

From: Randy Penner

Property owner of 917-7th St. Cold Lake

September 10, 2020

To : City of Cold Lake

History

April 16/97 – Property inspected by KB Drake and a letter was sent from New Town of Cold Lake. No onsite inspection was conducted by the town.

April 28/97 – I moved in to current property of 917-7th St.

June 5/97 – Property access agreement was given to allow us to use the adjacent 10'. At this time I was told it was a utility easement. Map sent from town shows it as a separate entity and not running straight through to 8th St.

May 7/13 – Came to City hall to request to purchase the adjacent 10'. It was at this time that I learnt of a proposal to use it along with the adjacent part that joins 8th as a walking path.

Nov 25/13 (approx) – Town held meeting where all concerned parties were given the opportunity to express any concerns. There were many, as well as our own. Council decided not to proceed with proposed plan.

July 21/17 – Sent another request to purchase 10' adjacent land.

July 7/20 – City sends letter of a proposed subdivision. Now a map shows all of the land as one piece (not as before), and wishing to take out the 30' on 8th St side. Once again I sent in a letter with some of our concerns, and an offer to purchase (which still stands).

Concerns

Back in 1997, I would never have even thought of buying any property where a walking path would be 5' from my bedroom windows. I was of the understanding that this was part of a utilities corridor (years later found out that there weren't any utilities going through it).

St. Dominic's school has existed for over 60 years, and a walkway has not been needed. This was originally a grade 1-12 school, and now goes to only grade 6. Many, if not most, of the children are driven to or bussed to the school doors. Very few walk, or bike.

Safety would also be an issue. I'm sure that whoever is living here, would have a 6' fence up. I suspect a house on the other side would do the same. It would be a long dark corridor for anyone to go through. Also, it would likely be a perfect place for those up to no good to hang out in. I don't know if any thought has been given to snow removal. Although it would not be my concern, how would you clear snow from a piece that is 289' long, 10' wide and possibly fenced on either side.

In summary

The idea of this going ahead is both frustrating and confusing to say the least. Not only is it not required, it is possible for the City to sell the land to myself. I understand that Mr. Stewart would also like to purchase the piece along 8th St.

My family has lived here since 1948 and have been business owners (Cold Lake Motors). Uncle Walter was on Council and Deputy Mayor. My father was Deputy Fire Chief, I was a Captain in the Fire Dept (seven years) and Uncle Peter was also a member of the Fire dept. My entire family has been active in volunteerism in the community. I'm not asking for preferential treatment, but I think that it is time to put this issue to bed. It seems that every couple of years, I am finding myself having to provide feedback to stop some questionable ideas that neither support nor reflect the wishes of the neighborhood (eg. Rezoning, 4-plexes built as 8-plexes; switching use of residential to commercial –daycare). I do not wish to have to address this again. If it is your intent to go ahead with a public access, either in the near or far future, please let me know now. As time goes on, I find myself dealing with my own health issues and those related to aging parents, making it difficult to contend with additional unforeseen problems. I am feeling the strain physically and mentally. I respectfully request a 6 month time frame (April – October) to prepare and update my house for sale, search for a new residence, arrange purchase of same and move, possibly away from my "hometown" should this matter be pursued.

July 28, 2020

City of Cold Lake

Planning and Development

5513-48 Ave

Cold Lake, AB

T9M 1A1

Attn: Brad Schultz

Re: Notice of Proposed Subdivision – File # SUB20-002

We are stating our concerns as proposed by your correspondence dated July 7, 2020, as we may be affected by this subdivision. It is difficult to ascertain as intent for the subdivision was not made clear in said letter. Please inform us in writing as to the reason why the City put forth this application. As well, the Map of the proposed subdivision indicated a RV Park South SUB 20-002; and after review at City Hall the application appears to be numbered as SUB20=001 in the North (confusing).

The outline of the map shows all of the Municipal land together. We have an agreement dated June 5, 1997 for a portion thereof. We have requested to purchase the 10' adjacent to our property (most recently on July 31, 2017) and we would like you to know that our offer still stands. We wish to continue the enhancement of our residential lot and with that in mind, question the residential/public use part on your application file.

