ²Encourage neighbourhood design that accommodates a variety of future uses that will allow buildings, public spaces and neighbourhood amenities to be converted, salvaged or reused.

¹ 3404/A-2013

² 3404/A-2013

- | | |
|--|---|
| 10.6 Affordable Housing and Special Needs Housing | The City shall partner with other orders of government and private, public and non-profit organizations in the creation of affordable housing and special needs housing as described in the Community Housing Plan, as amended from time to time. For this purpose, affordable housing shall be defined as dwelling units that are designed to be both adequate in meeting the size and safety needs of individuals and families, and affordable to households with income at or below Red Deer's median income, without spending more than 30% of their income on housing. |
| 10.7 Inclusion of Non-residential Land Uses | The design of new neighbourhoods shall be encouraged to include compatible non-residential uses, such as local commercial services that serve the needs of area residents, to help create neighbourhood identity and bring basic services closer to residents. |
| 10.8 Home Occupations | The City shall support the development of home occupations and bed and breakfast establishments in residential neighbourhoods as a secondary use of a dwelling unit where compatible with residential uses, and in accordance with City policy. |
| 10.9 Infill and Intensification in Established Neighbourhoods | Intensification shall be encouraged in established neighbourhoods through residential and mixed use infill projects where there is adequate capacity in major municipal infrastructure and in accordance with the infill guidelines referred to in Policy 10.10, unless otherwise determined through an approved area structure plan or area redevelopment plan. |
| 10.10 Infill Planning Guidelines and Standards | The City shall prepare and maintain planning guidelines and standards for infill development with the intent of ensuring that infill development and intensification of established areas occurs in an appropriate manner. |
| 10.11 Neighbourhood Resilience | Neighbourhood design considers the full lifecycle of a neighbourhood including consideration of building and public realm and how they will transition based on resident's needs. Neighbourhood design will achieve economic sustainability through innovative design solutions. |

¹ 3404/A-2013



CONCEPTUAL HOME OR SIMILAR ON EITHER/EACH
OF THE 2 PROPOSED LOTS

EXHIBIT B

Subdivision Application Time Extension Agreement



SUBDIVISION APPLICATION TIME EXTENSION AGREEMENT

Date (YYYY/MM/DD): 2026/05/20

File No.: SUB26209 – 5055-45 Ave.

Applicant/Agent: Gary Oosterhoff

The City of Red Deer (the "City") endeavors to render a decision on subdivision applications within the regulated time period of 60 days; however, at this time, it is anticipated that a decision on your application will not be made within the prescribed time period.

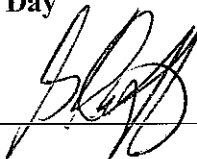
In accordance with Section 681 of the *Municipal Government Act*, 2000, Chapter M-26 (the "MGA") please complete the following if you consent to extend the period within which the City has to make a decision.

This is an agreement between the Applicant/Agent and the City, which is an extension to the subdivision application processing period.

I/We, GARY OOSTERHOFF (print Applicant's/Agent's name) of

28 OAKWOOD CLOSE (address), the Applicant/Agent, being fully aware of my rights under Section 681 of the MGA and Section 6 of the *Subdivision and Development Regulation*, do hereby of my own volition agree to an extension of the normal time period to and including:

July 31 2026
Month Day Year

Signature of the Applicant/Agent 

For Administrative purposes only:

Date application accepted: June 5 2026.

Subdivision Officer: 

EXHIBIT C

MPC Presentation and Speaking Notes, July 22, 2026

Note: The speaking notes reproduced in this Exhibit were prepared in advance of the July 22, 2026 Municipal Planning Commission meeting and follow the presentation slide by slide. They are substantially the same as the presentation that was delivered, but they are not a transcript of it. In delivery, some points were expressed differently than they are written, and additional information was provided at some points in response to the discussion at the meeting. The speaking notes should be read as a close, but not verbatim, record of what was said.

Subdivision Application

SUB26209

5055-45 Avenue (Woodlea)

Lot 7, Block 1, Plan K9

July 22, 2026

MUNICIPAL PLANNING COMMISSION



1

WHY IS THIS APPLICATION AT MPC?



The Municipal Planning Commission is the Subdivision Authority for any subdivision application that the Subdivision Officer refers to MPC.

Section 55(2)(b) of the Committees Bylaw

SUB26209 · Municipal Planning Commission

2

SUBDIVISION PROCESS – DECISION MAKING



Planning Rationale / Considerations

(Appendix A: s. 654 of the MGA and s. 9 of the Reg.)

- ✓ Are the proposed lots suitable (developable) for the intended purpose?
 - access, serviceable, stable land, etc.
- ✓ Does it conform to the Zoning Bylaw (the land use bylaw)?
 - USES - cannot be varied
 - STANDARDS – can be varied (e.g., lot size, frontage, etc.)
- ✓ Does it conform to applicable statutory plans?

Non-Relevant Considerations:

- The owner / applicant
- Tenure of the land (owner occupied / rented)
- Condition of the subject land / developments
- Financial implications for the owner
- How long or arduous the process has been

SUB26209 - Municipal Planning Commission

3

SUBDIVISION PROCESS – DECISION MAKING



Decision

- APPROVE
 - Variances, if any [s. 654(2)]
 - Conditions
 - Measurable, not vague
 - Cannot sub-delegate authority
 - Serve planning purposes
- REFUSE
 - Provide Reasons (land use planning based)

SUB26209 - Municipal Planning Commission

4

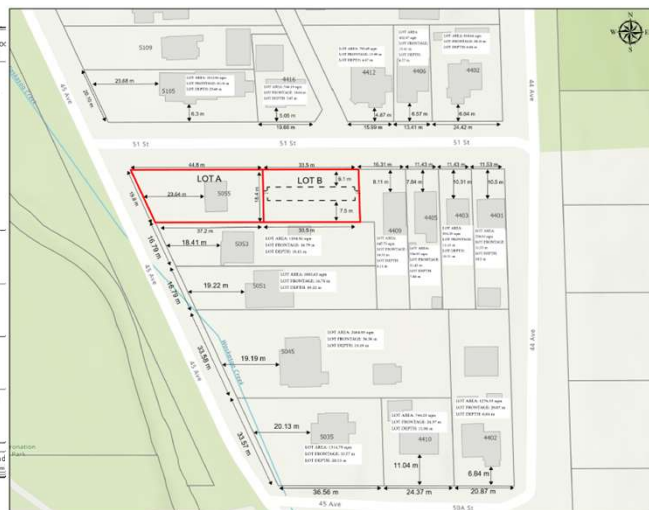
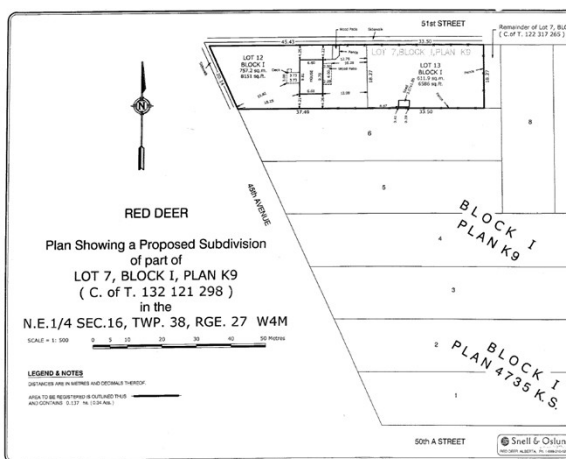
LOCATION: 5055-45 AVE.



