



AGENDA



FOR THE REGULAR MEETING OF RED DEER CITY COUNCIL

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, DECEMBER 15, 2003

COMMENCING AT 4:30 P.M.



- (1) Confirmation of the Minutes of the Regular Meeting of Monday, December 1, 2003.
  
- (2) UNFINISHED BUSINESS
  1. Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/V-2003 / Additional Building & Sign Setback on Gaetz Avenue/ Alignment Study for Gaetz Avenue*  
(Request to Withdraw 3<sup>rd</sup> Reading of the Bylaw) . .1
  
  2. Legislative & Administrative Services Manager – Re: *Petition from Residents of Denison Crescent Regarding Noise from 39<sup>th</sup> Street* . .4
  
- (3) PUBLIC HEARINGS
  1. Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/WW-2003 / Section 54 (8) (a) Exceptions Respecting Land Use*  
(Consideration of 2<sup>nd</sup> & 3<sup>rd</sup> Readings of the Bylaw) . .9

(4) **REPORTS**

1. Director of Corporate Services – Re: *Capital Budget Preview; 2004 to 2008* . .12
2. EL & P Manager – Re: *Revised 2004 Regulated Rate Tariff / Electric Utility Bylaw Amendment 3273/D-2003 – Appendix “D”, Regulated Rate Tariff*  
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3. Recreation, Parks & Culture Manager – Re: *G.H. Dawe Community Centre Renovations/Upgrade Study* . .35
4. Engineering Services Manager – Re: *One-Way Street System Bylaw Amendment 2517/A-2003 / Addition of Wade Close as a One-Way Street*  
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5. Emergency Services Manager – Re: *Proposed Bill 207 – Safety of Emergency Services Workers at Emergency Scenes / Richard Magnus, MLA Calgary North Hill Constituency* . .53
6. Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/SS-2003 – Incorporation of the Sign Regulations into the Land Use Bylaw / City of Red Deer*  
(Consideration of 1<sup>st</sup> Reading of the Bylaw) . .57
7. Permits & Licensing Supervisor – Re: *Bylaw 3149/B-2003 – Amendment to Permit Fee Bylaw 3149/95 - Sign Permits*  
(Consideration of 1<sup>st</sup> Reading of the Bylaw) . .60
8. Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/XX-2003 – Review of the R3 Residential (Multiple Family) District / City of Red Deer*  
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9. Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/YY-2003 – Incorporation of the R1N District and Semi-Detached Dwellings into the Bed & Breakfast Regulations of the Land Use Bylaw / City of Red Deer*  
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- (6) **PETITIONS AND DELEGATIONS**
  
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**DATE:** December 8, 2003

**TO:** Kelly Kloss, Legislative & Administrative Services manager

**FROM:** Johan van der Bank, Planner

**RE:** Bylaw Amendment No. 3156/V-2003  
Additional Building and Sign Setback on Gaetz Avenue

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**BACKGROUND**

This bylaw amendment received first reading on September 22, 2003. After the public hearing on October 20, 2003, the bylaw was given second reading and then tabled to allow time for rewording. On two subsequent occasions Council resolved to table consideration of third reading of the bylaw for four weeks (i.e. October 20 and November 17, 2003).

The bylaw amendment is intended to ensure that the status quo in terms of development standards (specifically front yard setbacks and sign construction) along Gaetz Avenue are retained in those instances where the service road right-of-way is consolidated with private properties. The planning rationale for this objective was to retain the existing appearance ("aesthetics") and street views along Gaetz Avenue. Furthermore, the bylaw amendment was intended to ensure that no business would become obscured from the public view by virtue of new construction in the area which had constituted the former service road. A clause in the bylaw amendment provided for the exclusion of specific properties.

**PLANNING COMMENTS**

The issue of appropriate business setbacks, road and pedestrian rights-of-way requirements and landscaping along Gaetz Avenue are all issues that are interrelated. In order to address these in a comprehensive manner, the City Administration is now recommending that Council not proceed with this bylaw until such time as a study of right-of-way requirements for road, pedestrian trails and boulevard landscaping for Gaetz Avenue between Highway 11A to 62<sup>nd</sup> Street and between 39<sup>th</sup> Street and 18<sup>th</sup> Street has been undertaken. Such a study would be undertaken after the Transportation Study has been completed, which is scheduled for June 2004, and would probably be completed by the end of 2004.

In a broad sense, the study would investigate the right-of-way required for Gaetz Avenue to meet future transportation needs in terms of road widening, boulevard landscaping and pedestrian trails.

Based on the outcome of the study, it would be possible to develop a strategy for making portions of the Gaetz Avenue service road right-of-way available for sale in the future, and for retaining portions of the service road right-of-way which may be required to meet the stated needs. Then the required information would be available to develop a strategy for an additional building and sign setback on Gaetz Avenue.

The Engineering Services Manager will consult with the Director of Development Services Division to bring forward as a budget item "The Gaetz Avenue Development Setback Study", to investigate road widening, pedestrian trails and boulevard landscaping requirements.

In the interim, if the budget is approved to include provision for the study, the Municipal Planning Commission will be made aware of the pending outcome of the study, so that development applications which may be affected could be reviewed in this light.

### **RECOMMENDATION**

That Council consider withdrawing the proposed Bylaw Amendment No. 3156/V-2003.




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Johan van der Bank  
Planner  
attachments

cc: Colleen Jensen, Director of Community Services Division  
Howard Thompson, Land & Economic Development Manager  
Dave Matthews, Community Development Coordinator  
Harold Jeske, Recreation, Parks & Culture Manager  
Ron Kraft, Construction/Maintenance Superintendent  
Bryon Jeffers, Director of Development Services Division  
Greg Scott, Inspections & Licensing Manager  
Joyce Boon, Permit & Licensing Supervisor  
Tom Warder, Engineering Services Manager  
Donald Simpson, City Solicitor, Chapman Riebeek

*Comments:*

We concur strongly with the recommendations of Administration that a comprehensive study be completed for Gaetz Avenue laying out the future alignment of the transportation corridor as well as the landscaping and abutting amenities. Based on that Study, a new bylaw can be developed to address the long-term planning and development parameters for the corridor. We recommend that Council agree to allocate up to \$70,000 out of the Parkland Community Planning Services dividend reserve for the completion of this Study. We further recommend that Council formally withdraw the proposed bylaw and delay any further consideration of the sale of land abutting Gaetz Avenue until the Study is completed and a new bylaw is developed which provides appropriate guidance for future development.

We appreciate that there may be concerns on the part of those land owners who have already purchased service road property abutting Gaetz Avenue. The completion of this plan and the development of an appropriate bylaw addressing the plan requirements will give us an important opportunity to work closely with those land owners to ensure we meet both the intent of their purchase and the long-term requirements of the Gaetz Avenue corridor.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager



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DATE: September 15, 2003  
TO: Kelly Kloss, City Clerk  
FROM: Johan van der Bank, Planner  
RE: Bylaw No. 3156/V-2003  
Additional Setback Distance on Gaetz Avenue

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Backup

### BACKGROUND

Commercial property owners along Gaetz Avenue are acquiring portions of the service roadway from the City for addition to their properties. After successful road closure procedures the acquired portion of land is consolidated with the commercial property and redesignated from Roadway to (usually) C4 Commercial (Major Arterial) District or C2 Commercial (Regional and District Shopping Centre) District. Where a number of smaller commercial properties exist adjacent to Gaetz Avenue this may have the effect that the Land Use Bylaw allows the owner of the property which acquired the service roadway to erect signs or buildings closer to the Gaetz Avenue curb line than what adjacent properties (where the service road still exists) are allowed to do.

Such a situation may possibly cause signs or buildings on adjacent properties (where service roadway has not been acquired) to be obscured by signs or buildings on the property where the service roadway has been acquired, and may cause complaints to the City from those adjacent property owners or may cause them to request the City to allow them to have larger signs in order to overcome the problem. In addition, the lack of a uniform setback distance for signs and buildings may lead to a more cluttered appearance along Gaetz Avenue.

In the area between 39 Street and 62 Street there is either no service roadway (e.g. in the Downtown commercial area) or the adjacent land is green space. Therefore along this section of Gaetz Avenue the potential problem is not applicable.

## PLANNING ANALYSIS

Although in most instances an easement with utilities will encumber the property which acquires the service road right-of-way and buildings and signs will usually not be allowed within the easement, there are instances where reliance on the easement alone would not be sufficient. Planning staff identified this as a potential problem of which the resolution may require an amendment to the Land Use Bylaw. The following are two possible ways to deal with this situation:

1. Option 1 is to deal with each case individually by incorporating into the service roadway sales agreement a clause (or a restrictive covenant on the land title) which requires the construction of signs or buildings relative to the original property line along Gaetz Avenue prior to the addition of the service roadway. The advantage of this method is that the location of the original property line may be identified on the land title as a fixed reference. The potential problem with this method is that when processing development permit and sign applications, the City does not necessarily inspect the sales agreement (or the land title), and consequently the restrictive clause may be missed. Over time the restrictive clause in the sales agreement may become lost.
2. Option 2 would be to incorporate a new section into the Land Use Bylaw to cover all potential instances of the acquisition of service roadway adjacent to Gaetz Avenue. The new section would require that signs and buildings shall be set back from the Gaetz Avenue boundary in accordance with the land use district regulations, but instead of being measured relative to the new property line on Gaetz Avenue, these setback distances shall be measured relative to the width of the service roadway which existed prior to its addition to private property.

Based on the potential pitfall of Option 1, planning staff recommend that Option 2 be pursued.

In considering the wording of the proposed new section it was found that the service roadway does not have a consistent width for the entire length of Gaetz Avenue. It varies from 9 metres to 20 metres. In 62% of all the registered plans which were reviewed the service roadway width was found to be 20 metres.

Planning staff considered three options for the wording of the proposed section in the Land Use Bylaw:

- Option A would be to require a setback distance based on the average width of the service roadway along Gaetz Avenue. The problem with this method would be that it would benefit some properties (approximately 62% or more of all the cases) by allowing a less restrictive setback than that which was allowed prior to the roadway acquisition, and be a

disadvantage to others (approximately 38% or less) by requiring a more restrictive setback.

- Option B would be to use the maximum width of the service roadway, i.e. 20 metres in 62% of all cases, as the required additional setback from the Gaetz Avenue roadway boundary for all properties. North of 67 Street the Gaetz Avenue roadway is described by Plan 3932 EU and south of 39 Street it is described as Plan 1596 EU. The additional setback distance will be described relative to the applicable boundaries of these plans.

This option would ensure that no signs or buildings on adjacent properties are obscured, because the maximum width of the service roadway is being used as the setback distance for all properties, even those properties where the service roadway is narrower. This method would be a disadvantage to 38% of all the properties and would retain the status quo for 62% of all the properties.

The difference between this option and Option A is that, when one considers the situation which exists prior to the acquisition of the service roadway, Option B does not benefit any property relative to another. Few are disadvantaged while the majority retains the status quo.

- Option C would be to require a setback distance based on the width of the service roadway which was purchased from the City. In this way all properties on the same service roadway would be treated equally, and in practice any existing staggering of setbacks due to variations in the service roadway width would remain unchanged.
- Option D would be to determine the service roadway width on a block by block basis. This would require a much more cumbersome amendment to the Land Use Bylaw as each block and plan would need to be described in each instance where the service roadway width varies.

A proposed bylaw amendment to implement Option C is attached for Council's consideration.

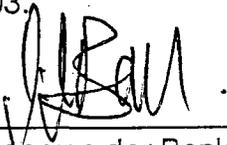
A number of developers have been negotiating with the City to purchase the service road right-of-way, based on preliminary site plans which indicate the location of proposed signs and buildings, which, if the Land Use Bylaw is changed as proposed in this letter, would not meet the proposed bylaw requirements. In some of these instances development permits have not yet been applied for or issued for all of the proposed buildings or signs indicated on the preliminary site plans. In order to accommodate these instances, the proposed bylaw includes a statement to exempt from this proposed section of the Land Use Bylaw all such instances where City Council has passed a resolution to sell the service road right-of-way prior to September 1, 2003. In order to ensure an effective cut-off date, December 1, 2004 is inserted as the date by which the

lot consolidation has to be implemented. All cases which do not meet these dates will have to comply with the proposed bylaw.

Due to the increased setbacks required on the consolidated properties it is considered appropriate to allow signs at size standards which would have applied if the service road still existed. In order to allow this the Sign Bylaw will have to be amended, and since the Sign Bylaw is about to be incorporated into the Land Use Bylaw, this amendment will be inserted at that time.

### **RECOMMENDATION**

That Council gives first reading to the proposed Bylaw Amendment No. 3156/V-2003.



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Johan van der Bank  
Planner  
attachments

cc: Colleen Jensen, Director of Community Services Division  
Howard Thompson, Land & Economic Development Manager  
Greg Scott, Inspections & Licensing Manager  
Ken Haslop, Engineering Services Manager

**BYLAW NO. 3156/V-2003**

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

1 By addition of the following new subsection to Section 37 of the Land Use Bylaw:

(7) Where on those sections of Gaetz Avenue running south between Highway 11A to 62<sup>nd</sup> Street and 39<sup>th</sup> Street to 18<sup>th</sup> Street a service road right of way or portion of right of way has been purchased from the City and consolidated with the adjacent property, then notwithstanding any other provisions of this bylaw, on the consolidated property the following setback distances shall be maintained from the Gaetz Avenue right of way:

- (a) No sign shall be constructed between the consolidated property boundary and the former property boundary;
- (b) The setback distance of buildings as may be determined by the applicable regulations in the Land Use Bylaw shall be measured relative to the position of the former property boundary;

Provided that this subsection does not apply where City Council has passed a resolution to sell the service road right of way prior to September 1<sup>st</sup>, 2003 and consolidation has occurred prior to December 1<sup>st</sup>, 2004.

READ A FIRST TIME IN OPEN COUNCIL this 22<sup>nd</sup> day of September 2003.

READ A SECOND TIME IN OPEN COUNCIL this 20<sup>th</sup> day of October 2003.

READ A THIRD TIME IN OPEN COUNCIL this day of 2003.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2003.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

Legislative &amp; Administrative Services

**DATE:** December 16, 2003

**TO:** Johan van der Bank, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Land Use Bylaw Amendment 3156/V-2003  
Additional Building and Sign Setback on Gaetz Avenue

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*Reference Report:*

Parkland Community Planning Services, dated December 8, 2003

*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, re: Land Use Bylaw Amendment 3156/V-2003 – Additional Building & Sign Setback on Gaetz Avenue agrees to withdraw consideration of third reading of the Land Use Bylaw Amendment.”

*“Resolved* that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, re: Land Use Bylaw Amendment 3156/V-2003 – Additional Building & Sign Setback on Gaetz Avenue agrees to:

1. Amend the 2003 Budget by allocating \$70,000 from the Parkland Community Planning Services Dividend Reserve for completion of the Gaetz Avenue Development Setback Study.
2. Delay any further consideration of the sale of land abutting Gaetz Avenue until the Gaetz Avenue Development Setback Study is completed and a new bylaw developed to provide appropriate guidance for future development. “

**Report Back to Council:** Yes, once the Gaetz Avenue Development Study is complete.

**Comments/Further Action:**

When reviewing the terms of reference for the Study suggestions as points to consider are:

- 1) consultation process with public and stakeholders
- 2) pedestrian movement
- 3) trail network



Kelly Kloss  
Manager

/chk

- c Director of Development Services
- Community Services Director
- Land & Economic Development Manager
- Inspections & Licensing Manager
- Engineering Services Manager
- City Solicitor



**Legislative & Administrative Services**

**DATE:** December 9, 2003  
**TO:** City Council  
**FROM:** Legislative & Administrative Services Manager  
**SUBJECT:** Petition from Residents of Denison Crescent Regarding Noise from 39<sup>th</sup> Street

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At the November 17, 2003 Council meeting, the following resolution was passed:

*"Resolved that Council of the City of Red Deer having reviewed the report from the Engineering Services Manager, dated November 6, 2003, Re: Petition from Residents of Denison Crescent Regarding Noise from 39<sup>th</sup> Street, agrees as follows:*

1. To refer the budget requirements for the Noise Attenuation Study to budget deliberations in January, 2004.
2. City Administration to prepare a report for Council's consideration during 2004 Budget deliberations outlining an alternative approach to addressing the traffic issues along 39<sup>th</sup> Street east of 30<sup>th</sup> Avenue to the City limits. "

Attached is a report from the Engineering Services Manager regarding item no. 2 of the above resolution.

Kelly Kloss  
Manager



056-009

**Engineering Services**

Date: December 8, 2003

To: Legislative & Administrative Services Manager

From: Engineering Services Manager

**Re: Petition from Residents of Denison Crescent  
Regarding Noise from 39 Street**

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The south residents of Denison Crescent recently petitioned The City to consider ways to mitigate the traffic noise on 39 Street. The petition indicated that construction vehicles and motorcycles are of particular concern. Due to increased traffic, the noise level on 39 Street has become unacceptable to the petitioners.

On November 17, 2003, City Council directed the Engineering Services Department to review alternative approaches to address traffic issues identified by the petitioners, such as those listed below:

- Reduce speed limit
- Four-way stops
- Speed bumps

**1. Traffic Volumes and Classifications**

Traffic counts conducted in 2002 indicated that 7,156 vehicles per day (vpd) used the section of 39 Street adjacent to Denison Crescent. Traffic volumes reduced to 2,718 vpd east of Davison Drive and to 1,079 vpd east of Dempsey Street (2003 count). This indicates that 85% of the traffic on 39 Street is accessing the adjacent subdivisions and only 15% continue along 39 Street into the County.

To assess the amount of construction traffic on the east end of 39 Street, a seven-day traffic survey was conducted. This survey indicated the following vehicle use:

<b>Vehicle Type</b>	<b>Average Number Per Day (both directions)</b>	<b>Percent of Total</b>
Cars and Pick-up Trucks	1,021	94.7%
Single Unit Trucks (e.g. dump trucks, delivery trucks)	38	3.6%
Buses (school)	7	0.7%
Transport Trucks (tractor-trailer unit)	5	0.5%
Motorcycles	5	0.5%
<b>Total</b>	<b>1,079</b>	<b>100%</b>

As indicated, heavy trucks accounted for less than 4% of the traffic on 39 Street. This is not excessive and will likely reduce when the subdivision is fully developed. Very few transport trucks were observed, which is to be expected as 39 Street is not a designated truck route.

## **2. Speed Limit**

The existing 50 km per hour (kph) speed limit on 39 Street is consistent with the speed limits of the other collector and local roads within the City. Many 39 Street motorists are already driving at speeds higher than the speed limit. A recent survey conducted at the east end of 39 Street (i.e. near the City limits) indicated that the average speed is 65 kph and that 85% of the traffic traveled at speeds up to 77 kph. To reduce the speed limit below 50 kph would result in a higher speed violation rate and a wider spread between motorists that comply with the posted speed limit and motorists that drive based on their judgment of road conditions, visibility, and potential for conflicts. The speed differential would increase accident potential and promote a general disrespect for regulatory signs, particularly when viewed by the public as being unreasonable. Examples we have all experienced are unreasonably low highway construction zone speed limits, especially when there are no construction activities occurring or when the construction activity is in the ditch as opposed to on the driving surface. Very few obey the speed limit signs in these situations. Additional speed enforcement is warranted on this section of roadway to increase compliance with the existing speed limit.

## **3. Four-way stop at 39 Street and Douglas Avenue**

Stop signs tend to increase traffic noise levels as vehicles brake to stop and accelerate to start. Stop signs also tend to increase the number of rear-end collisions. On intersections with low cross street traffic, the possibility of stop sign violations would be high, which could result in an increased risk of serious collisions.

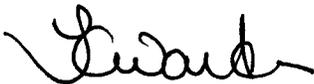
December 8, 2003

#### **4. Speed Bumps**

The Council Policy adopted on September 9, 1996, states that "The use of speed bumps on City streets will not be considered". Motorists tend to approach speed bumps at a high rate of speed, brake sharply, jar over the bump, and then accelerate quickly to the next bump. Some motorists may swerve to the right or left to avoid the bumps and possibly lose control of their vehicle. All these maneuvers create additional noise and motorist risks. Speed bumps also pose an increased risk for motorcycles and increased rear-end collisions as some drivers unexpectedly slow for the bumps while others do not. Speed bumps increase the risk of drivers losing control of their vehicle after hitting the bump unexpectedly. Snow removal equipment conflicts and damage, as well as emergency vehicle safety and mobility at speed bumps are also causes for concern.

#### **Recommendation**

Based on the above, we respectfully recommend that the RCMP be asked to monitor and enforce the speed limit on 39 Street, east of 30 Avenue and that noise attenuation measures along 39 Street be considered, if warranted following completion of a Noise Monitoring and Evaluation Study. The budget for such a study will be presented to City Council during 2004 budget deliberations. We do not recommend reducing the speed limit or installing speed bumps or four-way stop signs along this road.



Tom C. Warder, P. Eng.  
Engineering Services Manager

HC/RC/TCW/emr

- c. Superintendent Steele, RCMP  
Traffic Engineer



*Comments:*

Based on the traffic analysis completed on 39<sup>th</sup> Street adjacent to Denison Crescent it appears that the principle issue behind traffic noise may be speed rather than the amount of traffic. Accordingly, we concur with the recommendation of the Engineering Services Manager that the most effective method of addressing excessive speed is increased enforcement. We acknowledge the issue the RCMP have implementing special enforcement on individual streets. We recommend instead that this area be identified as one of those requiring special attention through the implementation of photo radar for a period of 6 months and that during that time the behaviour of traffic in the area be monitored. As Council is aware the proposed noise study for 39<sup>th</sup> Street is to be brought forward during the 2004 budget debate. At that time Council may wish to consider delaying the implementation of such a study until there is a 6 month record of traffic behaviour in the area and an opportunity to judge whether or not noise attenuation is still required. At the end of the 6 month enforcement period the residents will be surveyed to determine if enforcement has resulted in a noticeable change in noise levels.

As this is an area where photo radar may not be anticipated, we recommend a sign be placed prior to the enforcement area informing motorists that photo radar is in use.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**Michael Donlevy***NORM #47*

**From:** "Michael Donlevy" <michael.donlevy@shaw.ca>  
**To:** "HUGHES, Bev" <bev@city.red-deer.ab.ca>; "FLEWWELLING; Morris" <morrisf@city.red-deer.ab.ca>;  
 "SURKAN; Gail" <gails@city.red-deer.ab.ca>  
**Cc:** "BUCHANAN, Buck" <buck.buchanan@shaw.ca>; "VAN WYK, Norbert" <norbertv@city.red-deer.ab.ca>;  
 "JEFFERS, Bryon" <bjeffers@city.red-deer.ab.ca>  
**Sent:** Saturday, December 13, 2003 5:58 PM  
**Subject:** DENISON CRESCENT / 39TH STREET

Good day to all. I will not be able to attend Council on Monday so wanted to share my views pursuant to the report prepared by Tom Warder's staff for your review. While I do not speak for the residents, I did wish to comment as you gave me the courtesy of addressing Council on this matter and some of the points raised by Engineering speak to some of my assertions.

First, I appreciate the effort expended by the City and the willingness to look at possible alternatives. I remain of the view that each of us as residents have been inadvertently victimized by poor planning and that there are no easy solutions. I'll address each of Tom's points individually.

### **Traffic Volumes and Classifications**

The area of contention is the distance along 39th Street between 30th Avenue and Davison. East from Davison, the road is bermed or the homes are suitably set back in comparison to the Denison residences - a mere 20 feet from the roadway. As such, the more relevant number is that 38% of traffic (2718 / 7156) is not simply accessing Deer Park Estates or Deer Park south. It should be further noted that the study of 2002 is now quite dated, given the considerable construction activity to the east.

I suggest that any efforts to reduce the "only" 15% who are "non-resident" from using the road as a shortcut, would go some distance to reducing noise levels that emanate from traffic volume. While anecdotal at this point, the reality is that many vehicles now use 39th Street as a shortcut to either Joffre / Hwy 11 or to the Delburne Road. It's fully paved, there are no traffic lights or signs to impede / delay and the speeds are unenforced. That traffic number continues and is bound to increase as more become aware of the convenience. Indeed, we now have vehicles short-cutting down Denison Crescent itself to gain quicker access to 39th from Davison.

The 7-day traffic survey is enlightening. However, as was stated before Council, the noise issue becomes most apparent during non-Winter months, when the "rocket" style motorcycles are out and heavy truck traffic increases for a variety of reasons, including pace of construction.

39th Street is not a truck route, certainly. But it should be noted that there are no signs along 39th, especially at the intersection of 39th / 30th, to so indicate. I respectfully suggest that installing appropriate signage at an early opportunity will assist.

### **Speed Limit**

It was gratifying to see that the evaluation of excessive speeds along this route validates concerns of residents. I would point out that enforcement is made even more difficult as there are NO posted speed limit signs eastbound along 39th Street, east of 30th Avenue. There is only one speed limit sign westbound, posted at the City Limit - still a long distance to 30th Avenue. Small wonder that westbound traffic continues at speed and eastbound traffic uses the road as a launch pad. I defer to Mr. Buchanan with regard to the challenges of enforcement. However, it would surely assist if Traffic / Engineering would install prominent "50 kph", "Photo Radar", and "Slow Down Now" signs in each direction. The latter "Slow Down Now" in red, is not without precedent, elsewhere in the City, I have noticed.

### **Four Way Stop Signs**

I suggested these as possible solutions when I spoke at Council. I acknowledge Mr. Warder's assertions with regard to this causing more problems than it solves, including the likelihood of even more noise for the residents. This is not a tenable approach.

### **Speed Bumps**

12/13/03

It was agreed early on that this is not a suitable alternative, either and it was so stated at Council. The residents are quite cognizant of the need, first and foremost, for emergency vehicles from the fire hall to be able to use that road without impediment.

### **Mayor / City Manager Comments**

I continue to hold the view that both volume and speed are the principle causes of our problem. Volume, as exemplified by vehicles using 39th as a shortcut and noise that comes from speeding, principally in the non-Winter months. I acknowledged, in response to Mayor Surkan's question at Council, that the noise is less noticeable during the Winter, when sounds are muffled, doors and windows are generally closed, speeds are slowed somewhat and the types of vehicles / motorcycles are more consistent.

To that end, photo radar, *accompanied by clear, prominent, speed and enforcement signage* would serve as an interim solution, pending a proper noise study and followup survey. However, in order to gain a true representative or meaningful sample that speaks to the concerns expressed by residents, the study must be undertaken during the late Spring and Summer.

That stated, should the results prove what is contended by the residents, I would hope that Council and / or Engineering would respond by moving expeditiously to address a permanent noise attenuation solution. It is recognized that all parties wish to achieve the best solution under a difficult mandate. However, I do not wish to see even further delay as we go through yet another budget cycle, to effect a permanent solution seeking to correct a problem we did not cause. While I would personally regret the need for a noise attenuation wall of some sort, we need to move forward in any event.

I appreciate your consideration of our concerns.

Regards.

Michael Donlevy

December 16, 2003

Mr. Norm Crossman  
47 Denison Crescent  
Red Deer, AB T4R 2E9

Dear Mr. Crossman:

*Petition from Residents of Denison Crescent  
Regarding Noise from 39<sup>th</sup> Street*

At the November 17, 2003 Council meeting, Council passed a resolution instructing City Administration to prepare a report for Council's consideration outlining an alternative approach to addressing traffic issues along 39<sup>th</sup> Street east of 30<sup>th</sup> Avenue to the City limits.

During the Monday, December 15, 2003 Council meeting, Council reviewed the report prepared by City Administration and passed the following resolution:

*"Resolved* that Council of the City of Red Deer, having considered the report from the Legislative & Administrative Services Manager and the Engineering Services Manager, dated December 9, 2003 – re: Petition from Residents of Denison Crescent Regarding Noise From 39<sup>th</sup> Street, hereby agrees:

1. That photo radar for a period of 6 months be implemented on 39<sup>th</sup> Street between 30<sup>th</sup> Avenue and the East City limit.
2. During that time, the behaviour of traffic in the area be monitored.
3. At the end of the 6 month enforcement period, the City to survey residents to determine if enforcement has resulted in a noticeable change in noise levels.
4. A sign be placed prior to photo radar enforcement in the area informing motorists that photo radar is in use. "

...2/

Mr. Norm Crossman  
December 16, 2003  
Page 2

City Administration will survey residents at the end of the 6 month photo radar enforcement period to determine if there is a noticeable change in noise levels. We will advise you when this matter will be presented back to City Council.

For further information, please contact Mr. Tom Warder, Engineering Services Manager at 342-8168.

Sincerely,



Kelly Kloss  
Manager

c     Engineering Services Manager  
       Supt. J. Steele, RCMP



Council Decision – December 15, 2003

Legislative &amp; Administrative Services

**DATE:** December 16, 2003

**TO:** Tom Warder, Engineering Services Manager  
Jim Steele, RCMP Superintendent

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Petition from Residents of Denison Crescent  
Regarding Noise from 39<sup>th</sup> Street

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**Reference Report:**

Engineering Services Manager, dated December 8, 2003

**Resolutions:**

*"Resolved* that Council of the City of Red Deer, having considered the report from the Legislative & Administrative Services Manager and the Engineering Services Manager, dated December 9, 2003 – re: Petition from Residents of Denison Crescent Regarding Noise From 39<sup>th</sup> Street, hereby agrees:

1. That photo radar for a period of 6 months be implemented on 39<sup>th</sup> Street between 30<sup>th</sup> Avenue and the East City limit.
2. During that time, the behaviour of traffic in the area be monitored.
3. At the end of the 6 month enforcement period, the City to survey residents to determine if enforcement has resulted in a noticeable change in noise levels.
4. A sign be placed prior to photo radar enforcement in the area informing motorists that photo radar is in use. "

Council Decision – December 15, 2003

Petition from Residents of Denison Crescent Regarding Noise from 39<sup>th</sup> Street

Page 2

***Report Back to Council:*** Yes

***Comments/Further Action:***

At the end of 6 months Engineering & the RCMP to prepare a report to be presented to Council outlining:

- 1 Results of the photo radar enforcement
- 2 Behaviour of the traffic in the area
- 3 Survey of the residents regarding their perception of any change.



Kelly Kloss  
Manager

/chk

c Director of Development Services



**Legislative & Administrative Services**

**DATE:** November 24, 2003  
**TO:** City Council  
**FROM:** Legislative & Administrative Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/WW-2003  
Section 54 (8) (a) Exceptions Respecting Land Use

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*History*

At the Monday, November 17, 2003 meeting of Council, Land Use Bylaw Amendment 3156/WW-2003 was given first reading.

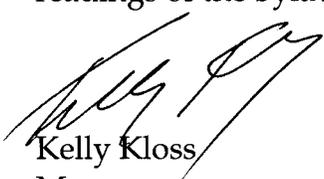
Land Use Bylaw Amendment 3156/WW-2003 proposes to correct legal and civic addresses inadvertently missing from Section 54 (8) (a) Exceptions Respecting Land Use in the Land Use Bylaw. These corrections are necessary in order to correctly match the Land Use Bylaw Map and Riverside Meadows Area Redevelopment Plan.

*Public Consultation Process*

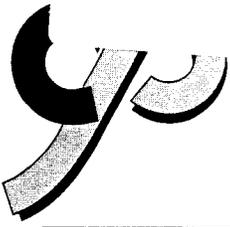
A Public Hearing has been advertised for the above noted bylaw to be held on Monday, December 15, 2003 at 7:00 p.m. in Council Chambers, during Council's regular meeting. The owners of the properties bordering the site have been notified by letter of the Public Hearing.

*Recommendation*

That following the Public Hearing, Council may proceed with second and third readings of the bylaw.



Kelly Kloss  
Manager



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**Date:** November 7, 2003  
**To:** Kelly Kloss, Legislative and Administrative Services, Manager  
**From:** Nancy Hackett, Planner  
**Re:** **Land Use Bylaw Amendment 3156/WW-2003**  
**Section 54 (8) (a) Exceptions Respecting Land Use**

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### Land Use Bylaw Amendment

A Land Use Bylaw amendment is required to correct legal and civic addresses inadvertently missing from Section 54 (8) (a) *Exceptions Respecting Land Use* in the Land Use Bylaw.

### Background

This section of the Land Use Bylaw was created in 2001 when the City of Red Deer adopted several land use recommendations contained in the Riverside Meadows Area Redevelopment Plan. One of these recommendations dealt with various properties located along 58 Avenue, 58A Street, 58 and 59 Streets, and 60 Avenue. These properties were deemed suitable for a mixture of single detached or semi-detached dwellings given their location and lot arrangement. The properties presently contain various types of dwellings such as single detached dwellings, duplexes, and fourplexes.

In order to achieve the low density mixed development envisioned under the Area Redevelopment Plan, land use bylaw exemption (8) (a) was created. It allows single detached dwellings as a permitted use or semi-detached dwellings as a discretionary use. Although new multi-family or medium density development is not allowed on these properties, any existing multi-family buildings are permitted to rebuild in the event of damage caused by fire or other accidental means, as noted under Section 54 (8) (c). No amendments to Section 54 (8) (c) are proposed.

While the maps showing the properties affected by exception (8) (a) in the Land Use Bylaw are correct, the lot description (legal and civic address) for a few of the properties is inadvertently missing in the text (refer to pages 4-16 to 4-18 of the Land Use Bylaw).

Land use bylaw amendment 3156/WW-2003 will correct the legal and civic addresses for affected properties in order that they correctly match the Land Use Bylaw map and Riverside Meadows Area Redevelopment Plan.

**Recommendation**

That Council of the City of Red Deer, support first reading of Land Use Bylaw Amendment 3156/WW-2003 to insert the correct civic and legal addresses into Section 54 (8) (a) *Exceptions Respecting Land Use* of the Land Use Bylaw.

Respectfully Submitted,

  
\_\_\_\_\_  
Nancy C. Hackett, ACP, MCIP  
Planner

- c. Colleen Jensen, Community Services  
Doug Deschner, Fax 341-4498

**FILE**



Council Decision – December 15, 2003

**Legislative & Administrative Services**

**DATE:** December 16, 2003  
**TO:** Nancy Hackett, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/WW-2003  
Section 54 (8) (a) Exceptions Respecting Land Use

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*Reference Report:*

Parkland Community Planning Services, dated November 7, 2003

*Bylaw Readings:*

Land Use Bylaw Amendment 3156/WW-2003 was given second and third readings. A copy of the bylaw is attached for your information.

*Report Back to Council:* No

*Comments/Further Action:*

Land Use Bylaw Amendment 3156/WW-2003 corrects legal and civic addresses inadvertently missing from Section 54 (8) (a) Exceptions Respecting Land Use in the Land Use Bylaw. These corrections were necessary in order to correctly match the Land Use Bylaw Map and Riverside Meadows Area Redevelopment Plan. This office will amend the Land Use Bylaw and distribute copies in due course.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager  
/attach.  
/chk

c Director of Development Services  
Land & Economic Development Manager  
Inspections & Licensing Manager  
City Assessor  
Doug Kutinsky, Graphics Designer  
Bev Greter, Clerk Steno



**Director of Corporate Services**

**DATE:** December 10, 2003  
**TO:** Legislative & Administrative Services Manager  
**FROM:** Director of Corporate Services  
**Re:** **Capital Budget Preview - 2004 to 2008**

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**Background**

In December of 2002 we presented the 2003 Capital Budget to Council on a preview basis. This gave Council an overview of the issues and magnitude of future requirements prior to actual budget debate in January. The process was successful, and as per our discussions with Council, we are bringing the 2004 preview to Council at this time.

During the Operating Budget review in January, Department Managers will provide details and comments on capital projects pertaining to their departments. This will demonstrate how the capital projects relate to the various departmental operations. We have asked Departments to give particular attention to ongoing operating costs that would result from implementation of these capital projects. Following the presentation of the Operating Budget in January, Council will have opportunity to review and debate the Capital Budget.

The definition of 'capital' varies depending on the size and nature of the organization. The City of Red Deer defines 'capital' as property that:

- (i) is used in the production or supply of goods and services or for a municipal purpose
- (ii) has an useful life of at least 2 years and is intended to be used on a continuing basis, and
- (iii) is not intended for sale in the ordinary course of operations, and
- (iv) has an "acquisition cost" which equals or exceeds \$10,000

All other items are normally considered as operating budget expenditures. To do otherwise would seriously complicate the capital budgeting process, with little gain in return.

**Discussion**

Attached is a copy of the Capital Budget Summary, which will be included in the 2004 Budget Binders. A review of this summary clearly shows that The City continues to face significant financial challenges over the next 5 years, and particularly beyond that. The continued high growth in Central Alberta, combined with the age of much of the City's infrastructure is resulting in the need for significant capital expenditures.

We continue to stress the need for an accurate projection of future needs and costs, which is critical as Council considers the many financial pressures that have arisen. Without these projections, large unexpected spikes in taxes or user fees could be required, unless projects were deferred or debt financed. The attached documents have not included the use of debt for tax supported operations.

In preparation for budget debate in January, we have raised a number of issues, to allow time for thought and discussion. The key issues for Council's consideration are briefly summarized below. Additional information is available on the Capital Budget Summary.

### **1. Rapidly Growing Capital Budget**

This year's capital budget is almost \$84 million, considerably larger than the \$53 million in 2003. The five-year total has grown from \$227 million to \$319 million. This is due to a more deliberate attempt to match infrastructure maintenance planning with the budget process, which has uncovered some significant needs, and the acceleration of many of those needs because of growth. Page 3 of the Capital Budget Summary discloses most of the large projects that have the greatest impact on the capital budget.

### **2. Capital Project Reserve Depleted**

In 2003 we had anticipated the Capital Projects Reserve to be \$3 to \$4 million short by 2007. This projected shortfall has now increased to \$54 million by 2007, and will grow to over \$100 million by 2011. Page 2 of the Capital Budget Summary demonstrates that the financial pressure is here now, and will increase every year as growth continues and The City's infrastructure ages.

### **3. Basic Capital Grants & Road Offsite Levies**

As mentioned during last year's budget deliberations, based on current growth projections, there will be a need to build a river bridge and related roadways in the north east, beginning in 2010. Historically, major roadways have been 75% funded by provincial Basic Capital Grants, with the remaining 25% being charged to the Roads Offsite Basin and recovered from developers as they bought and serviced land for resale.

Council made the decision in 2003 to increase the recovery from the Roads Offsite Basin to 60% from 25%, as a result of the lack of a long-term commitment from The Province regarding the Basic Capital Grant. Based on this scenario, the Basic Capital Grant shortfall at the end of ten years would be \$12.1 million.

Council could decide to increase the recovery to 100%, from the Road Offsite Basin. Even with this possible increase in funding from the Road Offsite Basin, the Basic Capital Grants would be short \$1.2 million at the end of ten years.

**Director of Corporate Services**

### **Options**

Given the significant funding shortfall, the City needs to consider various methods of dealing with the financial pressures. The following have not been examined in detail but are possible options:

1. Defer some projects past ten years, using a ranking process.
2. Cancel some projects completely. This may require some services cuts.
3. Increase the contribution from general taxation to the Capital Projects Reserve.
4. Sell profitable assets, if possible, such as a campground or electric utility
5. Continue to look for additional transfers from other levels of governments
6. Seek new partnerships, with other governments, businesses, non-profit groups, etc.
7. Expand the use of debt beyond utilities, and incur additional cost pressures against general taxation for debt service costs.

### **Conclusion**

The City remains in a strong financial position relative to other cities in Alberta and across Canada, with a low and further declining per capita debt. The impacts of growth and aging infrastructure are a significant issue for most municipalities in Alberta, especially those in the high growth areas. However, the attached details clearly demonstrate that the financial pressures are increasing and with the passage of each year, The City's ability to deal with the issues will be lessened, as the impending needs approach.

This preview and future discussions on these issues will allow The City to look for effective solutions to these pressures, and thus maintain its financial strength and competitiveness.



Rodney Burkard  
Director of Corporate Services

**CAPITAL BUDGET SUMMARY (2004 – 2008)**

Council policy states that a budget for capital projects for the next five years shall be prepared each year. The budget for 2004 is \$84 million, and the five-year total is \$319 million.

**Total Project Budget** - The 2004 to 2008 Capital Budget, summarizing planned capital expenditures by type of project, is as follows.

<b>Project Type</b>	<b>2004 Total in \$ thousands</b>	<b>Five-Year Total in \$ thousands</b>
Transportation	20,578	49,530
Protective Services	3,054	10,127
Community Services	9,281	58,961
General	6,400	55,088
Utility and Business Enterprises	44,620	145,371
<b>Total</b>	<b>\$ 83,933</b>	<b>319,077</b>

**Funding Sources** - There are many sources of funding for these projects:

<b>Funding Source Proposed</b>	<b>2004 Total in \$ thousands</b>	<b>Five-Year Total in \$ thousands</b>
Basic Capital Grant (based on \$60 per capita) (Note 1)	2,139	11,089
Cities Special Transportation Grant (Note 2)	1,512	3,024
Capital Projects Reserve	15,850	15,850
<b>Unfunded</b>	<b>877</b>	<b>85,275</b>
Customer Contributions	2,830	13,234
Equipment Financing Reserve	3,234	11,023
Land Sales	15,927	58,868
E.L.& P. Stabilization Reserve	1,525	6,940
Water Stabilization Reserve	8,198	14,400
Wastewater Stabilization Reserve	2,794	10,456
Solid Waste Reserves	354	3,836
Long Term Debt – Utility Supported	7,500	22,600
Operating Budget	369	1,617
Other Grants & Reserves	6,396	12,573
Roads Offsite Levy Basin	5,608	14,248
Recreation Levies	1,450	4,655
Other Offsite Levies	1,175	23,165
Other	6,195	6,224
<b>Total</b>	<b>\$83,933</b>	<b>\$ 319,077</b>

Note 1 – the amount shown reflects the policy to accumulate funds of approximately \$2 million per year to ensure funds are available to finance the Northland river crossing expected to begin in 2010

Note 2 – this grant is anticipated to be received but has not been committed to by the Province

The following population projections have been used in estimating grants and debt per capita.

<b>Population Projection</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Population Projection	72,691	74,581	76,296	77,882	79,145

There are a number of issues related to the Capital Budget that are worthy of mention. They are discussed as follows.

### **BASIC CAPITAL PROVINCIAL GRANT FUNDING**

A significant funding source is the Basic Capital Grant (BCG). The following points need to be considered when reviewing the amounts presented in the tables:

- The funding received is based on \$60 per capita but as there is no long term agreement with the Province this continued level of funding is uncertain
- There is no indication that the \$60 per capita will be adjusted for inflation
- The funding received has been adjusted for population growth
- As the city continues to grow there will be an increased demand on this source of funding for bridge maintenance and operating maintenance such as crown paving (this increased demand has not been reflected in the amounts presented)
- There will likely be additional projects identified which qualify for funding from this source as the city continues to grow and develop
- The Transit fleet may grow faster than anticipated at this point
- The figures shown are in 2004 dollars. Inflation and cost increases have not been included

The following scenario assumes 100% Road Offsite Basin funding for most roads projects. The accumulation through 2008 is to ensure funds are available to finance the Northland river crossing, expected to begin in 2010. Even with this change, there will be a BCG shortfall of \$1.2 million.

<b>BCG Assuming 100% Road Basin</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009 +</b>
Balance – Beginning of Year	1,755	3,190	4,908	7,638	7,187	9,560
Less: Funding Required – Capital	(2,138)	(1,969)	(1,060)	(4,332)	(1,588)	(31,806)
Less: Operating Funding	(788)	(788)	(788)	(788)	(788)	(3,940)
Add: Provincial Grant Funding	4,361	4,475	4,578	4,669	4,749	25,007
<b>Surplus (Deficit)</b>	<b>3,190</b>	<b>4,908</b>	<b>7,638</b>	<b>7,187</b>	<b>9,590</b>	<b>(1,179)</b>

The following projection assumes continued 40% Basic Capital Grant funding of eligible roads projects, with 60% funded from the Road Offsite Basin. At the end of ten years we project a BCG funding shortfall of \$12.1 million, assuming no additional funding is received.