2 of 2

We feel unsettled in regards to a future public walkway as the subdivision you have proposed is set for 30' rather than 40'. We purchased this home 23 years ago, leaving the MD and uncertainty of issues there to move our family to a family friendly neighborhood. The 10' adjacent to our property was designated for utilities at the time, not public access. We would not have bought this lot if that was the purpose and we feel saddened that it may be a reason to sell now. Each meeting, application, and follow-up is placing stress on us personally. If you would like, a past list of issues previously presented (May 7, 2013) and additional paperwork can be provided.

We are therefore opposed to this application for subdivision as proposed by your department. To set a future meeting or obtain clarification, we can be contacted at either 780-812-8063 or 780-812-8165.

Sincerely,

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

Linda Penner

Randy Penner

To the City of Cold Lake

We wish to formally request the purchase of the property adjacent south of our existing residence at market value. We reside at 917-7th street, in Cold Lake north and have a property access agreement with the city. The piece of property that we would like to purchase is Lot 28, Plan 9322157, and Block 5. We have previously inquired about owning this property, but were informed that the City was currently looking at all city owned properties, and potential use of same (May 2013). We believe that the city had concluded their evaluations of said properties. We were informed to continue to use it, as it would be a long time, if ever, before it was needed. We are once again inquiring about the possible sale of this land as we may wish to put a garage in that corner. Without the additional ten feet, we could not be guaranteed access to it.

Thank you for your attention in this matter.

Yours truly,

 7/31/2017
Randy Penner 780-812-8165

Linda Penner

repenner@telusplanet.net

From: <repenner@telusplanet.net>
Date: May-07-13 9:47 PM
To: <knagoya@coldlake.com>
Cc: <dparrish@coldlake.com>
Subject: Proposal of walkway beside 917 7'th St.

Dear sirs.

Recently I came to City Hall to attempt to purchase the 10 feet of land adjacent to my property. It was at this time, I learned of the proposal to possibly use this piece of property, as well as the piece on 8'th St. to build a walking path. I have a number of concerns regarding this. They are as follows:

- From a personal perspective. I see no reason for one to be built here at this time. I have had this 10' piece(beside my property), fenced for the past 17 years, and there has been no need for the walking path.
- Also from a personal prospective, it would mean that I would have to tare done my fence running east, west, as well as moving all my raspberry bushes, and my 10' X 11' foot shed. It would also mean that the area that I currently park my boat on would be gone. This I know is the city property, and I was aware that they could do with it as they choose, but I never anticipated a walking path going in there, but possibly running a utilities line at some time.
- I also see some very negative points to putting in a walking path here. This area would likely end up being a place where garbage would collect. Also, I can see it being a place for people up to no good would use at night. I do not see it as being a safe place for children to walk, if there is a 5' fence on either side. The children have walked up, and down either 7'th, or 8'th streets on concrete sidewalks, and past residences for at least the last 17 years, and more.(grew up on the corner of 7'th street, and 12'th Avenue)

I have looked at what it could mean to the people on 8'th street. As I saw it the area there is approx. 40' wide. this area is used by a 4-plex, as well as a single family dwelling for the purpose of parking there vehicles. The single family dwelling would not be able to put a vehicle in his garage, and I have have no idea where the people in the 4-plex would park.

Also, having a walking trail there would be even worse then having a home built on the lot next to me. If he were to even be 5' from the property line(assuming the current property line not including the 10' piece) he would be at least 10' away from my house, and have buy in and ownership commitment.

Finally, If this proposal does go through, I will be forced to sell my house, and re-locate, as I will not have a place anywhere on my lot to park my boat, and I do not wish to live beside a place where people can hang out at night, and do what ever they wish to, 5' from my bedroom window. I have been a resident of Cold Lake for 53+ years, and certainly hope you come to the conclusion not to proceed with this.