SUB26209 - Municipal Planning Commission

5

PROPOSED SUBDIVISION PLAN



SUB26209 - Municipal Planning Commission

6

CONSULTATION



100 m

Circulation from the Site

16

Comments received (opposed)



Adjacent Landowners

31 letters were mailed out to landowners within 100m and emailed to Woodlea Community Association. Received 16 comments back, all opposed.

Note: There are 5 adjacent property owners, of which all 5 provided comments on the application.

In recognition of the consultation contemplated by s.1.2 of the Woodlea Character Statements, which references the former s.2.7(d) of Land Use Bylaw 3357/2006, and to ensure procedural fairness, the application was circulated to all landowners within 100m. The former s.2.7(d) applied only to development permit applications and was discretionary in any event; the circulation undertaken for this application exceeds the notification required by the Municipal Government Act.



Internal Referral

Comments from Engineering, Developments and ATCO

- Conditions required are reflected in list of conditions from Engineering and Developments.
- ATCO has a note about demolition

Notes: The Development Officer indicated that support is contingent on confirmation that the applicant can meet the requirements of the Zoning Bylaw at the redevelopment stage.

SUB26209 - Municipal Planning Commission

7

WHAT WE HEARD



16 external responses, all opposed. The main issues raised are:

Lot depth and character compatibility:

the street displays a variety of lot forms; the lots are compatible in Administration's opinion (s.2.3.6).

Privacy, trees, parking, traffic and lane access:

addressed at the development permit stage; lane access is not a requirement for subdivision.

Developability:

measured 7.29m front yard average; a dwelling is buildable with no variance required.

Property values, density and precedent:

consideration limited by the MGA; one additional lot is a 10% increase on 51 Street; no decision is precedent setting.

SUB26209 - Municipal Planning Commission

8

MUNICIPAL DEVELOPMENT PLAN (MDP)



The proposal creates an additional lot and an additional housing opportunity within an established neighbourhood.

Policy 5.10

Redevelopment And Intensification

Expresses the City's desire to review potential redevelopment and intensification opportunities in established areas, including vacant and under-utilized sites in communities.

Policy 7.7

Innovative Neighbourhood Designs

Encourages innovative neighbourhood designs that respond to environmental, economic, demographic and market conditions.

Policy 10.10

Infill Planning Guideline and Standards

Prepare and maintain planning guidelines and standards for infill development with the intent of ensuring that infill development and intensification of established areas occurs in an appropriate manner.

SUB26209 - Municipal Planning Commission

9

WOODLEA CHARACTER STATEMENTS & C



How the Character Statements are applied (s.1.2)

When a development permit application to redevelop a lot, or a subdivision application, is received, the appropriate approving authority evaluates the application for conformity with, among other matters, the applicable Character Statements. For a subdivision application, the approving authority is the Subdivision Authority; the matters capable of assessment at this stage are narrow, being the lot itself.

s.2.3.6: Lots shall be compatible in the width, depth and area with properties existing within the Immediate Street Context as the proposed Redevelopment.



Proposed Lots

- ✓ Width and area: both proposed lots exceed the R-L Zone minimums and are comparable to existing lots on the street.
- ✓ Depth: the Immediate Street Context displays a variety of lot forms, including a lot that functions as wide and shallow.
- ✓ The depth the east lot would present to 51 Street is consistent with an existing lot form on that street.
- ✓ Lot depth is not a regulated standard in the R-L Zone.

SUB26209 - Municipal Planning Commission

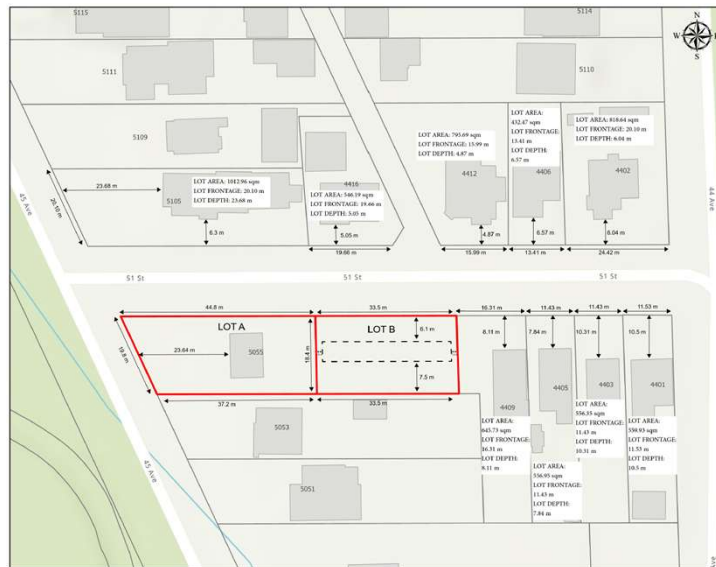
10

LOT FORMS ON 51 STREET



The Immediate Street Context - 10 lots share a boundary with 51 Street

- South side, east end: 4 narrow and deep lots
- North side, east end: 4 more standard shaped, larger lots (common single-family homes)
- North side, west end: the sides of two lots addressed to 45 Ave; the north lot functionally faces onto 51 Street as a wide and shallow lot
- The subject lot (5055-45 Ave) is oriented towards 45 Ave
- New development is expected to respect and respond to the existing variation, not replicate a single lot form



SUB26209 - Municipal Planning Commission

11

WIDE AND SHALLOW LOT ON 51 STREET



This lot is addressed to 45 Ave and reads as a narrow and deep lot on title; it functions as a wide and shallow lot within the Immediate Street Context of 51 Street

SUB26209 - Municipal Planning Commission

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PROPOSED LOTS VS. ZONING BYLAW 3357-2024



R-L Standard	Proposed West Lot	Comment	Proposed East Lot	Comment
Minimum Lot Frontage: 12.0m.	19.8m	65% over the min. standard	33.50m	179.17% over min. standard
Minimum Lot Area: 324.0m ²	754.4m ²	132.84% over min. standard	616.4m ²	90.25% over min. standard
Front Yard Setback within 1.2m of the average of the Immediate Road Context (s.3.190.4.1.1): 6.09m to 8.49m (average 7.29m)	23.64m	Existing dwelling; the 23.64m setback is lawfully existing and is unaffected by the proposed subdivision. No new dwelling is proposed on the west lot as part of this application.	6.1m	Within 1.2m of the average Front Yard Setback of the Immediate Road Context as per s.3.190.4.1.1 of Bylaw 3357-2024.