<b>BCG Assuming 40% BCG Funding</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009 +</b>
Balance – Beginning of Year	1,755	1,863	3,533	5,063	4,212	4,777
Less: Funding Required – Capital	(3,465)	(2,017)	(2,260)	(4,732)	(3,396)	(37,982)
Less: Operating Funding (Pavement Maintenance, etc.)	(788)	(788)	(788)	(788)	(788)	(3,940)
Add: Provincial Grant Funding	4,361	4,475	4,578	4,669	4,749	25,007
<b>Surplus (Deficit)</b>	<b>1,863</b>	<b>3,533</b>	<b>5,063</b>	<b>4,212</b>	<b>4,777</b>	<b>(12,138)</b>

### **CAPITAL PROJECTS RESERVE**

Another significant source of funding for capital projects is the Capital Project Reserve (CPR), which is funded as follows:

- The annual 1% tax funded contribution to the implemented by Council in 2001.
- Transfers from other reserves exceeding target levels, like the EL&P reserve
- Additional one time funding not needed for other purposes.

However, as can be seen in the table below, even with these sources of funding, the Capital Project Reserve is unable to finance the five-year Capital Plan.

<b>Capital Project Reserve - (in \$ thousands)</b>						
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009 +</b>
Balance – Beginning of Year	12,585	(877)	(19,260)	(47,808)	(53,830)	(72,570)
Expected Prior Yr E.L. & P. Surplus	2,000	2,000	1,500	1,500	1,000	3,000
Repayment of Utility Project Funds	130	130	130	130	130	0
Sale of Assets	675	0	0	0	0	0
Rebuilding of Capital Capacity	460	860	1,295	1,765	2,265	13,975
Funding Required	(16,727)	(21,373)	(31,473)	(9,417)	(22,135)	(37,900)
<b>Deficit</b>	<b>(877)</b>	<b>(19,260)</b>	<b>(47,808)</b>	<b>(53,830)</b>	<b>(72,570)</b>	<b>(93,495)</b>

**Significant Projects Funded by the CPR** – There are twenty projects that represent about 90% of the projected funding required from the CPR over the next five to ten years, as follows:

<b>Capital Project - (in \$ thousands)</b>	<b>Projected Time Frame</b>	<b>Estimated Project Total</b>	<b>CPR Funding Required</b>
West Yard Relocation (P/Works, Stores, Transit, Parks, Garage) – CPR Funding Net of Recoveries	2005 - 06	\$ 30,275	\$ 19,755
New Museum & Archives Building	2006	22,360	18,335
Information Technology Projects	On-Going	8,523	8,273
Recreation Centre Renovations & Park Site Development	2004 – 05	8,164	8,164
Northlands Drive, New River Bridge & Related Projects	2010 – 11	29,500	7,965
Emergency Services Replacement Equipment	On-Going	8,535	7,835
Downtown Promenade, Overpasses, etc.	2006 - 09	7,125	6,100
Dawe Centre Renovations	2005 - 06	6,000	6,000
New Indoor Ice Arena	2008	5,000	5,000
Riverlands Culture Area & Surrounding Parks	2009	5,000	5,000
Emergency Services North Red Deer Station, Miscellaneous Equipment	2005	4,479	4,254
Drainage Pond - (Michener Centre) – On-Going	2004	5,600	2,800
Golden Circle - Rehabilitate Old Museum	2007	2,600	2,600
Lion's Campground Expansion	2008	1,500	1,500
Gaetz & Highway 11A - 71 St to 11A - 6 lanes	2004 - 05	5,600	1,232
32 Street Widening - 40 Avenue to 49 Avenue	2008	4,000	1,080

32 Street / Gaetz Intersection Upgrade	2004 - 05	3,000	810
Dawe Branch Library Major Renovations	2005	1,000	750
RCMP Building Requirements – See Note *	2008 - 09	7,500	7,500
Downtown Parkade - See Note *	2009	7,000	7,000
City Office Requirements - See Note *	2008 - 09	7,500	7,500
<b>Total</b>		<b>\$ 180,261</b>	<b>\$ 129,453</b>

Note \* - The last three items are based on very early projections, anticipated as a result of the City's recent and projected growth. No firm plans have been made.

## **DEBT**

It is City Council's policy to use a reasonable level of debt for financing utility projects, in keeping with the utility rate model.

New Utility Supported Debt of \$22 million, over the next five years, has been assumed for the upgrade of the Wastewater Treatment Plant. Self Supported (Utility) Debt peaked in 1983 at \$1,111 per capita, almost five times the \$247 per capita debt projected for 2008.

<b>Utility Supported Debt</b>						
in \$ thousands						
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>5 Yr Total</b>
Balance – Beginning of Year	5,057	11,200	17,866	20,304	20,684	
Debt Reduction	(1,357)	(1,834)	(2,262)	(1,520)	(1,154)	(8,127)
New Debt – Treatment Plants	7,500	8,500	4,700	1,900	0	22,600
<b>Debt Total – End of Year</b>	<b>11,200</b>	<b>17,866</b>	<b>20,304</b>	<b>20,684</b>	<b>19,530</b>	
<b>Per Capita Self Supported Debt</b>	<b>\$ 154</b>	<b>\$ 240</b>	<b>\$ 266</b>	<b>\$ 266</b>	<b>\$ 247</b>	

Tax Supported debt continues to decrease. It peaked in 1983 at \$448 per capita, has steadily decreased to the 2004 level of \$61 per capita, and is expected to continue to decrease.

<b>Tax Supported Debt</b>						
in \$ thousands						
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>5 Yr Total</b>
Balance – Beginning of Year	5,689	4,437	3,054	1,527	645	
Debt Reduction	(1,252)	(1,383)	(1,527)	(882)	(357)	(5,401)
<b>Debt Total – End of Year</b>	<b>4,437</b>	<b>3,054</b>	<b>1,527</b>	<b>645</b>	<b>288</b>	
<b>Per Capita Self Supported Debt</b>	<b>\$ 61</b>	<b>\$ 41</b>	<b>\$ 20</b>	<b>\$ 8</b>	<b>\$ 4</b>	

**Debt Limit** – Alberta Municipal Affairs prescribes a debt limit for municipalities, based primarily on their revenues. The City of Red Deer's expected 2008 debt of \$20 million is well below our current debt limit of over \$200 million.

If debt were to be considered for tax-supported projects, every \$1 million of new debt amortized over 15 years would cost taxpayers approximately \$100,000 per year. In 2004 this means a 1% tax increase would be able to fund approximately \$3.6 million in new debt.

### **SUMMARY**

The information in this report demonstrates that the number of needed projects and the limited funding available from sources like the Capital Projects Reserve continue to make it difficult to finance the City's capital budget. It will be necessary to continue to consider other alternatives, such as:

1. Defer some projects past ten years, using a ranking process.
2. Cancel some projects completely. This may require some services cuts.
3. Increase the contribution from general taxation to the Capital Projects Reserve.
4. Sell profitable assets, if possible, such as a campground or electric utility.
5. Continue to look for additional transfers from other levels of governments.
6. Seek new partnerships, with other governments, businesses, non-profit groups, etc.
7. Expand the use of debt beyond utilities, and incur additional cost pressures against general taxation for debt service costs.

***Comments:***

The report from the Director of Corporate Services regarding the Capital Budget Preview: 2004 – 2008 is presented for Council's information.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

FILE



Council Decision – December 15, 2003

Legislative & Administrative Services

**DATE:** December 16, 2003  
**TO:** Rodney Burkard, Director of Corporate Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Capital Budget Preview – 2004 to 2008

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*Reference Report:*

Director of Corporate Services, dated December 10, 2003

*Report Back to Council:* No

*Comments/Further Action:*

This report was received by Council for information.

Kelly Kloss  
Manager  
/chk

Item No. 2

**DATE: December 4, 2003**

**TO: Manager, Legislative & Administrative Services**

**FROM: EL&P Manager**

**RE: Revised 2004 Regulated Rate Tariff**

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The next chapters in the ongoing saga of electricity deregulation in Alberta were released by the provincial government on November 4, 2003 and November 26, 2003. These latest chapters require changes to be made to the City of Red Deer's 2004 Regulated Rate Tariff which was recently approved by City Council on October 20, 2003. This report is submitted to Council for the purpose of seeking approval of the necessary bylaw revision to be effective January 1, 2004

The only proposed revision alters the pricing details of the "Energy Charge" and "Administration Charge" for Small Commercial customers. These are the components of the Regulated Rate service provided to eligible Red Deer consumers by Enmax Energy through an agreement with the City of Red Deer.

### **Legislation and Background**

The Regulated Default Supply Amendment Regulation (A.R. 323/2003) was approved on November 4, 2003 under Ministerial Order 73/2003. The changes introduced under this amending regulation are:

1. Small Commercial consumers, those consuming less than 250 MWh of electricity annually, must be given the option of purchasing electricity on a regulated rate basis until July 1, 2006. Prior to the amendment regulation, these consumers would have been subject to the pool price effective January 1, 2004 which is the basis for the current Red Deer tariff. The proposed Red Deer tariff revisions presented herein replace the pool price flow-through with a fixed regulated rate.
2. Residential consumers must be given the option of purchasing electricity on a regulated rate basis until July 1, 2006. Prior to the amendment regulation, residential consumers would have been subject to the pool price effective January 1, 2006. The current Red Deer tariff for Residential consumers is already a fixed regulated rate not subject to the pool price and, thus, no revision to the Residential tariff is required at this time.

A copy of the Alberta Energy news release, which provides the provincial government's comments on the policy change, is attached for Council's reference.

The Regulated Default Supply Amendment Regulation (No. 2) (A.R. 344/2003) was approved on November 26, 2003 under Ministerial Order 80/2003. This amendment enables the regulatory authority to extend the date by which it must approve an applicant's rates and the effective date of the new rates. This amendment was necessary to provide the applicant and the regulatory authority with sufficient time to make the necessary adjustments required by the first amendment. This second amendment was directed primarily to the Alberta Energy and Utilities Board and applicants before that Board. It need not apply to Red Deer as the necessary rate changes can be made by January 1, 2004 and, thus, avoid any further confusion.

Unless there are further regulatory changes, it is not expected that the City's Regulated Rate Tariff will be revised prior to January 1, 2005.

### **Proposed Revisions to Existing Regulated Rate Tariff**

To comply with the revised provincial regulations, revisions are proposed to the General Service Regulated Rates 63, 64, and 78 of Appendix "D" of the Electric Utility Bylaw No. 3273/2000. The proposed revisions are shown in the attached strikethrough version of Appendix "D". The Energy Charge is changed from a pool price flow-through to a fixed regulated rate. The Administration Charge is reduced to reflect the lower billing costs associated with a fixed energy rate rather than one which changes hourly. The revised Commercial Rates are:

Energy Charge = \$0.0604/KWh, fixed for all hours  
(changed from hourly pool price flow-through rate)

Administration Charge = \$0.1033/day (equivalent to \$3.15/month)  
(changed from \$0.2934/day which is equivalent to \$8.95/month)

No changes are necessary to the Residential Rate which was approved by Council on October 20, 2003. For reference, the approved Residential Rate is:

Energy Charge = \$0.0608/KWh, fixed for all hours  
Administration Charge = \$0.1033/day (equivalent to \$3.15/month)

No changes are being made to the Distribution Tariff (delivery charge).

### **Customer Impact of Proposed Tariff Revision**

The monthly cost variation between the current 2003 rates and the proposed 2004 rates for Small Commercial customers is shown in the following table. The analysis is based on typical Small Commercial customer loads as shown for each rate category. The Total Cost includes the energy cost, the Red Deer delivery cost, the Red Deer Municipal Consent and Access Fee; GST is excluded.

Rate Category	2003 RRO (current)	2004 RRT (proposed)	% Change
<b>E63 Small General Service (2,000 KWh/month)</b>			
Energy Only Cost	\$130.02	\$123.95	-4.7%
Total Cost	\$202.22	\$196.15	-3.0%
<b>E64 General Service (20,000 KWh/month, 65 KVA)</b>			
Energy Only Cost	\$1,272.66	\$1,211.15	-4.8%
Total Cost	\$1,717.25	\$1,655.74	-3.6%
<b>E78 Large General Service (20,000 KWh/month, 85 KVA)</b>			
Energy Only Cost	\$1,272.66	\$1,211.15	-4.8%
Total Cost	\$1,789.33	\$1,727.82	-3.4%

### **Municipal Impact of Proposed Tariff Revision**

There are no municipal impacts as no municipal revenue is derived from, nor calculated on the basis of, the Energy Charge or Administration Charge which are the only components of the tariff affected by this proposed revision. The Red Deer Electric Utility revenue and all Municipal revenue transfers from the Utility flow solely from the energy delivery rates for transmission and distribution services which are not being revised.

### **Comments**

These Red Deer bylaw changes are necessary due to a change in provincial government regulation. The attached Alberta Energy news release provides the provincial government's comments on the regulatory change. While the news release provides a number of rather general comments, it evades the principle reason for the regulatory change which is that the mass competitive market has not developed as envisioned by the policy maker. The regulatory revision again introduces government intervention into what is supposed to be a competitive market and, thus, creates further policy and market uncertainty into the deregulation process.

From the perspective of the Small Commercial customer, the change is likely good news. The fixed rate provides the customer with price certainty and a base against which competitive contracts can be compared. As well the revised price is a reduction from the existing rate which reflects the current forward market pricing for electricity.

**Recommendation and City Council Request**

It is respectfully requested that City Council provide the three readings on December 15, 2003 to the revised Regulated Rate Tariff – Appendix “D” of Bylaw No. 3273/2000 with the effective date remaining as January 1, 2004.

Al Roth, P.Eng.  
EL&P Manager



## News release

November 4, 2003

### **Government gives Albertans more time to make electricity choices** *Regulated rates extended for small and medium commercial consumers*

*Edmonton...* The option to buy electricity on a regulated rate for small and medium commercial electricity consumers has been extended by 30 months to July 1, 2006 from January 1, 2004. Regulated rates for residential and farm consumers will also be extended to July 1, 2006, an additional six months.

“This government has always said it would respond to market conditions as we progress through restructuring. We want to ensure maximum consumer protection through these early years,” Energy Minister Murray Smith said today. “Extending the regulated rate option provides both more time for consumers to learn how they can best meet their needs and more time for competition for small volume customers to intensify. It does not preclude consumers from signing contracts.”

Smith emphasized the move is an adjustment to the timing of implementation, as Alberta meets growing demands for electricity with competition in the generation market producing solid benefits, including new investment in generation capacity and improved reliability. “Alberta has led every other jurisdiction in North America in economic growth over the past 10 years. The competitive generation market has provided electricity to fuel this unprecedented growth,” Smith emphasized.

Competition is also working well for large industrial consumers. The industrial systems model enables large consumers to install co-generation to meet their needs and sell excess capacity to the grid, making more electricity available for other consumers. There now exists a robust business-to-business electricity market, with over 20 retailers selling an array of competitive offers in the marketplace.

The Government of Alberta will continue to provide consumer protection in regulated markets as competitive forces develop in the consumer marketplace.

-30-

*Editor's note: backgrounder attached*

**For additional information, contact:**

Donna McColl

Assistant Director, Communications, Alberta Energy

(780) 422-0068

**CITY OF RED DEER**  
**ELECTRIC LIGHT & POWER DEPARTMENT**  
**REGULATED RATE TARIFF<sup>1</sup>**

**GENERAL**

Effective Date

This Tariff is effective on January 1, 2004.

Terms and Conditions

The "Terms and Conditions for the Regulated Rate Tariff", the "Terms and Conditions for Distribution Access Services" and the "Terms and Conditions for Retail Access Services" are part of this Tariff. Furthermore, the "Regulated Rate Tariff Fee Schedule", the "Distribution Access Services Schedule of Fees", the "Retail Access Services Schedule of Fees" and the "Retail Access Service Agreement" are also part of this Tariff.

Billing Demand

The kVA of Billing Demand with respect to the monthly billing period will be the greater of:

1. the highest kVA Metered Demand in the monthly billing period; or
2. the highest kVA Metered Demand in the 12 consecutive months including and ending with the current monthly billing period.

The kVA Metered Demand will be measured by either a thermal demand meter having a demand response period of 90% in 15 minutes and a 30 minute test period, or 15 minute interval demand metering equipment.

The kVA of Billing Demand will be re-established on such shorter periods of time as designated by the Electric Light & Power Manager for the individual customer as warranted by that customer's changing load characteristics.

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<sup>1</sup> 3273/B-2001, 3273/C-2002, 3273/B-2002, 3273/A-2003, 3273/B-2003, 3273/C-2003

## **RESIDENTIAL REGULATED RATE**

### **RATE 61**

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), **Regulated Default Supply Amendment Regulation (A/R 323/2003)**, and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. Rate 61 is available between January 1, 2001 and ~~December 31, 2005.~~ **June 30, 2006.**

### **Application**

Applies to all residential premises which

- (1) are measured by a single meter and contain not more than two dwelling units; and
- (2) are not currently enrolled under any other price options or with any alternative retail electricity supplier.

### **Rate**

Administration Charge	\$0.1033 per day
Energy Charge	\$0.0608 per kWh of all energy
System Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw
Distribution Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw

### **Balancing Pool Flow Through**

Charges or credits as established by the Alberta Balancing Pool Administrator.

### **Municipal Consent and Access Fee**

As per Distribution Tariff, Appendix "A" of this Bylaw.

### **Minimum Monthly Charge**

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through.

## GENERAL SERVICE REGULATED RATE

### RATE 63

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), **Regulated Default Supply Amendment Regulation (A/R 323/2003)**, and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. **Rate 63 is available between January 1, 2001 and June 30, 2006.**

### Application

- (1) Applies to a non-residential customer, or to a residential premise not entitled to Rate 61, or to the "house lights" service (including common area lighting and utility rooms) of apartment buildings, where the kVA Metered Demand is less than 50 kVA. If the kVA Metered Demand exceeds 50 kVA, Rate 64 will be applied immediately and will be continued to be applied irrespective of future kVA Metered Demand; and
- (2) It is reasonably forecasted that the annual consumption of electricity with respect to each separate property will be less than 250,000 kWh; and
- (3) Customer is not currently enrolled under any other price options or with any alternative retail electricity supplier.

Services are to be taken at one of the following nominal voltages:

120/240 Volts, single phase, 3 wire;  
 120/208Y Volts, network, 3 wire;  
 120/208Y Volts, three phase, 4 wire;  
 347/600Y Volts, three phase, 4 wire.

### Rate

Administration Charge  
 Energy Charge

~~\$0.2934~~ **\$0.1033** per day

~~(Pool Price for interval metered sites or Weighted Average Pool Price for non-interval metered sites as defined in A/R 168/2003, plus Pool Trading Charge, plus Margin of \$0.00289) per kWh of all energy including Losses and UFE, plus other charges or refunds as defined in A/R 168/2003.~~

**\$0.0604 per kWh of all energy**

System Access Charge

As per Distribution Tariff, Appendix "A" of this Bylaw

Distribution Access Charge

As per Distribution Tariff, Appendix "A" of this Bylaw

**Balancing Pool Flow Through**

Charges or credits as established by the Alberta Balancing Pool Administrator.

**Municipal Consent and Access Fee**

As per Distribution Tariff, Appendix "A" of this Bylaw.

**Minimum Monthly Charge**

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through, plus any other charges or refunds as defined in A/R 168/2003.

## GENERAL SERVICE REGULATED RATE

### RATE 64

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), **Regulated Default Supply Amendment Regulation (A/R 323/2003)**, and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. **Rate 64 is available between January 1, 2001 and June 30, 2006.**

### Application

- (1) Applies to a commercial or industrial installation where service is taken at the voltage listed for Rate 63 but where the kVA Metered Demand is 50 kVA or greater; and
- (2) It is reasonably forecasted that the annual consumption of electricity will be less than 250,000 kWh; and
- (3) Customer is not currently enrolled under any other price options or with any alternative retail electricity supplier.

### Rate

Administration Charge	\$0.2934 \$0.1033 per day
Energy Charge	<del>(Pool Price for interval metered sites or Weighted Average Pool Price for non-interval metered sites as defined in A/R 168/2003, plus Pool Trading Charge, plus Margin of \$0.00289) per kWh of all energy including Losses and UFE, plus other charges or refunds as defined in A/R 168/2003</del>
	<b>\$0.0604 per kWh of all energy</b>
System Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw
Distribution Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw

### Balancing Pool Flow Through

Charges or credits as established by the Alberta Balancing Pool Administrator.

**Municipal Consent and Access Fee**

As per Distribution Tariff, Appendix "A" of this Bylaw.

**Minimum Monthly Charge**

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through, plus any other charges or refunds as defined in A/R 168/2003.

## GENERAL SERVICE REGULATED RATE

### RATE 78

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), **Regulated Default Supply Amendment Regulation (A/R 323/2003)**, and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. . **Rate 78 is available between January 1, 2001 and June 30, 2006.**

### Application

- (1) Applies to a commercial or industrial installation where 4,160 volts or greater is available with adequate system capacity and service is taken at 4,160 volts or greater, balanced three phase and the kVA Metered Demand is not less than 1000 kVA; and
- (2) It is reasonably forecasted that the annual consumption of electricity will be less than 250,000 kWh; and
- (3) Customer is not currently enrolled under any other price options or with any alternative retail electricity supplier.

### Rate

Administration Charge	\$0.2934 \$0.1033 per day
Energy Charge	<del>(Pool Price for interval metered sites or Weighted Average Pool Price for non interval metered sites as defined in A/R 168/2003, plus Pool Trading Charge, plus Margin of \$0.00289) per kWh of all energy including Losses and UFE, plus other charges or refunds as defined in A/R 168/2003</del>
	<b>\$0.0604 per kWh of all energy</b>
System Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw
Distribution Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw

### Balancing Pool Flow Through

Charges or credits as established by the Alberta Balancing Pool Administrator.

**Municipal Consent and Access Fee**

As per Distribution Tariff, Appendix "A" of this Bylaw.

**Minimum Monthly Charge**

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through, plus any other charges or refunds as defined in A/R 168/2003.

***Comments:***

We agree with the recommendations of the EL & P Manager that Council proceed with three readings of this bylaw.

"G.D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**FILE**



Council Decision – December 15, 2003

**Legislative & Administrative Services**

**DATE:** December 16, 2003  
**TO:** Al Roth, EL & P Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Revised 2004 Regulated Rate Tariff  
Electric Utility Bylaw Amendment 3273/D-2003 – Appendix “D”

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*Reference Report:*

EL & P Manager, dated December 4, 2003

*Bylaw Readings:*

Electric Utility Bylaw Amendment 3273/D-2003 was given three readings. A copy of the bylaw is attached for your information.

*Report Back to Council:* No

*Comments/Further Action:*

This office will update the consolidated version of Electric Utility Bylaw 3273/2000 and distribute copies in due course.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager

/chk

/attach.

c Director of Development Services



RECREATION, PARKS & CULTURE

**Date:** December 5, 2003  
**To:** Kelly Kloss, Legislative & Administrative Services  
**From:** Harold Jeske, Recreation, Parks & Culture Manager  
**Subject:** G.H. Dawe Community Centre Renovations/Upgrade Study

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### **Background**

In the 2003 Recreation, Parks & Culture Department Business Plan and Budget City Council approved funding to undertake this study. The purpose was to:

- Undertake an architectural/engineering study to determine structural and mechanical deficiencies and needed upgrades.
- Review space allocations and requirements and suggest alternate space uses to support increased programming initiatives and public service opportunities.
- Prepare a report detailing proposed revisions to the building and corresponding capital costs.

A study group was assembled to guide the process and proposals were initiated in April 2003. The consulting team contracted to lead the study was Group 2 Architecture Engineering Interior Design of Red Deer. Other members of this consulting team were Keen Engineering Ltd (mechanical & electrical), A.D. Williams Engineering Ltd (building envelope), UMA (landscaping), and Speigel Skillen (cost consultant).

### **Process**

All components of the G.H. Dawe Community Centre including any common areas shared by the two schools, library and the City formed part of the study. As well, the possibility of acquiring school property was to be investigated and evaluated as an option to any new construction of program space. Both school boards were included in the process to provide input and to ensure they are informed.

The study also included a review of previous studies, facility assessments, and consultation with the public and key facility staff. Public consultation was by means of an open house on October 1<sup>st</sup>, 2003 at the G.H. Dawe Centre, and was hosted by the City and Group 2 Architecture Engineering Interior Design. Although the numbers attending were not large, the feedback was overwhelmingly positive. Following the public meeting, conceptual plans were displayed at the Red Deer Public Library for review and comment.

### **Discussion**

Circulated with this report are the Executive Summary, Recommendations and Conclusions, and three development options to give Council a flavor of the extent of possible upgrades and renovations that are essential to respond to the needs of the growing north Red Deer district. A copy of the entire study report will be made available upon request.



RECREATION, PARKS & CULTURE

Members from Group 2 Architecture Engineering Interior Design will be in attendance on December 15<sup>th</sup> to make a brief presentation.

**Recommendation**

That City Council accept the G.H. Dawe Community Centre Study as a base for city administration to bring forward implementation strategies to be considered during the Business Planning and Budget Process for 2004.

  
Harold Jeske

# **Executive Summary**

## **1.0**

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The primary objective of the G.H. Dawe Community Centre Study is to provide a common point of reference to aid in determining the most appropriate direction for future facilities development.

## **EXECUTIVE SUMMARY**

The G.H. Dawe Community Centre Study is an opportunity to revitalize the city owned and operated portion of the G.H. Dawe Community Centre. Upgrading of the centre is essential to respond to the needs of the growing community of the North Red Deer district in the next 10-15 years. Revitalization of the centre will benefit the entire community of Red Deer. The committee has put forward recommendations which are described in the last chapter of the report under Recommendations and Conclusions.

The essence of the recommendations is to pursue the fundamental direction outlined in Option 1. In this option the existing G.H. Dawe gym is taken over by the City for programming and a new gym is built for the G.H. Dawe Community School to better suit the needs and space requirements for an elementary school. Two classrooms adjacent to the City of Red Deer Commons Room are also proposed to be taken over and converted to Multi-purpose programming space. The pool deck has been expanded to provide additional leisure and activity area. By relocating the existing whirlpool to the expanded pool deck area, a new Family change room will be created. The existing pool and library entrances to the centre will be expanded to establish a welcoming feel from the exterior while providing additional programming space on the interior. Included in the expansion of the library entrance will be increased space for the Red Deer Public Library branch. In addition, two new dressing rooms are proposed to be added on to the North side of the arena. The connecting street

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corridor will undergo extensive renovations including infilling of the sunken gathering space as well as reorganization of existing areas and the introduction of multi-purpose programming space.

A critical component of this study is upgrading materials and aesthetics both on the exterior and the interior of the Centre as well as modernization of required architectural, mechanical and electrical deficiencies.

Revitalization will occur through upgrading of the existing facility and through renovation and expansion of the centre. A number of operational changes could potentially arise out of the recommended strategies. The committee recommends further analysis be done with the direct involvement by the city personnel affected (e.g. city programmers, arts and culture etc.). Through the implementation of sustainable building strategies, including energy efficient electrical options, a savings in operating costs will be achieved. Sustainable features will not only provide economical benefits but will increase clientele comfort.

A strong design priority is the development of flexible, multi-purpose space to provide opportunities for the City of Red Deer to offer a diverse range of programming in the North Red Deer district. An advantage of the formulation of this flexible space is the possibility of renting rooms for community use.

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The G.H. Dawe Study has provided a possibility to re-examine how the city operated space functions and is organized in the facility. This is an excellent opportunity to improve on inefficiencies; it is an important time to evaluate change.

This study will serve as the initial tool to begin the planning process to achieve our objective of providing the North Red Deer district with a modernized leisure facility to better serve our community now and in the future.

## Recommendations and

## Conclusions

### **11.0**

The study committee has formulated a recommended strategy for upgrading the facility.

## RECOMMENDATIONS AND CONCLUSIONS

Fundamentally, space needs and upgrading requirements have been identified throughout the entire city owned portion of the facility. Our proposed options result in creating the following additional spaces:

- Expanded Pool Deck Area (incorporating a family change room and expanded whirlpool area)
- Expanded Entrances
- Expanded Control Desk
- Two (2) additional arena dressing rooms
- Multi-purpose rooms
- New Conference room
- Expanded Library Area
- New gym for the G.H. Dawe Community School (in exchange for the existing gym)
- Re-development of the Street area to incorporate a Multi-purpose room, concession and administration area.

Proposed upgrading in existing areas is extensive and focusing on revitalization of the facility.

The members of the Study Committee have reviewed the three proposed options, their respective costs and have analyzed the “pros and cons” of each. In conjunction with this review, we have considered the feedback from the respondents to the Open House.

A unanimous recommendation by our committee is the endorsement of Option 1. As described earlier, this option is dependent upon the decision made by facility partners. These decisions have been agreed upon in principle, but the final outcome has yet to be determined and is beyond our control. This decision, regarding the existing gym and the classrooms adjacent to the City Commons Room are integral to Option 1 and will establish the direction for future planning stages of this project.

We believe the essence of Option 1 serves as a basis for development of a functional, practical and exciting planning framework for the future development of the G.H. Dawe Community Centre.

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## DEVELOPMENT OPTIONS

Key differences in the options are indicated below.

Option 1 (New construction area 1815m<sup>2</sup>)

- Incorporates Partnership Option B, the preferred partnership option, utilizes G.H. Dawe gymnasium and classrooms adjacent to the Commons Room.

Option 2 (New construction area 2324 m<sup>2</sup>)

- Incorporates Partnership Option A
- Additional construction for multi-purpose expansion space is located to the south of the Commons Room.

Option 3 (New construction area 2184 m<sup>2</sup>)

- Incorporates Partnership Option A
  - Additional construction for multi-purpose expansion space is located to the north of the existing G.H. Dawe gymnasium.
- 
- All options focus on creating more programming space in the Centre.
  - There are pros and cons, as well as costing implications associated with each option.

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## FUNCTIONAL ANALYSIS

General (applies to all three options).

- Both entrances to the facility are moved forward to establish identity on the exterior and to create functional space on the interior.
- The entire exterior façade of the city owned portion of the centre has been upgraded and by maximizing the use of glazing the exterior and interior benefits
- Expansion of the Pool Deck provides space for increased activities, lounge and family areas. This feature not only improves the function of the space but will improve the aesthetics and the general atmosphere.
- Renovations and proposed upgrading for the connecting street area focus on increasing utilization. By locating access to multi-purpose rooms directly off the street and strategically positioning the concession, clientele will be better served. By increasing activity-viewing areas, visitors to the space will benefit from increased interaction.
- By expanding the library and implementing an “open concept” to the street, a strong connection between the common street area and library is established.
- Multi-purpose, flexible programming space is increased, providing opportunities for the City of Red Deer and the community.
- Two additional Arena dressing rooms are being proposed to better provide for the increasing demands of users.

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- Barrier Free access would be upgraded in existing areas and has been incorporated into new areas.
- Energy efficiency is a priority in regards to operational issues as well as improving and enhancing clientele comfort.

#### Option 1

- The most apparent benefits of Option 1 compared to alternate options is taking over two classrooms adjacent to the City Commons Room. These classrooms currently belong to the G.H. Dawe Community School.
- The adjacency of the two classrooms to be converted to multi-purpose rooms is ideally located in relation to the core of the City owned portion of the centre.
- Option 1 involves the least amount of new construction and as a result is the most cost-effective solution.
- In conclusion, Option 1 is the most functional option considering operational issues, circulation, clientele comfort and aesthetics.

#### Option 2

- Option 2 varies from alternate options in regards to the addition of new construction on the south side of the City Commons Room.

- This option results in an increased quantity of new construction and as a result is a more expensive option when compared to Option 1.
- The projection of the new construction on the south side of the centre is not viewed as an ideal solution for the following reasons:
  - Distracts and is a barrier to the extended Pool/Arena entrance.
  - Increases the disjointed city owned and operated spaces.
  - Inefficient use of existing structure and building envelope.

### Option 3

- Option 3 differs from alternate options in regards to the addition of new construction for multi-purpose rooms on the North side of the existing G.H. Dawe Community School gymnasium.
- This option results in an increased quantity of new construction and as a result has associated cost implications.
- The long corridor connecting the multi-purpose rooms to the remaining portion of the Community Centre is not convenient or welcoming and raises security concerns.
- This option also raises operational issues in regards to staffing and control of the new multi-purpose rooms when they are secluded from the remaining City of Red Deer spaces.
- The multi-purpose rooms to the North of the gymnasium are not user friendly.

***Comments:***

We agree with the recommendations of the Recreation, Parks & Culture Manager. The Dawe is one of many facilities built in the community over the last 25 – 40 years which are now at the end of their first natural life cycle and require significant upgrading in order to meet the needs of a growing community. The Centre is an important service component for North Red Deer. The projected capital costs of the renovations are in the order of \$6 million.

**"G. D. Surkan"**  
Mayor

**"N. Van Wyk"**  
City Manager

FILE



Council Decision – December 15, 2003

Legislative & Administrative Services

**DATE:** December 16, 2003  
**TO:** Harold Jeske, Recreation, Parks & Culture Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** G. H. Dawe Community Centre Renovations/Upgrade Study

---

*Reference Report:*

Recreation, Parks & Culture Manager, dated December 5, 2003

*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from the Recreation, Parks & Culture Manager, dated December 5, 2003, re: G.H. Dawe Community Centre Renovations/Upgrade Study, approves the use of this report as a base for City Administration to bring forward implementation strategies to be considered during the Business Planning and Budget Process for 2004. “

*Report Back to Council:* Yes, during Budget deliberations

*Comments/Further Action:*

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager

/chk

c Community Services Director



## Engineering Services

**Date:** December 1, 2003  
**To:** Legislative & Administrative Services  
**From:** Engineering Services Manager  
**Re:** One-Way Street System By-law 2517/76

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### 1. Proposed One-Way Street on Wade Close

Al-Terra Engineering Ltd., Project Consultant, is currently involved in constructing Phase 2 and 3 of the Westlake subdivision, and have recommended on their construction drawings that a portion of Wade Close operate as a one-way street to better accommodate parking as shown in the attached drawing.

### Recommendation

The Engineering Services Department respectfully recommends that Council consider three readings of the below noted revision, as illustrated on the attached drawing, to designate Wade Close as a one-way street.

#### INSERT:

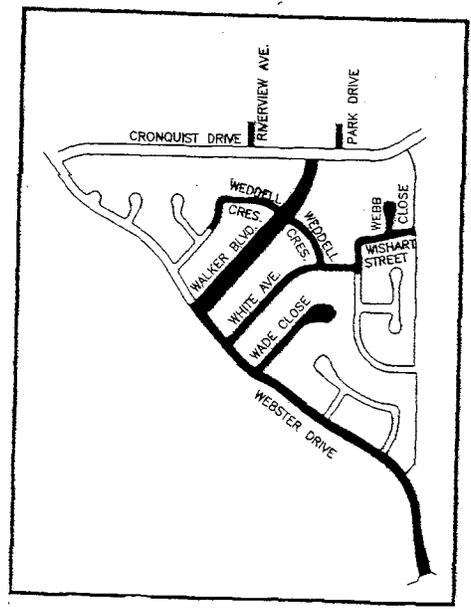
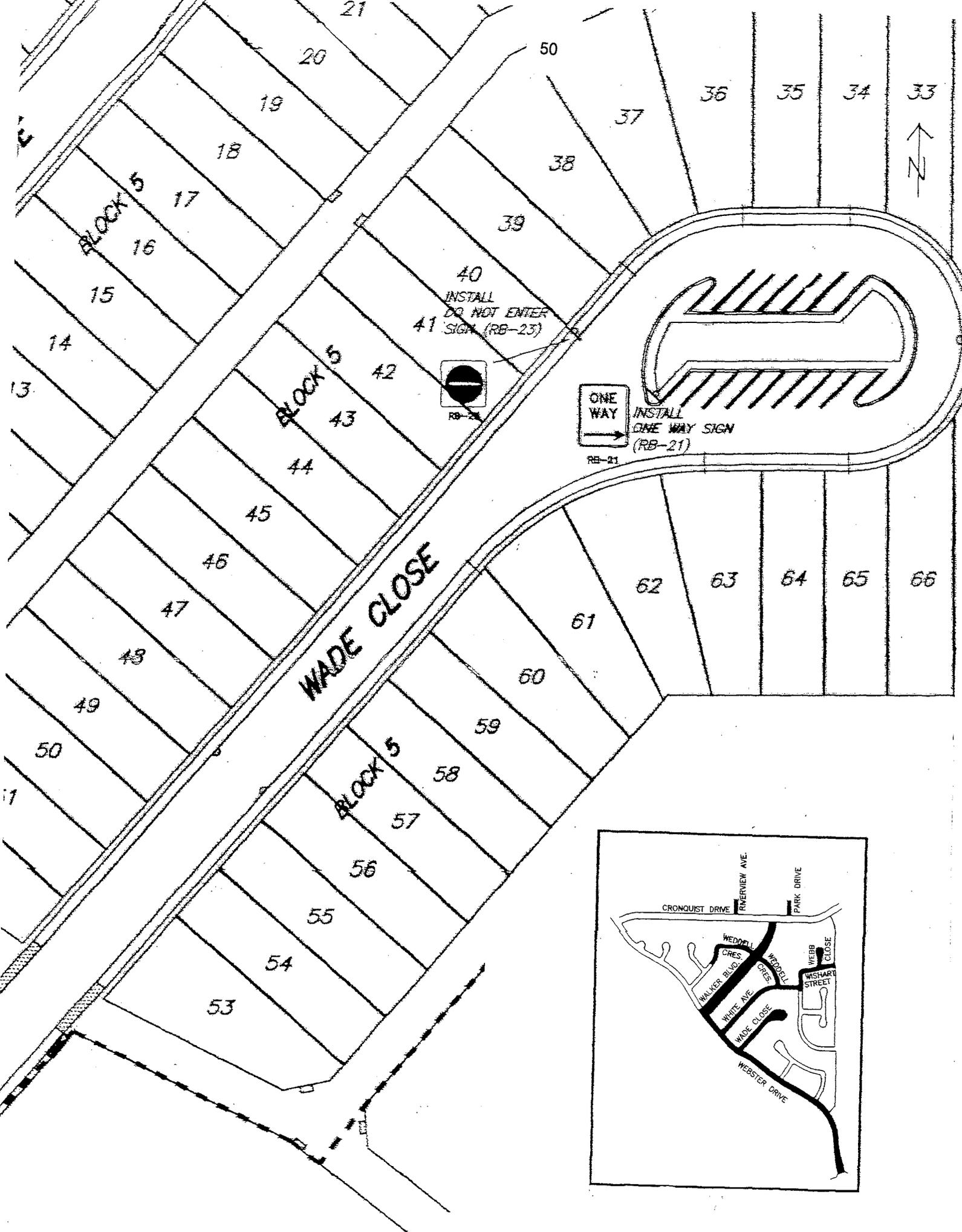
2 (18) One-way counter clockwise around Wade Close commencing from a point located one hundred and eighty (180) meters north of its intersection with Webster Drive and terminating at a point one hundred and eighty (180) metres north of its intersection with Webster Drive.

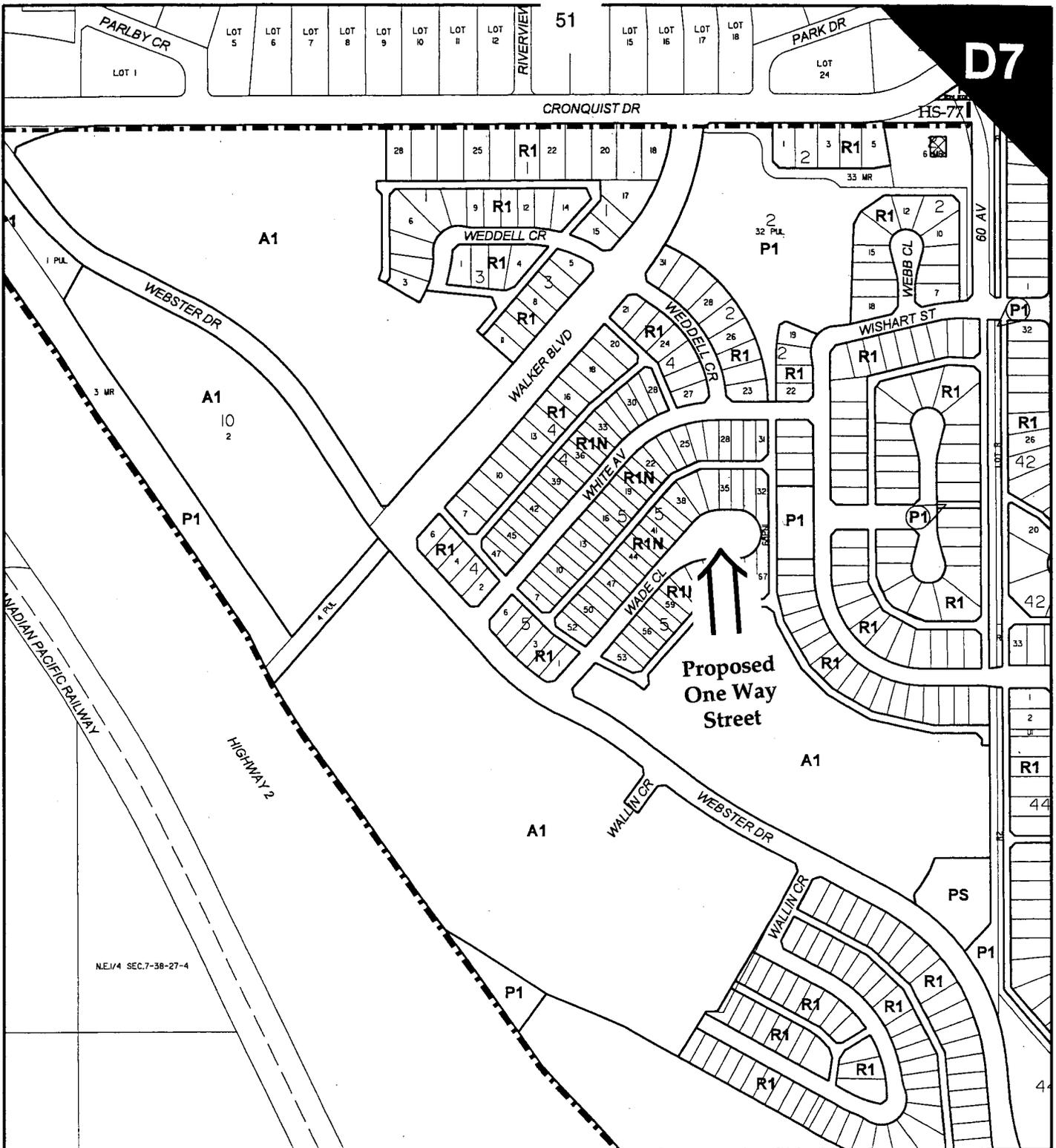
A handwritten signature in black ink, appearing to read 'Tom Warder'.

Tom Warder, P. Eng.  
Engineering Services Manager

HC/ldr  
Attachment

c. Traffic Engineer





Part Six of the Bylaw outlines the Land Use District Definitions

refer to the Index Map for the Legend



**NORTH**  
Scale 1:5,000

© The City of Red Deer,  
Engineering Department

## The City of Red Deer Land Use Bylaw 3156/96

Amendments to NE 1/4 Sec 07	
3156 / P-2002	May 21, 2002
3156 / EE-2002	July 15, 2002
3156 / E-2003	Mar 10, 2003
3156 / G-2003	Apr 22, 2003
3156 / H-2003	Apr 22, 2003
3156 / JJ-2003	Sept 8, 2003
3156 / OO-2003	Sept 8, 2003

C8	D8	E8
C7	D7	E7
C6	D6	E6

**NE 1/4 Sec 07**  
Twp 38 - Rge 27 - W4th

printed on  
September 17, 2003

***Comments:***

We agree with the recommendations of the Engineering Services Manager that Council proceed with three readings of this bylaw.

"G. D. Surkan"  
Mayor

" N. Van Wyk"  
City Manager

**FILE**



Council Decision – December 15, 2003

**Legislative & Administrative Services**

**DATE:** December 16, 2003  
**TO:** Tom Warder, Engineering Services Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** One-Way Street System Bylaw Amendment 2517/A-2003

---

*Reference Report:*

Engineering Services Manager, dated December 1, 2003

*Bylaw Readings:*

One Way Street System Bylaw Amendment 2517/A-2003 was given three readings. A copy of the bylaw is attached.

*Report Back to Council:* No

*Comments/Further Action:*

One Way Street System Bylaw Amendment 2517/A-2003 provides for a one-way street on Wade Close. This office will update the consolidated copy of One-Way Street Bylaw 2517/76 and distribute copies in due course.