Thanks, Randy Penner

PROPERTY ACCESS AGREEMENT

THIS AGREEMENT MADE this 5th day of June A.D., 1997

BETWEEN:

THE TOWN OF COLD LAKE, a municipal corporation
of 5319-48 Avenue, COLD LAKE, in the Province of Alberta
(hereinafter referred to as "the Town")

PARTY OF THE FIRST PART

-AND-

RANDY AND LINDA PENNER, OF 917-7th Street,
COLD LAKE, in the Province of Alberta
(hereinafter referred to as "the Resident")

PARTY OF THE SECOND PART

WHEREAS the Town is prepared to offer the Resident a portion of municipal land, on a temporary basis, for private use.

AND WHEREAS the Resident accepts full responsibility from any lawsuit that may arise out of the use of the said portion of municipal land and releases any liability on the Town for accident, harm, or injury to anyone or anything occurring on the said property.

NOW THEREFORE THIS AGREEMENT WITNESSED AS FOLLOWS:

1. The Town permits the Resident to use the portion of municipal land registered as part of Lot 28, Plan 932-2157 in the Town of Cold Lake, more clearly defined on attached Schedule "A" and hereinafter referred to as the "property."
2. Permitted uses for the property shall consist of ground level parking facilities or grassed area. No permanent structures may be constructed on the property.

3. The Resident recognizes that the property remains in the name of the Town and with full right of access to the Town.
4. In the event that the Town requires access onto the property or requires that the property be reclaimed for municipal purposes, the Resident shall not hold the Town liable for any damages whatsoever that may occur to any local improvements on the property.
5. This agreement is non-transferable.
6. This agreement can be terminated unilaterally by the Town on 15 days notice to the Resident with or without the consent of the Resident, served on the address of the owner of Lot 26B, Plan 932-2157 contained in the municipal record.
7. The Resident shall obtain a letter from his insurer certifying that the insurance policy of the Resident covers public liability on the property, and further, the Resident agrees to keep insurance fully paid and effective until such time as this agreement is at an end.

IN WITNESS HEREOF the parties have hereunto set their hands and seals on the date first written above.

)TOWN OF COLD LAKE

)

)

)

)PER: _____



Town of Cold Lake

)

)RESIDENT

)

)

)

)PER: _____



Resident

)

SCHEDULE "A"

LOT
PLAN

11

772-0772

5

LOT
PLAN

2

4497 CL

812-2145

88°

25'

25"

44.135

39"

21.375

Fd.

LOT 13

LOT 27

772-2958

88°

27'

53"

44.025

18.627

16'

PLAN

LOT 14

LOT 26A

LOT 26

56'

16.766

88°

31'

05"

43.925

16.808

PLAN

LOT 26B

20"

88°

31'

02"

43.880

7.620

179°

88°

33'

43.850

358° 29' 20"

12.172

UTILITY

LOT 28P.U.L

772

2958

LOT

U-16

9.144

43.844

9.144

179° 10' 08"

87.586

268°

31'

01"

3.038

32"

89° 31' 05"

See

BLOCK

LOT 15

LOT 25

772-2958

PLAN

LOT 16

LOT 24

29.426



The new town of Cold Lake

5319 - 48 Avenue
Cold Lake, Alberta
T9M 1A1



YOUR FILE:
OUR FILE: 1570.00

Tel: (403) 594-4494
Fax: (403) 594-3480

April 16, 1997

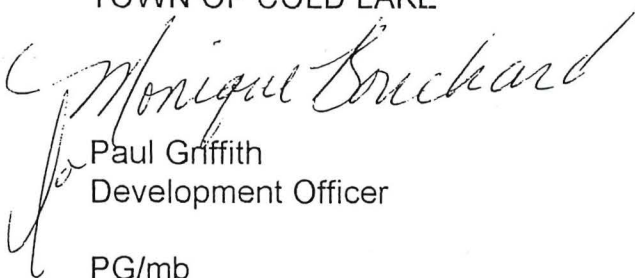
Sheena Harty
917 - 7 Street
Cold Lake, AB
T9M 1H5

RE: COMPLIANCE CERTIFICATE / 917 - 7 Street
LOT 26B BLOCK 5 PLAN 932-2157

Please be advised that the above noted property is located in a district zoned R2 according to the Town of Cold Lake Land Use Bylaw #91-630. Single family dwellings are a discretionary use within this Land Use category.