A dwelling is buildable on the east lot today, with no variance required

- A dwelling can be built in full compliance with the Zoning Bylaw
- The building form would be wider and shallower than is conventional in the area
- Variances to the front and/or rear setbacks remain available at the development permit stage to increase building depth
- Setback measurements are confirmed by the applicant at the development permit stage by plan of survey
- The form and design of development are determined by the Development Authority at the development permit stage

SUB26209 - Municipal Planning Commission

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ANALYSIS



Section 654 findings:

The land is suitable for the intended purpose in accordance with the permitted and discretionary uses in the R-L Zone. [s. 654(1)(a)]



No undue interference with neighbourhood amenities; no material interference with the use, enjoyment or value of neighbouring parcels [s.654(2)(a)].



Conforms to the MDP and to the use prescribed in the Zoning Bylaw (R-L) [s.654(2)(b)].



In the alternative, should MPC find the east lot incompatible in depth under s.2.3.6, approval under s.654(2) remains available.



The development permit condition is a pre-endorsement control: the lot is not created as a separate title unless a final and effective development permit is in place. It does not delegate the suitability decision.

SUB26209 - Municipal Planning Commission

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RECOMMENDATION

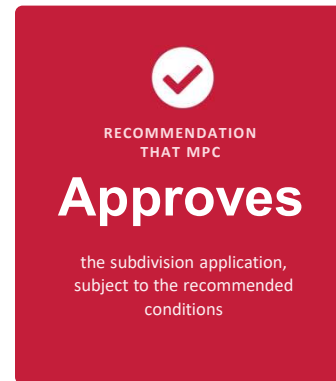


RECOMMENDED RESOLUTION:

- MPC, as Subdivision Authority, is satisfied the application meets the requirements of s.654 of the MGA and the considerations in s.9 of AR 84/2022
- MPC is of the opinion the proposed lots are compatible in width, depth and area within the Immediate Street Context (s.2.3.6, Woodlea Character Statements), given the variety of lot forms on 51 Street
- In the alternative, if MPC finds otherwise on compatibility, approval remains appropriate under s.654(2) of the MGA
- Referral and landowner submissions were considered
- Therefore, MPC APPROVES the subdivision, subject to the following conditions

RECOMMENDED CONDITIONS:

1. Subdivision by Plan of Survey
2. Payment of outstanding property taxes (or satisfactory arrangements) prior to endorsement
3. At the Development Permit stage: separate water/sanitary service connections and driveway locations to be reviewed and accepted
4. Prior to endorsement, a final and non-appealable development permit for a dwelling on the east lot must be in place, generally consistent with the building envelope reviewed by MPC; the permit may itself carry a condition requiring subdivision registration, so the two approvals don't lock each other out



SUB26209 - Municipal Planning Commission

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ALTERNATE OPTION: REFUSAL RESOLUTION



REFUSAL RESOLUTION:

- MPC, as Subdivision Authority, is not satisfied the application meets the requirements of s.654 of the MGA, having considered the matters in s.9 of AR 84/2022
- Referral and landowner submissions were considered
- Therefore, MPC REFUSES the subdivision, for the following reasons:

REFUSAL CONDITIONS:

1. The land is not suitable for the intended purpose — the east lot's developable area is too limited for a development permit to be obtained
2. The subdivision doesn't meet the intent of the Woodlea Character Statements (s.2.3.6, lot compatibility in width, depth and area), and MPC declines to approve despite that non-compliance under s.654(2)

SUB26209 - Municipal Planning Commission

16



Questions?

SUB26209 · 5055-45 Ave. Subdivision Application · Lot 7, Block 1, Plan K9

The City of Red Deer · Planning Department · Municipal Planning Commission

SUB26209 · Municipal Planning Commission

SUB26209 — MPC Presentation Speaking Notes

July 22, 2026 | 5055-45 Avenue, Woodlea | Lot 7, Block 1, Plan K9 | Presenter: David Girardin

Before I start into the presentation, I want to flag that in the comments that were submitted, we accidentally left out a page. This page should follow page 52 in the agenda. I will ask the clerk to please provide a copy of that missing page to the Commission.

SLIDE 1 Title — Subdivision Application SUB26209

This is subdivision 26209, a proposed subdivision at 5055-45 Avenue in the Woodlea neighbourhood, legally described as Lot 7, Block 1, Plan K9.

The proposal is to subdivide one existing residential lot into two residential lots: a west lot that keeps the existing dwelling, and a new east lot for a future dwelling. Administration is recommending approval, and I will walk you through the basis for that recommendation and the alternate refusal option before I take your questions.

SLIDE 2 Why Is This Application at MPC?

First, why you are seeing this one. Most subdivisions are decided by the Subdivision Officer under delegated authority. Under section 55(2)(b) of the Committees Bylaw, the Municipal Planning Commission is the Subdivision Authority for any subdivision application that the Subdivision Officer chooses to refer to it.

This file was referred to you because it has generated significant community interest and it raises a compatibility question under the Woodlea Character Statements that Administration felt the Commission should decide directly. So for this application, MPC is the Subdivision Authority, and the decision is yours to make.

SLIDE 3 Subdivision Process — Decision-Making (Considerations)

Before we get into this specific site, I want to frame the decision. This will be a bit repetitive from the refresher I just gave, so I will keep it brief.

Your test comes from section 654 of the Municipal Government Act and section 9 of the regulation, both reproduced in Appendix A. In plain terms, there are three questions. One: are the proposed lots suitable, meaning developable, for the intended purpose. Two: does the proposal conform to the Zoning Bylaw, remembering that uses cannot be varied but standards like lot size and frontage can be varied. And Three: does it conform to the applicable statutory plans, which here is the Municipal Development Plan.

SLIDE 4 Subdivision Process — Decision-Making (Decision)

Having applied that test, you have two options. You can approve, and if you approve you may impose conditions. Conditions have to be measurable rather than vague, they cannot sub-delegate your authority to someone else, and they have to serve a genuine planning purpose. Or you can refuse, and if you refuse you must provide reasons, and those reasons have to be grounded in land-use planning.

Administration has drafted both resolutions for you — a recommended approval and an alternate refusal — so that whichever way the Commission decides, you have clean, defensible wording ready to move and amend as you see fit.

SLIDE 5 Location — 5055-45 Ave. (Block Context)

Here is the site in context. The subject property sits on the south side of 51 Street, fronting onto 45 Avenue, on the NW edge of the block. Coronation Park and Waskasoo Creek are immediately to the west. It is an established, fully serviced residential area, zoned Residential Low-Density, otherwise known as R-L.

The lot is large and, at present, under-utilized with a single older dwelling. The current parcel is 1,369.3 square metres which is much bigger than the immediate surrounding lots. That is the starting point for the proposal.

SLIDE 6 Proposed Subdivision Plan

This is the proposal itself. The existing parcel is divided into two: a west lot, keeping the existing house, and a new east lot for a future dwelling.

I want to put the numbers on the table now, because they matter for the whole discussion. Both lots comfortably exceed the R-L Zone minimums. The west lot is about 754 square metres with just under 20 metres of frontage. The east lot is about 616 square metres with 33.5 metres of frontage. The R-L minimum is 324 square metres and a 12 metre frontage. So on the two standards the Zoning Bylaw actually regulates — area and frontage — both lots are not just compliant, they are well over the minimums.