  
Kelly Kloss  
Manager

/chk  
/attach.

c Director of Development Services

**Emergency Services**

**DATE:** December 2, 2003

**TO:** City Clerk

**CC:**

**FROM:** Emergency Services Manager

**SUBJECT: Proposed Bill 207: Safety of Emergency Services Workers at  
Emergency Scenes  
Richard Magnus, MLA Calgary North Hill Constituency**

---

**Legislative History**

Mr. Richard Magnus, MLA Calgary North Hill Constituency is proposing Provincial Legislation to enhance the safety of emergency services workers at emergency scenes. This legislation would require motorists to reduce the speed of their vehicle to half the posted limit when passing an emergency scene.

Ontario and Saskatchewan are the only two Canadian provinces that have legislation that requires vehicles to reduce speed when passing stopped emergency vehicles.

**Background**

- Bill 207 is expected to be introduced in the House in 2004.
- The purpose of Bill 207 is to reduce the number of injuries and deaths that have been incurred by police officers, fire fighters, and other emergency personnel on Alberta's roadways.
- Bill 207 would require motorists who encounter emergency vehicles with flashing lights that are stopped on the road to reduce their speed to half of the posted speed limit and proceed with caution, and where possible and safe to do so, move to another lane, to ensure that the driver does not collide with the emergency vehicle or endanger any person involved in the emergency situation.
- Those convicted of disobeying the legislation for the first time would be subject to a fine of between \$400 and \$2,000, depending on the speed that a motorist is traveling. For second and subsequent convictions the offender would be fined from \$1,000 to \$4,000, depending on the speed that a motorist is traveling, or imprisonment for no more than six months. Bill 207 would be similar to those regulations found in Ontario's and Saskatchewan's *Highway Traffic Acts*.

Due to accidents, since 1990, thirty-three emergency personnel in Alberta have been injured while stopped and working on the side of the road. Two of these accidents have caused fatalities among emergency personnel. Police officers are not the only emergency personnel that have been involved in accidents while stopped on the side of

City Clerk  
Page 2  
December 2, 2003

the road. These accidents affect all emergency personnel, including Red Deer's Fire Medics.

There is no legislation in Alberta that deals with emergency vehicles when stopped on the side of the road. However, Section 65 of the *Traffic Safety Act*, Use of Highway and Rules of the Road Regulation, deals with emergency vehicles when they are traveling with their sirens on. The regulations stipulate that:

- on a road that is divided by a median into two separate roadways each having not more than two traffic lanes, a motorist must move as practicable to the right curb or edge of the roadway as possible, when being approached by an emergency vehicle.
- on a highway that is divided by a median into two separate roadways each having more than two traffic lanes, motorists must move to a position that is clear of any intersection and move as close as practicable to the curb or edge of the roadway that is nearest to the vehicle.
- on a one-way highway that is not divided by a median into separate roadways, motorists must move to close as practicable to the curb or edge of the roadway that is nearest to the vehicle, and stop and remain stopped in that position until the emergency vehicle has passed.

The regulations go on to state that a person driving a vehicle shall not, unless otherwise directed by a peace officer, follow within 150 metres of an emergency vehicle on which a siren or flashing lights, or both, are operating.

The Department of Transportation is also participating on the "Give Us Room To Work" Steering Committee. The committee is chaired by the Alberta Centre for Injury Control and Research, and has representatives from provincial police services, emergency medical technicians, ambulance services and firefighters. The five main goals of the committee are:

1. to determine the present-day knowledge base of Albertans as it relates to the rules-of-the-road with respect to encountering emergency personnel.
2. to incorporate a communications plan within the "Give Us Room To Work" Steering Program that will provide for consistent messaging to the Alberta public and emergency service personnel.
3. to increase Alberta motorists' awareness and understanding of the hazards facing emergency services personnel while responding to roadside emergency scenes.
4. to increase the knowledge of emergency services personnel with respect to responding to emergency roadside situations.
5. to improve and enhance the protection of emergency services personnel through legislation, enforcement, and engineering efforts.

City Clerk  
Page 3  
December 2, 2003

**Consultation**

The Royal Canadian Mounted Police, The Alberta Ambulance Operators Association and other municipalities have forwarded formal support of this proposed legislation to Mr. Magnus.

**Financial Implications**

Preventing a worker being struck by a passing vehicle while performing their duties at an emergency scene has significant value – to the employee and their family and the employer.

**Recommendations**

1. That The City of Red Deer City Council pass a resolution demonstrating support for the proposed legislation by Mr. Richard Magnus, MLA Calgary North Hill Constituency.
2. That should the above be given favorable consideration by Council, that Mr. Richard Magnus be informed in writing of Council's decision.

Respectfully,



Jack MacDonald  
Emergency Services Manager

***Comments:***

We agree with the recommendations of the Emergency Services Manager.

"G.D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

BACKUP

**Norbert Van Wyk**

**From:** Ted Hickey  
**Sent:** November 20, 2003 2:59 PM  
**To:** Norbert Van Wyk  
**Subject:** FW: Bill 207 and Draft formal letter of Support - City of Red Deer



Doc12.doc

Norbert,

For your/Gail's consideration.

Ted

-----Original Message-----

**From:** Richard Magnus [<mailto:Richard.Magnus@assembly.ab.ca>]  
**Sent:** November 20, 2003 14:16  
**To:** [tedh@city.red-deer.ab.ca](mailto:tedh@city.red-deer.ab.ca)  
**Subject:** Bill 207

Dear Mr. Ted Hickey:

Thank you for your recent e-mail message. I appreciate you taking the time to share your views regarding Bill 207 with me. I have noted your support and appreciate the assistance you have offered.

It is my hope that by recognizing that emergency personnel are subject to extremely dangerous conditions while stopped on the side of the road, and legislating that vehicles slow down to half the posted speed limit when passing emergency personnel attending to an accident, the number of injuries caused due to subsequent accidents would be reduced.

Bill 207, similar to Ontario's Highway Traffic Act, would require motorists who encounter emergency vehicles with flashing lights that are stopped on the road to reduce their speed to half of the posted speed limit and proceed with caution. There is currently no legislation in Alberta that deals with emergency vehicles when stopped on the side of the road.

Again, thank you for writing and providing me with your opinion and support. It is important to receive input from concerned Albertans as we endeavour to carry out our responsibilities to the citizens of this province. I would very much appreciate an "official" letter from you that says you support this initiative. You may send or fax me at the address below.

Sincerely,

Richard Magnus, MLA  
Calgary North Hill Constituency  
710 Legislature Annex  
9718 - 107 Street  
Edmonton, AB T5K 1E4  
Phone: (780) 427-3018  
Fax: (780) 422-1671

[This message has been scanned for security content threats, including computer viruses.]

Ted Hickey, (REMT-P Alumni)  
Deputy Chief  
The City of Red Deer Emergency Services Department  
Box 5008  
Red Deer, AB T4N 3T4  
Ph: 403 346 5511  
Fax: 403 343 1866  
tedh@city.red-deer.ab.ca





EMERGENCY SERVICES

November 20, 2003

Richard Magnus, MLA  
Calgary North Hill Constituency  
710 Legislature Annex  
9718 - 107 Street  
Edmonton, AB T5K 1E4

Dear Mr. Magnus,

We have become aware of your proposal of a law that would require motorists to slow to half of the posted speed limit when passing emergency services workers. The legislation being proposed is Bill 207.

The City of Red Deer Emergency Services Department provides Fire, Rescue and ambulance services to many areas within the Red Deer County as well as the City of Red Deer. This would include a large stretch of Highway #2 and other secondary highways.

We would be supportive of Bill 207 as a first step in reducing the risks to our emergency response personnel. Risks to our personnel are very real and are seen on a regular basis yearly. Our personnel do take all steps possible to protect themselves on scenes but given the normal driving speeds on our highways, vehicles passing through an accident scene still poses a continued danger and threat to on scene personnel.

The issue of the ability to enforce any law with a potential severe penalty, as a consequences of breaking the law, seems to be a key link that I am sure are part of the consideration being given to determine the effectiveness of this legislation.

Given our police, fir/rescue and ambulance staff's experience on Highway #2 at accident scenes and other emergency scenes - anything initiatives taken to increase the awareness of drivers to slow down and pay attention to their driving that would result in a reduced risk to on scene personnel and make our roadways safer would be appreciated, of value and supported.



## EMERGENCY SERVICES

If you feel we may be of assistance in pursuing or supporting your work, please contact me at the address below. I would gladly meet with you to discuss if and how we could assist in furthering this legislation.

G. Surkan  
Mayor

C: Vicotor Derkson, M.L.A Red Deer South  
Mary Anne Jablonski, M.L.A Red Deer North



January 7, 2004

Mr. Richard Magnus  
MLA, Calgary North Hill  
#710 Legislature Annex  
9718 - 107 Street  
Edmonton, AB T5K 1E4

Dear Mr. Magnus:

*Richard*

Council of the City of Red Deer recently considered a report from our Emergency Services Manager regarding Bill 207 that you are proposing for the next provincial government sitting. We understand this Bill would introduce measures that would help ensure the safety of emergency services workers at emergency scenes by reducing the speed of passing traffic.

We want to express to you Red Deer City Council's full support for the concept of this bill. A resolution was passed unanimously on December 15, 2003 to this effect.

Several City of Red Deer Emergency Services vehicles have been struck while attending emergency scenes over the past few years. Fortunately, we have yet to suffer a fatality, although we had two fire-medics receive minor injuries from a secondary collision while parked at an emergency scene. The fire-medics were able to jump into a parked ambulance when they realized an out-of-control semi was going to hit them. The ambulance absorbed much of the impact and saved their lives. The Department has also witnessed numerous near misses and close calls. Only good luck has allowed us to avoid serious consequences for our patients, bystanders, and our employees.

We would like to commend you for taking action to help ensure this type of incident is averted, and wanted you to know that Council of the City of Red Deer supports this bill.

Sincerely yours,

*Gail Surkan*

Gail Surkan  
Mayor

- c. K. Kloss, Legislative and Administrative Services Manager  
J. MacDonald, Emergency Services Manager

**THE CITY OF RED DEER**

**FILE**



Council Decision – December 15, 2003

Legislative & Administrative Services

**DATE:** December 16, 2003  
**TO:** Jack MacDonald, Emergency Services Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Proposed Bill 207: Safety of Emergency Services Workers at Emergency Scenes  
Richard Magnus, MLA Calgary North Hill Constituency

---

*Reference Report:*

Emergency Services Manager, dated December 2, 2003

*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from the Emergency Services Manager, dated December 2, 2003, re: Proposed Bill 207: Safety of Emergency Services Workers at Emergency Scenes, Richard Magnus, MLA Calgary North Hill Constituency, hereby supports the concept of Bill 207 as proposed by Mr. Richard Magnus and agrees that this support be conveyed to Mr. Magnus.”

*Report Back to Council:* No

*Comments/Further Action:*

Please draft a letter, for the Mayor’s signature, conveying the City of Red Deer’s support for the concept of Bill 207 to Mr. Magnus, with a copy of the letter to this office.

Kelly Kloss  
Manager

/chk

c Director of Development Services



**PARKLAND  
COMMUNITY  
PLANNING  
SERVICES**

Suite 404, 4808 Ross Street  
Red Deer, Alberta, T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
E-mail: [pcps@pcps.ab.ca](mailto:pcps@pcps.ab.ca)

---

**DATE:** December 8, 2003  
**TO:** Kelly Kloss, Legislative and Administrative Manager  
**FROM:** Johan van der Bank, Planner  
**RE:** **Incorporation of the Sign Regulations into the Land Use Bylaw  
Bylaw Amendment No. 3156/SS-2003**

---

**BACKGROUND**

The Sign Bylaw 3163/96 has always existed as a separate bylaw from the land use bylaw. Discussions between Inspections & Licensing staff, legal counsel and planning staff confirmed that there are merits in incorporating the Sign Bylaw into the Land Use Bylaw No. 3156/96, as the "Sign Regulations". The attached Land Use Bylaw Amendment No. 3156/SS-2003 proposes to do this.

At the same time, the Sign Regulations have been reviewed and updated, and the resulting revisions include the following:

- Minor wording changes.
- Minor technical clarifications.
- Significant for the upcoming municipal elections in 2004, there are changes to election sign rules in Section 57.

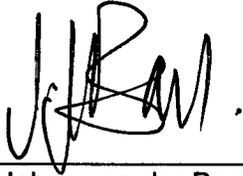
**PLANNING COMMENTS**

The changes to the Sign Regulations and their incorporation into the Land Use Bylaw will create one bylaw to deal with all forms of land use and the full range of development application procedures. This means that the Land Use Bylaw will be a one-stop reference for developers in terms of land use districts and uses, development standards and sign regulations.

The minor wording and technical changes and the changes to the rules surrounding election signs are supported by Inspections & Licensing staff, Legislative & Administrative Services staff, and legal counsel.

**RECOMMENDATION**

That City Council considers first reading of the proposed Bylaw Amendment No. 3156/SS-2003, to incorporate the Sign Regulations into the Land Use Bylaw.

A handwritten signature in black ink, appearing to read 'J van der Bank', written over a horizontal line.

Johan van der Bank  
Planner  
attachments

cc: Colleen Jensen, Director of Community Services Division  
Greg Scott, Inspections & Licensing Manager  
Don Simpson, Chapman Riebeek

*Comments:*

We agree with the recommendations of Parkland Community Planning Services that Council proceed with first reading of this bylaw amendment. A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

"G.D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**Christine Kenzie**

**From:** Johan Van der Bank  
**Sent:** December 12, 2003 3:21 PM  
**To:** Christine Kenzie  
**Cc:** Joyce Boon  
**Subject:** Revised corrected page for bylaw 3156/SS-2003



3156SS-2003.fin  
al.new page 10...

Christine

Bylaw Amendment No. 3156/SS-2003 will be considered by Council for first reading on December 15, 2003. Since having submitted the bylaw on December 8, it has come to our attention that there is a typing error on p. 10 of the bylaw, and we respectfully request that Council substitutes the attached revised page 10 prior to giving first reading to the bylaw.

On p. 10 in Section 10(15)(a) the revised, corrected page substitutes the word "site" for the word "subdivision".

**Johan van der Bank, Planner**  
**Parkland Community Planning Services**  
**Ph. (403) 343-3394; Fx: (403) 346-1570**  
[johanv@pcps.ab.ca](mailto:johanv@pcps.ab.ca)

- (15) Construction signs, provided they conform to the following requirements:
- (a) there shall not be more than a total of four construction signs per site, and:
    - (i) in residential subdivisions, the total area of all four construction signs shall not exceed 6.4 m<sup>2</sup>; and
    - (ii) in commercial and industrial subdivisions, the total area of all four construction signs shall not exceed 25m<sup>2</sup>.
  - (b) No individual construction sign in a residential area may exceed 3.2 m<sup>2</sup> in area;
  - (c) all construction signs must be located on private property;
  - (d) construction signs shall be professionally designed and maintained to the satisfaction of the Manager; and
  - (e) construction signs may be erected within a period starting not earlier than six months before the date of intended construction and ending three months following the completion of construction, but in no case shall a construction sign be erected for a maximum total time period of 18 months.

#### **Sign Owner's Responsibility**

- 11 Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Manager shall in any way relieve the Owner from full compliance with the Land Use Bylaw or other applicable legislation.
- 12 The Owner of a sign shall permit any Safety Code Officer to enter the Owner's premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw.
- 13 The owner of a sign shall at all times maintain the sign in a proper and safe state of repair and shall not allow or permit the sign to become dilapidated or unsightly.
- 14 Unless otherwise allowed in this bylaw, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.

**DATE:** January 5, 2004  
**TO:** City Council  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/SS-2003  
Incorporation of the Sign Regulations into the Land Use Bylaw

---

*History*

At the Monday, December 15, 2003 Council meeting, Council gave first reading to Land Use Bylaw Amendment 3156/SS-2003.

Land Use Bylaw Amendment 3156/SS-2003 provides for the incorporation of sign regulations into the Land Use Bylaw.

*Public Consultation Process*

A Public Hearing has been advertised for Monday, January 12, 2004 at 700 p.m. in Council Chambers during Council's regular meeting.

*Recommendations*

That following the Public Hearing, Council proceed with second and third readings of the bylaw.

Kelly Kloss  
Manager

**FILE**



Council Decision – December 15, 2003

Legislative & Administrative Services

**DATE:** December 16, 2003  
**TO:** Johan van der Bank, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/SS-2003  
Incorporation of the Sign Regulations into the Land Use Bylaw

---

*Reference Report:*

Parkland Community Planning Services, dated December 8, 2003

*Bylaw Readings:*

Prior to considering this bylaw, a change was made to Section 15 (a) – the first sentence by deleting the word “subdivision” and substituting the word “site”.

Land Use Bylaw Amendment 3156/SS-2003 was given first reading. A copy of the bylaw is attached for your information.

*Report Back to Council:* Yes

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council’s regular meeting.

*Comments/Further Action:*

Land Use Bylaw Amendment 3156/SS-2003 provides for the incorporation of sign regulations into the Land Use Bylaw. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for the advertising costs in this instance.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over a horizontal line.

Kelly Kloss  
Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno

## BYLAW AMENDMENT NO. 3156/SS-2003

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, by adding provisions to govern the construction, placement, use, height, size and character of billboards, signboards and other advertising devices.

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The definition for "Arterial Road" set out in Section 2 is deleted and replaced with the following new definition:  
  
"Arterial Road" means any roadway identified as an Arterial Road in the City of Red Deer Cost Shareable Arterial Roadway Transportation System Bylaw".
- 2 Section 4(h) is deleted.
- 3 New section 23 is added as follows:  
  
"23.1 No person shall place a sign in the City of Red Deer without first obtaining a sign permit in accordance with Schedule D.  
  
23.2 A person who fails to comply with any of the provisions of Schedule D shall be guilty of an offence and subject to the penalties set out therein."
- 4 New section 176(11) is added as follows:  
  
"176(11) Signs:  
  
(a) Freestanding Sign for uses listed in 176(2) and 176(7).
- 5 The attached new Schedule "D" is added.
- 6 Any sign permits issued prior to the repeal of Sign Bylaw 3163/96 remain in full force and effect.
- 7 Sign Bylaw No. 3163/96 is repealed.

READ A FIRST TIME IN OPEN COUNCIL this 15<sup>th</sup> day of December 2003.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## **“Schedule D: SIGN REGULATIONS**

### **Definitions**

- 1 (1) The following definitions shall be used to define signs in this Land Use Bylaw:

“A-board” means a self supporting A-shaped local advertising sign which is set upon the ground and has no external supporting structure;

“Awning Sign” means a non-illuminated local advertising sign which is painted on or affixed flat to the surface of an awning;

“Billboard” means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted structures. A billboard displays general advertising;

“Canopy” means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, mouldings, architraves, awnings and pediments;

“Canopy Sign” means a local advertising sign attached to or constructed in or on a face of a canopy or marquee but does not include an under canopy sign;

“Construction Sign” means a sign located on a site where construction is planned and which contains general information about the intended construction;

“Directional Sign” means a sign which indicates the distance and/or direction to a place of business or other premises indicated on the sign;

“Election Sign” means any sign used to promote a candidate or party during a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act;

“Electric Sign” means a sign which utilizes an electrical energy source;

“Existing Billboard” means a billboard that has been approved prior to the adoption of Land Use Bylaw No. 3156/96;

“Fascia Sign” means a local advertising sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard, a general advertising sign or a painted wall sign;

“Flashing Sign” means a sign which contains an intermittent or flashing light source;

“Free Standing Sign” means a local advertising sign that is supported independently of a building wall or structure but does not include a temporary sign;

“General Advertising” means a sign which refers to goods, activities or services other than those produced, offered for sale or free or obtainable at the premises or on the site on which the sign is displayed;

“Height of Sign” means the vertical distance measured from the highest point of the sign or sign structure to grade;

“Identification” means a sign which contains no advertising but is limited to the name, address and number of a building, institution or person;

“Inflatable Sign” means a sign or other advertising device which is designed to be inflated with air or a lighter-than-air gas and to be anchored or affixed to a building or to the ground;

“Local Advertising Sign” means a sign which advertises the business on the property where the sign is located;

“Manager” means the Inspections & Licensing Manager;

“Neighbourhood Identification Sign” means a sign which states the name of a community area and may contain a logo, symbol or map which is related to the community name;

“Owner” means a person, or the authorized agent of such person, in lawful possession or control of a sign;

“Painted Wall Sign” means a sign which is painted directly upon any outside surface or other part of a building advertising products, services, or activities which need not relate to products, services, or activities provided for at the property on which the sign is located and also includes supergraphics;

"Portable Sign" means any sign, excluding an A-board sign, that can be carried or transported from one site to another, and includes electric or magnetic signs but does not include a temporary sign;

"Projecting Sign" means a sign which projects from a structure or a building face and includes a sign in the shape of a canopy but does not include a canopy sign or an awning sign;

"Real Estate Sign" means a sign erected on a site by the owner or agent of the owner of the site, advertising the site for sale or lease but does not include an inflatable sign;

"Roof Sign" means a sign or logo which is erected upon or above a roof or parapet of a building but does not include an inflatable sign;

"Rotating Sign" means a local advertising sign or portion of a local advertising sign which moves in a revolving manner, but does not include a clock;

"Sign" includes any device used to identify or advertise a place of business or a product, whether words or numbers are used or not;

"Sign Area" means the entire surface area of a sign, or in the case of a painted wall sign a building face, on which advertising copy could be placed and includes any frame or embellishment which forms an integral part of the display but does not include landscaping and in the case of a double-face or multi-face sign, the average of the total area of all sign faces;

"Sign Permit" means permission in writing given by the Manager to erect or place a sign in accordance with the land use bylaw or any variance thereto;

"Sign Structure" means a structure designed to support a sign and may consist of a single pole or be a wall or an integral part of the building;

"Subdivision" means a neighbourhood of approximately 160 acres;

"Subdivision Identification Sign" means a sign containing general information about a new subdivision such as the name of the subdivision or the name of the developer;

"Supergraphics" means a graphic design painted on a building, which does not convey a defined advertising message or logo and includes a mural;

“Temporary Sign” means a sign or banner which is not in a permanently installed or affixed position, advertising a product or an activity on a limited time basis and includes signs for seasonal vendors, signs for special events of a non retail nature but does not include a Portable Sign;

“Under-Canopy Sign” means a local advertising sign which is suspended beneath a canopy;

“Wall Sign” means a sign which is mounted or fixed to or supported by a wall by any means but does not include a fascia sign and may display general advertising;

“Window Sign” means a local advertising sign which is painted on, attached to or installed inside a window for the purpose of being viewed from outside the premises;

- (2) Reference to land use districts in this Schedule means the respective land use district established in the Land Use Bylaw.

### **Sign Regulation Procedures**

#### **Duties of the Inspections and Licensing Manager**

- 2 (1) The Manager may by notice in writing:
- (a) direct the owner to correct the condition of any sign or remove any sign within 30 days of receipt of the notice where, in the opinion of the Manager, that condition or sign constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe;
  - (b) order the owner to stop work on a sign if it is proceeding in contravention of this bylaw;
  - (c) order the owner to stop work on a sign if a permit has not been issued.

#### **Sign Permit and Requirements**

- 3 Except as provided in Section 10 of this Schedule, no person shall place, replace, erect or use any sign without first obtaining a sign permit.
- 4 The Manager shall issue a sign permit if the sign complies with the provisions of the Land Use Bylaw.

- 5 (1) The sign permit shall bear the date on which it is issued and if active work is not commenced within the period of 12 months from the date of its issuance, the sign permit shall expire and become invalid, unless the Manager approves an extension of time which must be requested by the owner.
- (2) Provided the sign is erected within 12 months of the date of issue of the permit, the permit shall continue in force from year to year.
- 6 An application for a sign permit shall include the following:
  - (1) the name and address of:
    - (a) the sign company responsible for the sign; and
    - (b) the owner of the sign; and
    - (c) the registered owner of the land or premises upon which the sign is to be erected.
  - (2) a site plan designating location and setback requirements;
  - (3) a plan showing the following construction details:
    - (a) the overall dimensions of the sign and the total sign area;
    - (b) the amount of projection from the face of the building, where applicable;
    - (c) the amount of projection over City property, where applicable;
    - (d) the height of the top and the bottom of sign above City streets, sidewalks, or the average ground level at the face of the building or sign;
    - (e) the distance to aerial power lines from freestanding signs.
- 7 Normal maintenance of a sign in accordance with an existing permit does not require a new permit.
- 8 Whenever the conditions of installation require unusual structural provisions, the Manager, if he deems it necessary in the interest of public safety, may require that a structural drawing be prepared by and bear the seal of a professional engineer.
- 9 Upon application by the Owner the Municipal Planning Commission may consider a relaxation of only the size, dimension, area or distance

separation requirement for any sign, and the Municipal Planning Commission may, if it considers that the request is reasonable, grant a relaxation for those items only.

### **Signs Not Requiring a Sign Permit**

- 10 The following signs shall not require a sign permit but must comply with the regulations of the Land Use Bylaw as amended, where applicable:
- (1) signs, notices, placards or bulletins required or permitted to be displayed:
    - (a) under the provisions of federal, provincial or municipal legislation;
    - (b) by or on behalf of the federal, provincial or municipal government;
    - (c) on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government;
  - (2) advertising signs displayed in or on buses, bus shelters, bus stop seats or on garbage or recycling bins located on streets under an agreement with the City;
  - (3) signs located in or on taxi cabs, under the Taxi Business Bylaw;
  - (4) signs located inside a building, including permanent tenant identification signs located inside an enclosed shopping mall;
  - (5) the name or address of a building when it is sculptured or formed out of the fabric of the building face;
  - (6) street numbers or letters displayed on a premises where together the total copy area is less than 1.2 square metres;
  - (7) a fascia sign which is attached to a residential dwelling unit or its accessory buildings and states no more than the name of the building or the name of the persons occupying the building or both, provided that the total sign area does not exceed 0.28 square metres;
  - (8) a fascia sign or a canopy sign which is attached to a building other than a residential dwelling unit and states no more than:
    - (a) the name or address of the building;

- (b) the name of the person or institution occupying the building;  
and
  - (c) the activities carried on in the building including hours of operation and rates charges, provided the total sign area does not exceed 1.5 square metres;
- (9) a real estate sign provided that the total sign area does not exceed 1.0 square metre in a residential district or 6 square metres in any other district;
- (10) signs placed on a premises for the guidance, warning or restraint of persons;
- (11) window signs, unless otherwise stated in this Bylaw;
- (12) A-Board signs located within the boundaries of lots in the I1, I2, C1 and C1A land use districts provided that:
- (a) such signs may not display general advertising; and
  - (b) in the I1 and I2 Districts such signs may not be placed on any portion of a lot which abuts an arterial road; and

provided these signs meet the requirements in Section 26 of this Schedule.

- (13) candidates' election signs only during the following time frames:
- (a) between September 1 of an election year and the date of the election, in the case of an election under the Local Authorities Election Act, and
  - (b) between the date the election is officially called and the date of the election, in the case of elections for Federal and Provincial public office,

and provided that the signs comply with Section 57 of this Schedule.

- (14) Directional signs with an area less than 1.4 square metres;

- (15) Construction signs, provided they conform to the following requirements:
- (a) there shall not be more than a total of four construction signs per site, and:
    - (i) in residential subdivisions, the total area of all four construction signs shall not exceed 6.4 m<sup>2</sup>; and
    - (ii) in commercial and industrial subdivisions, the total area of all four construction signs shall not exceed 25m<sup>2</sup>.
  - (b) No individual construction sign in a residential area may exceed 3.2 m<sup>2</sup> in area;
  - (c) all construction signs must be located on private property;
  - (d) construction signs shall be professionally designed and maintained to the satisfaction of the Manager; and
  - (e) construction signs may be erected within a period starting not earlier than six months before the date of intended construction and ending three months following the completion of construction, but in no case shall a construction sign be erected for a maximum total time period of 18 months.

#### **Sign Owner's Responsibility**

- 11 Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Manager shall in any way relieve the Owner from full compliance with the Land Use Bylaw or other applicable legislation.
- 12 The Owner of a sign shall permit any Safety Code Officer to enter the Owner's premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw.
- 13 The owner of a sign shall at all times maintain the sign in a proper and safe state of repair and shall not allow or permit the sign to become dilapidated or unsightly.
- 14 Unless otherwise allowed in this bylaw, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.

## **General Regulations**

### **Structural Provisions**

- 15 (1) All sign structures shall be securely built, constructed and erected to conform to the standards set forth in this bylaw.

### **Safety Provisions**

- 16 No person shall:
- (1) erect or maintain any sign that is in contravention of this or any other City bylaw;
  - (2) erect a sign or sign structure on any exterior stairway, fire escape, fire tower or balcony serving as a horizontal exit; or
  - (3) erect a sign so that any portion of the surface or supports will interfere in any way with any of the following:
    - (a) any opening necessary for a standpipe, required light, ventilation or exit from the premises;
    - (b) the free use of any window above the first storey; or
    - (c) the free passage from one part of a roof to another part of the same roof;
  - (4) erect, construct or maintain a sign or a display structure so as to create a hazard for pedestrian or vehicular traffic by blocking sight lines between pedestrian and vehicular traffic or distracting a driver or pedestrian, as determined by the Engineering Services Manager;
  - (5) erect, construct or maintain any sign which makes use of the words, "STOP", "LOOK", and "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

### **Illumination Provisions**

- 17 No person shall place flashing signs at locations closer than twenty-three (23) metres to any dwelling in a residential district.
- 18 No person shall place flashing signs, revolving beacons, readograms, stationary lights or coloured signs at locations which may, in the opinion of the Engineering Services Manager, obscure or cause confusion with

traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.

- 19 No permit shall be issued for and no person shall erect, install or maintain an electric sign, unless it conforms with the Alberta Safety Codes Act and regulations thereto.

#### **Projection Over City Property – Overhanging Sign**

- 20 Except for an A-board sign for which a permit has been issued under this bylaw or an Election Sign pursuant to Section 57 of this schedule, no person shall erect a sign upon or over City property (including rights of ways, easements and utility lots), or within any setbacks required by the Land Use Bylaw without:
- (1) the approval of the Manager; and
  - (2) entering into an encroachment agreement binding upon the owner of the land or building to which the sign is attached, and containing provisions to:
    - (a) indemnify the City;
    - (b) place and maintain insurance; and
    - (c) charge the land with any costs incurred by the City.
- 21
- (1) No person shall erect a sign so that any part of the sign or the sign structure projects into or over a lane at a clearance less than 4.6 metres above grade; and
  - (2) Within a distance of 7.5 metres from the intersection of the boundaries of two streets, two lanes, or a street and a lane, no person shall erect a sign in such a manner that:
    - (a) a vertical line from the outer edge of the sign intersects the sidewalk below at a point less than 1.5 metres from the face of curb;
    - (b) any part of the sign is less than 0.9 metres from any utility pole or a pole supporting traffic signals or signs;
  - (3) No person shall place or construct a sign extending over a street or lane where the street or lane is less than ten (10) metres wide.

#### **Insurance**

- 22 The owner of any sign that overhangs City property, where a permit has been issued, shall be responsible for maintaining in force an insurance

policy naming the City as an additional insured and shall provide evidence of such insurance to the City on demand.

### **License Fee**

- 23 Where a sign is permitted on City land, the owner shall pay to the City an annual license fee in an amount as established by Council from time to time.

### **Permit Fee**

- 24 The permit fee for a sign is determined by the Permit Fee Bylaw.

### **Revocation of Sign Permit**

- 25 The Manager may revoke any sign permit where:
- (1) a sign for which such permit was issued violates the conditions of the permit or any of the provisions of this bylaw; or
  - (2) the owner is in breach of any of the provisions of this bylaw.

### **Sign Regulation by Type**

#### **A-Board Signs**

- 26 A-Board Signs shall:
- (1) be of a painted finish, be neat and clean, and be maintained in such condition; and
  - (2) be of a size not exceeding 0.61m wide by 0.92m high, and not less than 0.30m wide by 0.61m high.
- 27 A-Board Signs placed on City property within a C1 or C1A District:
- (1) may only be placed on the boulevard or sidewalk in front of the business being advertised within one metre of the face of the curb; and
  - (2) shall be placed as close as practical to a parking meter, where applicable.
- 28 The Manager may issue a sign permit to permit one A-Board sign to be erected in the boulevard of a collector or arterial road near a C3 district subject to the following conditions:

- (1) the C3 site for which the permit is issued shall be 40 metres or more from a collector or arterial road;
- (2) the A-Board sign is erected for or on behalf of one tenant in the C3 site;
- (3) not more than one A-Board sign may be issued for the C3 site;
- (4) the arterial or collector road on which the site is located is the one that provides the closest access to the C3 site;
- (5) the sign may remain at its approved location only during the business hours of the permit holder;
- (6) the sign permit shall expire two years from the date of its issue; and
- (7) subject to compliance with the distance requirements of this bylaw, the sign is to be placed as close as possible to the C3 site.

#### **Subdivision Identification Signs**

29 A Subdivision Identification Sign must meet the following requirements:

- (1) it must be professionally designed and maintained;
- (2) the appearance and contents of the sign must be approved by the Manager;
- (3) it must be located on private property adjacent to the entry of the subdivision;
- (4) it may not exceed 12 square metres in area unless the sign is located more than 100 metres from a roadway and is approved by the Development Officer;
- (5) not more than one sign for each entrance to the subdivision;
- (6) it may be approved for a period of up to five years;
- (7) the Manager may approve one-year renewals of the permit for a Subdivision Identification Sign after the initial five-year term, provided that the sign remains properly maintained, there are still lots available for sale and the continued presence of the sign will not adversely affect any municipal interests in the land on which the sign is erected.

**Awning Signs, Canopy Signs and Under Canopy Signs**

- 30 Awning signs shall not project from the building to a point greater than where a perpendicular line from the front edge of the awning will intersect the sidewalk 0.6 metres from the face of curb.
- 31 (1) Canopy signs may be attached to the sides and front of the canopy, and such signs may extend the entire length and width of the canopy.
- (2) Under canopy signs may be hung from the canopy provided such signs shall not:
- (a) extend beyond the sides or the front of such canopy; and
  - (b) exceed a vertical dimension of 1.5 metres.
- 32 (1) No person shall erect an awning sign, a canopy sign or an under canopy sign unless such sign:
- (a) is securely hung and anchored to the building to which it is attached;
  - (b) the structure to which it is attached is capable of resisting all stresses resulting from dead weight, snow and wind loads;
  - (c) is at clearance of not less than 2.8 metres from the grade of the sidewalk;
  - (d) does not project more than 3 metres from the face of the building or structure to which it is attached.
- (2) Projecting signs installed over or above canopies shall not be supported by the canopy.

**Billboard Signs**

- 33 A billboard sign shall not:
- (1) be more than 3.10 m high, and not more than 6.10 m long;
  - (2) have a maximum height above grade of more than 6.1 metres;
  - (3) have a maximum area exceeding 19.0 square metres;
  - (4) not be located closer than 3m to any property line;

- (5) not be erected, constructed, altered or used anywhere within the City except as provided by this and other bylaws of the City.
- 34 (1) The land and the sites in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard where the back of the billboard is visible to pedestrian or vehicle traffic.
- (2) An existing billboard may be relocated on the same site with the approval of the Manager.

### **Fascia Signs**

- 35 Fascia signs shall not be located above any portion of a street, or project over public property unless there is a minimum clearance from grade of 2.5 metres and a maximum projection of 0.4 metres.

### **Freestanding Signs**

- 36 A freestanding sign may be allowed in a setback area as established in the Land Use Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon 30 days written notice from the City.
- 37 In a C2 (District Shopping Centre) district, freestanding signs are subject to the following regulations:
- (1) only one sign may be allowed for the purpose of identifying the said centre and the tenants collectively, except that an additional auxiliary sign may be allowed for a gas bar which auxiliary sign shall not exceed 2 square metres;
  - (2) the maximum sign area shall be 9.3 square metres;
  - (3) the maximum height of a sign shall be 9.0 metres for signs abutting an arterial street and 7.5 m for signs abutting any other street, and where signs are located at the corner of an arterial and any other street, the lower maximum limit shall apply.
- 38 In a C2 (Regional Shopping Centre) District, freestanding signs are subject to the following regulations:
- (1) one sign up to a maximum area of 40 square metres may be allowed per site for the purpose of identifying the said centre and the tenants collectively; or

- (2) for the purpose of identifying the said centre and the tenants collectively, one sign not exceeding 25 square metres in area may be allowed per arterial road frontage;

Provided that in either case the maximum height of sign shall be 9 metres.

- 39 (1) A minimum separation distance of 50 metres shall be maintained between freestanding signs located on the same site.
  - (2) Distance requirements between freestanding signs shall not apply to entrance or exit signs used for the purpose of directing traffic, providing:
    - (a) those signs do not display any advertising message, excluding a logo; and
    - (b) the sign area does not exceed 2 square metres.
  - (3) In the C1, C1A and C4 Districts there shall be a maximum of two signs per site.
  - (4) Notwithstanding subsection 39(3), where the site is at the corner of two or more arterial roads, one additional sign may be allowed on the site.
- 40 The maximum area of a freestanding sign:
- (1) in the A1, P1, PS and R1 Districts is 2.0 square metres;
  - (2) in the C3 District is 5.0 square metres;
  - (3) in the C1, C1A, I1 and I2 Districts is 12.0 square metres;
  - (4) in the C4 and DC(2) Districts is 18.5 square metres where the site is adjacent to an arterial road; where there is a service road between the site and the arterial road, a 25 square metre free-standing sign may be allowed.
- 41 The maximum height of a freestanding sign:
- (1) in the A1, P1, PS, R1 and C3 Districts is 4.5 metres;
  - (2) in the C1, C1A, I1, I2 and DC(2) Districts is 9.0 metres;
  - (3) in the C4 District is 12.0 metres.

- 42 The bottom of freestanding signs:
- (1) in C3 Districts shall be a minimum of 2.8 metres above grade; and
  - (2) in all other Districts where such signs are allowed, shall be a minimum of 3.6 metres above grade, unless a lesser distance is approved by the Engineering Services Manager, and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

### **Neighbourhood Identification Signs**

- 43 A Neighbourhood Identification sign may be erected by a developer at the entrances to a subdivision, subject to the developer entering into a Development Agreement to the satisfaction of Engineering Services and dealing with the precise location, number, size, design and character of the sign and making provision for the perpetual maintenance and care of the sign.
- 44 Neighbourhood identification signs shall:
- (1) be for neighbourhood identification purposes only;
  - (2) display no advertising; and
  - (3) be constructed of maintenance free material wherever possible.
- 45 A neighbourhood identification sign shall not:
- (1) encroach upon a utility right-of-way; or
  - (2) affect traffic safety.

### **Painted Wall Signs**

- 46 A painted wall sign shall not exceed 3.1 metres in height and 9.14 metres in length.
- 47 Only one sign per wall is permitted.
- 48 Notwithstanding Section 47, a supergraphic may be the entire length of an exterior wall providing the design has been approved by the Municipal Planning Commission.

**Portable, Temporary and Inflatable Signs**

- 49 (1) No person shall place, erect or use a portable, temporary or inflatable sign anywhere in the City.
- (2) This provision shall not apply to portable signs erected by the City or the RCMP as warning signs in connection with traffic speed or safety.

**Projecting Signs**

- 50 No projecting sign shall be erected so that the bottom thereof is less than 2.8 metres above the sidewalk; provided however, where traffic lights may be obscured in the opinion of the Engineering Services Manager, the minimum requirement for the bottom of the projecting sign may be increased to a height of 3.6 metres or more above the sidewalk.
- 51 All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The Electrical Protection Act.
- 52 The maximum area of a projecting sign shall be 4.5 square metres.
- 53 The nearest edge of a projecting sign shall not be set off more than 0.3 metres from the building face.

**Roof Signs**

- 54 Roof signs and their support shall be designed by a professional engineer.
- 55 Roof signs shall comply with the building and development regulations such as maximum height, minimum side yard, etc. specified in the district in which they are to be located.

**Wall Signs**

- 56 (1) Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.
- (2) The maximum horizontal dimension of a wall sign shall be 6.1 metres.

**Election Signs**

- 57 (1) Election signs may be placed on private or public property (with the approval of the owner/public authority).
- (2) Election signs are permitted on municipal property only as designated by the City Council.
- (3) No encroachment of an election sign from private property onto municipal property will be permitted unless it is at a designated location.
- (4) Election signs must be located at least three metres from the back of sidewalk or if there is no sidewalk, the back of curb.
- (5) Election signs on public property may not exceed 3 square metres in size nor 3.6 metres in height.
- (6) Candidates shall remove their election signs from public and private property within forty-eight (48) hours after the close of the voting stations on election day and ensure that the site is cleaned up and that the holes are filled with a mixture of topsoil and grass seed;
- (7) If a candidate fails to remove his or her election signs within forty-eight (48) hours after the voting stations close on election day, the Bylaw Enforcement Officers may remove them and the candidate shall be liable for the cost of removal
- (8) When an election sign interferes with work being carried out by City work crews or contractors doing work on behalf of the City, the crews may remove and dispose of such signs
- (9) Bylaw Enforcement Officers employed by the City may remove any election signs which have been erected, affixed, posted or placed on any City property in contravention of this bylaw.
- (10) A candidate whose name appears on an election sign which is in contravention of this bylaw shall be guilty of an offence under this bylaw.

**Offensive Signage**

- 58 (1) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.

- (2) No billboard, wall sign, or painted wall sign, including supergraphics shall be allowed to advertise adult entertainment or services which feature nudity.

### **Offences and Penalties**

59 Any person who:

- (1) contravenes or fails to comply with any provision of this bylaw or any permit issued hereunder; or
- (2) erects or places a sign in contravention of this bylaw; or
- (3) obstructs or hinders any person in the performance of his duties under this bylaw; or
- (4) fails to comply with any order of the Manager

is guilty of an offence and is liable on a first offence to a penalty of \$150.00, and the City shall have the authority to confiscate the sign and any subsequent signs.

60 The penalty for a second offence shall be \$500.00.

61 Where a Peace Officer or Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the City in lieu of prosecution for the offence."



**DATE:** December 2, 2003  
**TO:** Kelly Kloss – Legislative & Administrative Services Manager  
**FROM:** Joyce Boon- Permits & Licensing Supervisor  
**RE:** PERMIT FEE BYLAW 3149/95 AMENDMENT

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On December 15, 2003, Parkland Community Planning Services are presenting City Council with a proposal to incorporate the existing Sign Bylaw # 3163/96 into the Land Use Bylaw. This will result in the Sign Bylaw # 3163/96 being repealed.

The Land Use Bylaw does not include permit fees. All permit fees are contained within the Permit Fee Bylaw #3149/95. As a result of these changes an amendment is required to the Permit Fee Bylaw #3149/95 to include sign permit fees.

### **RECOMMENDATION**

That Council for The City of Red Deer consider the following proposed amendments to Permit Bylaw #3149/95:

- Add to Schedule "A"

### **#9. SIGN PERMITS**

1. Fees are calculated based on a cost of ten dollars (\$10.00) per square metre with a minimum of thirty dollars (\$30.00) except supergraphics which will pay a flat fee of thirty dollars. (\$30.00)
2. Should any person erect a sign without first obtaining a sign permit such person shall upon issuance of the permit be subject to double the amount of the permit, in addition to any penalty which may be imposed in respect of the contravention.

A handwritten signature in black ink, appearing to read 'J. Boon', is written over the printed name 'Joyce Boon'.

Joyce Boon  
Permits & Licensing Supervisor

*Comments:*

We recommend that Council proceed with first reading of this bylaw amendment and that second and third reading be considered when second and third readings of Land Use Bylaw Amendment 3156/SS-2003 is considered.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**SIGN BYLAW  
LUB 3156/SS-2003**

DESCRIPTION: Incorporation of the sign regulations

FIRST READING: December 15, 2003

FIRST PUBLICATION: December 26, 2003

SECOND PUBLICATION: January 2, 2004

PUBLIC HEARING & SECOND READING: January 12, 2004

THIRD READING: Jan. 12, 2004

LETTERS REQUIRED TO PROPERTY OWNERS: YES  NO

DEPOSIT? YES  \$ \_\_\_\_\_ NO  BY: CITY

ACTUAL COST OF ADVERTISING:  
\$ \_\_\_\_\_ X 2 TOTAL: \$ \_\_\_\_\_

MAP PREPARATION: \$ \_\_\_\_\_

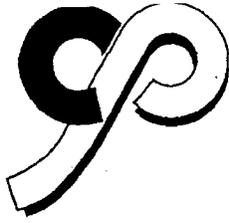
TOTAL COST: \$ \_\_\_\_\_

LESS DEPOSIT RECEIVED: \$ \_\_\_\_\_

AMOUNT OWING/ (REFUND): \$ \_\_\_\_\_

INVOICE NO.: \_\_\_\_\_

(Account No. 59.5901)



**PARKLAND  
COMMUNITY  
PLANNING  
SERVICES**

Suite 404, 4808 Ross Street  
Red Deer, Alberta, T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
E-mail: pcps@pcps.ab.ca

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**DATE:** December 8, 2003

**TO:** Kelly Kloss, Legislative and Administrative Manager

**FROM:** Johan van der Bank, Planner

**RE:** **Incorporation of the Sign Regulations into the Land Use Bylaw  
Bylaw Amendment No. 3156/SS-2003**

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**BACKGROUND**

The Sign Bylaw 3163/96 has always existed as a separate bylaw from the land use bylaw. Discussions between Inspections & Licensing staff, legal counsel and planning staff confirmed that there are merits in incorporating the Sign Bylaw into the Land Use Bylaw No. 3156/96, as the "Sign Regulations". The attached Land Use Bylaw Amendment No. 3156/SS-2003 proposes to do this.