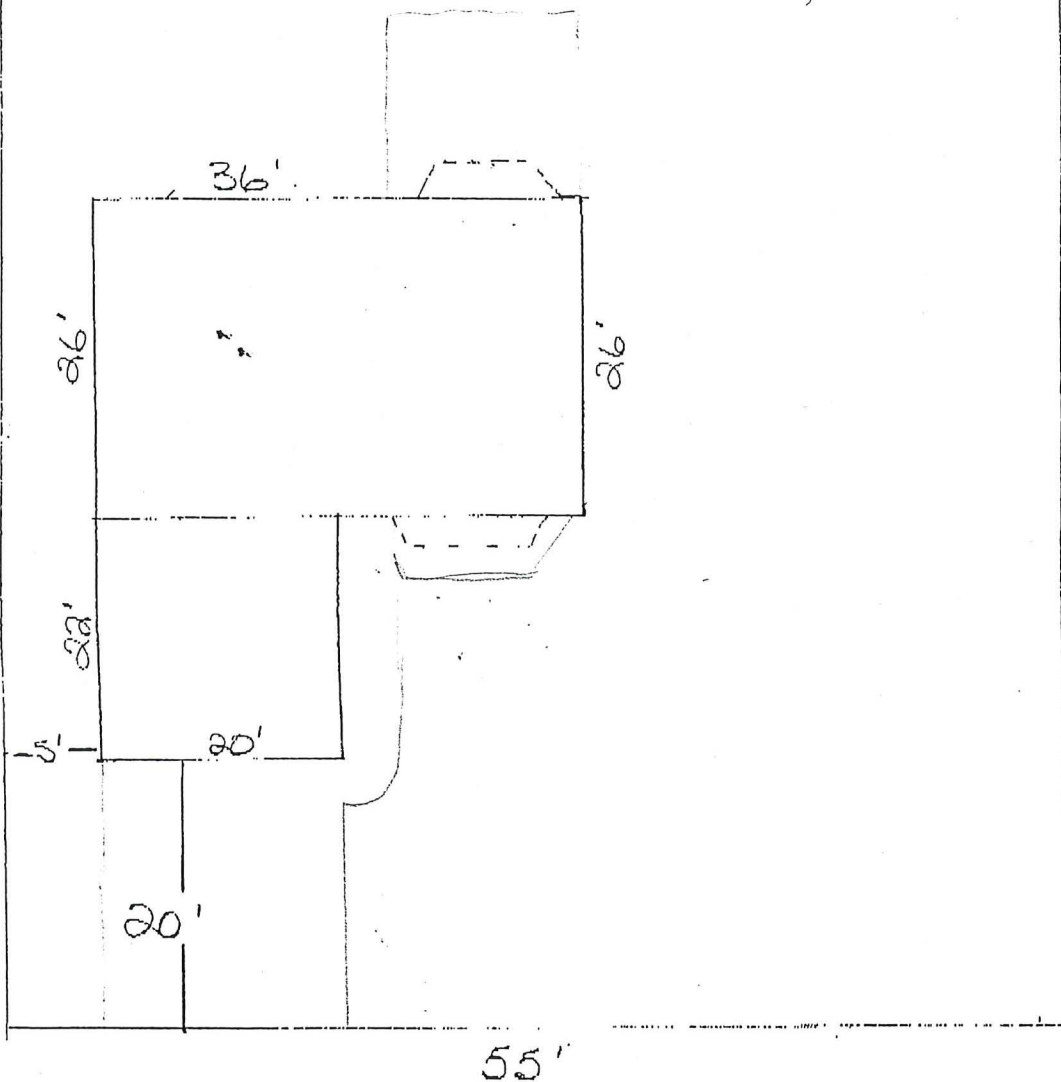
The single family dwelling as shown on the Real Property Report dated April 11, 1997 and signed by K. B. Drake does appear to comply with the yard requirements of Land Use Bylaw #91-630 as of the date of survey. Compliance certificates are granted for buildings on the property at the time of survey. No on-site inspection was conducted by the Town.

Sincerely,
TOWN OF COLD LAKE


Paul Griffith
Development Officer
PG/mb

143.88'

144.1'



LOT - 26B
BLOCK - 5
PLAN - 932-2157
CIVIC - 917-757