The point of contention, which I will come to, is the depth of the east lot, at about 18.4 metres. I will address that directly in a later slide.

SLIDE 7 Consultation

On consultation. We received comments internally and from agencies, along with recommended conditions. Those comments have been carried into the conditions and notes you see in the report.

Externally, we went well beyond what the Act requires. Thirty-one letters were mailed to landowners within 100 metres, and the application was emailed to the Woodlea Community Association. We received 16 responses, all opposed. Of the five directly adjacent owners, all five commented.

I want to be candid about why we circulated so widely. The Municipal Government Act does not require adjacent-landowner notice for a subdivision the way it does for a rezoning. We circulated to the full 100 metres in recognition of the consultation contemplated by section 1.2 of the Woodlea Character Statements, and to be procedurally fair given the history on this site. The circulation exceeds what the Act requires.

SLIDE 8 What We Heard

On screen: 16 responses, all opposed — grouped into four themes; submissions in Appendices G & H

The 16 responses raised a consistent set of concerns, and rather than read them one by one, I have grouped them into four themes, each of which is answered in full in the tables in the report. The submissions themselves are also included in Appendices G and H.

First, lot depth and character compatibility under section 2.3.6. The short answer is that 51 Street displays a genuine variety of lot forms, and in Administration's opinion the proposed lots are compatible. That is the heart of the file and I will spend real time on it in a moment.

Second, privacy, trees, parking, traffic and lane access. These are real concerns, but they are matters determined at the development permit stage against a specific building design — not at subdivision. And lane access is not a requirement for subdivision; most of this block, and some lots on the north side of 51 Street, have no lane access.

Third, developability — the comments indicate that nothing can be built on the east lot. We measured the front-yard average on the street at 7.29 metres, and a dwelling is buildable on the east lot with no variance required. Again, more on this shortly.

Fourth, property values, density and precedent. The Act limits your consideration of property value to material interference, and no evidence of that was provided. On density, one additional lot on 51 Street is about a 10% increase, not the higher figures cited. And no decision you make is precedent-setting — every application is decided on its own record and merit.

SLIDE 9 Municipal Development Plan (MDP)

On conformity with the statutory plan. The Municipal Development Plan identifies this area for residential use, and the proposal aligns with several of its policies.

Policy 5.10 expresses the City's intent to review redevelopment and intensification opportunities in established areas, expressly including under-utilized sites in communities — which is exactly what this large single-dwelling parcel is.

Policy 7.7 encourages innovative neighbourhood designs that respond to demographic and market conditions.

And Policy 10.10 speaks to infill occurring in an appropriate manner. The proposal creates one additional lot and an additional housing opportunity within an established, fully serviced neighbourhood. In Administration's view it conforms to the goals, objectives and policies of the MDP.

SLIDE 10 Woodlea Character Statements & Compatibility

Now to the central question — the Zoning Bylaw and the Woodlea Character Statements, and specifically section 2.3.6.

I'll start with how the Character Statements are applied, under section 1.2. When a subdivision application comes in, the approving authority evaluates it for conformity with, among other things, the applicable Character Statements. But the matters you can actually assess at the subdivision stage are narrow — they are about the lot itself. The design of the building, its siting, its massing, its privacy treatment — those are assessed later, by the Development Authority, against a real building at the development permit stage.

Section 2.3.6 says lots shall be compatible in width, depth and area with the properties existing within the Immediate Street Context. Let me take those in turn.

On width and area, there is no issue: both proposed lots exceed the R-L minimums and are comparable to existing lots on the street.

On the area of the two proposed lots, the area sizes are comparable to nearly all the lots on 51 Street, and in fact would continue to exceed most of them in area size.

Depth is where the concern lies, and I want to meet it head-on. The test in 2.3.6 is compatibility with what exists in the Immediate Street Context — not conformity to a single dominant lot shape. And the Immediate Street Context of 51 Street displays a genuine variety of lot forms, including a lot that functions as wide and shallow. The depth the east lot would present to 51 Street is consistent with an existing lot form already on that street.

And one more point that matters: lot depth is not a regulated standard in the R-L Zone. There is no minimum depth in the Zoning Bylaw. There are minimum requirements for the rear yard and the frontage, which I will address in a later slide. So the depth question, as it relates to the Woodlea Character Statements, lives entirely within the compatibility judgment in 2.3.6 — it is a matter of your opinion on compatibility, not a hard standard that the lot fails.

SLIDE 11 Lot Forms on 51 Street

This slide shows what I mean by variety. Ten lots share a boundary with 51 Street. This application proposes an eleventh lot that shares a property line with 51 Street, which represents a 10% increase.

On the south side, at the east end, there are four narrow and deep lots. On the north side and south side, at the east end, four more standard-shaped but large lots. And at the west end, on the north side and south side, you have the sides of two lots that are addressed to 45 Avenue. The important one is the north lot: although it is addressed to 45 Avenue, it functionally faces onto 51 Street, and it reads as a wide and shallow lot. The subject lot is the other one, currently oriented toward 45 Avenue.

The Character Statements are explicit that new development is expected to respect and respond to the existing variation — not to replicate a single lot form. A wide-and-shallow lot presenting to 51 Street is not foreign to this street. It already exists directly across from the subject site.

Before I move on, I also want to draw your attention to the proposed east lot, labelled “Lot B”, on this diagram. The dashed line represents the assumed developable footprint based on following all of the regulations in the Zoning Bylaw.

SLIDE 12 Deep Dive on the Wide, Shallow Lot

I have included these images to take a closer look at how the lot across the street is functioning as a wide, shallow lot. While the front door points toward 45 Avenue, there is no walking connection to that street, there is no walkway connection, and the image on the left, taken yesterday, shows that the 45 Avenue frontage is mostly vegetation.

All access and interface between the structure and the street happens on 51 Street — both the driveway off 51 Street and the front walk leading to the front door from 51 Street. For the purpose of section 2.3.6 of the Woodlea Character Statements, the Immediate Street Context reflects what is present on 51 Street on both sides. A dwelling on the proposed east lot would present to 51 Street in the same wide and shallow form as this existing lot.

SLIDE 13 Proposed Lots vs. Zoning Bylaw 3357-2024

This slide answers the objection that nothing can be built on the east lot.

The table restates the frontage and area figures — both lots well over the minimums — and adds the front-yard setback. Under the Developed Areas regulation, the front yard has to be within 1.2 metres of the average of the Immediate Road Context. We measured that average across the nine dwellings at 7.29 metres, which gives a permitted range of roughly 6.09 to 8.49 metres. The east lot can meet that requirement. Some submissions estimated a higher average of 11 metres or more; that does not reflect the measured context.

The bottom line, is the line at the bottom of the slide: a dwelling is buildable on the east lot today, with no variance required. It can be built in full compliance with the Zoning Bylaw. The form would be wider and shallower than is conventional here — I am not going to pretend otherwise — but wide and shallow is buildable, and it is compliant. If the landowner later wants more depth, variances to the front or rear setback remain available at the development permit stage, but they are not necessary.