At the same time, the Sign Regulations have been reviewed and updated, and the resulting revisions include the following:

- Minor wording changes.
- Minor technical clarifications.
- Significant for the upcoming municipal elections in 2004, there are changes to election sign rules in Section 57.

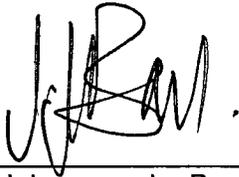
**PLANNING COMMENTS**

The changes to the Sign Regulations and their incorporation into the Land Use Bylaw will create one bylaw to deal with all forms of land use and the full range of development application procedures. This means that the Land Use Bylaw will be a one-stop reference for developers in terms of land use districts and uses, development standards and sign regulations.

The minor wording and technical changes and the changes to the rules surrounding election signs are supported by Inspections & Licensing staff, Legislative & Administrative Services staff, and legal counsel.

**RECOMMENDATION**

That City Council considers first reading of the proposed Bylaw Amendment No. 3156/SS-2003, to incorporate the Sign Regulations into the Land Use Bylaw.



---

Johan van der Bank  
Planner  
attachments

cc: Colleen Jensen, Director of Community Services Division  
Greg Scott, Inspections & Licensing Manager  
Don Simpson, Chapman Riebeek

**BYLAW AMENDMENT NO. 3156/SS-2003**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, by adding provisions to govern the construction, placement, use, height, size and character of billboards, signboards and other advertising devices.

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The definition for "Arterial Road" set out in Section 2 is deleted and replaced with the following new definition:  
  
"Arterial Road" means any roadway identified as an Arterial Road in the City of Red Deer Cost Sharable Arterial Roadway Transportation System Bylaw".
- 2 Section 4(h) is deleted.
- 3 New section 23 is added as follows:  
  
"23.1 No person shall place a sign in the City of Red Deer without first obtaining a sign permit in accordance with Schedule D.  
  
23.2 A person who fails to comply with any of the provisions of Schedule D shall be guilty of an offence and subject to the penalties set out therein."
- 4 New section 176(11) is added as follows:  
  
"176(11) Signs:  
  
(a) Freestanding Sign for uses listed in 176(2) and 176(7).
- 5 The attached new Schedule "D" is added.
- 6 Any sign permits issued prior to the repeal of Sign Bylaw 3163/96 remain in full force and effect.
- 7 Sign Bylaw No. 3163/96 is repealed.



Council Decision – December 15, 2003

**Legislative & Administrative Services**

**DATE:** December 16, 2003  
**TO:** Johan van der Bank, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/SS-2003  
Incorporation of the Sign Regulations into the Land Use Bylaw

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***Reference Report:***

Parkland Community Planning Services, dated December 8, 2003

***Bylaw Readings:***

Prior to considering this bylaw, a change was made to Section 15 (a) – the first sentence by deleting the word “subdivision” and substituting the word “site”.

Land Use Bylaw Amendment 3156/SS-2003 was given first reading. A copy of the bylaw is attached for your information.

***Report Back to Council:*** Yes

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council’s regular meeting.

***Comments/Further Action:***

Land Use Bylaw Amendment 3156/SS-2003 provides for the incorporation of sign regulations into the Land Use Bylaw. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for the advertising costs in this instance.



Kelly Kloss  
Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno

## BYLAW AMENDMENT NO. 3156/SS-2003

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, by adding provisions to govern the construction, placement, use, height, size and character of billboards, signboards and other advertising devices.

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The definition for "Arterial Road" set out in Section 2 is deleted and replaced with the following new definition:  
  
"Arterial Road" means any roadway identified as an Arterial Road in the City of Red Deer Cost Shareable Arterial Roadway Transportation System Bylaw".
- 2 Section 4(h) is deleted.
- 3 New section 23 is added as follows:  
  
"23.1 No person shall place a sign in the City of Red Deer without first obtaining a sign permit in accordance with Schedule D.  
  
23.2 A person who fails to comply with any of the provisions of Schedule D shall be guilty of an offence and subject to the penalties set out therein."
- 4 New section 176(11) is added as follows:  
  
"176(11) Signs:  
  
(a) Freestanding Sign for uses listed in 176(2) and 176(7).
- 5 The attached new Schedule "D" is added.
- 6 Any sign permits issued prior to the repeal of Sign Bylaw 3163/96 remain in full force and effect.
- 7 Sign Bylaw No. 3163/96 is repealed.

READ A FIRST TIME IN OPEN COUNCIL this 15<sup>th</sup> day of December 2003.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## **“Schedule D: SIGN REGULATIONS**

### **Definitions**

- 1 (1) The following definitions shall be used to define signs in this Land Use Bylaw:

“A-board” means a self supporting A-shaped local advertising sign which is set upon the ground and has no external supporting structure;

“Awning Sign” means a non-illuminated local advertising sign which is painted on or affixed flat to the surface of an awning;

“Billboard” means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted structures. A billboard displays general advertising;

“Canopy” means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, mouldings, architraves, awnings and pediments;

“Canopy Sign” means a local advertising sign attached to or constructed in or on a face of a canopy or marquee but does not include an under canopy sign;

“Construction Sign” means a sign located on a site where construction is planned and which contains general information about the intended construction;

“Directional Sign” means a sign which indicates the distance and/or direction to a place of business or other premises indicated on the sign;

“Election Sign” means any sign used to promote a candidate or party during a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act;

“Electric Sign” means a sign which utilizes an electrical energy source;

“Existing Billboard” means a billboard that has been approved prior to the adoption of Land Use Bylaw No. 3156/96;

"Fascia Sign" means a local advertising sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard, a general advertising sign or a painted wall sign;

"Flashing Sign" means a sign which contains an intermittent or flashing light source;

"Free Standing Sign" means a local advertising sign that is supported independently of a building wall or structure but does not include a temporary sign;

"General Advertising" means a sign which refers to goods, activities or services other than those produced, offered for sale or free or obtainable at the premises or on the site on which the sign is displayed;

"Height of Sign" means the vertical distance measured from the highest point of the sign or sign structure to grade;

"Identification" means a sign which contains no advertising but is limited to the name, address and number of a building, institution or person;

"Inflatable Sign" means a sign or other advertising device which is designed to be inflated with air or a lighter-than-air gas and to be anchored or affixed to a building or to the ground;

"Local Advertising Sign" means a sign which advertises the business on the property where the sign is located;

"Manager" means the Inspections & Licensing Manager;

"Neighbourhood Identification Sign" means a sign which states the name of a community area and may contain a logo, symbol or map which is related to the community name;

"Owner" means a person, or the authorized agent of such person, in lawful possession or control of a sign;

"Painted Wall Sign" means a sign which is painted directly upon any outside surface or other part of a building advertising products, services, or activities which need not relate to products, services, or activities provided for at the property on which the sign is located and also includes supergraphics;

"Portable Sign" means any sign, excluding an A-board sign, that can be carried or transported from one site to another, and includes electric or magnetic signs but does not include a temporary sign;

"Projecting Sign" means a sign which projects from a structure or a building face and includes a sign in the shape of a canopy but does not include a canopy sign or an awning sign;

"Real Estate Sign" means a sign erected on a site by the owner or agent of the owner of the site, advertising the site for sale or lease but does not include an inflatable sign;

"Roof Sign" means a sign or logo which is erected upon or above a roof or parapet of a building but does not include an inflatable sign;

"Rotating Sign" means a local advertising sign or portion of a local advertising sign which moves in a revolving manner, but does not include a clock;

"Sign" includes any device used to identify or advertise a place of business or a product, whether words or numbers are used or not;

"Sign Area" means the entire surface area of a sign, or in the case of a painted wall sign a building face, on which advertising copy could be placed and includes any frame or embellishment which forms an integral part of the display but does not include landscaping and in the case of a double-face or multi-face sign, the average of the total area of all sign faces;

"Sign Permit" means permission in writing given by the Manager to erect or place a sign in accordance with the land use bylaw or any variance thereto;

"Sign Structure" means a structure designed to support a sign and may consist of a single pole or be a wall or an integral part of the building;

"Subdivision" means a neighbourhood of approximately 160 acres;

"Subdivision Identification Sign" means a sign containing general information about a new subdivision such as the name of the subdivision or the name of the developer;

"Supergraphics" means a graphic design painted on a building, which does not convey a defined advertising message or logo and includes a mural;

"Temporary Sign" means a sign or banner which is not in a permanently installed or affixed position, advertising a product or an activity on a limited time basis and includes signs for seasonal vendors, signs for special events of a non retail nature but does not include a Portable Sign;

"Under-Canopy Sign" means a local advertising sign which is suspended beneath a canopy;

"Wall Sign" means a sign which is mounted or fixed to or supported by a wall by any means but does not include a fascia sign and may display general advertising;

"Window Sign" means a local advertising sign which is painted on, attached to or installed inside a window for the purpose of being viewed from outside the premises;

- (2) Reference to land use districts in this Schedule means the respective land use district established in the Land Use Bylaw.

### **Sign Regulation Procedures**

#### **Duties of the Inspections and Licensing Manager**

- 2 (1) The Manager may by notice in writing:
- (a) direct the owner to correct the condition of any sign or remove any sign within 30 days of receipt of the notice where, in the opinion of the Manager, that condition or sign constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe;
  - (b) order the owner to stop work on a sign if it is proceeding in contravention of this bylaw;
  - (c) order the owner to stop work on a sign if a permit has not been issued.

#### **Sign Permit and Requirements**

- 3 Except as provided in Section 10 of this Schedule, no person shall place, replace, erect or use any sign without first obtaining a sign permit.
- 4 The Manager shall issue a sign permit if the sign complies with the provisions of the Land Use Bylaw.

- 5 (1) The sign permit shall bear the date on which it is issued and if active work is not commenced within the period of 12 months from the date of its issuance, the sign permit shall expire and become invalid, unless the Manager approves an extension of time which must be requested by the owner.
- (2) Provided the sign is erected within 12 months of the date of issue of the permit, the permit shall continue in force from year to year.
- 6 An application for a sign permit shall include the following:
  - (1) the name and address of:
    - (a) the sign company responsible for the sign; and
    - (b) the owner of the sign; and
    - (c) the registered owner of the land or premises upon which the sign is to be erected.
  - (2) a site plan designating location and setback requirements;
  - (3) a plan showing the following construction details:
    - (a) the overall dimensions of the sign and the total sign area;
    - (b) the amount of projection from the face of the building, where applicable;
    - (c) the amount of projection over City property, where applicable;
    - (d) the height of the top and the bottom of sign above City streets, sidewalks, or the average ground level at the face of the building or sign;
    - (e) the distance to aerial power lines from freestanding signs.
- 7 Normal maintenance of a sign in accordance with an existing permit does not require a new permit.
- 8 Whenever the conditions of installation require unusual structural provisions, the Manager, if he deems it necessary in the interest of public safety, may require that a structural drawing be prepared by and bear the seal of a professional engineer.
- 9 Upon application by the Owner the Municipal Planning Commission may consider a relaxation of only the size, dimension, area or distance

separation requirement for any sign, and the Municipal Planning Commission may, if it considers that the request is reasonable, grant a relaxation for those items only.

### **Signs Not Requiring a Sign Permit**

- 10 The following signs shall not require a sign permit but must comply with the regulations of the Land Use Bylaw as amended, where applicable:
- (1) signs, notices, placards or bulletins required or permitted to be displayed:
    - (a) under the provisions of federal, provincial or municipal legislation;
    - (b) by or on behalf of the federal, provincial or municipal government;
    - (c) on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government;
  - (2) advertising signs displayed in or on buses, bus shelters, bus stop seats or on garbage or recycling bins located on streets under an agreement with the City;
  - (3) signs located in or on taxi cabs, under the Taxi Business Bylaw;
  - (4) signs located inside a building, including permanent tenant identification signs located inside an enclosed shopping mall;
  - (5) the name or address of a building when it is sculptured or formed out of the fabric of the building face;
  - (6) street numbers or letters displayed on a premises where together the total copy area is less than 1.2 square metres;
  - (7) a fascia sign which is attached to a residential dwelling unit or its accessory buildings and states no more than the name of the building or the name of the persons occupying the building or both, provided that the total sign area does not exceed 0.28 square metres;
  - (8) a fascia sign or a canopy sign which is attached to a building other than a residential dwelling unit and states no more than:
    - (a) the name or address of the building;

- (b) the name of the person or institution occupying the building;  
and
  - (c) the activities carried on in the building including hours of operation and rates charges, provided the total sign area does not exceed 1.5 square metres;
- (9) a real estate sign provided that the total sign area does not exceed 1.0 square metre in a residential district or 6 square metres in any other district;
- (10) signs placed on a premises for the guidance, warning or restraint of persons;
- (11) window signs, unless otherwise stated in this Bylaw;
- (12) A-Board signs located within the boundaries of lots in the I1, I2, C1 and C1A land use districts provided that:
- (a) such signs may not display general advertising; and
  - (b) in the I1 and I2 Districts such signs may not be placed on any portion of a lot which abuts an arterial road; and
- provided these signs meet the requirements in Section 26 of this Schedule.
- (13) candidates' election signs only during the following time frames:
- (a) between September 1 of an election year and the date of the election, in the case of an election under the Local Authorities Election Act, and
  - (b) between the date the election is officially called and the date of the election, in the case of elections for Federal and Provincial public office,
- and provided that the signs comply with Section 57 of this Schedule.
- (14) Directional signs with an area less than 1.4 square metres;

- (15) Construction signs, provided they conform to the following requirements:
- (a) there shall not be more than a total of four construction signs per site, and:
    - (i) in residential subdivisions, the total area of all four construction signs shall not exceed 6.4 m<sup>2</sup>; and
    - (ii) in commercial and industrial subdivisions, the total area of all four construction signs shall not exceed 25m<sup>2</sup>.
  - (b) No individual construction sign in a residential area may exceed 3.2 m<sup>2</sup> in area;
  - (c) all construction signs must be located on private property;
  - (d) construction signs shall be professionally designed and maintained to the satisfaction of the Manager; and
  - (e) construction signs may be erected within a period starting not earlier than six months before the date of intended construction and ending three months following the completion of construction, but in no case shall a construction sign be erected for a maximum total time period of 18 months.

#### **Sign Owner's Responsibility**

- 11 Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Manager shall in any way relieve the Owner from full compliance with the Land Use Bylaw or other applicable legislation.
- 12 The Owner of a sign shall permit any Safety Code Officer to enter the Owner's premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw.
- 13 The owner of a sign shall at all times maintain the sign in a proper and safe state of repair and shall not allow or permit the sign to become dilapidated or unsightly.
- 14 Unless otherwise allowed in this bylaw, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.

## **General Regulations**

### **Structural Provisions**

- 15 (1) All sign structures shall be securely built, constructed and erected to conform to the standards set forth in this bylaw.

### **Safety Provisions**

- 16 No person shall:
- (1) erect or maintain any sign that is in contravention of this or any other City bylaw;
  - (2) erect a sign or sign structure on any exterior stairway, fire escape, fire tower or balcony serving as a horizontal exit; or
  - (3) erect a sign so that any portion of the surface or supports will interfere in any way with any of the following:
    - (a) any opening necessary for a standpipe, required light, ventilation or exit from the premises;
    - (b) the free use of any window above the first storey; or
    - (c) the free passage from one part of a roof to another part of the same roof;
  - (4) erect, construct or maintain a sign or a display structure so as to create a hazard for pedestrian or vehicular traffic by blocking sight lines between pedestrian and vehicular traffic or distracting a driver or pedestrian, as determined by the Engineering Services Manager;
  - (5) erect, construct or maintain any sign which makes use of the words, "STOP", "LOOK", and "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

### **Illumination Provisions**

- 17 No person shall place flashing signs at locations closer than twenty-three (23) metres to any dwelling in a residential district.
- 18 No person shall place flashing signs, revolving beacons, readograms, stationary lights or coloured signs at locations which may, in the opinion of the Engineering Services Manager, obscure or cause confusion with

traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.

- 19 No permit shall be issued for and no person shall erect, install or maintain an electric sign, unless it conforms with the Alberta Safety Codes Act and regulations thereto.

#### **Projection Over City Property – Overhanging Sign**

- 20 Except for an A-board sign for which a permit has been issued under this bylaw or an Election Sign pursuant to Section 57 of this schedule, no person shall erect a sign upon or over City property (including rights of ways, easements and utility lots), or within any setbacks required by the Land Use Bylaw without:
- (1) the approval of the Manager; and
  - (2) entering into an encroachment agreement binding upon the owner of the land or building to which the sign is attached, and containing provisions to:
    - (a) indemnify the City;
    - (b) place and maintain insurance; and
    - (c) charge the land with any costs incurred by the City.
- 21
- (1) No person shall erect a sign so that any part of the sign or the sign structure projects into or over a lane at a clearance less than 4.6 metres above grade; and
  - (2) Within a distance of 7.5 metres from the intersection of the boundaries of two streets, two lanes, or a street and a lane, no person shall erect a sign in such a manner that:
    - (a) a vertical line from the outer edge of the sign intersects the sidewalk below at a point less than 1.5 metres from the face of curb;
    - (b) any part of the sign is less than 0.9 metres from any utility pole or a pole supporting traffic signals or signs;
  - (3) No person shall place or construct a sign extending over a street or lane where the street or lane is less than ten (10) metres wide.

#### **Insurance**

- 22 The owner of any sign that overhangs City property, where a permit has been issued, shall be responsible for maintaining in force an insurance

policy naming the City as an additional insured and shall provide evidence of such insurance to the City on demand.

### **License Fee**

- 23 Where a sign is permitted on City land, the owner shall pay to the City an annual license fee in an amount as established by Council from time to time.

### **Permit Fee**

- 24 The permit fee for a sign is determined by the Permit Fee Bylaw.

### **Revocation of Sign Permit**

- 25 The Manager may revoke any sign permit where:
- (1) a sign for which such permit was issued violates the conditions of the permit or any of the provisions of this bylaw; or
  - (2) the owner is in breach of any of the provisions of this bylaw.

### **Sign Regulation by Type**

#### **A-Board Signs**

- 26 A-Board Signs shall:
- (1) be of a painted finish, be neat and clean, and be maintained in such condition; and
  - (2) be of a size not exceeding 0.61m wide by 0.92m high, and not less than 0.30m wide by 0.61m high.
- 27 A-Board Signs placed on City property within a C1 or C1A District:
- (1) may only be placed on the boulevard or sidewalk in front of the business being advertised within one metre of the face of the curb; and
  - (2) shall be placed as close as practical to a parking meter, where applicable.
- 28 The Manager may issue a sign permit to permit one A-Board sign to be erected in the boulevard of a collector or arterial road near a C3 district subject to the following conditions:

- (1) the C3 site for which the permit is issued shall be 40 metres or more from a collector or arterial road;
- (2) the A-Board sign is erected for or on behalf of one tenant in the C3 site;
- (3) not more than one A-Board sign may be issued for the C3 site;
- (4) the arterial or collector road on which the site is located is the one that provides the closest access to the C3 site;
- (5) the sign may remain at its approved location only during the business hours of the permit holder;
- (6) the sign permit shall expire two years from the date of its issue; and
- (7) subject to compliance with the distance requirements of this bylaw, the sign is to be placed as close as possible to the C3 site.

#### **Subdivision Identification Signs**

29 A Subdivision Identification Sign must meet the following requirements:

- (1) it must be professionally designed and maintained;
- (2) the appearance and contents of the sign must be approved by the Manager;
- (3) it must be located on private property adjacent to the entry of the subdivision;
- (4) it may not exceed 12 square metres in area unless the sign is located more than 100 metres from a roadway and is approved by the Development Officer;
- (5) not more than one sign for each entrance to the subdivision;
- (6) it may be approved for a period of up to five years;
- (7) the Manager may approve one-year renewals of the permit for a Subdivision Identification Sign after the initial five-year term, provided that the sign remains properly maintained, there are still lots available for sale and the continued presence of the sign will not adversely affect any municipal interests in the land on which the sign is erected.

**Awning Signs, Canopy Signs and Under Canopy Signs**

- 30 Awning signs shall not project from the building to a point greater than where a perpendicular line from the front edge of the awning will intersect the sidewalk 0.6 metres from the face of curb.
- 31 (1) Canopy signs may be attached to the sides and front of the canopy, and such signs may extend the entire length and width of the canopy.
- (2) Under canopy signs may be hung from the canopy provided such signs shall not:
- (a) extend beyond the sides or the front of such canopy; and
  - (b) exceed a vertical dimension of 1.5 metres.
- 32 (1) No person shall erect an awning sign, a canopy sign or an under canopy sign unless such sign:
- (a) is securely hung and anchored to the building to which it is attached;
  - (b) the structure to which it is attached is capable of resisting all stresses resulting from dead weight, snow and wind loads;
  - (c) is at clearance of not less than 2.8 metres from the grade of the sidewalk;
  - (d) does not project more than 3 metres from the face of the building or structure to which it is attached.
- (2) Projecting signs installed over or above canopies shall not be supported by the canopy.

**Billboard Signs**

- 33 A billboard sign shall not:
- (1) be more than 3.10 m high, and not more than 6.10 m long;
  - (2) have a maximum height above grade of more than 6.1 metres;
  - (3) have a maximum area exceeding 19.0 square metres;
  - (4) not be located closer than 3m to any property line;

- (5) not be erected, constructed, altered or used anywhere within the City except as provided by this and other bylaws of the City.
- 34
- (1) The land and the sites in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard where the back of the billboard is visible to pedestrian or vehicle traffic.
  - (2) An existing billboard may be relocated on the same site with the approval of the Manager.

### **Fascia Signs**

- 35 Fascia signs shall not be located above any portion of a street, or project over public property unless there is a minimum clearance from grade of 2.5 metres and a maximum projection of 0.4 metres.

### **Freestanding Signs**

- 36 A freestanding sign may be allowed in a setback area as established in the Land Use Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon 30 days written notice from the City.
- 37 In a C2 (District Shopping Centre) district, freestanding signs are subject to the following regulations:
- (1) only one sign may be allowed for the purpose of identifying the said centre and the tenants collectively, except that an additional auxiliary sign may be allowed for a gas bar which auxiliary sign shall not exceed 2 square metres;
  - (2) the maximum sign area shall be 9.3 square metres;
  - (3) the maximum height of a sign shall be 9.0 metres for signs abutting an arterial street and 7.5 m for signs abutting any other street, and where signs are located at the corner of an arterial and any other street, the lower maximum limit shall apply.
- 38 In a C2 (Regional Shopping Centre) District, freestanding signs are subject to the following regulations:
- (1) one sign up to a maximum area of 40 square metres may be allowed per site for the purpose of identifying the said centre and the tenants collectively; or

- (2) for the purpose of identifying the said centre and the tenants collectively, one sign not exceeding 25 square metres in area may be allowed per arterial road frontage;

Provided that in either case the maximum height of sign shall be 9 metres.

- 39 (1) A minimum separation distance of 50 metres shall be maintained between freestanding signs located on the same site.
  - (2) Distance requirements between freestanding signs shall not apply to entrance or exit signs used for the purpose of directing traffic, providing:
    - (a) those signs do not display any advertising message, excluding a logo; and
    - (b) the sign area does not exceed 2 square metres.
  - (3) In the C1, C1A and C4 Districts there shall be a maximum of two signs per site.
  - (4) Notwithstanding subsection 39(3), where the site is at the corner of two or more arterial roads, one additional sign may be allowed on the site.
- 40 The maximum area of a freestanding sign:
- (1) in the A1, P1, PS and R1 Districts is 2.0 square metres;
  - (2) in the C3 District is 5.0 square metres;
  - (3) in the C1, C1A, I1 and I2 Districts is 12.0 square metres;
  - (4) in the C4 and DC(2) Districts is 18.5 square metres where the site is adjacent to an arterial road; where there is a service road between the site and the arterial road, a 25 square metre free-standing sign may be allowed.
- 41 The maximum height of a freestanding sign:
- (1) in the A1, P1, PS, R1 and C3 Districts is 4.5 metres;
  - (2) in the C1, C1A, I1, I2 and DC(2) Districts is 9.0 metres;
  - (3) in the C4 District is 12.0 metres.

- 42 The bottom of freestanding signs:
- (1) in C3 Districts shall be a minimum of 2.8 metres above grade; and
  - (2) in all other Districts where such signs are allowed, shall be a minimum of 3.6 metres above grade, unless a lesser distance is approved by the Engineering Services Manager, and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

### **Neighbourhood Identification Signs**

- 43 A Neighbourhood Identification sign may be erected by a developer at the entrances to a subdivision, subject to the developer entering into a Development Agreement to the satisfaction of Engineering Services and dealing with the precise location, number, size, design and character of the sign and making provision for the perpetual maintenance and care of the sign.
- 44 Neighbourhood identification signs shall:
- (1) be for neighbourhood identification purposes only;
  - (2) display no advertising; and
  - (3) be constructed of maintenance free material wherever possible.
- 45 A neighbourhood identification sign shall not:
- (1) encroach upon a utility right-of-way; or
  - (2) affect traffic safety.

### **Painted Wall Signs**

- 46 A painted wall sign shall not exceed 3.1 metres in height and 9.14 metres in length.
- 47 Only one sign per wall is permitted.
- 48 Notwithstanding Section 47, a supergraphic may be the entire length of an exterior wall providing the design has been approved by the Municipal Planning Commission.

**Portable, Temporary and Inflatable Signs**

- 49 (1) No person shall place, erect or use a portable, temporary or inflatable sign anywhere in the City.
- (2) This provision shall not apply to portable signs erected by the City or the RCMP as warning signs in connection with traffic speed or safety.

**Projecting Signs**

- 50 No projecting sign shall be erected so that the bottom thereof is less than 2.8 metres above the sidewalk; provided however, where traffic lights may be obscured in the opinion of the Engineering Services Manager, the minimum requirement for the bottom of the projecting sign may be increased to a height of 3.6 metres or more above the sidewalk.
- 51 All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The Electrical Protection Act.
- 52 The maximum area of a projecting sign shall be 4.5 square metres.
- 53 The nearest edge of a projecting sign shall not be set off more than 0.3 metres from the building face.

**Roof Signs**

- 54 Roof signs and their support shall be designed by a professional engineer.
- 55 Roof signs shall comply with the building and development regulations such as maximum height, minimum side yard, etc. specified in the district in which they are to be located.

**Wall Signs**

- 56 (1) Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.
- (2) The maximum horizontal dimension of a wall sign shall be 6.1 metres.

**Election Signs**

- 57 (1) Election signs may be placed on private or public property (with the approval of the owner/public authority).
- (2) Election signs are permitted on municipal property only as designated by the City Council.
- (3) No encroachment of an election sign from private property onto municipal property will be permitted unless it is at a designated location.
- (4) Election signs must be located at least three metres from the back of sidewalk or if there is no sidewalk, the back of curb.
- (5) Election signs on public property may not exceed 3 square metres in size nor 3.6 metres in height.
- (6) Candidates shall remove their election signs from public and private property within forty-eight (48) hours after the close of the voting stations on election day and ensure that the site is cleaned up and that the holes are filled with a mixture of topsoil and grass seed;
- (7) If a candidate fails to remove his or her election signs within forty-eight (48) hours after the voting stations close on election day, the Bylaw Enforcement Officers may remove them and the candidate shall be liable for the cost of removal
- (8) When an election sign interferes with work being carried out by City work crews or contractors doing work on behalf of the City, the crews may remove and dispose of such signs
- (9) Bylaw Enforcement Officers employed by the City may remove any election signs which have been erected, affixed, posted or placed on any City property in contravention of this bylaw.
- (10) A candidate whose name appears on an election sign which is in contravention of this bylaw shall be guilty of an offence under this bylaw.

**Offensive Signage**

- 58 (1) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.

- (2) No billboard, wall sign, or painted wall sign, including supergraphics shall be allowed to advertise adult entertainment or services which feature nudity.

### **Offences and Penalties**

59 Any person who:

- (1) contravenes or fails to comply with any provision of this bylaw or any permit issued hereunder; or
- (2) erects or places a sign in contravention of this bylaw; or
- (3) obstructs or hinders any person in the performance of his duties under this bylaw; or
- (4) fails to comply with any order of the Manager

is guilty of an offence and is liable on a first offence to a penalty of \$150.00, and the City shall have the authority to confiscate the sign and any subsequent signs.

60 The penalty for a second offence shall be \$500.00.

61 Where a Peace Officer or Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the City in lieu of prosecution for the offence.”

**FILE**



Council Decision – December 15, 2003

Legislative & Administrative Services

**DATE:** December 16, 2003

**TO:** Permits & Licensing Supervisor  
City Solicitor

**FROM:** Legislative & Administrative Services Manager

**SUBJECT:** Permit Fee Bylaw Amendment 3149/B-2003  
Sign Permits

---

*Reference Report:*

Permits & Licensing Supervisor, dated December 2, 2003

*Bylaw Readings:*

Prior to first reading of the bylaw, a change was made to delete reference to Schedule "A" and replace it with Schedule "B". Permit Fee Bylaw Amendment 3149/B-2003 was given first reading. A copy of the bylaw is attached for your information.

*Report Back to Council:* Yes

*Comments/Further Action:*

Second and third reading of this bylaw will be considered in accordance with second and third readings of Land Use Bylaw Amendment 3156/SS-2003 (Incorporation of the Sign Regulations into the Land Use Bylaw) at the Monday, January 12, 2004 Council Meeting. In addition, Council asked for clarity regarding "Do fees apply to election signs? If not how does the bylaw exclude this? Please provide me with the background to this request by Monday, January 5, 2004.

  
Kelly Kloss  
Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno

**BYLAW NO. 3149/B-2003**

Being a bylaw to amend Bylaw No. 3149/95, the Permit Fee Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

That Bylaw 3149/95 is hereby amended as follows:

1 By adding new Section 7 as follows to Schedule "B":

"7 SIGN PERMITS

- (a) Fees are calculated based on a cost of ten dollars (\$10.00) per square metre with a minimum of thirty dollars (\$30.00) except supergraphics which will pay a flat fee of thirty dollars. (\$30.00).
- (b) Should any person erect a sign without first obtaining a sign permit such person shall upon issuance of the permit be subject to double the amount of the permit, in addition to any penalty which may be imposed in respect of the contravention."

READ A FIRST TIME IN OPEN COUNCIL this 15<sup>th</sup> day of December 2003.

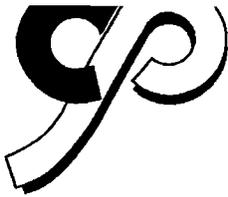
READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



**DATE:** December 8, 2003

**TO:** Kelly Kloss, Legislative and Administrative Manager

**FROM:** Johan van der Bank, Planner

**RE:** **Review of the R3 Residential (Multiple Family) District  
 Bylaw Amendment No. 3156/XX-2003**

### **BACKGROUND**

The R3 Residential (Multiple Family) District has not been updated since the adoption of the Land Use Bylaw in 1996. In particular there appears to be a need to update this land use district with regard to "Assisted Living" developments. These developments are residential buildings designed to accommodate frail persons requiring continuing medical care on a permanent or long term basis. Essentially an "Assisted Living" development is a hybrid between a retirement home and a social care residence.

In the existing land use bylaw "Retirement Home" refers to housing for both retired residents who are still active and for older residents who require on-going medical care. However, these housing projects are quite distinct, and it is necessary to distinguish between "Retirement Home" and "Assisted Living Residence". In addition, the land use bylaw should also distinguish seniors' housing from regular apartments and social care housing.

### **PLANNING COMMENTS**

#### **General**

In order to address the foregoing issues, planning staff have drafted a land use bylaw amendment that divides senior's housing into two types. "Retirement home" will define active seniors' housing projects, while the term "Assisted Living Residence" will define projects which are built for frail persons requiring medical care. The land use bylaw amendment also distinguishes "Retirement Home" and "Assisted Living Residence" from regular apartments and social care residences. There will be distinct standards for each form of housing, including reduced parking and density standards for "Assisted Living" projects.

Other revisions to the R3 District, of a more general nature, include the following:

- A new format for the R3 District, which might be used for other districts in the future.
- With regard to site coverage, building height, and landscaping requirements, the revised R3 District makes a distinction between multiple family projects in the City's neighbourhoods and those within the Greater Downtown Action Plan boundaries.
- A new minimum side yard requirement is being proposed, to match standards in other municipalities.
- Special requirements regarding common facilities and amenities are introduced.

## **Parking Requirements**

The proposed parking requirements for “Retirement Home” and “Assisted Living Residence” were developed from a comparison of the requirements in other North American communities and input provided by Masterpiece Incorporated (a Calgary based assisted living project developer) and their consultants. The latter input included information on the findings of a study by the American Seniors Housing Association (ASHA).

In 1997 the ASHA investigated data on actual traffic and parking volumes from approximately 10,000 assisted living units, compiled a composite profile of an average assisted living residence, and compared this profile with traffic and parking data compiled and analyzed by the Institute of Traffic Engineers. The finding was that an average assisted living residence requires 0.22 parking spaces per unit during peak weekday driving hours. By comparison, an apartment building requires 1.11 parking spaces per unit, a supportive living residence (i.e. “Retirement Home”) requires 0.27 parking spaces and a social care residence requires 0.28 parking spaces.

The ASHA study found that the traffic and parking volumes generated by assisted living and supportive living (i.e. “Retirement Home”) are low to moderate compared to other types of housing, and concluded that this is due to the following reasons:

- residents typically do not drive, and particularly in assisted living residences there are usually a number of suites which are identified as “secure units” where the residents are not physically or mentally able to drive
- visitors generally arrive and depart at all hours during the day
- employees are usually full-time and are typically scheduled to arrive and depart during non-peak driving hours
- service vendors are usually scheduled to arrive and depart during non-peak driving hours

In the land use bylaw amendment the proposed parking ratios for “Retirement Home” and “Assisted Living Residence” are approximately 80% higher than those stated in the findings of the ASHA study. The increased requirements are based on the probability that the ASHA findings include data from residences in metropolitan communities where public transport is better used than in the City of Red Deer.

The proposed parking requirements fall somewhere in the middle of the range of parking requirements found in those North American communities which were compared.

## **Side Yard Requirements**

In the past the existing side yard requirements of the R3 District have prompted developers to frequently request significant relaxations from the Municipal Planning Commission. In the bylaw amendment the revised side yard requirements are significantly reduced. The effect of the revised requirements may be illustrated by comparing the side yard requirement for an apartment building using the existing and the proposed standards, as reflected in the table below.

The information in Table 1 shows that the revised side yard standard being proposed for the City of Red Deer is on par with those of other communities.

It may be noted from Table 1 that there is a height limitation on residential buildings in some communities. The bylaw amendment proposed that for the City of Red Deer residential buildings located within the boundaries of the Greater Downtown Action Plan shall be unlimited, while residential buildings located outside of that boundary shall be limited to four storeys.

The bylaw amendment requires a side yard of 6 metres for five and six storey buildings, and a side yard of 7.5 metres for buildings higher than six storeys. The approval of the side yard setback for both these categories are further subject to the approval of the MPC, which means that all building proposals in these height categories must be referred to the MPC for consideration, irrespective of the side yard which the applicant proposes. This is done to ensure that the MPC, its staff or adjacent property owners have the opportunity to identify reasons why a wider side yard or another mitigating measure (for example stepping back the floors above a certain height) may have to be imposed on a building to preserve the enjoyment of adjacent properties (for example privacy considerations or exposure to sunlight).

### **RECOMMENDATION**

That City Council considers first reading of the proposed Bylaw Amendment No. 3156/XX-2003 to revise the R3 Residential (Multiple Family) District.



Johan van der Bank  
Planner  
attachments

cc: Colleen Jensen, Director of Community Services Division  
Barbara Jeffrey, Social Planning Manager  
Greg Scott, Inspections & Licensing Manager  
Tim Garforth-Bless, Masterpiece Incorporated  
Alvin Fritz, Alvin Reinhard Fritz Architect Incorporated  
John Hull, John Hull Architect

**Table 1: Existing and Revised R3 Side Yard Standards Comparison**

Number of storeys (See Note 1)	Approximate building height with 8/12 roof pitch	City of Red Deer				City of Edmonton (See Note 3)		Town of Canmore (See Note 3)		City of Calgary (See Note 3)		City of Lethbridge (See Note 3)	
		Existing Standards		Revised Standards		Side yard min. (see Note 4)	Side yard as a % of building height	Side yard min.	Side yard as a % of building height	Side yard min.	Side yard as a % of building height	Side yard min.	Side yard as a % of building height
		Side yard min. (See note 2)	Side yard as a % of building height	Side yard min.	Side yard as a % of building height								
1	6.5 m	4.29 m	66 %	3 m	46%	2 m	31%	2 m	31%	3 m	46%	3 m	46%
2	12.5 m	8.3 m		3 m	24%	2 m	16%	2 m	16%	3 m	24%	3 m	24%
3	15 m	9.9 m		4.5 m	30%	3 m	20%	2 m	14%	3 m	20%	3 m	20%
4	17.5 m	11.6 m		4.5 m	26%	4 m	23%	2 m	11%	3 m	17%	3 m	17%
5	20 m	13.2 m		6 m	30%	4.5 m	23%	n.a.	n.a.	3 m	15%	3 m	15%
6	22.5 m	14.9 m		6 m	26%	4.5 m	20%	n.a.	n.a.	3 m	13%	3 m	13%
7	25 m	16.5 m		7.5 m	30%	7 m	28%	n.a.	n.a.	6 m	24%	3 m	12%
8	27.5 m	18.2 m		7.5 m	27%	7.5 m	27%	n.a.	n.a.	6 m	22%	3 m	11%
9	30 m	19.8 m		7.5 m	25%	7.5 m	25%	n.a.	n.a.	6 m	20%	3 m	10%
10	32.5 m	21.5 m		7.5 m	23%	7.5 m	23%	n.a.	n.a.	6 m	18%	3 m	9%
12	37.5 m	24.75 m		7.5 m	20%	7.5 m	20%	n.a.	n.a.	6 m	16%	3 m	8%
15	45 m	29.7 m		7.5 m	17%	7.5 m	17%	n.a.	n.a.	6 m	14%	3 m	7%
20	57.5 m	38 m		7.5 m	13%	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	3 m	5%
30	82.5 m	54.5 m		7.5 m	9%	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	3 m	4%

**Notes:**

- 1) This comparison is based upon a hypothetical residential building such as a multiple family building, retirement home or an assisted living residence.
- 2) These are theoretical examples. In reality the developer would in most cases request a relaxation, and the MPC would grant a relaxation to the bylaw standards. For example, the Checkmate Court is 33 m high. The existing side yard requirement is 66% of the building height which is 22 m. In contrast, the MPC has approved the side yards at 9 m (i.e. 27% of the building height) and 6 m (i.e. 18% of building height) respectively.
- 3) The side yard standards for the land use districts from these communities are summarized in Appendix A.
- 4) "N.a." means "not applicable". This is so because the particular land use district does not allow a residential building of the corresponding number of storeys.

**Appendix A:**  
**Comparison of side yard setback standards in other communities**

	<b>Edmonton</b>	<b>Canmore</b>	<b>Calgary</b>	<b>Lethbridge</b>
<b>District</b>	<ul style="list-style-type: none"> <li>• RA7 Low Rise Apartment District</li> <li>• RA8 Medium Rise Apartment District</li> <li>• RA9 High Rise Apartment District</li> </ul>	<ul style="list-style-type: none"> <li>• R5 Residential Apartment District</li> </ul>	<ul style="list-style-type: none"> <li>• RM-5 Residential Medium Density Multi-Dwelling District</li> <li>• RM-6 Residential High Density Multi-Dwelling District</li> <li>• RM-7 Residential High Density Multi-Dwelling District</li> </ul>	<ul style="list-style-type: none"> <li>• R-100 Residential High Density District</li> <li>• R-150 Residential High Density District</li> <li>• R-200 Residential High Density District</li> </ul>
<b>Side Yard</b>	<ul style="list-style-type: none"> <li>• RA7: 1.0 m for each storey. Minimum of 2 m always. 4.5 m if flanking a public roadway. Building height is limited to 14 m or 4 storeys.</li> <li>• RA8 1.0 m for each storey up to maximum of 4.5 m. Minimum of 2 m always. 4.5 m if flanking a public roadway. Building height is limited to 23 m or 6 storeys.</li> <li>• RA9: 1.0 m for each storey up to maximum of 7.5 m. Minimum of 2 m always. 4.5 m if flanking a public roadway. Building height is limited to 45 m, except special circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>• 2.0 m except on side flanking a street it is 3.0 m. Building height limited to 14 m.</li> </ul>	<ul style="list-style-type: none"> <li>• RM-5: 3 metres. Building height is restricted to four storeys (12 m eaves).</li> <li>• RM-6: 3 metres. Building height is restricted to six storeys (16 m eaves)</li> <li>• RM-7: 3 m for buildings up to 6 storeys and 6 m for buildings over six storeys. Building height is restricted to 17 storeys or 46 m.</li> </ul>	<ul style="list-style-type: none"> <li>• 3 metres</li> </ul>

***Comments:***

We agree that Council proceed with first reading of the bylaw amendment. A Public Hearing would be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**R3 RESIDENTIAL DISTRICT  
LUB 3156/XX-2003**

DESCRIPTION: Review of R3 Residential (Multiple Family) District

FIRST READING: December 15, 2003

FIRST PUBLICATION: December 26, 2003

SECOND PUBLICATION: January 2, 2004

PUBLIC HEARING & SECOND READING: January 12, 2004

THIRD READING: JAN. 12, 2004

LETTERS REQUIRED TO PROPERTY OWNERS: YES  NO

DEPOSIT? YES  \$ \_\_\_\_\_ NO  BY: CITY

ACTUAL COST OF ADVERTISING:

\$ \_\_\_\_\_ X 2 TOTAL: \$ \_\_\_\_\_

MAP PREPARATION: \$ \_\_\_\_\_

TOTAL COST: \$ \_\_\_\_\_

LESS DEPOSIT RECEIVED: \$ \_\_\_\_\_

AMOUNT OWING/ (REFUND): \$ \_\_\_\_\_

INVOICE NO.: \_\_\_\_\_

(Account No. 59.5901)

## Legislative &amp; Administrative Services

**DATE:** December 16, 2003  
**TO:** Johan van der Bank, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/XX-2003  
Review of the R3 Residential (Multiple Family) District

---

*Reference Report:*

Parkland Community Planning Services, dated December 8, 2003

*Bylaw Readings:*

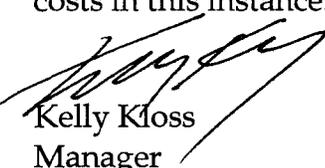
Land Use Bylaw Amendment 3156/XX-2003 was given first reading. A copy of the bylaw is attached for your information.

*Report Back to Council:* Yes

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

Land Use Bylaw Amendment 3156/XX-2003 updates the R3 Residential (Multiple Family) District regarding "assisted living" developments, provides a distinction between multiple family projects in the City's neighbourhoods and those within the Greater Downtown Action Plan boundaries, adds a new minimum side yard requirement to match standards in other municipalities, and special requirements regarding common facilities and amenities are introduced. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for advertising costs in this instance.

  
Kelly Kloss

Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno

## BYLAW NO. 3156/XX-2003

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, as described herein

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

- 1 By deleting the definitions of "Retirement Home" and "Social Care Residence" in section 2 and replacing it with the following:

**"Retirement Home"** means a residential building, or a portion of a residential building, which provides permanent or long term accommodation for retired persons, which has common facilities for the preparation and consumption of food exclusively for and by the residents, in which common lounges, recreation facilities and medical care facilities may be provided for the exclusive use of the residents, and in which each resident occupies a private unit.

**"Social Care Residence"** means a residential building, or a portion of a residential building, which provides temporary or short-term accommodation for persons requiring specialized care in the form of supervisory, nursing, medical, counselling or homemaking services."

- 2 By adding the new definition of "Assisted Living Residence" to section 2:

**"Assisted Living Residence"** means a residential building, or a portion of a residential building, which provides permanent or long term accommodation, in private or semi-private units, for one or more persons with chronic or declining conditions requiring current and ongoing medical care, which is provided in-house by a care organization that coordinates all necessary health and support services."

- 3 By deleting "Retirement home in a single family dwelling" from subsection 176(6) in the R1 Residential (Low Density) District and replacing it with "Assisted Living Residence in a single family dwelling".

- 4 By deleting subsection 182(5) "Retirement Home" from the R1A Residential (Semi-detached Dwelling) District.

- 5 By adding the following use to section 192 Discretionary Uses in the R2 Residential (Medium Density) District:

**"(15) Assisted Living Residence"**

- 6 By substituting the existing wording of subsections 176(7) and 182(6) respectively in the R1 Residential (Low Density) District and the R1A Residential (Semi-detached Dwelling) District for the following wording:

"Day Care Facility, Day Care Adult, Social Care Residence, Retirement Home, Assisted Living Residence, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan."

- 7 By substituting the existing wording of subsection 192(11) in the R2 Residential (Medium Density) District for the following wording:

“Day Care Facility, Day Care Adult, Social Care Residence, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.”

- 8 By amending subsection 48(1) Parking Requirements as follows:

“Hospitals and Social Care Residences, or similar use 1.0 per 93 m<sup>2</sup> of gross floor area”

- 9 By deleting the wording “Senior Citizen Housing 1.0 per 2 persons being accommodated” from subsection 48(1) Parking Requirements and replacing it with the following:

“Retirement Home 0.50 per unit to provide for residents, visitors and day duty staff, with a minimum of six spaces

Assisted Living Residence 0.40 per unit to provide for residents, visitors and day duty staff, with a minimum of six spaces

- 10 By adding the following uses to section 171 Discretionary Uses in the PS Public Service (Institutional or Governmental) District:

“(14) Retirement Home

(15) Assisted Living Residence”

- 11 By substituting the wording of subsection 172(1) in the PS Public Service (Institutional or Governmental) District for the following new wording:

“(1) Floor Area Minimum: Not applicable, except for a unit in Assisted Living Residence or Retirement Home: 23 m<sup>2</sup>”

- 12 By adding the following new section 195.1 in the R2 Residential (Medium Density) District:

**“195.1 Resident Amenity Areas**

- (1) Resident Amenity Areas of a minimum of 4.5 m<sup>2</sup> per dwelling unit for Multiple Family Building and Multi-attached Building and a minimum of 15 m<sup>2</sup> per unit for Retirement Home, Assisted Living Residence and Social Care Residence shall be provided. Resident Amenity Areas may include, for example, sitting rooms, dining rooms, patios and landscaped areas. The calculation of Resident Amenity Areas shall exclude other common areas, for example spaces for on-site or visiting health care professionals, accessory retail and accessory services, or storage areas.”

13 By substituting sections 198 through 203 for the following new sections:

**"R3 RESIDENTIAL (MULTIPLE FAMILY) DISTRICT**

**198 General Purpose**

The general purpose of this District is to accommodate and control medium and high density residential development.

**199 PERMITTED USES, subject to any applicable Area Structure Plan or Area Redevelopment Plan**

- (1) Multi-attached building up to a maximum density of 35 dwelling units per hectare (D35).
- (2) Multiple family building up to a maximum density of 35 dwelling units per hectare (D35).
- (3) Home occupations which, in the opinion of the Development Officer, will not generate additional traffic.
- (4) Home music instructor/instruction (two students), subject to section 68.
- (5) Neighbourhood identification signs.

**200 DISCRETIONARY USES, subject to any applicable Area Structure Plan or Area Redevelopment Plan**

- (1) Multi-attached building more than 35 dwelling units per hectare.
- (2) Multiple family building more than 35 dwelling units per hectare.
- (3) Detached or Semi-detached Dwelling in existence before January 12, 2004
- (4) Secondary Suite, in a detached dwelling
- (5) Retirement Home
- (6) Assisted Living Residence
- (7) Social Care Residence
- (8) Day Care Facility, Day Care Adult, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.
- (9) Home occupations which will generate additional traffic.
- (10) Home music instructor/instruction (six students), subject to section 68.
- (11) Bed & breakfast, subject to Section 64.
- (12) On any site where a place of worship or kindergarten or school or social care residence or day care facilities was approved prior to Dec. 7, 1998, any of the above uses may be interchanged.
- (13) Accessory building.
- (14) Utilities

**201 Regulations for Detached Dwelling, Semi-detached Dwelling and Multi-Attached Dwelling**

Detached Dwelling	Subject to all Regulations in Section 177
Semi-detached Dwelling	Subject to all regulations in Section 183
Multi Attached Dwelling	Subject to all regulations in Section 193

**202 Regulations for Multiple Family Building, Assisted Living Residence, Retirement Home and Social Care Residence**

- (1) Floor Area Minimum: Dwelling Unit in a Multiple Family Building: 37 m<sup>2</sup>  
Unit in Assisted Living Residence or Retirement Home: 23 m<sup>2</sup>
- (2) Site Coverage Maximum: 40% (including accessory buildings), except on sites located within the boundaries of the Greater Downtown Action Plan, where it is 60% (including accessory buildings).
- (3) Building Height Maximum: four storeys, except on sites located within the boundaries of the Greater Downtown Action Plan, where there is no maximum.
- (4) Front Yard Minimum: 7.5 m subject to sections 37 and 38.
- (5) Side Yard Minimum: Buildings up to two storeys: 3 m.  
Buildings of three and four storeys: 4.5 m.  
Buildings of five and six storeys: subject to the approval of the Commission, but not less than 6 m.  
Buildings more than six storeys: subject to the approval of the Commission, but not less than 7.5 m.  
In all cases the minimum side yard requirement is subject to sections 37 and 38.
- (6) Rear Yard Minimum: 7.5 m
- (7) Landscaping Minimum: 35% of the site area, except on sites located within the boundaries of the Greater Downtown Action Plan, where 30% landscaping of the site area is required.
- (8) Parking: subject to section 48
- (9) Lot Area per Dwelling Unit Minimum: In all cases subject to section 203(2).  
No separate bedroom and unit in Retirement Home and Assisted Living Residence 55 m<sup>2</sup> per unit  
One bedroom 82 m<sup>2</sup> per unit  
More than one bedroom 102 m<sup>2</sup> per unit

**203 Site Development**

- (1) Notwithstanding section 201, the site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Development Authority.
- (2) Notwithstanding the minimum site area requirements of subsection 202(9), when an area has a density designation in accordance with section 211, the minimum site area is subject to approval of the Commission.

**203.1 Resident Amenity Areas**

- (1) Resident Amenity Areas of a minimum of 4.5 m<sup>2</sup> per dwelling unit for Multiple Family Building and Multi-attached Building and a minimum of 15 m<sup>2</sup> per unit for Retirement Home, Assisted Living Residence and Social Care Residence shall be provided. Resident Amenity Areas may include, for example, sitting rooms, dining rooms, patios and landscaped areas. The calculation of Resident Amenity Areas shall exclude other common areas, for example spaces for on-site or visiting health care professionals, accessory retail and accessory services, or storage areas."

READ A FIRST TIME IN OPEN COUNCIL this 15th day of December 2003

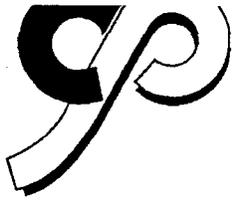
READ A SECOND TIME IN OPEN COUNCIL this day of 2004

READ A THIRD TIME IN OPEN COUNCIL this day of 2004

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



**DATE:** December 8, 2003

**TO:** Kelly Kloss, Legislative and Administrative Manager

**FROM:** Johan van der Bank, Planner

**RE:** **Review of the R3 Residential (Multiple Family) District  
 Bylaw Amendment No. 3156/XX-2003**

### **BACKGROUND**

The R3 Residential (Multiple Family) District has not been updated since the adoption of the Land Use Bylaw in 1996. In particular there appears to be a need to update this land use district with regard to "Assisted Living" developments. These developments are residential buildings designed to accommodate frail persons requiring continuing medical care on a permanent or long term basis. Essentially an "Assisted Living" development is a hybrid between a retirement home and a social care residence.

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### **PLANNING COMMENTS**

#### **General**

In order to address the foregoing issues, planning staff have drafted a land use bylaw amendment that divides senior's housing into two types. "Retirement home" will define active seniors' housing projects, while the term "Assisted Living Residence" will define projects which are built for frail persons requiring medical care. The land use bylaw amendment also distinguishes "Retirement Home" and "Assisted Living Residence" from regular apartments and social care residences. There will be distinct standards for each form of housing, including reduced parking and density standards for "Assisted Living" projects.

Other revisions to the R3 District, of a more general nature, include the following:

- A new format for the R3 District, which might be used for other districts in the future.
- With regard to site coverage, building height, and landscaping requirements, the revised R3 District makes a distinction between multiple family projects in the City's neighbourhoods and those within the Greater Downtown Action Plan boundaries.
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- Special requirements regarding common facilities and amenities are introduced.

### **Parking Requirements**

The proposed parking requirements for "Retirement Home" and "Assisted Living Residence" were developed from a comparison of the requirements in other North American communities and input provided by Masterpiece Incorporated (a Calgary based assisted living project developer) and their consultants. The latter input included information on the findings of a study by the American Seniors Housing Association (ASHA).

In 1997 the ASHA investigated data on actual traffic and parking volumes from approximately 10,000 assisted living units, compiled a composite profile of an average assisted living residence, and compared this profile with traffic and parking data compiled and analyzed by the Institute of Traffic Engineers. The finding was that an average assisted living residence requires 0.22 parking spaces per unit during peak weekday driving hours. By comparison, an apartment building requires 1.11 parking spaces per unit, a supportive living residence (i.e. "Retirement Home") requires 0.27 parking spaces and a social care residence requires 0.28 parking spaces.

The ASHA study found that the traffic and parking volumes generated by assisted living and supportive living (i.e. "Retirement Home") are low to moderate compared to other types of housing, and concluded that this is due to the following reasons:

- residents typically do not drive, and particularly in assisted living residences there are usually a number of suites which are identified as "secure units" where the residents are not physically or mentally able to drive
- visitors generally arrive and depart at all hours during the day
- employees are usually full-time and are typically scheduled to arrive and depart during non-peak driving hours
- service vendors are usually scheduled to arrive and depart during non-peak driving hours

In the land use bylaw amendment the proposed parking ratios for "Retirement Home" and "Assisted Living Residence" are approximately 80% higher than those stated in the findings of the ASHA study. The increased requirements are based on the probability that the ASHA findings include data from residences in metropolitan communities where public transport is better used than in the City of Red Deer.

The proposed parking requirements fall somewhere in the middle of the range of parking requirements found in those North American communities which were compared.

### **Side Yard Requirements**

In the past the existing side yard requirements of the R3 District have prompted developers to frequently request significant relaxations from the Municipal Planning Commission. In the bylaw amendment the revised side yard requirements are significantly reduced. The effect of the revised requirements may be illustrated by comparing the side yard requirement for an apartment building using the existing and the proposed standards, as reflected in the table below.

The information in Table 1 shows that the revised side yard standard being proposed for the City of Red Deer is on par with those of other communities.

It may be noted from Table 1 that there is a height limitation on residential buildings in some communities. The bylaw amendment proposed that for the City of Red Deer residential buildings located within the boundaries of the Greater Downtown Action Plan shall be unlimited, while residential buildings located outside of that boundary shall be limited to four storeys.

The bylaw amendment requires a side yard of 6 metres for five and six storey buildings, and a side yard of 7.5 metres for buildings higher than six storeys. The approval of the side yard setback for both these categories are further subject to the approval of the MPC, which means that all building proposals in these height categories must be referred to the MPC for consideration, irrespective of the side yard which the applicant proposes. This is done to ensure that the MPC, its staff or adjacent property owners have the opportunity to identify reasons why a wider side yard or another mitigating measure (for example stepping back the floors above a certain height) may have to be imposed on a building to preserve the enjoyment of adjacent properties (for example privacy considerations or exposure to sunlight).

### **RECOMMENDATION**

That City Council considers first reading of the proposed Bylaw Amendment No. 3156/XX-2003 to revise the R3 Residential (Multiple Family) District.



\_\_\_\_\_  
 Johan van der Bank  
 Planner  
 attachments

cc: Colleen Jensen, Director of Community Services Division  
 Barbara Jeffrey, Social Planning Manager  
 Greg Scott, Inspections & Licensing Manager  
 Tim Garforth-Bless, Masterpiece Incorporated  
 Alvin Fritz, Alvin Reinhard Fritz Architect Incorporated  
 John Hull, John Hull Architect

**BYLAW NO. 3156/XX-2003**

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, as described herein

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

- 1 By deleting the definitions of "Retirement Home" and "Social Care Residence" in section 2 and replacing it with the following:

**"Retirement Home"** means a residential building, or a portion of a residential building, which provides permanent or long term accommodation for retired persons, which has common facilities for the preparation and consumption of food exclusively for and by the residents, in which common lounges, recreation facilities and medical care facilities may be provided for the exclusive use of the residents, and in which each resident occupies a private unit.

**"Social Care Residence"** means a residential building, or a portion of a residential building, which provides temporary or short-term accommodation for persons requiring specialized care in the form of supervisory, nursing, medical, counselling or homemaking services."

- 2 By adding the new definition of "Assisted Living Residence" to section 2:

**"Assisted Living Residence"** means a residential building, or a portion of a residential building, which provides permanent or long term accommodation, in private or semi-private units, for one or more persons with chronic or declining conditions requiring current and ongoing medical care, which is provided in-house by a care organization that coordinates all necessary health and support services."

- 3 By deleting "Retirement home in a single family dwelling" from subsection 176(6) in the R1 Residential (Low Density) District and replacing it with "Assisted Living Residence in a single family dwelling".

- 4 By deleting subsection 182(5) "Retirement Home" from the R1A Residential (Semi-detached Dwelling) District.

- 5 By adding the following use to section 192 Discretionary Uses in the R2 Residential (Medium Density) District:

**"(15) Assisted Living Residence"**

- 6 By substituting the existing wording of subsections 176(7) and 182(6) respectively in the R1 Residential (Low Density) District and the R1A Residential (Semi-detached Dwelling) District for the following wording:

"Day Care Facility, Day Care Adult, Social Care Residence, Retirement Home, Assisted Living Residence, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan."

- 7 By substituting the existing wording of subsection 192(11) in the R2 Residential (Medium Density) District for the following wording:

“Day Care Facility, Day Care Adult, Social Care Residence, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.”

- 8 By amending subsection 48(1) Parking Requirements as follows:

“Hospitals and Social Care Residences, or similar use 1.0 per 93 m<sup>2</sup> of gross floor area”

- 9 By deleting the wording “Senior Citizen Housing 1.0 per 2 persons being accommodated” from subsection 48(1) Parking Requirements and replacing it with the following:

“Retirement Home 0.50 per unit to provide for residents, visitors and day duty staff, with a minimum of six spaces

Assisted Living Residence 0.40 per unit to provide for residents, visitors and day duty staff, with a minimum of six spaces

- 10 By adding the following uses to section 171 Discretionary Uses in the PS Public Service (Institutional or Governmental) District:

“(14) Retirement Home

(15) Assisted Living Residence”

- 11 By substituting the wording of subsection 172(1) in the PS Public Service (Institutional or Governmental) District for the following new wording:

“(1) Floor Area Minimum: Not applicable, except for a unit in Assisted Living Residence or Retirement Home: 23 m<sup>2</sup>”

- 12 By adding the following new section 195.1 in the R2 Residential (Medium Density) District:

**“195.1 Resident Amenity Areas**

- (1) Resident Amenity Areas of a minimum of 4.5 m<sup>2</sup> per dwelling unit for Multiple Family Building and Multi-attached Building and a minimum of 15 m<sup>2</sup> per unit for Retirement Home, Assisted Living Residence and Social Care Residence shall be provided. Resident Amenity Areas may include, for example, sitting rooms, dining rooms, patios and landscaped areas. The calculation of Resident Amenity Areas shall exclude other common areas, for example spaces for on-site or visiting health care professionals, accessory retail and accessory services, or storage areas.”

13 By substituting sections 198 through 203 for the following new sections:

**"R3 RESIDENTIAL (MULTIPLE FAMILY) DISTRICT**

**198 General Purpose**

The general purpose of this District is to accommodate and control medium and high density residential development.

**199 PERMITTED USES, subject to any applicable Area Structure Plan or Area Redevelopment Plan**

- (1) Multi-attached building up to a maximum density of 35 dwelling units per hectare (D35).
- (2) Multiple family building up to a maximum density of 35 dwelling units per hectare (D35).
- (3) Home occupations which, in the opinion of the Development Officer, will not generate additional traffic.
- (4) Home music instructor/instruction (two students), subject to section 68.
- (5) Neighbourhood identification signs.

**200 DISCRETIONARY USES, subject to any applicable Area Structure Plan or Area Redevelopment Plan**

- (1) Multi-attached building more than 35 dwelling units per hectare.
- (2) Multiple family building more than 35 dwelling units per hectare.
- (3) Detached or Semi-detached Dwelling in existence before January 12, 2004
- (4) Secondary Suite, in a detached dwelling
- (5) Retirement Home
- (6) Assisted Living Residence
- (7) Social Care Residence
- (8) Day Care Facility, Day Care Adult, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.
- (9) Home occupations which will generate additional traffic.
- (10) Home music instructor/instruction (six students), subject to section 68.
- (11) Bed & breakfast, subject to Section 64.
- (12) On any site where a place of worship or kindergarten or school or social care residence or day care facilities was approved prior to Dec. 7, 1998, any of the above uses may be interchanged.
- (13) Accessory building.
- (14) Utilities

**201 Regulations for Detached Dwelling, Semi-detached Dwelling and Multi-Attached Dwelling**

Detached Dwelling	Subject to all Regulations in Section 177
Semi-detached Dwelling	Subject to all regulations in Section 183
Multi Attached Dwelling	Subject to all regulations in Section 193

**202 Regulations for Multiple Family Building, Assisted Living Residence, Retirement Home and Social Care Residence**

- (1) Floor Area Minimum: Dwelling Unit in a Multiple Family Building: 37 m<sup>2</sup>  
Unit in Assisted Living Residence or Retirement Home: 23 m<sup>2</sup>
- (2) Site Coverage Maximum: 40% (including accessory buildings), except on sites located within the boundaries of the Greater Downtown Action Plan, where it is 60% (including accessory buildings).
- (3) Building Height Maximum: four storeys, except on sites located within the boundaries of the Greater Downtown Action Plan, where there is no maximum.
- (4) Front Yard Minimum: 7.5 m subject to sections 37 and 38.
- (5) Side Yard Minimum: Buildings up to two storeys: 3 m.  
Buildings of three and four storeys: 4.5 m.  
Buildings of five and six storeys: subject to the approval of the Commission, but not less than 6 m.  
Buildings more than six storeys: subject to the approval of the Commission, but not less than 7.5 m.  
In all cases the minimum side yard requirement is subject to sections 37 and 38.
- (6) Rear Yard Minimum: 7.5 m
- (7) Landscaping Minimum: 35% of the site area, except on sites located within the boundaries of the Greater Downtown Action Plan, where 30% landscaping of the site area is required.
- (8) Parking: subject to section 48
- (9) Lot Area per Dwelling Unit Minimum: In all cases subject to section 203(2).  
No separate bedroom and unit in Retirement Home and Assisted Living Residence 55 m<sup>2</sup> per unit  
One bedroom 82 m<sup>2</sup> per unit  
More than one bedroom 102 m<sup>2</sup> per unit



**DATE:** January 5, 2004  
**TO:** City Council  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/XX-2003  
Review of the R3 Residential (Multiple Family) District

---

### *History*

At the Monday, December 15, 2003 Council Meeting, Council gave first reading to Land Use Bylaw Amendment 3156/XX-2003

Land Use Bylaw Amendment 3156/XX-2003 updates the R3 Residential (Multiple Family) District regarding "assisted living" developments, provides a distinction between multiple family projects in the City's neighbourhoods and those within the Greater Downtown Action Plan boundaries, adds a new minimum side yard requirement to match standards in other municipalities, and special requirements regarding common facilities and amenities are introduced.

### *Public Consultation Process*

A Public Hearing has been advertised for Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

### *Recommendations*

That following the Public Hearing, Council proceed with second and third readings of the bylaw.

Kelly Kloss  
Manager



Council Decision – December 15, 2003

**FILE**

Legislative & Administrative Services

**DATE:** December 16, 2003  
**TO:** Johan van der Bank, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/XX-2003  
Review of the R3 Residential (Multiple Family) District

---

*Reference Report:*

Parkland Community Planning Services, dated December 8, 2003

*Bylaw Readings:*

Land Use Bylaw Amendment 3156/XX-2003 was given first reading. A copy of the bylaw is attached for your information.

*Report Back to Council:* Yes

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

Land Use Bylaw Amendment 3156/XX-2003 updates the R3 Residential (Multiple Family) District regarding "assisted living" developments, provides a distinction between multiple family projects in the City's neighbourhoods and those within the Greater Downtown Action Plan boundaries, adds a new minimum side yard requirement to match standards in other municipalities, and special requirements regarding common facilities and amenities are introduced. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for advertising costs in this instance.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager

/chk

/attach.

- c Director of Development Services
- Inspections & Licensing Manager
- Land & Economic Development Manager
- C. Adams, Administrative Assistant
- B. Greter, Clerk Steno

## BYLAW NO. 3156/XX-2003

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, as described herein

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

- 1 By deleting the definitions of "Retirement Home" and "Social Care Residence" in section 2 and replacing it with the following:

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- (5) Side Yard Minimum: Buildings up to two storeys: 3 m.  
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Buildings more than six storeys: subject to the approval of the Commission, but not less than 7.5 m.  
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- (9) Lot Area per Dwelling Unit Minimum: In all cases subject to section 203(2).  
No separate bedroom and unit in Retirement Home and Assisted Living Residence 55 m<sup>2</sup> per unit  
One bedroom 82 m<sup>2</sup> per unit  
More than one bedroom 102 m<sup>2</sup> per unit

**203 Site Development**

- (1) Notwithstanding section 201, the site plan, the relationship between buildings, structures and open space, the architectural treatment of buildings, the provision and architecture of landscaped open space, and the parking layout, shall be subject to approval by the Development Authority.
- (2) Notwithstanding the minimum site area requirements of subsection 202(9), when an area has a density designation in accordance with section 211, the minimum site area is subject to approval of the Commission.

**203.1 Resident Amenity Areas**

- (1) Resident Amenity Areas of a minimum of 4.5 m<sup>2</sup> per dwelling unit for Multiple Family Building and Multi-attached Building and a minimum of 15 m<sup>2</sup> per unit for Retirement Home, Assisted Living Residence and Social Care Residence shall be provided. Resident Amenity Areas may include, for example, sitting rooms, dining rooms, patios and landscaped areas. The calculation of Resident Amenity Areas shall exclude other common areas, for example spaces for on-site or visiting health care professionals, accessory retail and accessory services, or storage areas.”

READ A FIRST TIME IN OPEN COUNCIL this 15th day of December 2003

READ A SECOND TIME IN OPEN COUNCIL this day of 2004

READ A THIRD TIME IN OPEN COUNCIL this day of 2004

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



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**DATE:** December 8, 2003

**TO:** Kelly Kloss, Legislative and Administrative Manager

**FROM:** Johan van der Bank, Planner

**RE:** **Incorporation of the R1N District and Semi-detached Dwellings into the Bed & Breakfast Regulations in the Land Use Bylaw Amendment No. 3156/YY-2003**

---

### **BACKGROUND**

The Land Use Bylaw was amended in April 2001 to incorporate bed & breakfasts as a new land use into the community. In the time since then, there have been five applications for bed & breakfast facilities, of which four were approved by the Municipal Planning Commission. In addition, there are two bed & breakfasts which are not under these regulations. One of these is in a commercial district and the other is allowed through a land use exception. The Inspections & Licensing Manager reports that there have been no significant complaints regarding bed & breakfast operations during 2003.

In 2001 when B&B's were still a new concept in our community, City Council considered it prudent to limit their application to detached dwellings only, in all residential districts except the R1N District. On December 1, 2003 City Council considered an application for a land use bylaw amendment to allow a bed & breakfast in a semi-detached dwelling. This application prompted a review of the B&B regulations.

### **PLANNING COMMENTS**

Since the existing B&B's seem to be integrated into their immediate neighbourhoods, now appears to be an opportune time to consider the extension of B&B's into the R1N District and also to consider allowing them in semi-detached dwellings, subject to special criteria.

If bed & breakfasts were allowed in the R1N District, which require a minimum of 9.2 m width at the rear of the lot, and in semi-detached dwellings which may have a lot of only 7.6 m wide, it appears necessary to lay down criteria to ensure sufficient off-street parking is available without:

- 1) congesting the rear yard;
- 2) losing all the front yard landscaping; or
- 3) potentially causing parking problems by allowing tandem parking.

These potential problems may be averted by firstly requiring that the combined width of all rear yard parking spaces may not exceed 85% of the rear yard width. The 85% is based on the width of the rear yard between the two side yards on a standard R1N lot, which will also be appropriate for an R1A lot.

The intent of this would be as follows:

- On an R1N lot which is 9.2 m wide at the rear, this means that three parking spaces each 2.6 m wide could be provided to cover a width of 7.8 m, which is approximately 85% of the rear lot width. Since all R1N lots have rear lane access and require a minimum of two rear yard parking spaces (front access is not allowed), on the narrowest of R1N lots only one additional parking space for the B&B guestroom could be accommodated without exceeding 85% of the rear width of the lot. This means that a B&B on such an R1N lot would not be allowed to have more than one guestroom.
- A semi-detached dwelling unit lot is allowed to be a minimum of 7.6 m wide. Two parking spaces would cover a width of 5.2 m which is 68% of the lot width. A third parking space would **not** fit into the remaining 2.4 m space, so in order to accommodate parking spaces in the rear yard for a bed & breakfast, the semi-detached dwelling would require lane access and would either have to include a front attached garage or be wider than the minimum requirement.
- In cases where either an R1N lot or a semi-detached dwelling unit lot is wider than the minimum requirement, it may be possible to allow a B&B with more guestrooms than those cited above. For example, a pie-shaped R1N lot located on the outside corner of a crescent or in the bulb of a cul-de-sac, usually is much wider at the rear than the minimum requirement, and could accommodate more parking spaces. On a semi-detached dwelling lot with rear lane access and which is wider than the minimum 7.6 (say 9.2 m wide), it would be possible to accommodate three B&B parking spaces in the rear yard, thus a B&B with three bedrooms could be considered, but as stated in Section 64(9)(e) of the B&B regulations, only if the applicant is able to demonstrate special circumstances.

The attached Bylaw Amendment No. 3156/YY-2003 is a revision of the current B&B regulations to accommodate R1N lots as well as semi-detached dwelling units. It also restricts rear yard parking spaces to a combined width of not more than 85% of the rear lot width, it clarifies that the interior stall of a tandem parking stall set will not be counted towards fulfilling the parking requirements and, where a B&B is being operated, landscaping must be retained on a minimum of 20% of the front yard.

The bylaw amendment also clarifies that a B&B is allowed as a discretionary use in the R1, R1A, R2 and R3 Districts only in detached and semi-detached dwelling units, in order to make avoid confusion with units in multiple family and multi-attached buildings.

### **RECOMMENDATION**

That City Council considers first reading of the proposed Bylaw Amendment No. 3156/YY-2003, to incorporate the R1N District and semi-detached dwellings into the Bed & Breakfast Regulations in the Land Use Bylaw.



Johan van der Bank  
Planner  
attachments

cc: Colleen Jensen, Director of Community Services Division  
Greg Scott, Inspections & Licensing Manager

***Comments:***

We concur with the recommendation of Parkland Community Planning Services that the proposed bylaw amendment be given first reading. A Public Hearing would be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**FILE**



Council Decision – December 1, 2003

Legislative & Administrative Services

*Backup*

**DATE:** December 2, 2003  
**TO:** Johan van der Bank, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Request for Changes to the Land Use Bylaw re: Operation of Bed & Breakfast in Duplexes (Pauline McMaster)

---

***Reference Report:***

Letter from Pauline McMaster, dated October 16, 2003, reports from Parkland Community Planning Services, dated October 20, 2003 and Inspections & Licensing, dated October 28, 2003

***Resolutions:***

*“Resolved* that Council of the City of Red Deer, having considered the correspondence from Pauline McMaster, dated October 16, 2003, re: Request for Changes to the Land Use Bylaw for Operation of Bed & Breakfast from a Semi-Detached Dwelling, hereby directs Administration to prepare a Land Use Bylaw Amendment to provide as a discretionary use the development of bed and breakfasts within R1A and R1N districts with appropriate limitations on site coverage, parking and number of guests such that the amenities of the lot are not unduly affected. “

***Report Back to Council:*** Yes

***Comments/Further Action:***

Please prepare a Land Use Bylaw Amendment for Council’s review on **December 15, 2003** regarding discretionary use within R1A and R1N districts for bed and breakfasts within semi-detached dwellings.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager

/chk

c Director of Development Services  
Inspections & Licensing Manager  
Permits & Licensing Supervisor

LEGISLATIVE & ADMINISTRATIVE SERVICES

December 2, 2003

Pauline McMaster  
119 Andrews Close  
Red Deer, AB T4R 2R2

Dear Ms McMaster:

*Operation of a Bed & Breakfast from a Semi-Detached Dwelling*

Thank you for attending the December 1, 2003 Council Meeting. At that meeting, Council reviewed your request to amend the Land Use Bylaw to allow the operation of bed & breakfasts from semi-detached dwellings.

Council has requested City Administration to prepare an amendment to the Land Use Bylaw to provide as a discretionary use the development of bed and breakfasts within semi-detached dwellings with appropriate limitations on site coverage, parking and number of guests such that the amenities of the lot are not unduly affected.

The process that will be followed is:

1. The Land Use Bylaw amendment will be brought to Council on Monday, December 15, 2003 for first reading.
2. This amendment will be advertised to the public for two weeks.
3. The Land Use Bylaw amendment will be brought back to Council on January 12, 2004 due to the Christmas break, for second and third readings.
4. If Council approves second and third readings, this amendment becomes part of the Land Use Bylaw.
5. Then you will have to apply to the Municipal Planning Commission for approval of your bed and breakfast.

Normally the cost of advertising for a Land Use Bylaw Amendment is passed on to the person applying for a change. In this instance because the change would affect the City of Red Deer as a whole, the City will be paying for the advertising costs.

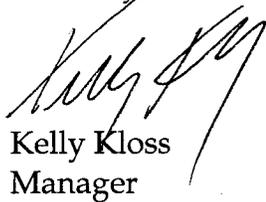
...2/

Pauline McMaster  
December 2, 2003  
Page 2

There may be other charges that you will be responsible for with respect to the application process for the Municipal Planning Commission.

Please call Christine Kenzie, Legislative & Administrative Services at 342-8201 for times if you are interested in attending the Council meetings.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Kloss", written over a horizontal line.

Kelly Kloss  
Manager

c Parkland Community Planning Services

Oct. 16, 2003

Legislative & Administrative Services,  
City Hall,  
Red Deer, Alberta

Dear Kelly Kloss:

I am asking to have a city by-law changed as I feel that it discriminates against duplex home-owners. Our home has been inspected and has been fully accepted for the start of a Bed and Breakfast.

After all of the inspections and dues paid I am then told that because we live in a duplex we cannot proceed.

Red Deer has very few B & B's and I feel that we could make a significant contribution towards the tourist business here.

Please consider my request seriously.

Yours Truly,  
Pauline McMaster  
119 Andrews Close  
343-1820



**DATE:** October 28, 2003  
**TO:** Kelly Kloss – Legislative & Administrative Services Manager  
**FROM:** Joyce Boon- Permits & Licensing Supervisor  
**RE:** Operation of a Bed & Breakfast from a Semi-Detached Dwelling

This is in response regarding a request from Pauline McMaster for a Land Use Bylaw amendment to allow Bed & Breakfast discretionary uses in semi-detached dwelling units.

When the Bed & Breakfast Bylaw regulations were incorporated into the Land Use Bylaw to allow Bed & Breakfast as a discretionary use, the intent was always to only allow Bed & Breakfasts in single family dwelling (detached dwellings). The reason for this was due to the parking regulations that are required for one extra parking space per guest room in addition to the two on site parking stalls required under the residential requirements.

R1A lots, which allow semi-detached units, are smaller in size than detached dwelling lots as well the close proximity of the attached duplex unit which have a common wall, could cause the use of a Bed and Breakfast to effect the amenities of the other attached duplex unit. Bed & Breakfast discretionary uses can allow for up to eight guests with a maximum stay of fourteen days and may include a sign on the premise.

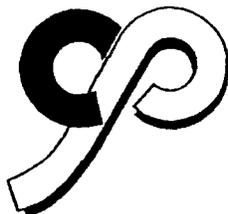
The Inspections & Licensing Department have read the submission by Parkland Community Planning regarding this request for a bylaw amendment and we agree with the information that has been submitted by Johan Van Der Bank.

The Inspections & Licensing Department does not support the applicant's request to amend the Land Use Bylaw to allow Bed & Breakfast discretionary use in semi-detached dwellings.

A handwritten signature in black ink, appearing to read 'J. Boon', is written in a cursive style.

Joyce Boon  
Permits & Licensing Supervisor  
Inspections & Licensing Department

C: Greg Scott  
Bryon Jeffers  
Parkland Community Planning Services



**PARKLAND  
COMMUNITY  
PLANNING  
SERVICES**

Suite 404, 4808 Ross Street  
Red Deer, Alberta, T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
E-mail: pcps@pcps.ab.ca

**DATE:** October 20, 2003

**TO:** Kelly Kloss, Legislative & Administrative Services Manager

**RE:** Request for changes to the Land Use Bylaw re. Operation of Bed & Breakfast in Duplexes

**Pauline McMaster, 119 Andrews Close**

This is in response to your request for comments in the above regard on October 17, 2003. The applicant is requesting that Section 64 of the Land Use Bylaw be amended to allow the operation of bed & breakfasts from semi-detached dwelling units.

When bed & breakfast operations were incorporated into the Land Use Bylaw under Bylaw Amendment No. 3156/G-2001 in June 2001, the bylaw was drafted specifically to allow bed & breakfast operations from single family detached dwellings only. The bylaw is very clear on this aspect in the definition of "bed & breakfast" operations in Section 2 of the Land Use Bylaw, the General Purpose Statement in Section 64 and the regulation in Section 64(1).

The primary reason for restricting bed & breakfasts to single family detached dwellings only is based on the need to accommodate guest parking on-site. The minimum property size for a semi-detached dwelling unit is 232 m<sup>2</sup> with a frontage of 7.6 metres (compared to 360 m<sup>2</sup> and 12 metres respectively for a detached dwelling). A semi-detached dwelling unit is considered inadequate to accommodate additional parking for bed & breakfast guest rooms without affecting the appearance of the property and the privacy and enjoyment of adjacent properties.

A secondary concern with allowing a bed & breakfast operation in a semi-detached dwelling is the possibility of disturbing the neighbours. The bed & breakfast operator may have to start preparing breakfast earlier than usual, and by sharing a common wall with the neighbours, this may create disturbance in the early morning. This concern does not apply to detached dwellings.

For these reasons planning staff do not support the applicant's request to amend the Land Use Bylaw to allow bed & breakfasts in semi-detached dwellings.

Sincerely,

Johan van der Bank  
Planner  
attachments

cc: Greg Scott, Inspections & Licensing Manager

*Comments:*

We appreciate the concern articulated by both the Inspections & Licensing Manager and Parkland Community Planning Services regarding the requirements for additional parking associated with a Bed and Breakfast and the difficulty that some R1A lots have in meeting this requirement. However, we believe that not all R1A lots will have this difficulty and, in fact, there may be some lots which could provide adequate off-site parking without undue loss of sight amenities. Accordingly we believe that an amendment to the Land Use Bylaw providing a discretionary option for Bed and Breakfast within semi-detached dwellings is worth considering with some additional restrictions. Regarding the disturbance of neighbours, we do not agree that the hours of breakfast preparation are a significant issue in a semi-detached dwelling since these hours are well within the normal hours of household operation in any unit, detached or otherwise.

We recommend that Council direct Parkland Community Planning Services to prepare a proposed Land Use Bylaw amendment to address the discretionary development of bed and breakfasts within semi-detached dwellings with appropriate limitations on site coverage, parking and number of guests.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager



## Legislative &amp; Administrative Services

**DATE:** December 16, 2003

**TO:** Johan van der Bank, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Land Use Bylaw Amendment 3156/YY-2003  
Incorporation of the R1N District and Semi-detached Dwellings into the Bed & Breakfast Regulations in the Land Use Bylaw

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*Reference Report:*

Parkland Community Planning Services, dated December 8, 2003

*Bylaw Readings:*

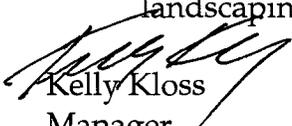
Land Use Bylaw Amendment 3156/YY-2003 was given first reading. A copy of the bylaw is attached for your information.

*Report Back to Council: Yes*

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

- 1) Land Use Bylaw Amendment 3156/YY-2003 provides for the incorporation of the R1N District and semi-detached dwellings into the Bed & Breakfast Regulations of the Land Use Bylaw. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for advertising costs in this instance.
  
- 2) Please provide a graphic depiction of what 20% and 40% of front yard landscaping would look like for the Public Hearing on January 12, 2004.



Kelly Kloss  
Manager

/chk

/attach.

- c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno

## BYLAW NO. 3156/YY-2003

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, as described herein

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 Delete the existing definition of Bed & Breakfast from Section 2 and insert the following new definition of Bed & Breakfast into Section 2:

“Bed & breakfast means a detached or a semi-detached dwelling occupied by the property owner or the bed & breakfast host as a primary residence, in which overnight accommodation and a breakfast meal are offered for sale to guests.”

- 2 Insert the following new definition of Tandem Parking into Section 2:

“Tandem Parking” means parking spaces laid out in such a way that one or more vehicles block another vehicle or vehicles from entering or exiting a parking space. Tandem parking is not the same as parallel parking”

- 3 Delete the existing Section 64 and insert the following new text into Section 64:

“64 Bed & breakfasts

### General Purpose

The general purpose of this section is to provide discretionary opportunities for residents of any residential community in the City to operate bed and breakfasts from detached or semi-detached dwellings as an integral part of the neighbourhoods in which they may be located. The intention is that bed and breakfasts are to be operated in such a manner that they will not be experienced by other residents as an intrusive commercial land use or as a nuisance to the neighbourhood in any manner, bearing in mind what are generally acceptable activities for any residential community in the City. Specifically it is expected that a bed and breakfast will not cause noise, vehicle and pedestrian traffic, on-street or off-street parking or social activities exceeding that which are prevalent in the neighbourhood in which it is located.

- (1) A bed & breakfast may be allowed as an accessory use to a detached or a semi-detached dwelling, within those land use districts in Part Six of this bylaw in which it is listed as a discretionary use.
- (2) Application for a discretionary use development permit to establish and operate a bed & breakfast may be made at City Hall. Upon approval of a discretionary use development permit the applicant shall apply to the City for an occupancy certificate and an annually renewable business license prior to opening the bed & breakfast facility.
- (3) In addition to providing such information as the Inspections and Licensing Department may require, the applicant shall pay the fees prescribed by bylaw.

- (4) Prior to an application being considered by the Development Authority the applicant shall have an information session hosted by the City's Planning Department, which will submit the comment sheets and a summary of community feedback to the Development Authority. Area residents and landowners, as shall be determined by the City's Planning Department, the neighbourhood community association, if one exists, and the Heritage Preservation Committee, when a building or site that appears on the City's inventory list is the application site, shall be notified of the said information session.
- (5) The Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to the application being considered by the Commission.
- (6) In February of each year the Development Authority shall review the performance of all approved bed and breakfasts in the City based on any complaints received about any bed and breakfast during the previous year, be advised of the actions taken with respect to such complaints and consider any recommendations on additional steps to be taken by the City with respect to relevant contraventions of this bylaw.
- (7) Anyone may lodge complaints to the Development Authority about any nuisance that a bed and breakfast may be imposing on the neighbourhood or adjacent properties including but not limited to noise, vehicle or pedestrian traffic, parking or social activities.
- (8) The Development Authority may impose conditions of approval on a discretionary use development permit.
- (9) The following additional regulations shall apply to all bed & breakfasts:
  - (a) The property owner or bed & breakfast host shall occupy the subject dwelling as his or her primary residence.
  - (b) No full time employees outside of the occupant family will be allowed to staff the bed & breakfast or work on the premises. Casual labour may be hired for yard cleaning, repair work, housekeeping services, etc. in the usual manner.
  - (c) The maximum length of stay for a guest at a bed & breakfast shall be fourteen nights in any thirty day period.
  - (d) The planning, operation and appearance of a bed & breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the curb appearance of a detached or a semi-detached dwelling, including landscaping of a minimum of 20% of the front yard.

- (e) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, a bed & breakfast may occupy not more than two guestrooms with associated washrooms. The rooms must be established within the principal building and provide direct interior access between the principal building and the guestrooms (additional outside access is optional).
- (f) Notwithstanding subsection (e), at no time shall more than eight guests be accommodated.
- (g) Guestrooms shall not be self-contained dwelling units, i.e. there shall not be any cooking facilities available in the guest rooms for the use of guests to prepare meals.
- (h) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, parking spaces shall be provided on-site to the ratio of one parking space per guestroom, additional to any other parking requirements of this bylaw. The interior parking stalls in a tandem parking stall set will not be counted towards fulfilling the minimum parking requirements (see definition of "Tandem Parking"). The combined width of parking spaces provided in the rear yard may not exceed 85% of the rear lot width.
- (i) No meals may be served on the premises of a bed & breakfast, with the exception of breakfast to overnight guests only.
- (j) No other services or retail sales may be offered at or from the same premises than that of a bed & breakfast, and no home occupation is permitted on the premises of a bed & breakfast.
- (k) There shall be no secondary suite or garden suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.
- (l) At the discretion of the Development Authority, a bed & breakfast may have one sign (approximately 0.27 m<sup>2</sup> in size) displaying the name of the bed & breakfast, the name of the operator and/or the street address, or any combination of these. The appearance and position of the sign shall be subject to the approval of the Development Authority. Generally, signs must be placed discretely, be unobtrusive and be styled in a manner that is compatible with the appearance of the principal building in terms of colour and material, or with such architectural controls as may be required by the developer of a subdivision. No self-illuminated signs shall be allowed. If lighting of the sign is required, the source shall be spot lighting."

4 Insert the following discretionary use into a new Section 187(6) in the R1N District:

“(6) Bed & Breakfast in a detached dwelling, subject to Section 64.”

5 In Sections 176(9) in the R1 District, 182(8) in the R1A District, 192(13) in the R2 District and 200(15) in the R3 District, delete the existing text and insert the following new text:

“Bed & Breakfast in a detached or semi-detached dwelling, subject to Section 64.”

READ A FIRST TIME IN OPEN COUNCIL this 15th day of December 2003.

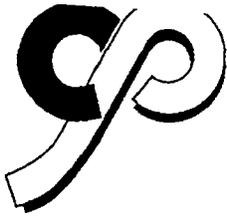
READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



**PARKLAND  
COMMUNITY  
PLANNING  
SERVICES**

Suite 404, 4808 Ross Street  
Red Deer, Alberta, T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
E-mail: pcps@pcps.ab.ca

**DATE:** December 8, 2003

**TO:** Kelly Kloss, Legislative and Administrative Manager

**FROM:** Johan van der Bank, Planner

**RE:** **Incorporation of the R1N District and Semi-detached Dwellings into the Bed & Breakfast Regulations in the Land Use Bylaw Bylaw Amendment No. 3156/YY-2003**

### BACKGROUND

The Land Use Bylaw was amended in April 2001 to incorporate bed & breakfasts as a new land use into the community. In the time since then, there have been five applications for bed & breakfast facilities, of which four were approved by the Municipal Planning Commission. In addition, there are two bed & breakfasts which are not under these regulations. One of these is in a commercial district and the other is allowed through a land use exception. The Inspections & Licensing Manager reports that there have been no significant complaints regarding bed & breakfast operations during 2003.