And to be clear about the division of labour: the setback measurements are confirmed by the applicant at the development permit stage, and the form and design of any dwelling are determined by the Development Authority at that stage — not as part of the subdivision.

You will see in the recommended conditions a condition that makes the subdivision conditional on securing a development permit. This means that if the applicant cannot satisfy the Development Authority, particularly as it relates to the Woodlea Character Statements, they will not be able to obtain subdivision endorsement.

SLIDE 14 Analysis — Section 654 Findings

Pulling it together, these are Administration's findings under section 654 of the MGA.

One — suitability. In Administration's opinion the land is suitable for the purpose intended, being residential development in accordance with the uses permitted or discretionary in the R-L Zone. A dwelling can be built on the east lot in full compliance with the Zoning Bylaw, without any variance.

Two — no undue interference. The subdivision involves no change in zoning; it accommodates a dwelling in an area already developed with dwellings. It will not unduly interfere with the amenities of the neighbourhood, or materially interfere with the use, enjoyment or value of neighbouring parcels.

Three — conformity. It conforms to the MDP and to the use prescribed for the land in the Zoning Bylaw.

And Four — the alternative. Should the Commission take a different view and find the east lot incompatible in depth under 2.3.6, approval remains available to you under section 654(2), which lets you approve notwithstanding the bylaw where the amenity and use tests are met. So the recommendation stands on either footing: primary compliance under 2.3.6, or approval under 654(2) as an express alternative, should you wish to consider it.

Five — the development permit condition, which I described on the previous slide. This is a pre-endorsement control. The east lot is not created as a separate title unless, and until, a final and effective development permit for a dwelling is in place. It does not delegate or defer your suitability decision — that decision is made by you, today, on the evidence in the report. The condition simply makes sure the future building Administration relied on, in forming its opinion, is actually the building that gets approved.

SLIDE 15 Recommendation

That brings us to the recommendation. Administration recommends that MPC, as Subdivision Authority, approve the subdivision.

The resolution in front of you recites the basis: that you are satisfied the application meets section 654 and the section 9 considerations; that the proposed lots are compatible in width, depth and area within the Immediate Street Context under 2.3.6, given the variety of lot forms on 51 Street; that, in the alternative, approval remains appropriate under 654(2) if you find otherwise on compatibility; and that the referral and landowner submissions were considered.

The approval carries four conditions. I will summarize rather than read them in full — the exact wording is in the report. Condition one, the subdivision is effected by plan of survey. Condition two, outstanding taxes are paid or arranged before endorsement. Condition three, at the development permit stage the east lot gets its own water and sanitary connections, and driveway locations are reviewed and accepted.

Condition four is the important one, and it is the pre-endorsement control I just described. Before the plan can be endorsed, there has to be a final, non-appealable development permit for a dwelling on the east lot — appeal periods expired, any appeals resolved — and that permit has to be substantially consistent with the building envelope you are relying on today. The condition is drafted so the two approvals do not lock each other out: the development permit is allowed to carry its own condition requiring the subdivision to register, and that does not stop it from being final and effective for our purposes. In practice, it means the lot is never created on title unless a real, approved, buildable dwelling exists for it.

SLIDE 16 Alternate Option — Refusal Resolution

For completeness, and because it is your decision, Administration has also drafted the alternate refusal resolution, so that if the Commission is not persuaded you have clean, defensible wording ready.

The refusal recites that you are not satisfied the application meets section 654 of the MGA, having considered the section 9 matters, and that the submissions were considered. It then gives two reasons. First, that the land is not suitable for the intended purpose, on the basis that the east lot's developable area is too limited for a development permit to be obtained. Second, that the subdivision does not meet the intent of the Woodlea Character Statements, including the lot-compatibility test in 2.3.6, and that MPC declines to exercise its discretion under 654(2) to approve despite that non-compliance.

I want to be even-handed here: this is a genuine option, and the reasons are properly land-use based. Administration's recommendation is approval, but the choice is the Commission's.

SLIDE 17 Questions

That concludes Administration's presentation. To summarize: two lots, both well over the R-L minimums on the standards the bylaw regulates; a depth question that lives within the 2.3.6 compatibility judgment, where the street already contains a comparable wide-and-shallow form; a dwelling that is buildable with no variance; and a recommendation for approval that also stands on section 654(2) in the alternative, backed by a development permit condition that protects the City's position.

I would be happy to take the Commission's questions.

EXHIBIT D

Minutes of the Municipal Planning Commission meeting of July 22,
2026



MINUTES
of the **MUNICIPAL PLANNING COMMISSION**,
held in Council Chambers, 2nd Floor, City Hall,
Wednesday, July 22, 2026, commencing at 9:00 a.m.

Present:

Mayor Cindy Jefferies, Chair
Councillor Chad Krahm
Councillor Dianne Wyntjes
Joseph D'Onofrio, Citizen Representative
Lorrie Prosser, Citizen Representative

Absent:

Sonia Montes Figueroa, Citizen Representative
Kolson Moore, Citizen Representative

Administration:

Inspections & Licensing Manager, Erin Stuart
Acting Planning & Growth Manager, David Girardin
Major Project Planner, Kimberly Fils-Aime
Land Use Planning Assistant, Kimberly Couture
Legislative Advisor, Alisha Wilson
Legislative Advisor, Teri Underhill

1. Call to Order

Mayor Cindy Jefferies, Chair, called the meeting to order at 9:02 a.m.

2. Approval of Minutes

2.1 Approval of the July 13, 2026 Meeting Minutes

Moved By Lorrie Prosser

Seconded By Joseph D'Onofrio

Resolved that the minutes of the July 13, 2026 meeting of the Municipal Planning

Commission be approved, as transcribed.

IN FAVOUR (5): Mayor Cindy Jefferies, Councillor Chad Krahn, Councillor
Dianne Wyntjes, Joseph D'Onofrio, and Lorrie Prosser
ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

3. Planning

- 3.1 Subject Site: 5055-45 Ave. - Lot 7, Block 1, Plan K9 (Within N.E. ¼ of Sec 16, Twp 38, Rge 27, W4M)

A Subdivision Approval application has been received to subdivide the existing residential lot {5055-45 Ave. - Lot 7, Block 1, Plan K9 (Within N.E. ¼ of Sec 16, Twp 38, Rge 27, W4M)} into two residential lots to allow for the development of a new dwelling on the proposed Lot 13 (east) and the possible demolition and redevelopment of a dwelling on the proposed Lot 12 (west).

David Girardin, Acting Planning & Growth Manager presented the report.

The following people spoke to this item: Wendy Verwey, Peter Slade, Brenda Garrett, Gary Oosterhoff, Grant McFadden, Peggy Johnson, Amanda Hegge and Sheila Bannerman.

The Municipal Planning Commission recessed at 10:33 a.m. and reconvened at 10:47 a.m.

Moved By Joseph D'Onofrio

Seconded By Councillor Chad Krahn

Resolved that the Municipal Planning Commission having considered the handout from City Planning & Growth Department dated July 22, 2026 re: public comment (following pg. 52; Appendix G) hereby accepts the report into the Corporate Record.