In 2001 when B&B's were still a new concept in our community, City Council considered it prudent to limit their application to detached dwellings only, in all residential districts except the R1N District. On December 1, 2003 City Council considered an application for a land use bylaw amendment to allow a bed & breakfast in a semi-detached dwelling. This application prompted a review of the B&B regulations.

### PLANNING COMMENTS

Since the existing B&B's seem to be integrated into their immediate neighbourhoods, now appears to be an opportune time to consider the extension of B&B's into the R1N District and also to consider allowing them in semi-detached dwellings, subject to special criteria.

If bed & breakfasts were allowed in the R1N District, which require a minimum of 9.2 m width at the rear of the lot, and in semi-detached dwellings which may have a lot of only 7.6 m wide, it appears necessary to lay down criteria to ensure sufficient off-street parking is available without:

- 1) congesting the rear yard;
- 2) losing all the front yard landscaping; or
- 3) potentially causing parking problems by allowing tandem parking.

These potential problems may be averted by firstly requiring that the combined width of all rear yard parking spaces may not exceed 85% of the rear yard width. The 85% is based on the width of the rear yard between the two side yards on a standard R1N lot, which will also be appropriate for an R1A lot.

The intent of this would be as follows:

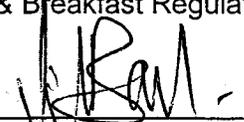
- On an R1N lot which is 9.2 m wide at the rear, this means that three parking spaces each 2.6 m wide could be provided to cover a width of 7.8 m, which is approximately 85% of the rear lot width. Since all R1N lots have rear lane access and require a minimum of two rear yard parking spaces (front access is not allowed), on the narrowest of R1N lots only one additional parking space for the B&B guestroom could be accommodated without exceeding 85% of the rear width of the lot. This means that a B&B on such an R1N lot would not be allowed to have more than one guestroom.
- A semi-detached dwelling unit lot is allowed to be a minimum of 7.6 m wide. Two parking spaces would cover a width of 5.2 m which is 68% of the lot width. A third parking space would **not** fit into the remaining 2.4 m space, so in order to accommodate parking spaces in the rear yard for a bed & breakfast, the semi-detached dwelling would require lane access and would either have to include a front attached garage or be wider than the minimum requirement.
- In cases where either an R1N lot or a semi-detached dwelling unit lot is wider than the minimum requirement, it may be possible to allow a B&B with more guestrooms than those cited above. For example, a pie-shaped R1N lot located on the outside corner of a crescent or in the bulb of a cul-de-sac, usually is much wider at the rear than the minimum requirement, and could accommodate more parking spaces. On a semi-detached dwelling lot with rear lane access and which is wider than the minimum 7.6 (say 9.2 m wide), it would be possible to accommodate three B&B parking spaces in the rear yard, thus a B&B with three bedrooms could be considered, but as stated in Section 64(9)(e) of the B&B regulations, only if the applicant is able to demonstrate special circumstances.

The attached Bylaw Amendment No. 3156/YY-2003 is a revision of the current B&B regulations to accommodate R1N lots as well as semi-detached dwelling units. It also restricts rear yard parking spaces to a combined width of not more than 85% of the rear lot width, it clarifies that the interior stall of a tandem parking stall set will not be counted towards fulfilling the parking requirements and, where a B&B is being operated, landscaping must be retained on a minimum of 20% of the front yard.

The bylaw amendment also clarifies that a B&B is allowed as a discretionary use in the R1, R1A, R2 and R3 Districts only in detached and semi-detached dwelling units, in order to ~~make~~ avoid confusion with units in multiple family and multi-attached buildings.

### **RECOMMENDATION**

That City Council considers first reading of the proposed Bylaw Amendment No. 3156/YY-2003, to incorporate the R1N District and semi-detached dwellings into the Bed & Breakfast Regulations in the Land Use Bylaw.

  
 Johan van der Bank  
 Planner  
 attachments

cc: Colleen Jensen, Director of Community Services Division  
 Greg Scott, Inspections & Licensing Manager

*Comments:*

We concur with the recommendation of Parkland Community Planning Services that the proposed bylaw amendment be given first reading. A Public Hearing would be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**BYLAW NO. 3156/YY-2003**

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, as described herein

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 Delete the existing definition of Bed & Breakfast from Section 2 and insert the following new definition of Bed & Breakfast into Section 2:

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- 2 Insert the following new definition of Tandem Parking into Section 2:

"Tandem Parking" means parking spaces laid out in such a way that one or more vehicles block another vehicle or vehicles from entering or exiting a parking space. Tandem parking is not the same as parallel parking"

- 3 Delete the existing Section 64 and insert the following new text into Section 64:

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General Purpose

The general purpose of this section is to provide discretionary opportunities for residents of any residential community in the City to operate bed and breakfasts from detached or semi-detached dwellings as an integral part of the neighbourhoods in which they may be located. The intention is that bed and breakfasts are to be operated in such a manner that they will not be experienced by other residents as an intrusive commercial land use or as a nuisance to the neighbourhood in any manner, bearing in mind what are generally acceptable activities for any residential community in the City. Specifically it is expected that a bed and breakfast will not cause noise, vehicle and pedestrian traffic, on-street or off-street parking or social activities exceeding that which are prevalent in the neighbourhood in which it is located.

- (1) A bed & breakfast may be allowed as an accessory use to a detached or a semi-detached dwelling, within those land use districts in Part Six of this bylaw in which it is listed as a discretionary use.
- (2) Application for a discretionary use development permit to establish and operate a bed & breakfast may be made at City Hall. Upon approval of a discretionary use development permit the applicant shall apply to the City for an occupancy certificate and an annually renewable business license prior to opening the bed & breakfast facility.
- (3) In addition to providing such information as the Inspections and Licensing Department may require, the applicant shall pay the fees prescribed by bylaw.

- (4) Prior to an application being considered by the Development Authority the applicant shall have an information session hosted by the City's Planning Department, which will submit the comment sheets and a summary of community feedback to the Development Authority. Area residents and landowners, as shall be determined by the City's Planning Department, the neighbourhood community association, if one exists, and the Heritage Preservation Committee, when a building or site that appears on the City's inventory list is the application site, shall be notified of the said information session.
- (5) The Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to the application being considered by the Commission.
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  - (d) The planning, operation and appearance of a bed & breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the curb appearance of a detached or a semi-detached dwelling, including landscaping of a minimum of 20% of the front yard.

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4 Insert the following discretionary use into a new Section 187(6) in the R1N District:

“(6) Bed & Breakfast in a detached dwelling, subject to Section 64.”

5 In Sections 176(9) in the R1 District, 182(8) in the R1A District, 192(13) in the R2 District and 200(15) in the R3 District, delete the existing text and insert the following new text:

“Bed & Breakfast in a detached or semi-detached dwelling, subject to Section 64.”

READ A FIRST TIME IN OPEN COUNCIL this day of , A.D. 2003.

READ A SECOND TIME IN OPEN COUNCIL this day of , A.D. 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of , A.D. 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of , A.D. 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

Legislative & Administrative Services

**DATE:** January 5, 2004  
**TO:** City Council  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/YY-2003  
Incorporation of the R1N District and Semi-detached Dwellings into the Bed  
& Breakfast Regulations in the Land Use Bylaw

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*History*

At the Monday, December 15, 2003 Council Meeting, Council gave first reading to Land Use Bylaw Amendment 3156/YY-2003

Land Use Bylaw Amendment 3156/YY-2003 provides for the incorporation of the R1N District and semi-detached dwellings into the Bed & Breakfast Regulations of the Land Use Bylaw.

*Public Consultation Process*

A Public Hearing has been advertised for Monday, January 12, 2004 at 7:00 p.m. in the Council Chambers during Council's regular meeting.

*Recommendations*

That following the Public Hearing, Council proceed with second and third readings of the bylaw.

Kelly Kloss  
Manager



**FILE**

Council Decision – December 15, 2003

**Legislative & Administrative Services**

**DATE:** December 16, 2003  
**TO:** Johan van der Bank, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/YY-2003  
Incorporation of the R1N District and Semi-detached Dwellings into the Bed & Breakfast Regulations in the Land Use Bylaw

---

***Reference Report:***

Parkland Community Planning Services, dated December 8, 2003

***Bylaw Readings:***

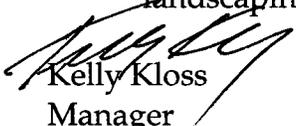
Land Use Bylaw Amendment 3156/YY-2003 was given first reading. A copy of the bylaw is attached for your information.

***Report Back to Council: Yes***

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

***Comments/Further Action:***

- 1) Land Use Bylaw Amendment 3156/YY-2003 provides for the incorporation of the R1N District and semi-detached dwellings into the Bed & Breakfast Regulations of the Land Use Bylaw. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for advertising costs in this instance.
- 2) Please provide a graphic depiction of what 20% and 40% of front yard landscaping would look like for the Public Hearing on January 12, 2004.

  
Kelly Kloss

Manager

/chk

/attach.

- c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno



---

Date: December 8, 2003

To: Kelly Kloss, Legislative and Administrative Services Manager

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/ZZ-2003  
Lots 1, 2 to 3, and 4, Block 32, Plan 1645MC, (35 Ave Close)  
Lots 1, 2, 3, 4, 5, 6, and 8, Block 16, Plan 3227KS, and  
Lots 13 and 14, Block 16, Plan 852 1963 (39 Street and 38A Ave)  
SW ¼ Sec. 15-38-27-4  
Eastview Neighbourhood

---

As the result of a couple of inquiries from Eastview landowners, our office has reviewed the zoning in portions of the Eastview neighborhood. This review showed that 7 apartment buildings and 4 semi-detached dwellings (8 units) are in R1 (single family) zoning. This means that these residences are legal but non conforming uses; any replacement or redevelopment of these sites would not be allowed except for single-family dwellings. In reviewing the history of these sites, it appears that they were inadvertently rezoned to single family use when the Land Use Bylaw was redrafted and some of the zoning lines were left off of the new land use maps.

In order to respond to concerns of some of the landowners, Parkland Community Planning Services convened a public meeting to discuss changing the zoning to match the existing development on the site. All affected landowners as well as adjacent landowners were invited to attend a neighbourhood meeting at the Joseph Welsh Elementary School, on October 23, 2003, to discuss the potential rezoning of the affected properties.

#### Neighbourhood Meeting

Prior to the neighbourhood meeting, we received 2 letters and a couple of phone calls in support of rezoning the properties to reflect existing uses. Both phone calls as well as one of the letters were related to Lot 1, Block 32, Plan 1645MC (4453 35 Ave Close) which contains a semi-detached dwelling. The owner wishes to have his property, containing the semi-detached dwellings, rezoned to R2 instead of R1A as he plans to redevelop the property for a fourplex or small apartment sometime in the future. If the other 3 lots in the Close are rezoned to R2 he is concerned that his property would be the only lot in the close without the R2 designation.

The public meeting was attended by 6 area residents and/or landowners. After a short presentation, they all were in favor of the rezoning the 7 apartment buildings to R2 and the 4 semi-detached dwellings (8 units) to R1A. Discussion at the meeting then centered on Lot 1,

**Land Use Bylaw Amendment 3156/ZZ-2003...Page 2**

Block 32 (the semi-detached dwelling) in 35 Ave Close. The attendees were generally supportive of rezoning the site to R2 as it will compliment the remainder of the block when the site is redeveloped with a fourplex. There were no discussion regarding the rezoning of the properties on 38A Avenue and 39 Street as only one landowner was present and he supports having his fourplex rezoned to R2. The attendance sheet, comment sheets, and letters received are enclosed separately for Council's information.

Planning staff considered the comments made at the neighbourhood meeting along with the written comments received; based upon the comments, there appeared to be support for rezoning a larger scale rezoning. On November 27, a revised map showing the proposed rezoning of the 7 apartments and the 4 semi-detached dwellings from R1 to R2 was prepared and was mailed or delivered to the eleven affected landowners as well as adjacent land owners. To date the comments received are positive.

Planning Analysis

The eleven properties, involving 13 lots, were originally zoned R3 Multiple Family District when the area was developed in the 1960's. The R3 District, at that time, had as permitted uses an apartment building and row houses, and discretionary uses included boarding houses, lodging houses, duplex homes, semi-detached homes, triplex homes, institutional homes for senior citizens, widows or children, and nursing homes. These eleven properties were developed with very low density housing types. Rezoning all eleven properties back to R2 would reflect what was planned for the area in 1960.

Recommendation

The 7 apartments and 4 semi-detached dwellings (8 units) were all developed legally in the 1960's and 1970's when Land Use Bylaw 2011/60 (1960 – 1978) and Land Use Bylaw 2588/78 (1978 – 1980) was in effect. An error in converting the maps from Land Use Bylaw 2588/78 to 2672/80 made the above properties legal but non-conforming uses. In order to correct the error, planning staff is recommending that the 4 semi-detached dwellings and the 7 apartments be rezoned from R1 Residential to R2 Residential (Medium Density) District. This would be identical to the original zoning in 1980 had the zoning lines were not left out. Pursuant to Section 197 of the Land Use Bylaw, if any of these properties are redeveloped, they would be referred to MPC to ensure that the development matches the standards of other development in the neighbourhood.

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/ZZ-2003.

Sincerely,

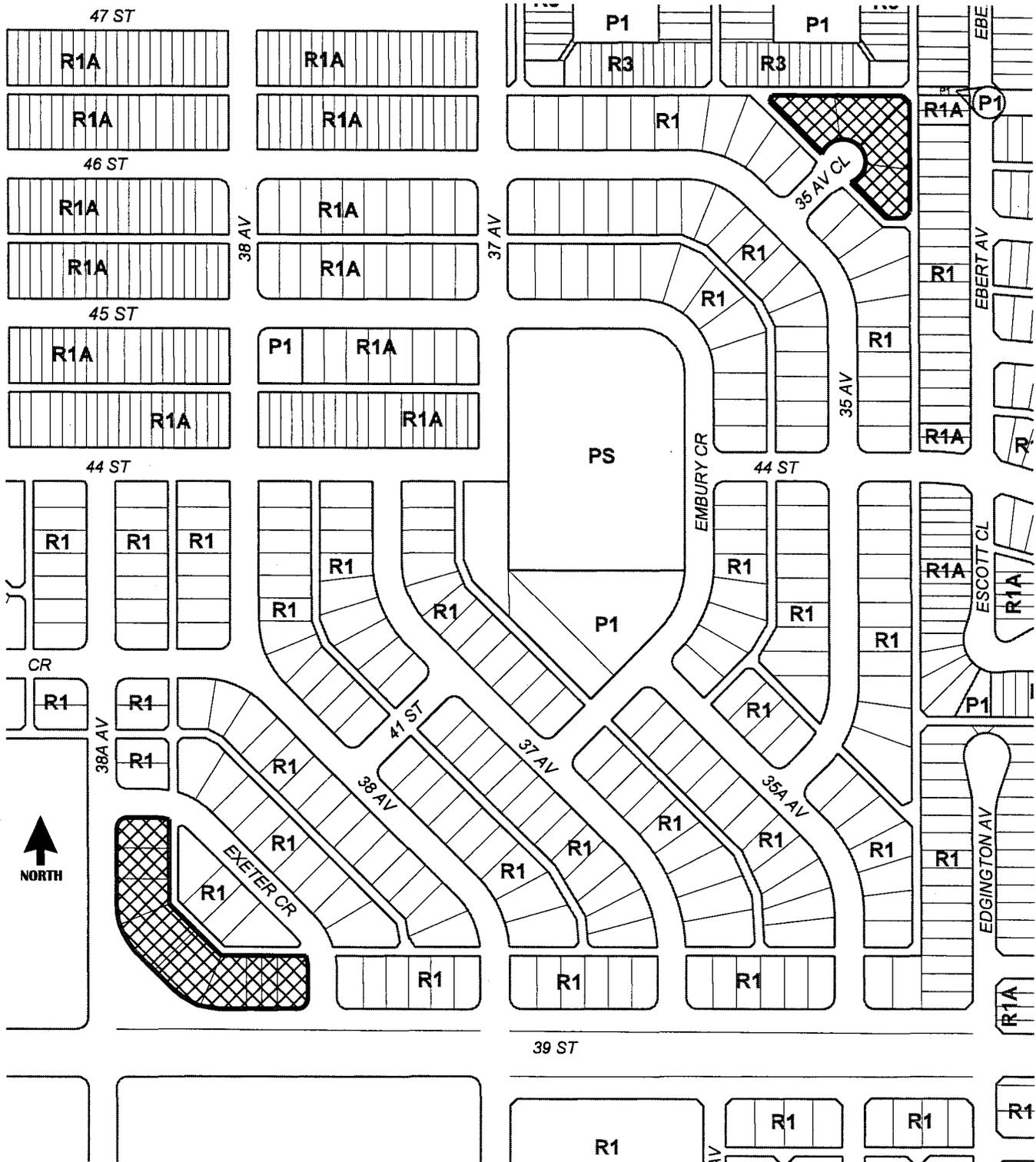


Frank Wong,  
Planning Assistant

Attachments

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



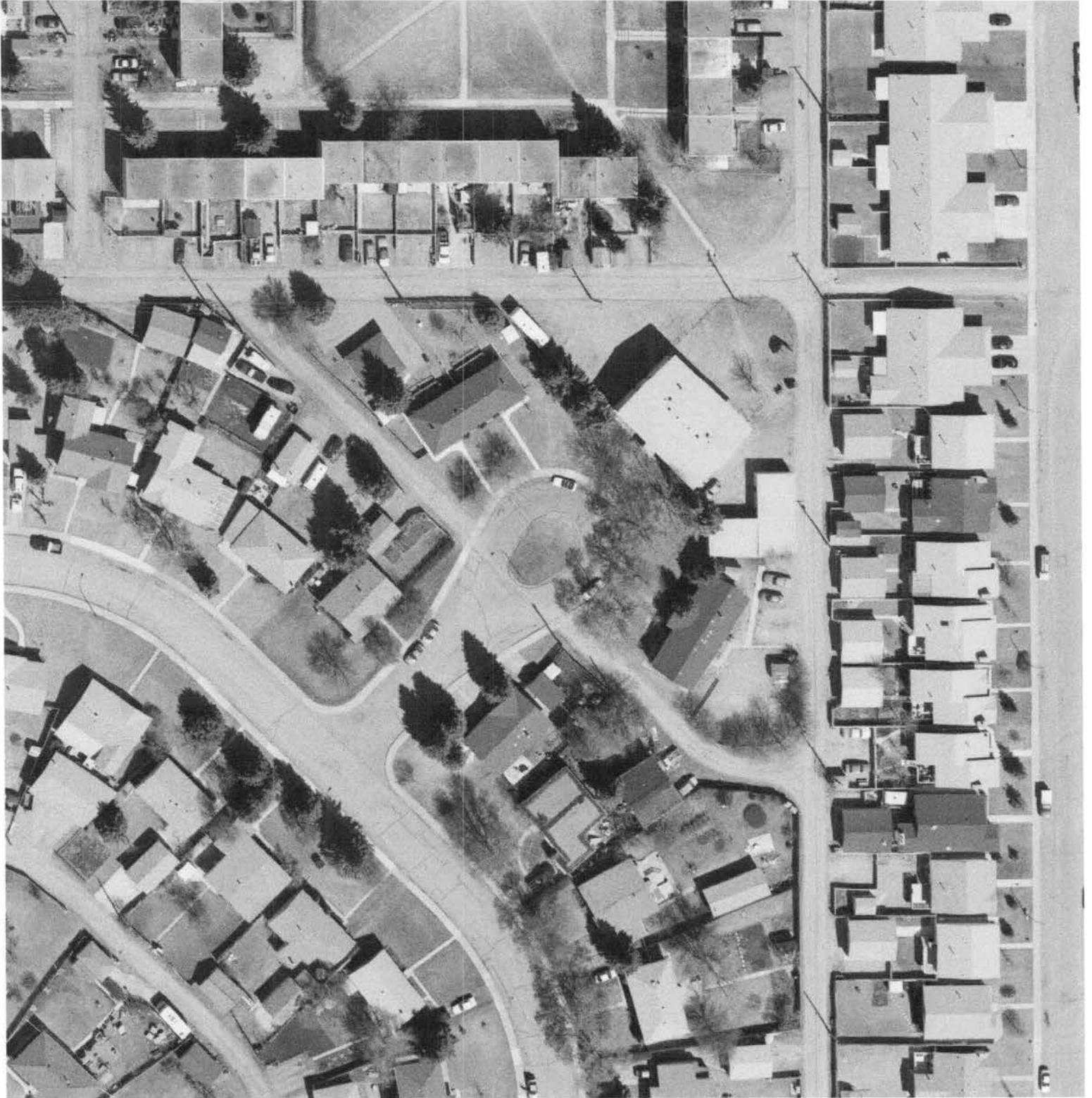
Change from :  
 R1 to R2 

### AFFECTED DISTRICTS:

- R1 - Residential (Low Density)
- R2 - Residential (Medium Density)

MAP No. 37 / 2003  
 BYLAW No. 3156 / ZZ - 2003

# 35 Avenue Close 74



Scale 1:1000



ESRI © 1997-2000 GEMSTAR INC. & INTERNATIONAL LAND SYSTEMS, INC.

# 39th Street and 38A Avenue

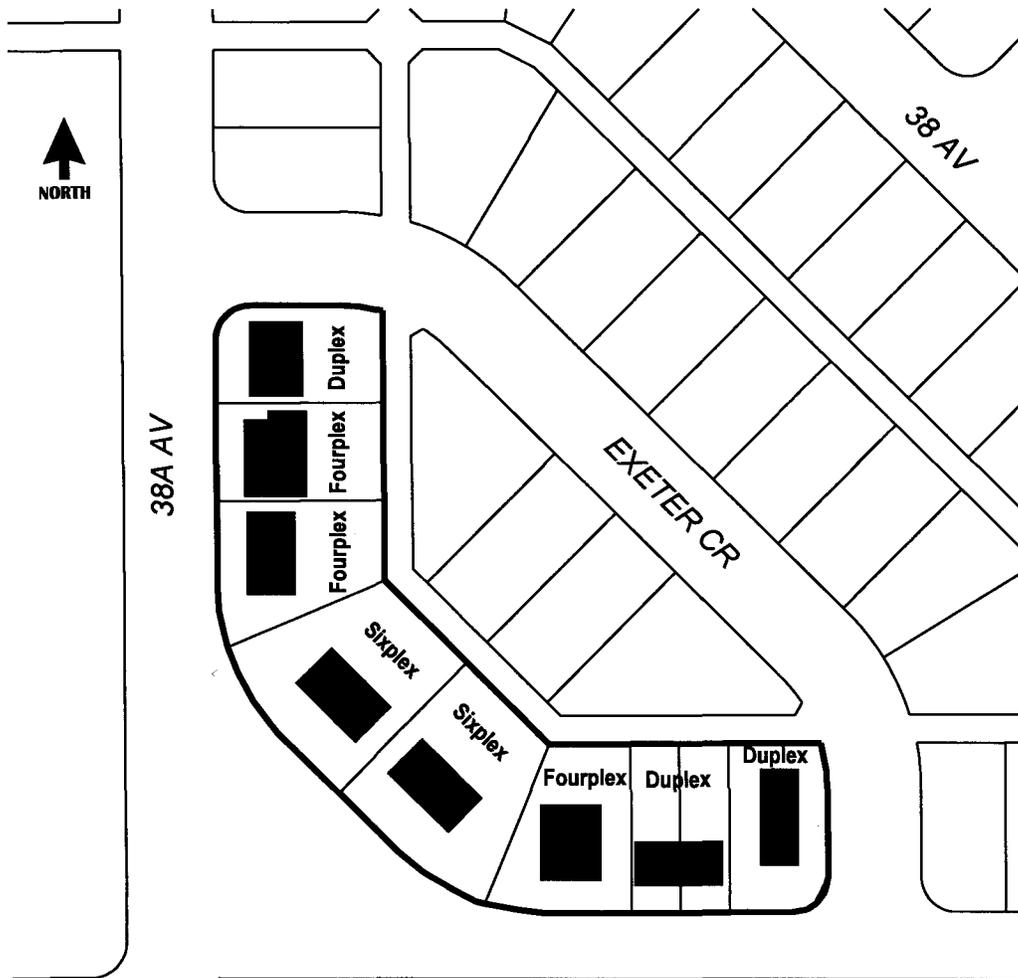


Scale 1:1000





### 35 AVENUE CLOSE



39 ST

### 38A AVENUE & 39 STREET

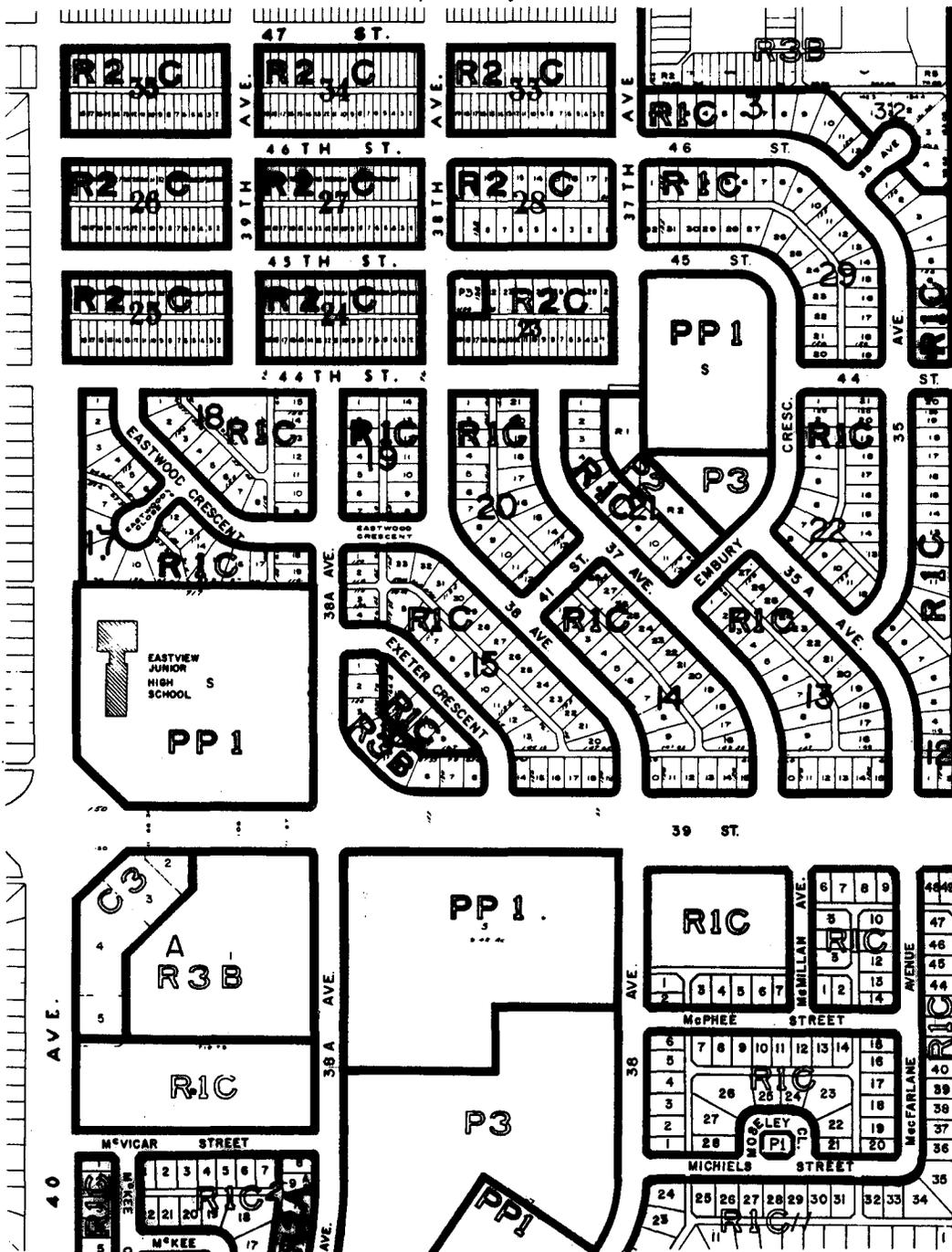
# CITY OF RED DEER

## USE - DISTRICT MAP



400 0 400 800 1200

Prepared by R.D.D.P.C.



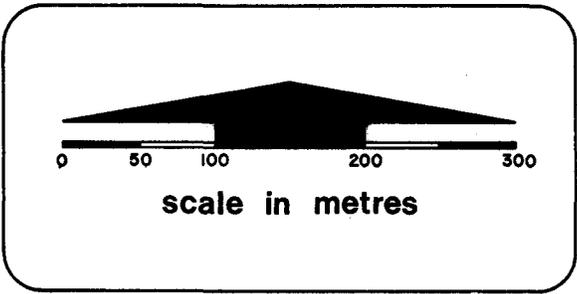
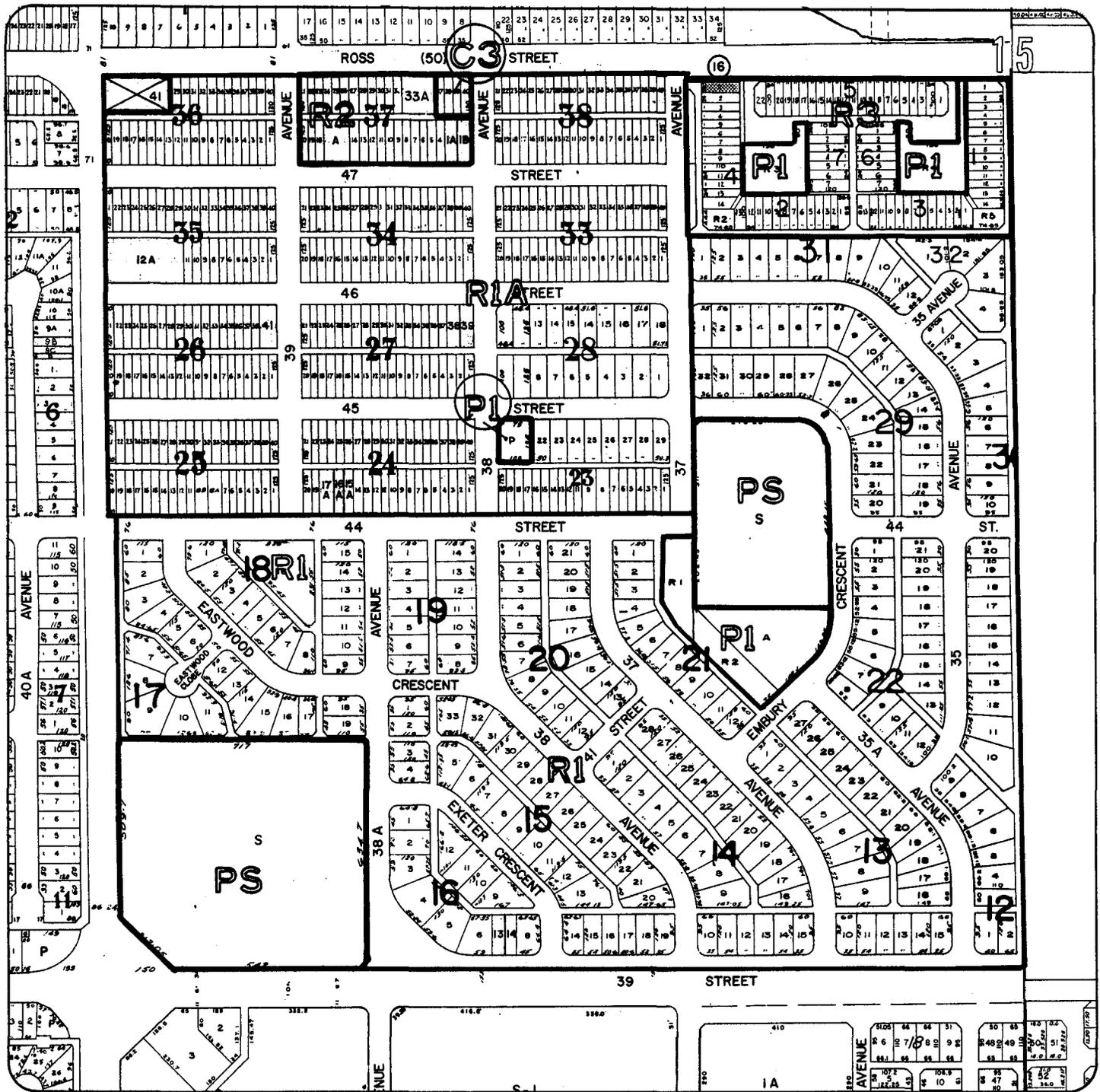
- R1 Residential Single Family (Sub-dist. A, B, C or D)
- R2 " General (Sub-dist. A, B or C)
- R3 " Multi-family (Sub-dist. A or B)
- C3 Commercial Neighborhood
- P2 Parks Natural & Informal
- P3 Recreational
- PP1 Public & Quasi-public Schools & Colleges
- R.R. Reserve Future Residential

SHEET

*Bylaw 2011/60 (1960-1978)*  
*Bylaw 2588/78 (1978-1980)*

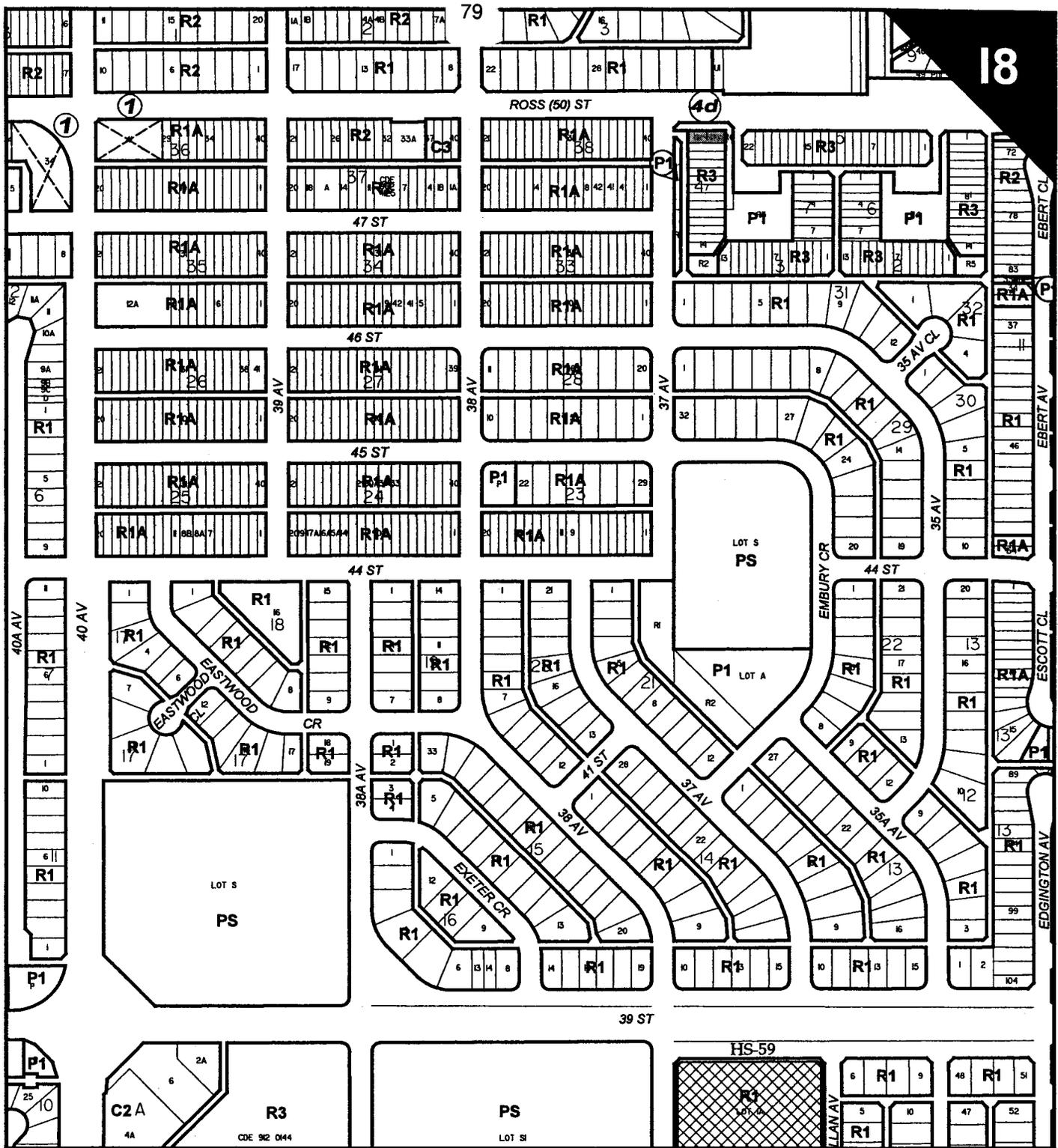
F5

# Land Use Districts



Revisions :  
2672/P-80 (10/NOV/80)  
2672/S-80 (22/DEC/80)

*Bylaw 2672/80  
(1980 - 1996)*



Part Six of the Bylaw outlines the Land Use District Definitions

refer to the Index Map for the Legend



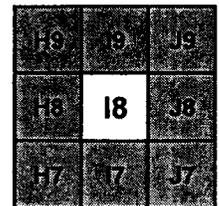
**NORTH**  
Scale 1:5,000

© The City of Red Deer, Engineering Department

**The City of Red Deer**  
**Land Use Bylaw 3156/96**

Amendments to SW 1/4 Sec 15

*Existing Bylaw*



**SW 1/4 Sec 15**  
Twp 38- Rge 27 - W4th

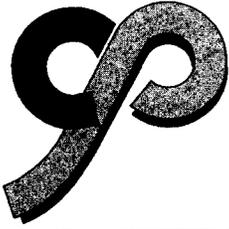
printed on  
January 03, 2002

*Comments:*

We agree that Council proceed with first reading of the bylaw amendment. A Public Hearing would be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager



*Nov. 27 delivery*

Suite 404, 4808 Ross Street  
Red Deer, Alberta T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
e-mail: pcps@pcps.ab.ca

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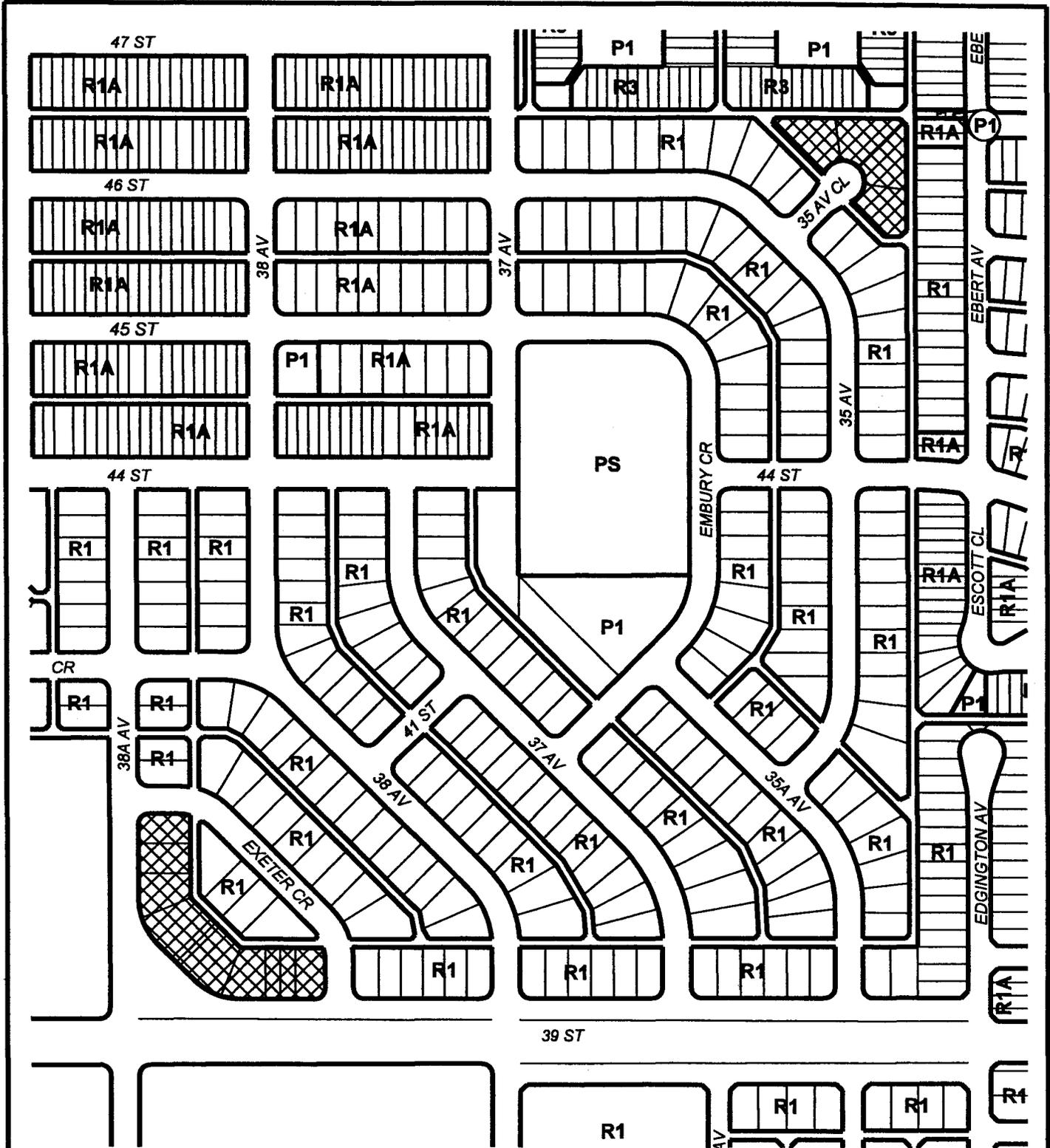
**EASTVIEW RESIDENTS & PROPERTY OWNERS**  
**SUBJECT: REZONING OF LAND USE DISTRICTS IN**  
**PORTIONS OF EASTVIEW**

You may recall that approximately one month ago, our office delivered or mailed a public notice to you regarding a neighbourhood public meeting. The meeting was to discuss the rezoning of certain areas of the Eastview neighbourhood that were inadvertently rezoned to single family use when the Land Use Bylaw was redrafted and some of the zoning lines were left off of the new land use maps. The error affected 7 apartments and 4 semi-detached dwellings (8 units) that were zoned to R1 (single family) zoning. This means that these 11 residences are legal but non conforming uses; any replacement or redevelopment of these sites would not be allowed except for single family use.

At the October 23, 2003 meeting held at the Joseph Welsh Elementary School, we discussed how we intend to correct this error by developing a proposal to match the zoning to the existing development on the site. This rezoning would affect 7 apartments which would be rezoned to R2 Residential (Medium Density) District and 4 semi-detached dwellings (8 units) which would be rezoned to R1A Residential (semi-detached dwelling) District. The six property owners that were in attendance had no objections to our proposal of rezoning the area to reflect the existing development. There was also discussion and support at the meeting for the rezoning of all 11 properties from R1 to R2 as illustrated on **the map on the reverse of this notice** which would be identical to the original zoning in 1980.

Our office would like your views regarding the additional changes of including the 4 semi-detached dwellings (8 units) with the 7 apartments in the same R2 District. This issue will be of particular interest to owners of affected properties and landowners of adjacent properties.

This notice is being delivered to you as part of the City's commitment to involve community residents in any changes to planning and development in their neighbourhood. Please provide us with your comments by mail, e-mail or fax to our office by December 8, 2003. For further information, contact Frank Wong of Parkland Community Planning Services at 343-3394. Parkland Community Planning Services is your City of Red Deer Planning Office.



Change from :  
 R1 to R2 

# PROPOSED ZONING

November 21, 2003

**EASTVIEW NEIGHBOURHOOD  
LUB 3156/ZZ-2003**

DESCRIPTION: Correction of error made in converting maps from former LUB's relating to 4 semi-detached dwellings and 7 apartments.