IN FAVOUR (5): Mayor Cindy Jefferies, Councillor Chad Krahn, Councillor
Dianne Wyntjes, Joseph D'Onofrio, and Lorrie Prosser
ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

Moved By Councillor Chad Krahn

Seconded By Joseph D'Onofrio

Whereas, in the opinion of the subdivision authority, being The City of Red Deer Municipal Planning Commission, the proposed application satisfies the requirements of Section 654 of the Municipal Government Act, including the requirement under s.654(1)(a) that the land proposed to be subdivided is suitable for the purpose for which the subdivision is intended, and the Relevant Considerations listed in Section 9 of the Matters Related to Subdivision and Development Regulation (AR 84/2022) (see attached Appendix A); and

Whereas the subdivision authority, being The City of Red Deer Municipal Planning Commission, is of the opinion that the proposed lots are compatible in width, depth and area with the properties existing within the Immediate Street Context, which displays a variety of lot forms including narrow and deep lots, conventionally proportioned lots, and a lot that functions as a wide and shallow lot on 51 Street, and that the proposed subdivision therefore complies with s.2.3.6 of the Woodlea Character Statements forming part of Zoning Bylaw 3357-2024, no provision of which requires lots in this area to be narrow and deep; and

Whereas, in the alternative, if and to the extent the proposed subdivision were found not to comply with s.2.3.6 of the Woodlea Character Statements, the subdivision authority is of the opinion, pursuant to s.654(2) of the Municipal Government Act, that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and that it conforms with the use prescribed for the land in the Zoning Bylaw; and

Whereas submissions from referral agencies and landowners within 100m were presented to and considered by the subdivision authority as outlined in the subdivision report dated July 22, 2026;

Therefore, the subdivision authority, being The City of Red Deer Municipal Planning Commission, APPROVES the subdivision application subject to the following conditions:

1. That the subdivision be effected by a Plan of Survey;
2. Payment of all outstanding property taxes, or arrangements made

satisfactory to the City of Red Deer, for payment of outstanding taxes prior to endorsement of the plan of subdivision;

3. At the Development Permit stage:

- a) The proposed east lot will require separate water and sanitary service connections, subject to review and approval; and
- b) Proposed driveway locations will also be reviewed and are subject to acceptance.

4. Prior to endorsement of the subdivision plan, the applicant shall provide evidence satisfactory to the Subdivision Authority the Development Authority has approved a development permit for a dwelling on the proposed east lot and that the development permit approval is final and non-appealable, with all required notices given, with all appeal periods expired and any appeals finally disposed of. The development permit approval shall include approved plans, substantially consistent with the building envelope/site plan reviewed by the Subdivision Authority in considering this subdivision application, showing building siting, yards and setbacks, access, parking, grading/drainage, and privacy or screening measures, and identifying any approved variances from the Zoning Bylaw, including the Developed Areas Regulations and the applicable Woodlea Character Statement requirements, to the extent those requirements are lawfully variable. For the purpose of this condition, the development permit approval may remain subject to continuing conditions of approval or to a condition requiring registration of the plan of subdivision or creation of the proposed east lot as a separate title before the development permit is issued or before development commences. The subdivision plan shall be revised, if necessary, to correspond with the approved development permit plans prior to endorsement.

Notes:

- Administrative Implementation: For the purpose of administering this approval, the Subdivision Officer, being the Director of Planning Services or designate, will review and confirm satisfaction of the conditions of approval and process endorsement of the plan of subdivision pursuant to section 657 of the Municipal Government Act, in accordance with the authority and roles set out in Committees Bylaw 3576/2016.
- No municipal reserves owed as a result of this subdivision as the subject parcel is 0.8 hectares or less in size [MGA s.663(c)].

- Any existing utility services or lines requiring relocation or cutback to accommodate demolition or development on either lot will be identified and addressed at the owner's expense, subject to review and approval by the City and the relevant utility providers.
- Due to the limited building depth on the proposed east lot, a front attached garage is unlikely to be accommodated without variances, having regard to s.6.10.9 of the Zoning Bylaw and s.2.3.7 of the Woodlea Character Statements. The required off-street parking of a minimum of two stalls can be accommodated on the lot through a detached garage or parking pad, subject to review and acceptance at the development permit stage.

IN FAVOUR (2): Councillor Chad Krahn, and Joseph D'Onofrio

OPPOSED (3): Mayor Cindy Jefferies, Councillor Dianne Wyntjes, and Lorrie Prosser

ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION DEFEATED

Council recessed at 11:01 a.m. and reconvened at 11:30 a.m.

Moved By Lorrie Prosser

Seconded By Councillor Dianne Wyntjes

WHEREAS the subdivision authority, being The City of Red Deer Municipal Planning Commission, is not satisfied that the proposed application meets the requirements of Section 654 of the Municipal Government Act, having considered the relevant matters listed in Section 9 of the Matters Related to Subdivision and Development Regulation (AR 84/2022) (see attached Appendix A); and

WHEREAS submissions from referral agencies and landowners within 100m were presented to and considered by the subdivision authority as outlined in the subdivision report dated July 22, 2026;

THEREFORE, the subdivision authority, being The City of Red Deer Municipal Planning Commission, REFUSES the subdivision (as shown in Appendix C) for the following reasons:

1. In the opinion of the subdivision authority, the land proposed to be subdivided

is not suitable for the purpose for which the subdivision is intended [s.654(1)(a)], as the developable area of the proposed east lot is so limited that the subdivision authority is not satisfied that a development permit for a dwelling could be obtained; and

2. The proposed subdivision does not meet the intent of the Woodlea Character Statements (Appendix E), including s.2.3.6, which requires lots to be compatible in width, depth and area with properties existing within the Immediate Street Context, and the subdivision authority declines to exercise its discretion under s.654(2) of the Municipal Government Act to approve the proposed subdivision despite that non-compliance.
3. The Subdivision Authority does not support the subdivision of this property as compatibility of a subdivided lot with the neighborhood is critical. It does not meet the intent of the Woodlea Character Statements and would not be compatible with the depth, width and area of the immediate properties within the immediate street context and streetscape.
4. The Subdivision Authority acknowledges the statement from the City Zoning Bylaw 3357/2024 and the Woodlea Character Statements, Section 1.2 and how character Statements applied, "Where the regulations in the Land Use Bylaw or the Neighborhood Planning and Design Standards conflict with the Character Statements, the Character Statements shall prevail".
5. The Subdivision Authority relies on 'Section 1.4 – Interpretation' within the Woodlea Character Statements that states "Character Statements that contain "shall" are those which must be followed."
6. The Subdivision Authority relies on the statement from the Applicant that there is an expected and likelihood of significant variances and setbacks if this application would be approved.

IN FAVOUR (3):	Mayor Cindy Jefferies, Councillor Dianne Wyntjes, and Lorrie Prosser
OPPOSED (2):	Councillor Chad Krahn, and Joseph D'Onofrio
ABSENT (2):	Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

4. Next Meeting

- 4.1 The next meeting of the Municipal Planning Commission is scheduled for July

29, 2026 at 9:00 a.m. in the Crimson Star Meeting Room, 2nd Floor, City Hall.

5. Adjournment

Moved By Councillor Chad Krahn

Seconded By Lorrie Prosser

Resolved that the Wednesday, July 22, 2026 meeting of the Municipal Planning Commission be adjourned at 11:42 a.m.

IN FAVOUR (5): Mayor Cindy Jefferies, Councillor Chad Krahn, Councillor Dianne Wyntjes, Joseph D'Onofrio, and Lorrie Prosser

ABSENT (2): Kolson Moore, and Sonia Montes Figueroa

MOTION CARRIED

"Deputy Mayor Chad Krahn"

Chair

"Teri Underhill"

Legislative Advisor

EXHIBIT E
Notice of Appeal

NOTICE TO APPEAL

Red Deer Subdivision & Development Appeal Board

Section 1: Appellant Information - this will be provided to the opposing parties to facilitate the exchange of information.

Name of Appellant GARY COSTERHOFF		Agent Name (if applicable)	
Mailing Address 205-4807-50 AVE RED DEER, AB		City/Town/Village	Province
Daytime Phone # 403-396-4077	Alternate Phone #	Email Address	

Section 2: Site Information

Municipal Address of Site (Street Address, City, Province, Postal Code) 5055-45 AVE RED DEER, AB	Legal Description of Site (must be completed) LOT 7 BLK 1 PLAN K9
Development Permit Number or Subdivision Application Number (if applicable)	Date of Decision of Appropriate Authority (if applicable) JULY 23/26

Section 3: Appeal (check one box only and attach a copy of the Decision, Notice or Order that is the subject of the appeal)

Subdivision Application	Development Permit	Stop Order
☐ Approval ☐ Conditions of Approval ☒ Refusal	☐ Approval ☐ Conditions of Approval ☐ Refusal	☐ Stop Order

Section 3: Reasons for Appeal

You must include reason(s) you are appealing the decision of the Subdivision/Development Authority or a Stop Order.

SEE ATTACHED

(attach a separate page if required)

Section 4: Hearings (Hearings are scheduled within 30 days - please indicate any days that you are NOT available)

I am not available on the following dates:

Personal information that is collected on this form will be used in processing your appeal and contacting you. Appeals are open to the public. This information is collected under the authority of the *Municipal Government Act* and is protected under the provisions of the *Protection of Privacy Act*. If you have any questions about the collection, use and protection of this information, please contact the Board Clerk, Legislative Services, The City of Red Deer, Box 5008, Red Deer, AB T4N 3T4 by email appeals@reddeer.ca or phone 403-342-8132.

Signature of Appellant/Agent

Date

- OFFICE USE ONLY -

Appeal Fee ☐ \$75.00 (Appeal) ☐ \$75.00 (Advertising - additional fee for subdivisions only - commercial/industrial) Amount Payable: _____ Fee Processed: _____	Appeal Information Appeal File #: _____ Appeal Deadline: _____ Hearing Date: _____	
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APPEAL BASED ON FOLLOWING:

- 1) A large part of the decision to reject the application was based on information regarding the developability of the new lot being created. This is an overreach or overstepping of the subdivision authorities requirement. The requirement at this stage is simply to determine suitability for subdivision and not to speculate about or prejudge any development.
- 2) It was clearly demonstrated by the subdivision report that the new lot being created is in total compliance with the RL zoning requirement and is developable without any variances. It was also clearly demonstrated that the new lot being created is consistent with the Woodlea character statement section 2.3.6 in terms of its width depth and area in the immediate street context.
- 3) The subdivision report also recommended that the next step in the process rest with the development authority to determine development suitability. This is a safeguard for the subdivision authority and is a very reasonable and rational recommendation. ie: suitability for development before final endorsement of subdivision.
- 4) The applicant was misquoted as saying any development would require significant variances or setbacks, when in fact the applicant stated “a very suitable and adequate development could be achieved with a modest or moderate variance” but again developability and or variances in determining suitable development should be considered by and rest with the development authority.

July 23, 2026

Via Email: garyo4039@gmail.com

Re: 5055-45 Ave – Lot 7, Block 1, Plan K9 (within N.E ¼ of Sec 16, Twp 38, Rge 27, W4M)

(Gary Oosterhoff) (the 'Applicant')

To Whom It May Concern,

A Subdivision Approval application has been received to subdivide the existing residential lot {5055-45 Ave. - Lot 7, Block 1, Plan K9 (Within N.E. ¼ of Sec 16, Twp 38, Rge 27, W4M)} into two residential lots to allow for the development of a new dwelling on the proposed Lot 13 (east) and the possible demolition and redevelopment of a dwelling on the proposed Lot 12 (west).

The decision of the Municipal Planning Commission with respect to the above application is as follows:

WHEREAS the subdivision authority, being The City of Red Deer Municipal Planning Commission, is not satisfied that the proposed application meets the requirements of Section 654 of the Municipal Government Act, having considered the relevant matters listed in Section 9 of the Matters Related to Subdivision and Development Regulation (AR 84/2022) (see attached Appendix A); and

WHEREAS submissions from referral agencies and landowners within 100m were presented to and considered by the subdivision authority as outlined in the subdivision report dated July 22, 2026;

THEREFORE, the subdivision authority, being The City of Red Deer Municipal Planning Commission, REFUSES the subdivision (as shown in Appendix C) for the following reasons:

1. In the opinion of the subdivision authority, the land proposed to be subdivided is not suitable for the purpose for which the subdivision is intended [s.654(1)(a)], as the developable area of the proposed east lot is so limited that the subdivision authority is not satisfied that a development permit for a dwelling could be obtained; and
2. The proposed subdivision does not meet the intent of the Woodlea Character Statements (Appendix E), including s.2.3.6, which requires lots to be compatible in width, depth and area with properties existing within the Immediate Street Context, and the subdivision authority declines to exercise its discretion under

s.654(2) of the Municipal Government Act to approve the proposed subdivision despite that non-compliance.

3. The Subdivision Authority does not support the subdivision of this property as compatibility of a subdivided lot with the neighborhood is critical. It does not meet the intent of the Woodlea Character Statements and would not be compatible with the depth, width and area of the immediate properties within the immediate street context and streetscape.
4. The Subdivision Authority acknowledges the statement from the City Zoning Bylaw 3357/2024 and the Woodlea Character Statements, Section 1.2 and how character Statements applied, "Where the regulations in the Land Use Bylaw or the Neighborhood Planning and Design Standards conflict with the Character Statements, the Character Statements shall prevail".
5. The Subdivision Authority relies on 'Section 1.4 – Interpretation' within the Woodlea Character Statements that states "Character Statements that contain "shall" are those which must be followed."
6. The Subdivision Authority relies on the statement from the Applicant that there is an expected and likelihood of significant variances and setbacks if this application would be approved.

You may appeal this decision to the Red Deer Subdivision & Development Appeal Board, at appeals@reddeer.ca, 14 days from the date of this written decision. For information regarding the appeal process, you can visit www.reddeer.ca/SDAB or contact appeals@reddeer.ca or call 403-342-8132.