FIRST READING: December 15, 2003

FIRST PUBLICATION: December 26, 2003

SECOND PUBLICATION: January 2, 2004

PUBLIC HEARING & SECOND READING: January 12, 2004

THIRD READING: JAN. 12, 2004

LETTERS REQUIRED TO PROPERTY OWNERS: YES  NO

DEPOSIT? YES  \$ \_\_\_\_\_ NO  BY: CITY

ACTUAL COST OF ADVERTISING:

\$ \_\_\_\_\_ X 2 TOTAL: \$ \_\_\_\_\_

MAP PREPARATION: \$ \_\_\_\_\_

TOTAL COST: \$ \_\_\_\_\_

LESS DEPOSIT RECEIVED: \$ \_\_\_\_\_

AMOUNT OWING/ (REFUND): \$ \_\_\_\_\_

INVOICE NO.: \_\_\_\_\_

(Account No. 59.5901)

**Date:** December 16, 2003  
**To:** Joni Baillie, Assessment  
**From:** Cheryl Adams  
Legislative & Administrative Services  
**Re:** LUB Amendment 3156/ZZ-2003 Eastview Neighbourhood

Please provide **Bev Greter** with the names and addresses of the subject property owners and all contiguous/adjacent property owners as outlined on the attached map.

It would be helpful if the lists could be received at your earliest convenience in order to process the letters within the required time period. I have attached the map that appeared on the Council agenda for your reference.

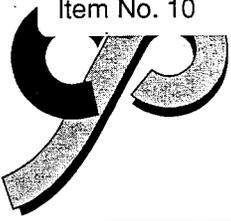
Thanks Joni.

---

  
Cheryl Adams  
Legislative & Administrative Services

Attach.





**LAND  
COMMUNITY  
PLANNING  
SERVICES**

Suite 404, 4808 Ross Street  
Red Deer, Alberta T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
e-mail: pcps@pcps.ab.ca

---

Date: December 8, 2003

To: Kelly Kloss, Legislative and Administrative Services Manager

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/ZZ-2003  
Lots 1, 2 to 3, and 4, Block 32, Plan 1645MC, (35 Ave Close)  
Lots 1, 2, 3, 4, 5, 6, and 8, Block 16, Plan 3227KS, and  
Lots 13 and 14, Block 16, Plan 852 1963 (39 Street and 38A Ave)  
SW ¼ Sec. 15-38-27-4  
Eastview Neighbourhood

---

As the result of a couple of inquiries from Eastview landowners, our office has reviewed the zoning in portions of the Eastview neighborhood. This review showed that 7 apartment buildings and 4 semi-detached dwellings (8 units) are in R1 (single family) zoning. This means that these residences are legal but non conforming uses; any replacement or redevelopment of these sites would not be allowed except for single-family dwellings. In reviewing the history of these sites, it appears that they were inadvertently rezoned to single family use when the Land Use Bylaw was redrafted and some of the zoning lines were left off of the new land use maps.

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#### Neighbourhood Meeting

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## Land Use Bylaw Amendment 3156/ZZ-2003...Page 2

Block 32 (the semi-detached dwelling) in 35 Ave Close. The attendees were generally supportive of rezoning the site to R2 as it will compliment the remainder of the block when the site is redeveloped with a fourplex. There were no discussion regarding the rezoning of the properties on 38A Avenue and 39 Street as only one landowner was present and he supports having his fourplex rezoned to R2. The attendance sheet, comment sheets, and letters received are enclosed separately for Council's information.

Planning staff considered the comments made at the neighbourhood meeting along with the written comments received; based upon the comments, there appeared to be support for rezoning a larger scale rezoning. On November 27, a revised map showing the proposed rezoning of the 7 apartments and the 4 semi-detached dwellings from R1 to R2 was prepared and was mailed or delivered to the eleven affected landowners as well as adjacent land owners. To date the comments received are positive.

### Planning Analysis

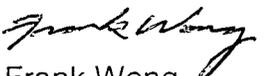
The eleven properties, involving 13 lots, were originally zoned R3 Multiple Family District when the area was developed in the 1960's. The R3 District, at that time, had as permitted uses an apartment building and row houses, and discretionary uses included boarding houses, lodging houses, duplex homes, semi-detached homes, triplex homes, institutional homes for senior citizens, widows or children, and nursing homes. These eleven properties were developed with very low density housing types. Rezoning all eleven properties back to R2 would reflect what was planned for the area in 1960.

### Recommendation

The 7 apartments and 4 semi-detached dwellings (8 units) were all developed legally in the 1960's and 1970's when Land Use Bylaw 2011/60 (1960 – 1978) and Land Use Bylaw 2588/78 (1978 – 1980) was in effect. An error in converting the maps from Land Use Bylaw 2588/78 to 2672/80 made the above properties legal but non-conforming uses. In order to correct the error, planning staff is recommending that the 4 semi-detached dwellings and the 7 apartments be rezoned from R1 Residential to R2 Residential (Medium Density) District. This would be identical to the original zoning in 1980 had the zoning lines were not left out. Pursuant to Section 197 of the Land Use Bylaw, if any of these properties are redeveloped, they would be referred to MPC to ensure that the development matches the standards of other development in the neighbourhood.

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/ZZ-2003.

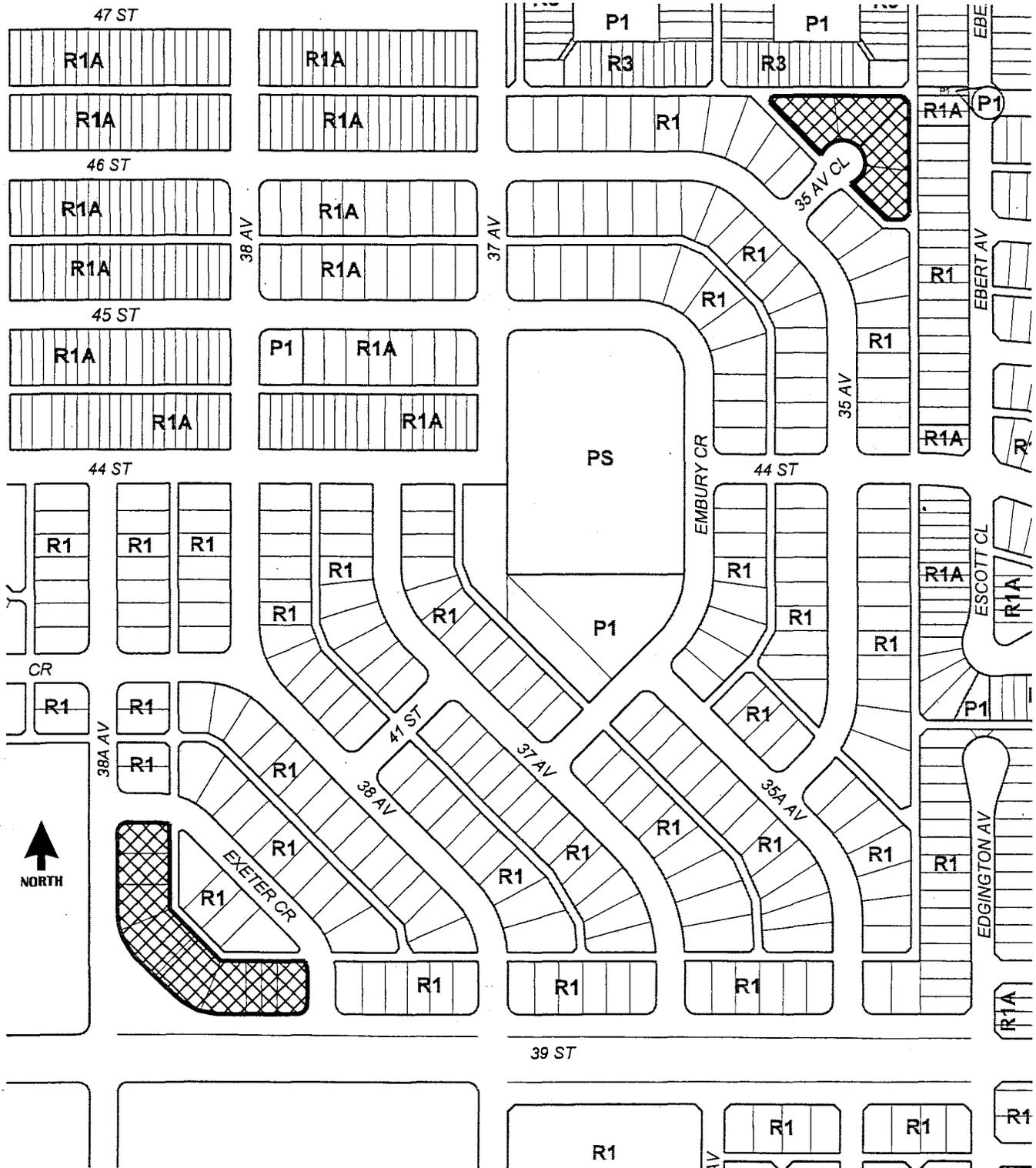
Sincerely,

  
Frank Wong,  
Planning Assistant

Attachments

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :  
 R1 to R2 

### AFFECTED DISTRICTS:

- R1 - Residential (Low Density)
- R2 - Residential (Medium Density)

MAP No. 37 / 2003  
 BYLAW No. 3156 / ZZ - 2003

**BYLAW NO. 3156/ZZ-2003**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 The "Use District Map 18" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 37/2003 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this                    day of                    2003.

READ A SECOND TIME IN OPEN COUNCIL this                    day of                    2004.

READ A THIRD TIME IN OPEN COUNCIL this                    day of                    2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this                    day of                    2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



## Legislative &amp; Administrative Services

**DATE:** December 16, 2003

**TO:** Frank Wong, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Land Use Bylaw Amendment 3156/ZZ-2003  
Lots 1, 2 to 3, and 4, Block 32, Plan 1645MC, (35 Ave. Close)  
Lots 1, 2, 3, 4, 5, 6, and 8, Block 16, Plan 3227KS, and  
Lots 13 and 14, Block 16, Plan 852 1963 (39 Street and 38A Ave)  
SW ¼ Sec. 15-38-27-4  
Eastview Neighbourhood

---

*Reference Report:*

Parkland Community Planning Services, dated December 8, 2003

*Bylaw Readings:*

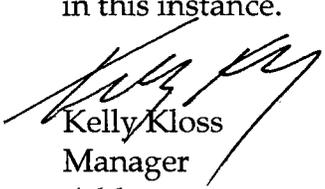
Land Use Bylaw Amendment 3156/ZZ-2003 was given first reading. A copy of the bylaw is attached for your information.

*Report Back to Council:* Yes

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

Land Use Bylaw Amendment 3156/ZZ-2003 rezones 4 semi-detached dwellings and 7 apartments from R1 Residential to R2 Residential (Medium Density) District in the Eastview Neighbourhood. An error in converting maps from the Land Use Bylaw made the properties legal but non-conforming uses. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for advertising costs in this instance.



Kelly Kloss  
Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno

**BYLAW NO. 3156/ZZ-2003**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 The "Use District Map I8" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 37/2003 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 15<sup>th</sup> day of December 2003.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

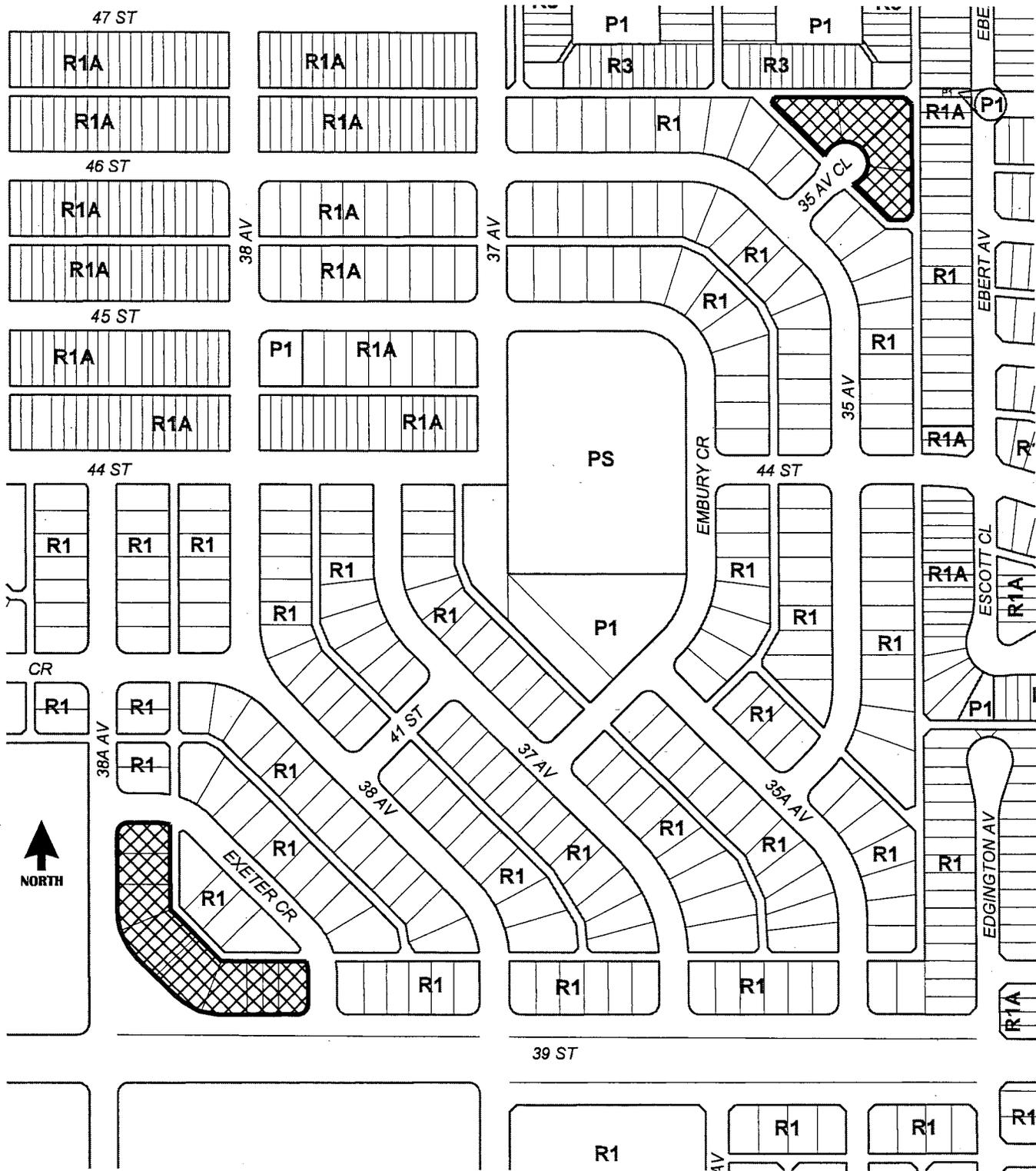
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MAYOR

---

CITY CLERK

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**Change from :**  
**R1 to R2** 

**AFFECTED DISTRICTS:**  
**R1 - Residential (Low Density)**  
**R2 - Residential (Medium Density)**

**MAP No. 37 / 2003**  
**BYLAW No. 3156 / ZZ - 2003**

December 22, 2003

«OwnerName»  
«OwnerAdd1»  
«OwnerAdd2»  
«OwnerAdd3»

Dear Sir/Madam:

**Re: Eastview Neighbourhood  
Land Use Bylaw Amendment 3156/ZZ-2003**

---

Council of The City of Red Deer is considering a change to the Land Use Bylaw, which controls the use and development of land and buildings in the city. As a property owner in the Eastview Neighbourhood area you have an opportunity to ask questions about the intended use and to let Council know your views.

Red Deer City Council proposes to pass **Land Use Bylaw Amendment 3156/ZZ-2003** which controls the use and development of land and buildings in the city. Bylaw amendment 3156/ZZ-2003 corrects an error made in converting maps from former Land Use Bylaws. The buildings located on the properties listed below were all developed legally, however the error in converting maps made the uses legal but non-conforming. The proposed amendment would rezone 4 semi-detached dwellings and 7 apartments from R1 Residential to R2 Residential (Medium Density) District, and would be identical to the original zoning.

Lots 1-4, Block 32, Plan 1645 MC (35 Avenue Close)  
Lots 1-6, and Lot 8, Block 16, Plan 3227 KS  
Lots 13-14, Block 16, Plan 852-1963 (39 Street and 38A Avenue)  
S.W. ¼ Section 15-37-27-4

The proposed bylaw may be inspected by the public at Legislative & Administrative Services, 2<sup>nd</sup> Floor of City Hall during regular office hours or for more details, contact the city planners at Parkland Community Planning Services 343-3994.

«OwnerName»

Page Two

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on **Monday, January 12, 2004** at 7:00 p.m. in Council Chambers, 2<sup>nd</sup> floor of City Hall. If you want your letter or petition included on the Council agenda you must submit it to our office by **Tuesday, January 6, 2004**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Any submission will be public information. If you have any questions regarding the use of this information, please contact Legislative & Administrative Services at 342-8132.

Yours truly,

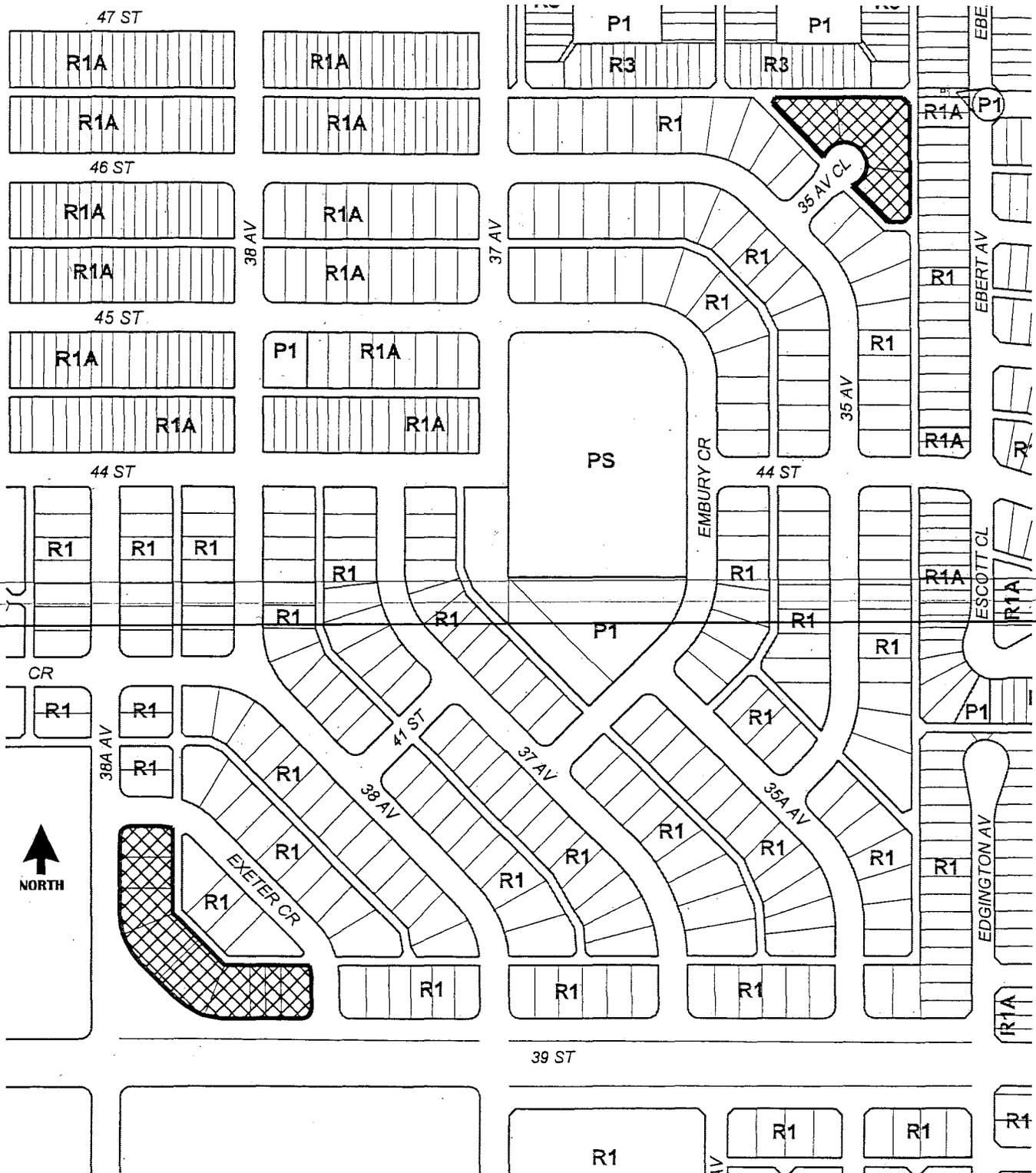


Kelly Kloss  
Manager  
Legislative & Administrative Services

/encl.

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :  
R1 to R2 

### AFFECTED DISTRICTS:

R1 - Residential (Low Density)

R2 - Residential (Medium Density)

MAP No. 37 / 2003

BYLAW No. 3156 / ZZ - 2003

OwnerName	OwnerAdd1	OwnerAdd2	OwnerAdd3	Owr
Dennis Gordon Brown	R. R. 4	INNISFAIL, AB T4G 1T9		
Ward Laird	5825 69 Street Drive	RED DEER, AB T4P 1C3		
Sidney G. & Patricia A. Brouwer	4013 46 Street	RED DEER, AB T4N 1M3		
Charlotte E. & Lee J. Wagner	43 Reighley Close	RED DEER, AB T4P 3V7		
Douglas James Masters	5712 45 Avenue	RED DEER, AB T4N 3L9		
John Allan & Jean Elizabeth Ferguson	63 Otterbury Avenue	RED DEER, AB T4N 4Z8		
Arlene V. Pederson	3916 Exeter Crescent	RED DEER, AB T4N 2V1		
Michael & Jean R. Hucal	3920 Exeter Crescent	RED DEER, AB T4N 2V1		
John Stephen & Jacqueline Nancy	3924 Exeter Crescent	RED DEER, AB T4N 2V1		
Barton Jensen	3928 Exeter Crescent	RED DEER, AB T4N 2V1		
Parkland Community Living	And Supports Society	6010 45 Avenue	RED DEER, AB	
Louis L & Marilyn Wattenbarger	25 Reeves Crescent	RED DEER, AB T4P 2Z4		
Robert George & Wendy Marie Kuffler	3822 39 Street	RED DEER, AB T4N 0Y5		
M Ritchie & Debra L Paterson	3818-39 Street	RED DEER, AB T4N 0Y5		
Carl D Bettenson	4320 52 Avenue	RED DEER, AB T4N 4J9		
Cheryl A. Handley Professional	20 Addison Close	RED DEER, AB T4R 3B1		
Antonio & Italia Y. Donadeo	3939 Exeter Crescent	RED DEER, AB T4N 2V2		
Christopher P. Mckay	3935 Exeter Crescent	RED DEER, AB T4N 2V2		
Edgar Menge	C/O Sun Country Rental	4 6320 50 Avenue	RED DEER, AB	
Red Deer School District #104	4747 53 Street	RED DEER, AB T4N 2E6		
Wilson Realty Ltd.	110 6131 6 St S E	CALGARY, AB T2H 1L9		
The Board Of Trustees	Of Red Deer Catholic	Regional Division No 39	5210 61 Street	RED
Leonard Joseph & Thirza Ann Ashe	4437 35 Av Close	RED DEER, AB T4N 2S3		
Harold M. & Joan V. Truckle	3502 46 Street	RED DEER, AB T4N 1L4		
Gregg & Kari Anne Fraser	R R 1	RED DEER, AB T4N 5E1		
Harry & Fokkelina Veenstra	15 Warwick Drive	RED DEER, AB T4N 6L4		
Michael C. R. Hawkins	5823 60 Street	RED DEER, AB T4N 2P7		
Kenneth J. & Emma C. Cameron	3514-46 Street	RED DEER, AB T4N 1L4		
Linda Jean Mclean	5843 60 Avenue	ROCKY MOUNTAIN HOUSE,		
Jeannie Agnes Marie Rufiange	3506 46 Street	RED DEER, AB T4N 1L4		
Beverley Jo-Anne Adams	4433 35 Avenue	RED DEER, AB T4N 2S1		
Raymond Eugene & Tami Elizabeth	4429 35 Avenue	RED DEER, AB T4N 2S1		
James L. & Martha L. Templeton	201 Terrace Park	RED DEER, AB T4N 1V8		
Lynda Ellen & Scott L. Nelson	202 Terrace Park	RED DEER, AB T4N 1V8		
Jeff T. Maser	203 Terrace Park	RED DEER, AB T4N 1V8		
Tony Mathiesen	204 Terrace Park	RED DEER, AB T4N 1V8		
Harold Eugene Boettger	205 Terrace Park	RED DEER, AB T4N 1V8		
Wendy Heemeryck & Matthew Anderson	206 Terrace Park	RED DEER, AB T4N 1V8		
Hardip & Amarjit Ubhi	119 Alexander Crescent	RED DEER, AB T4R 2R7		
Roy O. Amundson	331 Barrett Drive	RED DEER, AB T4R 1J1		
Verna May Kerchinsky	65 Wiltshire Boulevard	RED DEER, AB T4N 6L2		
Toni C. Miller	210 Terrace Park	RED DEER, AB T4N 1V8		
W E Hilsenteger	C/O W.E. Swainson	32 Best Crescent	RED DEER, AB	
Dana Carol Mckinney	212 Terrace Park	RED DEER, AB T4N 1V8		
Westwinds Inc.	17 Payne Close	RED DEER, AB T4P 1T6		
C. Lila Ogilvie	101 Terrace Park	RED DEER, AB T4N 1V8		
Pat & Chris Windle	246 Ebert Close	RED DEER, AB T4R 2C5		
Elizabeth M. Strankman	248 Ebert Close	RED DEER, AB T4R 2C5		
Helena Martens	250 Ebert Close	RED DEER, AB T4R 2C5		

William Frank Miller & William B. Miller	90 Ebert Avenue	RED DEER, AB T4R 2C6		
Raymond J. & Evelyne L. Mitten	86 Ebert Avenue	RED DEER, AB T4R 2C6		
Philip Robert & Marion Louise Nazar	82 Ebert Avenue	RED DEER, AB T4R 2C6		
Don & Donna Hogenson	78 Ebert Avenue	RED DEER, AB T4R 2C6		
Thomas Arthur & Deborah Anne Doherty	74 Ebert Avenue	RED DEER, AB T4R 2C6		
Dennis Eugene & Ruth Marie Burriss	70 Ebert Avenue	RED DEER, AB T4R 2C6		
Edward & Eileen Elizabeth Perry	66 Ebert Avenue	RED DEER, AB T4R 2C6		
Kenneth G. & Mary E. Mashford	62 Ebert Avenue	RED DEER, AB T4R 2C6		
Ray R. & Marcelina M. Viejon	58 Ebert Avenue	RED DEER, AB T4R 2C6		

**Legislative & Administrative Services**

**DATE:** January 5, 2004

**TO:** City Council

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Land Use Bylaw Amendment 3156/ZZ-2003  
Lots 1, 2 to 3, and 4, Block 32, Plan 1645MC, (35 Ave. Close)  
Lots 1, 2, 3, 4, 5, 6, and 8, Block 16, Plan 3227KS, and  
Lots 13 and 14, Block 16, Plan 852 1963 (39 Street and 38A Ave)  
SW ¼ Sec. 15-38-27-4  
Eastview Neighbourhood

---

***History***

At the Monday, December 15, 2003 Council meeting, Council gave first reading to Land Use Bylaw Amendment 3156/ZZ-2003 .

Land Use Bylaw Amendment 3156/ZZ-2003 rezones 4 semi-detached dwellings and 7 apartments from R1 Residential to R2 Residential (Medium Density) District in the Eastview Neighbourhood. An error in converting maps from the Land Use Bylaw made the properties legal but non-conforming uses.

***Public Consultation Process***

A Public Hearing has been advertised for Monday, January 12, 2004 at 7:00 p.m. in the Council Chambers during Council's regular meeting.

***Recommendations***

That following the Public Hearing, Council proceed with second and third readings of the bylaw.

Kelly Kloss  
Manager

**FILE**



Council Decision – December 15, 2003

Legislative & Administrative Services

**DATE:** December 16, 2003

**TO:** Frank Wong, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Land Use Bylaw Amendment 3156/ZZ-2003  
Lots 1, 2 to 3, and 4, Block 32, Plan 1645MC, (35 Ave. Close)  
Lots 1, 2, 3, 4, 5, 6, and 8, Block 16, Plan 3227KS, and  
Lots 13 and 14, Block 16, Plan 852 1963 (39 Street and 38A Ave)  
SW ¼ Sec. 15-38-27-4  
Eastview Neighbourhood

---

***Reference Report:***

Parkland Community Planning Services, dated December 8, 2003

***Bylaw Readings:***

Land Use Bylaw Amendment 3156/ZZ-2003 was given first reading. A copy of the bylaw is attached for your information.

***Report Back to Council:*** Yes

A Public Hearing will be held on Monday, January 12, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

***Comments/Further Action:***

Land Use Bylaw Amendment 3156/ZZ-2003 rezones 4 semi-detached dwellings and 7 apartments from R1 Residential to R2 Residential (Medium Density) District in the Eastview Neighbourhood. An error in converting maps from the Land Use Bylaw made the properties legal but non-conforming uses. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for advertising costs in this instance.



Kelly Kloss

Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno

**BYLAW NO. 3156/ZZ-2003**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 The "Use District Map 18" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 37/2003 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 15<sup>th</sup> day of December 2003.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK





**Legislative & Administrative Services**

**DATE:** November 24, 2003  
**TO:** City Council  
**FROM:** Kelly Kloss, Legislative & Administrative Manager  
**SUBJECT:** Written Inquiry – Councillor Bev Hughes

---

The following written inquiry was submitted by Councillor Bev Hughes at the November 17, 2003 Council Meeting:

“That the City consider formulating a by-law stating an appropriate distance between property lines and dwellings from a major thoroughfare for newer residential developments.”

For Council’s information, reports from Administration are attached.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager

/attach.



---

**DATE:** November 24, 2003  
**TO:** Kelly Kloss, Manager  
Legislative & Administrative Services  
**FROM:** Tony Lindhout, Planner  
**RE:** Written Inquiry - Councillor Bev Hughes  
Residential Setbacks from Major Thoroughfares

---

Councillor Bev Hughes submitted the following written inquiry at the November 17, 2003 Council Meeting:

***“That the City consider formulating a by-law stating an appropriate distance between property lines and dwellings from a major thoroughfare for newer residential developments.”***

### **ROADWAY CLASSIFICATIONS**

The City of Red Deer has the following two (2) basic classifications of roadway that would be considered major thoroughfares:

1. **Arterials**, both divided and undivided, provide for the movement of large volumes of traffic, including truck and transit routes, by connecting major areas of traffic generation (major shopping areas, downtown commercial core, major employment areas) within the City. Furthermore, arterial roadways are the spine, or backbone, of a much broader transportation network that reaches out into our residential suburbs. Arterial roadways have approximately one mile spacing between them. As efficient flow of traffic is the primary function of this classification of roadway, no direct vehicle access from individual parcels are permitted to/from a divided arterial road except in special circumstances where a right in/right out may be permitted. Examples of City arterial roadways are Delburne Road; 22<sup>nd</sup>, 32<sup>nd</sup>, 50<sup>th</sup> (Ross), 67<sup>th</sup> and 77<sup>th</sup> Streets; 30<sup>th</sup>, 40<sup>th</sup>, 50<sup>th</sup> (Gaetz) Avenues and Taylor Drive.

In all new city residential areas, if an arterial roadway (divided or undivided) is adjacent to residential development, adjoining residential properties would back towards the arterial roadway, most often being separated from it by a lane or public utility lot. The normal City cross-section for an undivided arterial next to residential is a 48m (157.5 ft.) r/w, a divided arterial has a 60 m (200ft.) r/w, both of which include provision for landscaped berms on either side of the roadway. The minimum distance from the edge of the road (curb) to the rear property line would be ±16.1m (53 ft.) in the case of an undivided arterial and 19.1m (63 ft.) for divided arterials. If there is a lane or public utility lot separating an arterial roadway from a residential property, the separation distance between the edge (curb) of the roadway and the rear property boundary would be increased by another ± 7m (23 ft.).

In addition, the City's Land Use Bylaw for low density residential structures, has a minimum rear yard building setback of 7.5m (25 ft.) which means that the back of a residential structure would be located a minimum distance of:

- $\pm 23.6\text{m}^*$  (78 ft.) from the curb edge of an undivided arterial, and
- $\pm 26.6\text{m}^*$  (87 ft.) from the curb edge of a divided arterial.

\* add 7m (23 ft.) if there is a rear lane or public utility lot at back of residential lot

2. **Collectors** are designed to distribute traffic between arterial and local roads, to provide direct frontage to abutting land uses and to serve as transit routes. Many (most) collector roadways are located within our residential neighbourhoods whereby they are generally designed in circuitous patterns providing convenient movement of traffic within residential communities and access to adjoining neighbourhoods. Collector streets provide the ability to funnel motorists onto the broader arterial road network. Examples of collector roadways are Kendrew Drive, Overdown Drive, Allan Street, Lancaster Drive, Addington Drive and Cornett Drive.

In residential neighbourhoods, individual parcels can either front onto collector roadways (also permits front driveways) or, back towards a collector roadway if separated from the collector roadway by a lane, public utility lot or municipal reserve parcel. The normal City cross-section for a standard collector roadway is a 20m (66 ft.) right-of-way. Residential homes that front onto collector streets could be as close as 9.0m (30 ft.) to the street edge (curb). The rear of a residence that backs towards a collector road would be located a minimum of 18.5m (61 ft.) from the street curb edge; this includes a 7m (23 ft.) lane or buffer strip and the 7.5m (25 ft) minimum rear yard building setback.

### **LAND USE BYLAW DEVELOPMENT STANDARDS**

The City's Land Use Bylaw contains only 2 minimum standards regarding the depth of conventional residential parcels.

1. For all residential parcels located in a R1, R1A or R2 Residential District the minimum parcel depth is 30m (98.5 ft.). The average depth of parcels being subdivided in current residential neighbourhoods are in the range of 32-34m (105-112 ft.) regardless of whether these parcels are located on a local street, collector street, cul-de-sac, close or backing onto an arterial roadway.
2. For residential parcels located in a R1N (narrow lot) Residential District the minimum parcel depth is 36.6m (120 ft.). Most of these types of parcels are being subdivided at, or slightly greater than the 36.6m minimum depth standard again regardless of what type of roadway they are located on or adjacent to.

The City's minimum rear yard building setback for all homes constructed in R1, R1A, R1N and R2 Residential Districts is the same at 7.5m (25 ft.). The minimum front yard building setback for any residence in our residential districts is 6m (20 ft.) with the exception of homes built in the R1N (narrow lot) Residential District in which case the minimum front yard building setback is 5m (16.5 ft.).

### **SUMMARY/ANALYSIS**

While the above road classifications and standards relate to current development practices in new development areas, some older neighbourhoods/areas in the City were developed without the benefit of long range area structure plans or, were developed at different development standards. This creates existing developments that were approved and built under previous (lesser) development standards but which were deemed appropriate at the time.

Legislative & Administrative Services Manager  
 Written Inquiry (Residential Setbacks) – Councillor Bev Hughes  
 Page 3

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The question that Councillor Hughes raises is whether there is merit in increasing the depth of residential parcels that back onto a major thoroughfare. Any such move could only affect future subdivision of residential properties as currently there is no City requirement to increase the depth of a residential parcel if it backs onto a major thoroughfare.

Increasing the depth of a residential parcel in itself will not necessarily increase the separation distance between the rear of a residential structure and any major thoroughfare located behind the parcel. Unless the minimum rear yard building setback of 7.5m is also increased, no gain to the separation distance between the back of a residence and any major thoroughfare located behind it would necessarily be realized.

The planning of new residential neighbourhoods are currently governed by a combination of the development criteria contained in the City's *Neighbourhood Planning and Design Guidelines & Standards*, Engineering Service's *Design Guidelines*, and the Land Use Bylaw. The development criteria and standards contained in these City planning documents form the basis for the preparation of both Major and Neighbourhood Area Structure Plans. Future residential communities are pre-planned taking into account all the various land uses in relationship to the required transportation network.

Planning staff believe that the current design criteria of arterial roadway provides for adequate building setbacks for those properties that would back this classification of roadway. Any future arterial roadways to be created along side new residential neighbourhoods have adequate right-of-way to construct, build and landscape required berms. The berms as well as the separation distance between street curb and back of residence is viewed as being reasonable and adequate. To increase the depth of residential parcels as well as increase the minimum 7.5m rear yard building setback for those lots that back major thoroughfares results in additional land requirements that will affect sustainable growth principles including densities. Should Council wish to require a mandatory lane (7m/23 ft.) at the rear of all residential parcels that back an arterial roadway, this would be supported by planning staff.

Regarding collector roadways, planning staff believe no change is warranted to any of the building setbacks and/or building separation distances from these streets. Notwithstanding that traffic capacity and flows on collector streets are higher than those of local neighbourhood streets, there is no planning rationale to treat collector roadways differently in terms of setbacks. Their relatively short length and function as a feeder roadway, compared to the overall road network within a residential neighbourhood, does not warrant having its own separate setback criteria.

If Council feels further study of this issue is required, the development industry should be consulted.




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Tony J. Lindhout, ACP, MCIP  
 PLANNER

c. Engineering Services Manager  
 Inspections & Licensing Manager

# MEMO

---

**DATE:** November 24, 2003

**TO:** LEGISLATIVE & ADMINISTRATIVE SERVICES

**FROM:** GREG SCOTT, Manager  
Inspections & Licensing Department

**RE:** REQUEST FOR COMMENTS  
WRITTEN INQUIRY – BEV HUGHES

---

The Inspections & Licensing Department has reviewed Councillor Bev Hughes' written inquiry;

“that the City consider formulating a Bylaw stating an appropriate distance between property lines and dwellings from a major thoroughfare for newer residential developments”

and provides the following comments:

1. The City of Red Deer currently has two basic roadway classifications – Arterials and Collectors – each with standardized specifications for construction including roadway surface and adjacent road right-of-way features (eg: berm, landscape design, sidewalks, etc.). Standard roadway cross-section widths are:

Arterial (divided)	60 M
Arterial (undivided)	45 M
Collector	20 M

2. If there is a lane or public utility lot separating an arterial roadway from a residential property, the distance between edge of curb or the roadway and the rear property line would be increased by another 7 M.
3. The Land Use Bylaw contains 2 minimum standards regarding the depth of conventional residential parcels:

R1, R1A, R2	30 M
(average depth of parcels being subdivided is 32 – 34 M)	
R1N	36.6 M

4. The Land Use Bylaw for low density residential structures has a minimum rear yard building setback of 7.5 M.

**LEGISLATIVE & ADMINISTRATIVE SERVICES****November 24, 2003****Page 2**

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For all current roadway construction the City, through the adoption of specific landscape standards, provides a significant buffer area between property line and roadway. To enhance this buffer would require a larger road right-of-way which would require further dedication of land by the Developer.

It should be mentioned that there may be roadways in older neighborhoods that were developed without the benefit of long range area structure plans or specific development standards that may require review by the Engineering Department.

In consideration of this information, the Inspections & Licensing Department supports the City of Red Deer's current roadway and residential lot design standards.



GREG SCOTT  
MANAGER  
INSPECTIONS & LICENSING DEPARTMENT

GS/kb

cc Bryon Jeffers, Director of Development Services  
Joyce Boon, Permits & Licensing Supervisor  
Tony Lindhout, Parkland Community Planning Services  
Tom Warder, Streets & Utilities Engineer

Engineering Services

Date: November 25, 2003

To: Legislative & Administrative Services Manager

From: Engineering Services Manager

**Re: Written Inquiry from Councillor Bev Hughes  
Residential Dwelling Setbacks from Major Thoroughfares**

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We have the following comments in response to Councillor Hughes' written inquiry regarding residential dwelling setbacks from major thoroughfares:

1. **Arterial Road Description**

Attached is a copy of the current City Design Guideline Drawing 5.04 illustrating the typical cross section of a divided arterial roadway (i.e. major thoroughfare). This class of road usually carries 10,000 to 30,000 vehicles per day, including 6% to 12% large trucks. As indicated, the distance from the edge of the travel lane to the edge of the road right of way is approximately 19 m. Adjacent to right turn lanes, the boulevard dimension would reduce to approximately 15.5 m to accommodate the extra lane.

Drawing 5.05, also attached, illustrates a typical boulevard/berm cross section. The berm is typically 1.0 to 1.5 m high, depending on the elevation differential between the road and the rear of lot.

Very often lanes are constructed between arterial road rights of way and private properties to provide rear lot access. This effectively increases the property setback from the road edge by an additional 7 m (i.e. 26 m in total). The Denison Crescent situation is an exception to this norm.

2. **House Setback**

A house is normally setback from the rear property line by at least 7.5 m in accordance with the Land Use By-law for residential land uses. The Building Inspections & Licensing Department may wish to comment further in this regard.

3. **Traffic Noise**

With respect to traffic noise, the current Council Policy relates to noise at ground level, within the property (e.g. rear yard, front yard, or within the main floor of the house). The Noise Policy does not apply to upper levels of a house or

November 25, 2003

apartment building, as it may not be feasible in many cases to mitigate noise at raised elevations. Setting the building further back within the property may not relieve the concern of residents who are disturbed by traffic noise while spending time in their yard.

#### 4. **Collector Roads**

Also attached is Drawing 5.07 for your reference. This is a collector road cross section, most commonly used to collect traffic within residential subdivisions and deliver that traffic to arterial roadways. These roadways are not considered major thoroughfares. They usually have houses fronting on to them and commonly carry 3,000 to 6,000 vehicles per day. Boulevard widths are about 4 m wide, although traffic is setback an additional 2.5 m to allow for parking. The normal house setback distance is about 6 m from the edge of the road right of way. Noise attenuation is not usually needed on collector roads due to lower traffic volumes and fewer trucks. It is also not usually feasible to attenuate noise in these situations due to a lack of space and the need for access.

#### 5. **39 Street Adjacent to Denison Crescent**

The above noted section of 39 Street is classified as a collector roadway and was constructed to urban standards in 1987 and 1990. This road has no housing frontage and is somewhat unique in that it was originally constructed as a gravel road in the County and still leads out into the County. All other roads leading out into the County are designated as arterial. In the long term, 39 Street is planned to be terminated at 20 Avenue (i.e. right in-out access only).

### **RECOMMENDATIONS**

We respectfully recommend that no changes be made to the Traffic Noise Council Policy or the standard arterial or collector roadway right of way widths at this time. Our current policies and standards provide a reasonable balance between cost and benefit.