In the event that the appeal is approved for subdivision of the subject land an endorsement fee must be paid to the City prior to endorsement of the subdivision. The endorsement fee of \$147.00 for each lot being created (subject to the City's fee schedule in effect at the time of endorsement) reserve lots, public utility lots, and common property within a bare land condominium are excluded from any endorsement fees.

If you have any questions or concerns regarding the above decision, please do not hesitate to contact the Legislative Advisor at councilcommittees@reddeer.ca or 403-342-8132.

Sincerely,



Mayor Cindy Jefferies
Board Chair

EXHIBIT F

Notice of Hearing, August 25, 2026

August 25, 2026

APPELLANT

Gary Oosterhoff
205 - 4807 50 AVE
Red Deer, AB T4N 4A5

Email: garyo4039@gmail.com
(paper copy to follow)

CITY AUTHORITY

Growth and City Planning
3rd Floor, 4914 48 Avenue
Red Deer, AB T4N 3T4

Email: Planning@reddeer.ca
(paper copy to follow)

To Whom it May Concern:

RE: NOTICE OF HEARING

Further to our email correspondence and confirmation of receipt of appeal, the information for the Appeal Hearing is as follows:

APPELLANT:	GARY OOSTERHOFF
SUBJECT:	SUBDIVISION APPLICATION
SITE LOCATION:	5055 45 AVE, RED DEER, AB
DATE OF HEARING:	THURSDAY, SEPTEMBER 17, 2026
TIME:	5:00 P.M.
LOCATION:	COUNCIL CHAMBERS, 2ND FLOOR CITY HALL, 4914 48TH AVE, RED DEER AB

The Board will hear arguments from you, and any other person who claims to be affected by the application. The general procedure for the Board is:

1. The Presiding Officer calls the hearing to order
2. The Presiding Officer asks the Clerk to introduce the appeal
3. The Presiding Officer introduces the members of the Board and asks for objections
4. The Board hears from the City Authority
5. The Board hears from the Appellant (person who filed the appeal)
6. The Board asks for comments from the public
7. The Board adjourns the hearing to deliberate and make a decision. The decision issued in writing within 15 days of the end of the hearing.

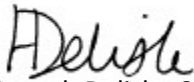
While written submission may be made at the hearing, it is recommended that you provide your initial written arguments in advance and in sufficient detail to allow the opposing Party to respond to the argument at the hearing. Please provide your written argument to the Board (care of the undersigned) **AND** the opposing Party (identified above) no later than **Thursday, September 10, 2026.**

Subdivision and Development Appeal Board

If paper copies of your submission are required by the Board, you will be notified. **The Parties should decide among themselves whether paper copies are necessary and how they will be exchanged.** Please ensure all documentation whether electronic or paper, **is numbered consecutively including dividers or tabs.**

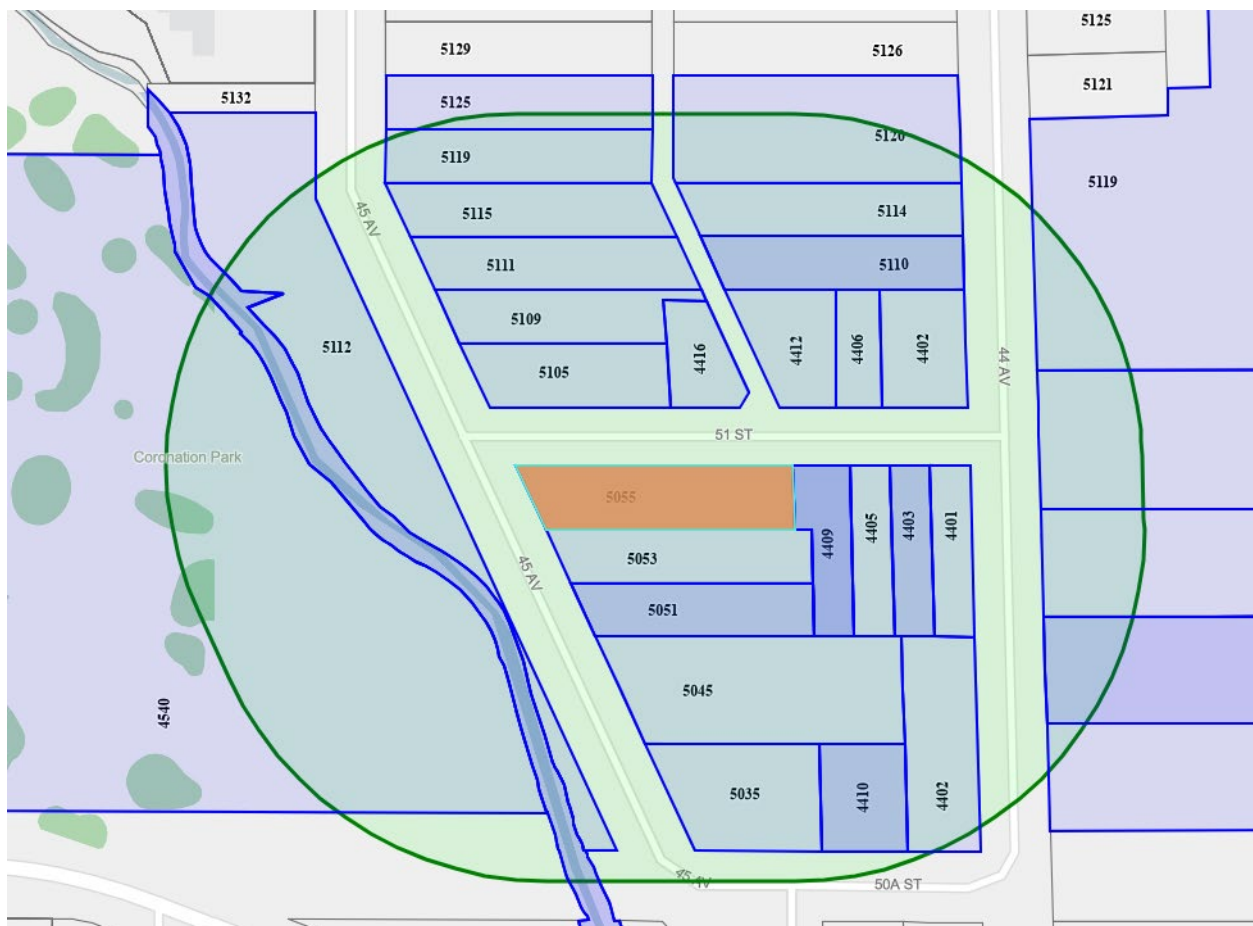
All verbal and written submissions made to the Board, before or during the hearing, form part of the record of hearing and are public information. If you have any questions regarding the use of this information, please contact the Board Clerk at 403.342.8132 or visit reddeer.ca/tribunals.

Cordially,



Hannah Delisle, Clerk

Subdivision and Development Appeal Board

Map of Area

Red Deer Tribunals Phone: 403-342-8132 Email: Appeals@reddeer.ca

2nd Floor 4914 48 Avenue Box 5008

Red Deer, AB T4N 3T4