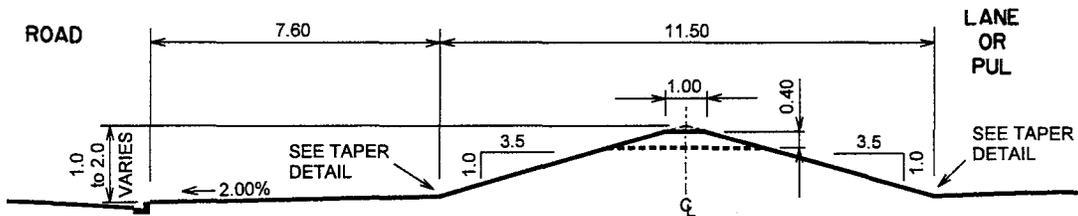
Tom C. Warder, P. Eng.  
Engineering Services Manager

TCW/emr

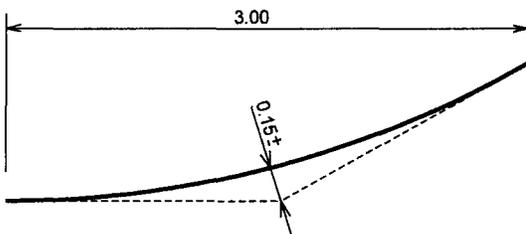
Att.

c. Inspections and Licensing Manager  
Paul Meyette, Parkland Community Planning Services





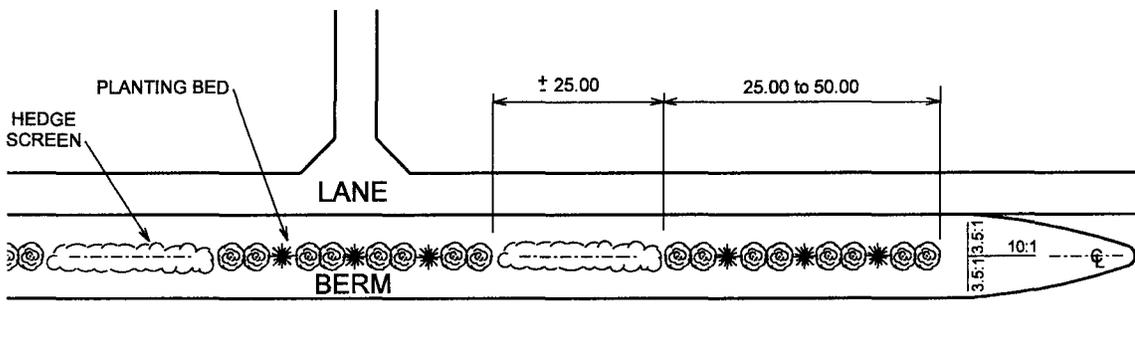
CROSS SECTION



NOTE :

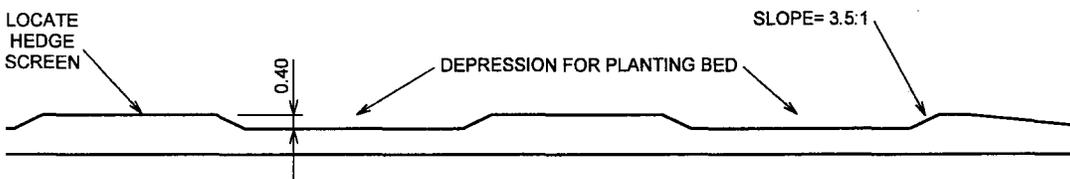
PROVIDE A TAPER TO THE BERM ADJACENT TO THE BOULEVARD & PUBLIC UTILITY LOT/M.R. FOR MOWER TRANSITION

BERM TAPER DETAIL

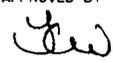


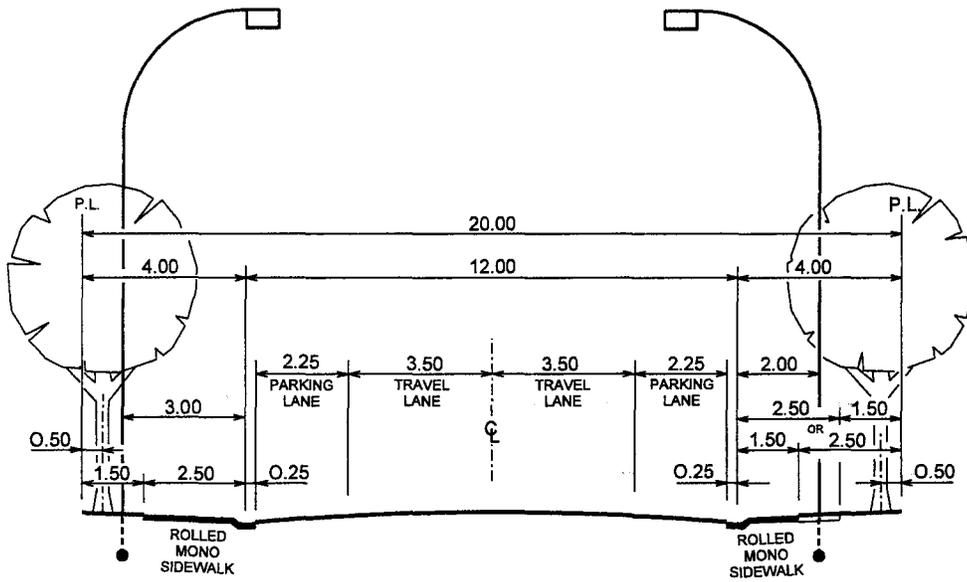
ROAD

BERM PLAN VIEW

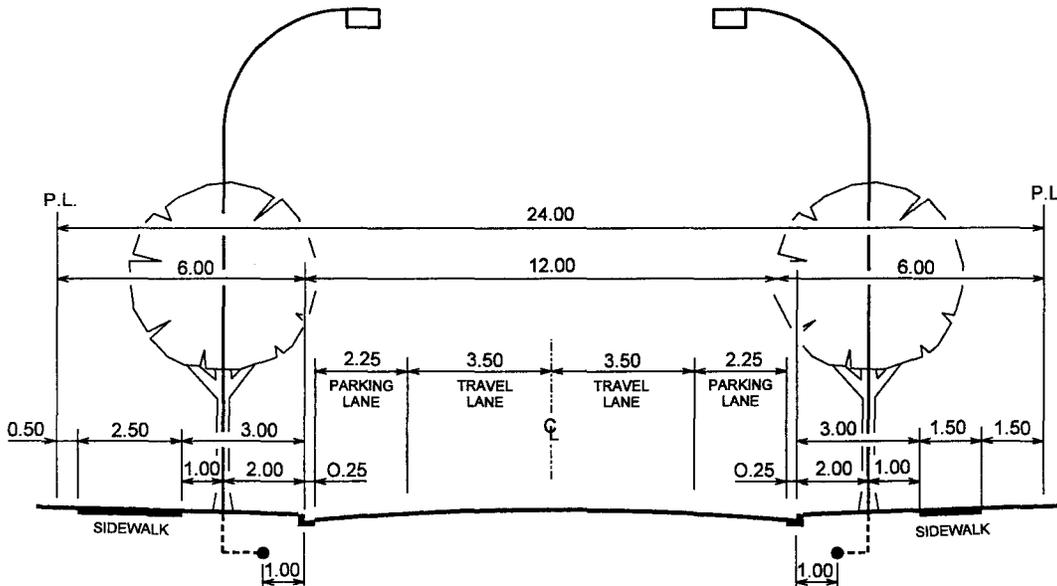


BERM ELEVATED VIEW

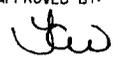
			<b>THE CITY OF RED DEER ENGINEERING DEPARTMENT</b>	
			DRAWN BY: D.W.K.	DESIGN GUIDELINE DRAWINGS Roadway Design
			DATE: JAN 16, 2001	<b>TYPICAL BERM CROSS SECTION</b>
			SCALE: N.T.S.	
NO.	DATE	REVISION		
			APPROVED BY:  STREETS-UTILITIES ENGINEER	
			DRAWING NO. <b>5.05</b>	



STANDARD COLLECTOR ROADWAY



COLLECTOR ROADWAY WITH SEPARATE SIDEWALK

			<b>THE CITY OF RED DEER ENGINEERING DEPARTMENT</b>	
		DRAWN BY: D.W.K.	DESIGN GUIDELINE DRAWINGS Roadway Design	
		DATE: JAN 10, 2001	UNDIVIDED COLLECTOR ROADWAY	
		SCALE: N.T.S.		
			APPROVED BY:  STREETS-UTILITIES ENGINEER	
			DRAWING NO. <b>5.07</b>	
NO.	DATE	REVISION		



LE  
Council Decision – December 15, 2003

Legislative & Administrative Services

**DATE:** December 16, 2003  
**TO:** Paul Goranson, Public Works Manager  
Greg Scott, Inspections & Licensing Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Notice of Motion – Councillor Jeffrey Dawson  
Minimum Front Yard Landscaping

---

The following Notice of Motion was introduced by Councillor Dawson:

*Whereas* there currently is no requirement for minimum front yard landscaping in R1, R1A, R1N and R2 sites,

*Therefore be it resolved* that Council of the City of Red Deer direct Administration to draft a bylaw requiring a minimum 40% front yard landscaping

*Report Back to Council:* Yes

*Comments/Further Action:*

Please provide your comments to the above Notice of Motion to this office by **Monday, January 5, 2004** for the January 12, 2004 Council Meeting.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager  
/chk

c Director of Development Services



Item No. 2

**BYLAW NO. 3149/B-2003**

Being a bylaw to amend Bylaw No. 3149/95, the Permit Fee Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

That Bylaw 3149/95 is hereby amended as follows:

1 By adding new Section 9 as follows to Schedule "A":

"9 SIGN PERMITS

- (a) Fees are calculated based on a cost of ten dollars (\$10.00) per square metre with a minimum of thirty dollars (\$30.00) except supergraphics which will pay a flat fee of thirty dollars. (\$30.00).
- (b) Should any person erect a sign without first obtaining a sign permit such person shall upon issuance of the permit be subject to double the amount of the permit, in addition to any penalty which may be imposed in respect of the contravention."

READ A FIRST TIME IN OPEN COUNCIL this day of 2003.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

Item No. 3

**BYLAW NO. 3156/V-2003**

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

1 By addition of the following new subsection to Section 37 of the Land Use Bylaw:

- (7) Where on those sections of Gaetz Avenue running south between Highway 11A to 62<sup>nd</sup> Street and 39<sup>th</sup> Street to 18<sup>th</sup> Street a service road right of way or portion of right of way has been purchased from the City and consolidated with the adjacent property, then notwithstanding any other provisions of this bylaw, on the consolidated property the following setback distances shall be maintained from the Gaetz Avenue right of way:
  - (a) No sign shall be constructed between the consolidated property boundary and the former property boundary;
  - (b) The setback distance of buildings as may be determined by the applicable regulations in the Land Use Bylaw shall be measured relative to the position of the former property boundary;

Provided that this subsection does not apply where City Council has passed a resolution to sell the service road right of way prior to September 1<sup>st</sup>, 2003 and consolidation has occurred prior to December 1<sup>st</sup>, 2004.

READ A FIRST TIME IN OPEN COUNCIL this 22<sup>nd</sup> day of September 2003.

READ A SECOND TIME IN OPEN COUNCIL this 20<sup>th</sup> day of October 2003.

READ A THIRD TIME IN OPEN COUNCIL this day of 2003.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2003.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**BYLAW AMENDMENT NO. 3156/SS-2003**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, by adding provisions to govern the construction, placement, use, height, size and character of billboards, signboards and other advertising devices.

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The definition for "Arterial Road" set out in Section 2 is deleted and replaced with the following new definition:

"Arterial Road" means any roadway identified as an Arterial Road in the City of Red Deer Cost Shareable Arterial Roadway Transportation System Bylaw".

- 2 Section 4(h) is deleted.

- 3 New section 23 is added as follows:

"23.1 No person shall place a sign in the City of Red Deer without first obtaining a sign permit in accordance with Schedule D.

23.2 A person who fails to comply with any of the provisions of Schedule D shall be guilty of an offence and subject to the penalties set out therein."

- 4 New section 176(11) is added as follows:

"176(11) Signs:

(a) Freestanding Sign for uses listed in 176(2) and 176(7).

- 5 The attached new Schedule "D" is added.

- 6 Any sign permits issued prior to the repeal of Sign Bylaw 3163/96 remain in full force and effect.

- 7 Sign Bylaw No. 3163/96 is repealed.



**“Schedule D: SIGN REGULATIONS****Definitions**

- 1 (1) The following definitions shall be used to define signs in this Land Use Bylaw:

“A-board” means a self supporting A-shaped local advertising sign which is set upon the ground and has no external supporting structure;

“Awning Sign” means a non-illuminated local advertising sign which is painted on or affixed flat to the surface of an awning;

“Billboard” means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted structures. A billboard displays general advertising;

“Canopy” means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, mouldings, architraves, awnings and pediments;

“Canopy Sign” means a local advertising sign attached to or constructed in or on a face of a canopy or marquee but does not include an under canopy sign;

“Construction Sign” means a sign located on a site where construction is planned and which contains general information about the intended construction;

“Directional Sign” means a sign which indicates the distance and/or direction to a place of business or other premises indicated on the sign;

“Election Sign” means any sign used to promote a candidate or party during a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act;

“Electric Sign” means a sign which utilizes an electrical energy source;

“Existing Billboard” means a billboard that has been approved prior to the adoption of Land Use Bylaw No. 3156/96;

**“Fascia Sign”** means a local advertising sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard, a general advertising sign or a painted wall sign;

**“Flashing Sign”** means a sign which contains an intermittent or flashing light source;

**“Free Standing Sign”** means a local advertising sign that is supported independently of a building wall or structure but does not include a temporary sign;

**“General Advertising”** means a sign which refers to goods, activities or services other than those produced, offered for sale or free or obtainable at the premises or on the site on which the sign is displayed;

**“Height of Sign”** means the vertical distance measured from the highest point of the sign or sign structure to grade;

**“Identification”** means a sign which contains no advertising but is limited to the name, address and number of a building, institution or person;

**“Inflatable Sign”** means a sign or other advertising device which is designed to be inflated with air or a lighter-than-air gas and to be anchored or affixed to a building or to the ground;

**“Local Advertising Sign”** means a sign which advertises the business on the property where the sign is located;

**“Manager”** means the Inspections & Licensing Manager;

**“Neighbourhood Identification Sign”** means a sign which states the name of a community area and may contain a logo, symbol or map which is related to the community name;

**“Owner”** means a person, or the authorized agent of such person, in lawful possession or control of a sign;

**“Painted Wall Sign”** means a sign which is painted directly upon any outside surface or other part of a building advertising products, services, or activities which need not relate to products, services, or activities provided for at the property on which the sign is located and also includes supergraphics;

**“Portable Sign”** means any sign, excluding an A-board sign, that can be carried or transported from one site to another, and includes electric or magnetic signs but does not include a temporary sign;

**“Projecting Sign”** means a sign which projects from a structure or a building face and includes a sign in the shape of a canopy but does not include a canopy sign or an awning sign;

**“Real Estate Sign”** means a sign erected on a site by the owner or agent of the owner of the site, advertising the site for sale or lease but does not include an inflatable sign;

**“Roof Sign”** means a sign or logo which is erected upon or above a roof or parapet of a building but does not include an inflatable sign;

**“Rotating Sign”** means a local advertising sign or portion of a local advertising sign which moves in a revolving manner, but does not include a clock;

**“Sign”** includes any device used to identify or advertise a place of business or a product, whether words or numbers are used or not;

**“Sign Area”** means the entire surface area of a sign, or in the case of a painted wall sign a building face, on which advertising copy could be placed and includes any frame or embellishment which forms an integral part of the display but does not include landscaping and in the case of a double-face or multi-face sign, the average of the total area of all sign faces;

**“Sign Permit”** means permission in writing given by the Manager to erect or place a sign in accordance with the land use bylaw or any variance thereto;

**“Sign Structure”** means a structure designed to support a sign and may consist of a single pole or be a wall or an integral part of the building;

**“Subdivision”** means a neighbourhood of approximately 160 acres;

**“Subdivision Identification Sign”** means a sign containing general information about a new subdivision such as the name of the subdivision or the name of the developer;

**“Supergraphics”** means a graphic design painted on a building, which does not convey a defined advertising message or logo and includes a mural;

“Temporary Sign” means a sign or banner which is not in a permanently installed or affixed position, advertising a product or an activity on a limited time basis and includes signs for seasonal vendors, signs for special events of a non retail nature but does not include a Portable Sign;

“Under-Canopy Sign” means a local advertising sign which is suspended beneath a canopy;

“Wall Sign” means a sign which is mounted or fixed to or supported by a wall by any means but does not include a fascia sign and may display general advertising;

“Window Sign” means a local advertising sign which is painted on, attached to or installed inside a window for the purpose of being viewed from outside the premises;

- (2) Reference to land use districts in this Schedule means the respective land use district established in the Land Use Bylaw.

### **Sign Regulation Procedures**

#### **Duties of the Inspections and Licensing Manager**

- 2 (1) The Manager may by notice in writing:
- (a) direct the owner to correct the condition of any sign or remove any sign within 30 days of receipt of the notice where, in the opinion of the Manager, that condition or sign constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe;
  - (b) order the owner to stop work on a sign if it is proceeding in contravention of this bylaw;
  - (c) order the owner to stop work on a sign if a permit has not been issued.

#### **Sign Permit and Requirements**

- 3 Except as provided in Section 10 of this Schedule, no person shall place, replace, erect or use any sign without first obtaining a sign permit.
- 4 The Manager shall issue a sign permit if the sign complies with the provisions of the Land Use Bylaw.

- 5 (1) The sign permit shall bear the date on which it is issued and if active work is not commenced within the period of 12 months from the date of its issuance, the sign permit shall expire and become invalid, unless the Manager approves an extension of time which must be requested by the owner.
- (2) Provided the sign is erected within 12 months of the date of issue of the permit, the permit shall continue in force from year to year.
- 6 An application for a sign permit shall include the following:
  - (1) the name and address of:
    - (a) the sign company responsible for the sign; and
    - (b) the owner of the sign; and
    - (c) the registered owner of the land or premises upon which the sign is to be erected.
  - (2) a site plan designating location and setback requirements;
  - (3) a plan showing the following construction details:
    - (a) the overall dimensions of the sign and the total sign area;
    - (b) the amount of projection from the face of the building, where applicable;
    - (c) the amount of projection over City property, where applicable;
    - (d) the height of the top and the bottom of sign above City streets, sidewalks, or the average ground level at the face of the building or sign;
    - (e) the distance to aerial power lines from freestanding signs.
- 7 Normal maintenance of a sign in accordance with an existing permit does not require a new permit.
- 8 Whenever the conditions of installation require unusual structural provisions, the Manager, if he deems it necessary in the interest of public safety, may require that a structural drawing be prepared by and bear the seal of a professional engineer.
- 9 Upon application by the Owner the Municipal Planning Commission may consider a relaxation of only the size, dimension, area or distance

separation requirement for any sign, and the Municipal Planning Commission may, if it considers that the request is reasonable, grant a relaxation for those items only.

### **Signs Not Requiring a Sign Permit**

- 10 The following signs shall not require a sign permit but must comply with the regulations of the Land Use Bylaw as amended, where applicable:
- (1) signs, notices, placards or bulletins required or permitted to be displayed:
    - (a) under the provisions of federal, provincial or municipal legislation;
    - (b) by or on behalf of the federal, provincial or municipal government;
    - (c) on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government;
  - (2) advertising signs displayed in or on buses, bus shelters, bus stop seats or on garbage or recycling bins located on streets under an agreement with the City;
  - (3) signs located in or on taxi cabs, under the Taxi Business Bylaw;
  - (4) signs located inside a building, including permanent tenant identification signs located inside an enclosed shopping mall;
  - (5) the name or address of a building when it is sculptured or formed out of the fabric of the building face;
  - (6) street numbers or letters displayed on a premises where together the total copy area is less than 1.2 square metres;
  - (7) a fascia sign which is attached to a residential dwelling unit or its accessory buildings and states no more than the name of the building or the name of the persons occupying the building or both, provided that the total sign area does not exceed 0.28 square metres;
  - (8) a fascia sign or a canopy sign which is attached to a building other than a residential dwelling unit and states no more than:
    - (a) the name or address of the building;

- (b) the name of the person or institution occupying the building;  
and
  - (c) the activities carried on in the building including hours of operation and rates charges, provided the total sign area does not exceed 1.5 square metres;
- (9) a real estate sign provided that the total sign area does not exceed 1.0 square metre in a residential district or 6 square metres in any other district;
- (10) signs placed on a premises for the guidance, warning or restraint of persons;
- (11) window signs, unless otherwise stated in this Bylaw;
- (12) A-Board signs located within the boundaries of lots in the I1, I2, C1 and C1A land use districts provided that:
  - (a) such signs may not display general advertising; and
  - (b) in the I1 and I2 Districts such signs may not be placed on any portion of a lot which abuts an arterial road; andprovided these signs meet the requirements in Section 26 of this Schedule.
- (13) candidates' election signs only during the following time frames:
  - (a) between September 1 of an election year and the date of the election, in the case of an election under the Local Authorities Election Act, and
  - (b) between the date the election is officially called and the date of the election, in the case of elections for Federal and Provincial public office,and provided that the signs comply with Section 57 of this Schedule.
- (14) Directional signs with an area less than 1.4 square metres;

- (15) Construction signs, provided they conform to the following requirements:
- (a) there shall not be more than a total of four construction signs per subdivision, and:
    - (i) in residential subdivisions, the total area of all four construction signs shall not exceed 6.4 m<sup>2</sup>; and
    - (ii) in commercial and industrial subdivisions, the total area of all four construction signs shall not exceed 25m<sup>2</sup>.
  - (b) No individual construction sign in a residential area may exceed 3.2 m<sup>2</sup> in area;
  - (c) all construction signs must be located on private property;
  - (d) construction signs shall be professionally designed and maintained to the satisfaction of the Manager; and
  - (e) construction signs may be erected within a period starting not earlier than six months before the date of intended construction and ending three months following the completion of construction, but in no case shall a construction sign be erected for a maximum total time period of 18 months.

#### **Sign Owner's Responsibility**

- 11 Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Manager shall in any way relieve the Owner from full compliance with the Land Use Bylaw or other applicable legislation.
- 12 The Owner of a sign shall permit any Safety Code Officer to enter the Owner's premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw.
- 13 The owner of a sign shall at all times maintain the sign in a proper and safe state of repair and shall not allow or permit the sign to become dilapidated or unsightly.
- 14 Unless otherwise allowed in this bylaw, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.

## **General Regulations**

### **Structural Provisions**

- 15 (1) All sign structures shall be securely built, constructed and erected to conform to the standards set forth in this bylaw.

### **Safety Provisions**

- 16 No person shall:
- (1) erect or maintain any sign that is in contravention of this or any other City bylaw;
  - (2) erect a sign or sign structure on any exterior stairway, fire escape, fire tower or balcony serving as a horizontal exit; or
  - (3) erect a sign so that any portion of the surface or supports will interfere in any way with any of the following:
    - (a) any opening necessary for a standpipe, required light, ventilation or exit from the premises;
    - (b) the free use of any window above the first storey; or
    - (c) the free passage from one part of a roof to another part of the same roof;
  - (4) erect, construct or maintain a sign or a display structure so as to create a hazard for pedestrian or vehicular traffic by blocking sight lines between pedestrian and vehicular traffic or distracting a driver or pedestrian, as determined by the Engineering Services Manager;
  - (5) erect, construct or maintain any sign which makes use of the words, "STOP", "LOOK", and "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

### **Illumination Provisions**

- 17 No person shall place flashing signs at locations closer than twenty-three (23) metres to any dwelling in a residential district.
- 18 No person shall place flashing signs, revolving beacons, readograms, stationary lights or coloured signs at locations which may, in the opinion of the Engineering Services Manager, obscure or cause confusion with

traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.

- 19 No permit shall be issued for and no person shall erect, install or maintain an electric sign, unless it conforms with the Alberta Safety Codes Act and regulations thereto.

### **Projection Over City Property – Overhanging Sign**

- 20 Except for an A-board sign for which a permit has been issued under this bylaw or an Election Sign pursuant to Section 57 of this schedule, no person shall erect a sign upon or over City property (including rights of ways, easements and utility lots), or within any setbacks required by the Land Use Bylaw without:

- (1) the approval of the Manager; and
- (2) entering into an encroachment agreement binding upon the owner of the land or building to which the sign is attached, and containing provisions to:
  - (a) indemnify the City;
  - (b) place and maintain insurance; and
  - (c) charge the land with any costs incurred by the City.

- 21
- (1) No person shall erect a sign so that any part of the sign or the sign structure projects into or over a lane at a clearance less than 4.6 metres above grade; and
  - (2) Within a distance of 7.5 metres from the intersection of the boundaries of two streets, two lanes, or a street and a lane, no person shall erect a sign in such a manner that:
    - (a) a vertical line from the outer edge of the sign intersects the sidewalk below at a point less than 1.5 metres from the face of curb;
    - (b) any part of the sign is less than 0.9 metres from any utility pole or a pole supporting traffic signals or signs;
  - (3) No person shall place or construct a sign extending over a street or lane where the street or lane is less than ten (10) metres wide.

### **Insurance**

- 22 The owner of any sign that overhangs City property, where a permit has been issued, shall be responsible for maintaining in force an insurance

policy naming the City as an additional insured and shall provide evidence of such insurance to the City on demand.

### **License Fee**

- 23 Where a sign is permitted on City land, the owner shall pay to the City an annual license fee in an amount as established by Council from time to time.

### **Permit Fee**

- 24 The permit fee for a sign is determined by the Permit Fee Bylaw.

### **Revocation of Sign Permit**

- 25 The Manager may revoke any sign permit where:
- (1) a sign for which such permit was issued violates the conditions of the permit or any of the provisions of this bylaw; or
  - (2) the owner is in breach of any of the provisions of this bylaw.

### **Sign Regulation by Type**

#### **A-Board Signs**

- 26 A-Board Signs shall:
- (1) be of a painted finish, be neat and clean, and be maintained in such condition; and
  - (2) be of a size not exceeding 0.61m wide by 0.92m high, and not less than 0.30m wide by 0.61m high.
- 27 A-Board Signs placed on City property within a C1 or C1A District:
- (1) may only be placed on the boulevard or sidewalk in front of the business being advertised within one metre of the face of the curb; and
  - (2) shall be placed as close as practical to a parking meter, where applicable.
- 28 The Manager may issue a sign permit to permit one A-Board sign to be erected in the boulevard of a collector or arterial road near a C3 district subject to the following conditions:

- (1) the C3 site for which the permit is issued shall be 40 metres or more from a collector or arterial road;
- (2) the A-Board sign is erected for or on behalf of one tenant in the C3 site;
- (3) not more than one A-Board sign may be issued for the C3 site;
- (4) the arterial or collector road on which the site is located is the one that provides the closest access to the C3 site;
- (5) the sign may remain at its approved location only during the business hours of the permit holder;
- (6) the sign permit shall expire two years from the date of its issue; and
- (7) subject to compliance with the distance requirements of this bylaw, the sign is to be placed as close as possible to the C3 site.

#### **Subdivision Identification Signs**

29 A Subdivision Identification Sign must meet the following requirements:

- (1) it must be professionally designed and maintained;
- (2) the appearance and contents of the sign must be approved by the Manager;
- (3) it must be located on private property adjacent to the entry of the subdivision;
- (4) it may not exceed 12 square metres in area unless the sign is located more than 100 metres from a roadway and is approved by the Development Officer;
- (5) not more than one sign for each entrance to the subdivision;
- (6) it may be approved for a period of up to five years;
- (7) the Manager may approve one-year renewals of the permit for a Subdivision Identification Sign after the initial five-year term, provided that the sign remains properly maintained, there are still lots available for sale and the continued presence of the sign will not adversely affect any municipal interests in the land on which the sign is erected.

**Awning Signs, Canopy Signs and Under Canopy Signs**

- 30 Awning signs shall not project from the building to a point greater than where a perpendicular line from the front edge of the awning will intersect the sidewalk 0.6 metres from the face of curb.
- 31 (1) Canopy signs may be attached to the sides and front of the canopy, and such signs may extend the entire length and width of the canopy.
- (2) Under canopy signs may be hung from the canopy provided such signs shall not:
- (a) extend beyond the sides or the front of such canopy; and
  - (b) exceed a vertical dimension of 1.5 metres.
- 32 (1) No person shall erect an awning sign, a canopy sign or an under canopy sign unless such sign:
- (a) is securely hung and anchored to the building to which it is attached;
  - (b) the structure to which it is attached is capable of resisting all stresses resulting from dead weight, snow and wind loads;
  - (c) is at clearance of not less than 2.8 metres from the grade of the sidewalk;
  - (d) does not project more than 3 metres from the face of the building or structure to which it is attached.
- (2) Projecting signs installed over or above canopies shall not be supported by the canopy.

**Billboard Signs**

- 33 A billboard sign shall not:
- (1) be more than 3.10 m high, and not more than 6.10 m long;
  - (2) have a maximum height above grade of more than 6.1 metres;
  - (3) have a maximum area exceeding 19.0 square metres;
  - (4) not be located closer than 3m to any property line;

- (5) not be erected, constructed, altered or used anywhere within the City except as provided by this and other bylaws of the City.
- 34 (1) The land and the sites in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard where the back of the billboard is visible to pedestrian or vehicle traffic.
- (2) An existing billboard may be relocated on the same site with the approval of the Manager.

### **Fascia Signs**

- 35 Fascia signs shall not be located above any portion of a street, or project over public property unless there is a minimum clearance from grade of 2.5 metres and a maximum projection of 0.4 metres.

### **Freestanding Signs**

- 36 A freestanding sign may be allowed in a setback area as established in the Land Use Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon 30 days written notice from the City.
- 37 In a C2 (District Shopping Centre) district, freestanding signs are subject to the following regulations:
- (1) only one sign may be allowed for the purpose of identifying the said centre and the tenants collectively, except that an additional auxiliary sign may be allowed for a gas bar which auxiliary sign shall not exceed 2 square metres;
  - (2) the maximum sign area shall be 9.3 square metres;
  - (3) the maximum height of a sign shall be 9.0 metres for signs abutting an arterial street and 7.5 m for signs abutting any other street, and where signs are located at the corner of an arterial and any other street, the lower maximum limit shall apply.
- 38 In a C2 (Regional Shopping Centre) District, freestanding signs are subject to the following regulations:
- (1) one sign up to a maximum area of 40 square metres may be allowed per site for the purpose of identifying the said centre and the tenants collectively; or

- (2) for the purpose of identifying the said centre and the tenants collectively, one sign not exceeding 25 square metres in area may be allowed per arterial road frontage;

Provided that in either case the maximum height of sign shall be 9 metres.

- 39 (1) A minimum separation distance of 50 metres shall be maintained between freestanding signs located on the same site.
  - (2) Distance requirements between freestanding signs shall not apply to entrance or exit signs used for the purpose of directing traffic, providing:
    - (a) those signs do not display any advertising message, excluding a logo; and
    - (b) the sign area does not exceed 2 square metres.
  - (3) In the C1, C1A and C4 Districts there shall be a maximum of two signs per site.
  - (4) Notwithstanding subsection 39(3), where the site is at the corner of two or more arterial roads, one additional sign may be allowed on the site.
- 40 The maximum area of a freestanding sign:
- (1) in the A1, P1, PS and R1 Districts is 2.0 square metres;
  - (2) in the C3 District is 5.0 square metres;
  - (3) in the C1, C1A, I1 and I2 Districts is 12.0 square metres;
  - (4) in the C4 and DC(2) Districts is 18.5 square metres where the site is adjacent to an arterial road; where there is a service road between the site and the arterial road, a 25 square metre free-standing sign may be allowed.
- 41 The maximum height of a freestanding sign:
- (1) in the A1, P1, PS, R1 and C3 Districts is 4.5 metres;
  - (2) in the C1, C1A, I1, I2 and DC(2) Districts is 9.0 metres;
  - (3) in the C4 District is 12.0 metres.

- 42 The bottom of freestanding signs:
- (1) in C3 Districts shall be a minimum of 2.8 metres above grade; and
  - (2) in all other Districts where such signs are allowed, shall be a minimum of 3.6 metres above grade, unless a lesser distance is approved by the Engineering Services Manager, and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

### **Neighbourhood Identification Signs**

- 43 A Neighbourhood Identification sign may be erected by a developer at the entrances to a subdivision, subject to the developer entering into a Development Agreement to the satisfaction of Engineering Services and dealing with the precise location, number, size, design and character of the sign and making provision for the perpetual maintenance and care of the sign.
- 44 Neighbourhood identification signs shall:
- (1) be for neighbourhood identification purposes only;
  - (2) display no advertising; and
  - (3) be constructed of maintenance free material wherever possible.
- 45 A neighbourhood identification sign shall not:
- (1) encroach upon a utility right-of-way; or
  - (2) affect traffic safety.

### **Painted Wall Signs**

- 46 A painted wall sign shall not exceed 3.1 metres in height and 9.14 metres in length.
- 47 Only one sign per wall is permitted.
- 48 Notwithstanding Section 47, a supergraphic may be the entire length of an exterior wall providing the design has been approved by the Municipal Planning Commission.

**Portable, Temporary and Inflatable Signs**

- 49 (1) No person shall place, erect or use a portable, temporary or inflatable sign anywhere in the City.
- (2) This provision shall not apply to portable signs erected by the City or the RCMP as warning signs in connection with traffic speed or safety.

**Projecting Signs**

- 50 No projecting sign shall be erected so that the bottom thereof is less than 2.8 metres above the sidewalk; provided however, where traffic lights may be obscured in the opinion of the Engineering Services Manager, the minimum requirement for the bottom of the projecting sign may be increased to a height of 3.6 metres or more above the sidewalk.
- 51 All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The Electrical Protection Act.
- 52 The maximum area of a projecting sign shall be 4.5 square metres.
- 53 The nearest edge of a projecting sign shall not be set off more than 0.3 metres from the building face.

**Roof Signs**

- 54 Roof signs and their support shall be designed by a professional engineer.
- 55 Roof signs shall comply with the building and development regulations such as maximum height, minimum side yard, etc. specified in the district in which they are to be located.

**Wall Signs**

- 56 (1) Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.
- (2) The maximum horizontal dimension of a wall sign shall be 6.1 metres.

**Election Signs**

- 57 (1) Election signs may be placed on private or public property (with the approval of the owner/public authority).
- (2) Election signs are permitted on municipal property only as designated by the City Council.
- (3) No encroachment of an election sign from private property onto municipal property will be permitted unless it is at a designated location.
- (4) Election signs must be located at least three metres from the back of sidewalk or if there is no sidewalk, the back of curb.
- (5) Election signs on public property may not exceed 3 square metres in size nor 3.6 metres in height.
- (6) Candidates shall remove their election signs from public and private property within forty-eight (48) hours after the close of the voting stations on election day and ensure that the site is cleaned up and that the holes are filled with a mixture of topsoil and grass seed;
- (7) If a candidate fails to remove his or her election signs within forty-eight (48) hours after the voting stations close on election day, the Bylaw Enforcement Officers may remove them and the candidate shall be liable for the cost of removal
- (8) When an election sign interferes with work being carried out by City work crews or contractors doing work on behalf of the City, the crews may remove and dispose of such signs
- (9) Bylaw Enforcement Officers employed by the City may remove any election signs which have been erected, affixed, posted or placed on any City property in contravention of this bylaw.
- (10) A candidate whose name appears on an election sign which is in contravention of this bylaw shall be guilty of an offence under this bylaw.

**Offensive Signage**

- 58 (1) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.

- (2) No billboard, wall sign, or painted wall sign, including supergraphics shall be allowed to advertise adult entertainment or services which feature nudity.

### **Offences and Penalties**

59 Any person who:

- (1) contravenes or fails to comply with any provision of this bylaw or any permit issued hereunder; or
- (2) erects or places a sign in contravention of this bylaw; or
- (3) obstructs or hinders any person in the performance of his duties under this bylaw; or
- (4) fails to comply with any order of the Manager

is guilty of an offence and is liable on a first offence to a penalty of \$150.00, and the City shall have the authority to confiscate the sign and any subsequent signs.

60 The penalty for a second offence shall be \$500.00.

61 Where a Peace Officer or Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the City in lieu of prosecution for the offence."

**BYLAW NO. 3156/WW-2003**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 That Section 54(8)(a) " Exceptions Respecting Land Use" be deleted in whole and replace with the following:

“(8) (a)	On:			Street Address
	Legal Address			
	Lot(s)	Block	Plan	
	1	4	4963 TR	6010 – 58A Street
	2	4	4963 TR	6014 – 58A Street
	3	4	4963 TR	6018 – 58A Street
	4	4	4963 TR	6022 – 58A Street
	5	4	4963 TR	6026 – 58A Street
	6	4	4963 TR	6030 – 58A Street
	7	4	4963 TR	6034 – 58A Street
	8	4	4963 TR	6038 – 58A Street
	9	4	4963 TR	6042 – 58A Street
	7-9	1	506 AH	5702 – 60 Avenue
	18	D	1846 TR	5841 – 60 Avenue
	19	D	1846 TR	5837 – 60 Avenue
	20	D	1846 TR	5833 – 60 Avenue
	22	D	952 0065	5829 – 60 Avenue
	1A	2	1030 NY	5713 – 60 Avenue
	1A & 1B	2	748 TR	6001 & 6003 – 59 Street
	2A & 2B	2	748 TR	6005 & 6007 – 59 Street
	3A	2	748 TR	6011-59 Street
	4A & 4B	2	748 TR	6017 & 6019 – 59 Street
	5A & 5B	2	748 TR	6021 & 6023 – 59 Street
	6A & 6B	2	748 TR	6025 & 6027 – 59 Street
	7A & 7B	2	748 TR	6029 & 6031 – 59 Street
	8A & 8B	2	748 TR	6033 & 6035 – 59 Street
	15	1	952 0065	5716 - 60 Avenue
	16 & 17	1	952 0065	5802 & 5804 – 60 Avenue
	18 & 19	1	952 0065	5806 & 5808 – 60 Avenue
	20 & 21	1	952 0065	5810 & 5812 – 60 Avenue
	22 & 23	1	952 0065	5814 & 5816 – 60 Avenue
	24 & 25	1	952 0065	5818 & 5820 – 60 Avenue
	3 – 4	1	506 AH	5712 – 60 Avenue
	5 – 6	1	506 AH	5708 – 60 Avenue
	4 – 5	2	506 AH	5709 – 60 Avenue
	6 – 7	2	506 AH	5705 – 60 Avenue
	8 – 9	2	506 AH	5701 – 60 Avenue
	6	10	5325 MC	5622 – 60 Avenue
	7	10	5325 MC	5626 – 60 Avenue

8	10	5325 MC	5630 – 60 Avenue
9	10	5325 MC	5634 – 60 Avenue
4	10	6795 MC	5614 – 60 Avenue
5	10	6795 MC	5618 – 60 Avenue
5A	10	6795 MC	5620 – 60 Avenue
1	10	5325 MC	5602 – 60 Avenue
2	10	5325 MC	5606 – 60 Avenue
3	10	5325 MC	5610 – 60 Avenue
23 & 24	D	952 0065	5823 & 5821 – 60 Avenue
25 & 26	D	952 0065	5819 & 5817 – 60 Avenue
27 & 28	D	952 0065	5815 & 5813 – 60 Avenue
29 & 30	D	952 0065	5811 & 5809 – 60 Avenue
1 – 2	2	934 AJ	5831 – 58A Street
21 & 22	2	872 1703	5827 – 58A Street & 5826 – 58 Street
6 – 8	2	934 AJ	5821 – 58A Street
9 – 10	2	934 AJ	5817 – 58A Street
11 – 13	2	934 AJ	5811 – 58A Street
18	2	762 1867	5806 – 58 Avenue
19A & 19B	2	762 1867	5804 & 5802 – 58 Avenue
8A & 8B	8	456 NY	5526 & 5528 – 60 Avenue
5A & 5B	8	6241 MC	5514 & 5516 – 60 Avenue
6A & 6B	8	6241 MC	5518 & 5520 – 60 Avenue
7A & 7B	8	6241 MC	5522 & 5524 – 60 Avenue
4A & 4B	8	222NY	5510 & 5512 – 60 Avenue
2A & 2B	8	6241 MC	5502 & 5504 – 60 Avenue
3A & 3B	8	6241 MC	5506 & 5508 – 60 Avenue

or portions thereof designated R1, development of semi-detached dwellings may be allowed as a discretionary use subject to the guidelines and objectives as stated in Riverside Meadows Area Redevelopment Plan Bylaw No. 3261/2000.”

READ A FIRST TIME IN OPEN COUNCIL this 17th day of November 2003.

READ A SECOND TIME IN OPEN COUNCIL this day of 2003.

READ A THIRD TIME IN OPEN COUNCIL this day of 2003.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2003.

---

MAYOR

---

CITY CLERK

**BYLAW NO. 3156/XX-2003**

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, as described herein

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

- 1 By deleting the definitions of "Retirement Home" and "Social Care Residence" in section 2 and replacing it with the following:

**"Retirement Home"** means a residential building, or a portion of a residential building, which provides permanent or long term accommodation for retired persons, which has common facilities for the preparation and consumption of food exclusively for and by the residents, in which common lounges, recreation facilities and medical care facilities may be provided for the exclusive use of the residents, and in which each resident occupies a private unit.

**"Social Care Residence"** means a residential building, or a portion of a residential building, which provides temporary or short-term accommodation for persons requiring specialized care in the form of supervisory, nursing, medical, counselling or homemaking services."

- 2 By adding the new definition of "Assisted Living Residence" to section 2:

**"Assisted Living Residence"** means a residential building, or a portion of a residential building, which provides permanent or long term accommodation, in private or semi-private units, for one or more persons with chronic or declining conditions requiring current and ongoing medical care, which is provided in-house by a care organization that coordinates all necessary health and support services."

- 3 By deleting "Retirement home in a single family dwelling" from subsection 176(6) in the R1 Residential (Low Density) District and replacing it with "Assisted Living Residence in a single family dwelling".

- 4 By deleting subsection 182(5) "Retirement Home" from the R1A Residential (Semi-detached Dwelling) District.

- 5 By adding the following use to section 192 Discretionary Uses in the R2 Residential (Medium Density) District:

**"(15) Assisted Living Residence"**

- 6 By substituting the existing wording of subsections 176(7) and 182(6) respectively in the R1 Residential (Low Density) District and the R1A Residential (Semi-detached Dwelling) District for the following wording:

"Day Care Facility, Day Care Adult, Social Care Residence, Retirement Home, Assisted Living Residence, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan."



13 By substituting sections 198 through 203 for the following new sections:

**"R3 RESIDENTIAL (MULTIPLE FAMILY) DISTRICT**

**198 General Purpose**

The general purpose of this District is to accommodate and control medium and high density residential development.

**199 PERMITTED USES, subject to any applicable Area Structure Plan or Area Redevelopment Plan**

- (1) Multi-attached building up to a maximum density of 35 dwelling units per hectare (D35).
- (2) Multiple family building up to a maximum density of 35 dwelling units per hectare (D35).
- (3) Home occupations which, in the opinion of the Development Officer, will not generate additional traffic.
- (4) Home music instructor/instruction (two students), subject to section 68.
- (5) Neighbourhood identification signs.

**200 DISCRETIONARY USES, subject to any applicable Area Structure Plan or Area Redevelopment Plan**

- (1) Multi-attached building more than 35 dwelling units per hectare.
- (2) Multiple family building more than 35 dwelling units per hectare.
- (3) Detached or Semi-detached Dwelling in existence before January 12, 2004
- (4) Secondary Suite, in a detached dwelling
- (5) Retirement Home
- (6) Assisted Living Residence
- (7) Social Care Residence
- (8) Day Care Facility, Day Care Adult, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan.
- (9) Home occupations which will generate additional traffic.
- (10) Home music instructor/instruction (six students), subject to section 68.
- (11) Bed & breakfast, subject to Section 64.
- (12) On any site where a place of worship or kindergarten or school or social care residence or day care facilities was approved prior to Dec. 7, 1998, any of the above uses may be interchanged.
- (13) Accessory building.
- (14) Utilities

**201 Regulations for Detached Dwelling, Semi-detached Dwelling and Multi-Attached Dwelling**

Detached Dwelling	Subject to all Regulations in Section 177
Semi-detached Dwelling	Subject to all regulations in Section 183
Multi Attached Dwelling	Subject to all regulations in Section 193

**202 Regulations for Multiple Family Building, Assisted Living Residence, Retirement Home and Social Care Residence**

- (1) Floor Area Minimum: Dwelling Unit in a Multiple Family Building: 37 m<sup>2</sup>  
Unit in Assisted Living Residence or Retirement Home: 23 m<sup>2</sup>
- (2) Site Coverage Maximum: 40% (including accessory buildings), except on sites located within the boundaries of the Greater Downtown Action Plan, where it is 60% (including accessory buildings).
- (3) Building Height Maximum: four storeys, except on sites located within the boundaries of the Greater Downtown Action Plan, where there is no maximum.
- (4) Front Yard Minimum: 7.5 m subject to sections 37 and 38.
- (5) Side Yard Minimum: Buildings up to two storeys: 3 m.  
Buildings of three and four storeys: 4.5 m.  
Buildings of five and six storeys: subject to the approval of the Commission, but not less than 6 m.  
Buildings more than six storeys: subject to the approval of the Commission, but not less than 7.5 m.  
In all cases the minimum side yard requirement is subject to sections 37 and 38.
- (6) Rear Yard Minimum: 7.5 m
- (7) Landscaping Minimum: 35% of the site area, except on sites located within the boundaries of the Greater Downtown Action Plan, where 30% landscaping of the site area is required.
- (8) Parking: subject to section 48
- (9) Lot Area per Dwelling Unit Minimum: In all cases subject to section 203(2).  
No separate bedroom and unit in Retirement Home and Assisted Living Residence 55 m<sup>2</sup> per unit  
One bedroom 82 m<sup>2</sup> per unit  
More than one bedroom 102 m<sup>2</sup> per unit



**BYLAW NO. 3156/YY-2003**

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer, as described herein

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 Delete the existing definition of Bed & Breakfast from Section 2 and insert the following new definition of Bed & Breakfast into Section 2:

“Bed & breakfast means a detached or a semi-detached dwelling occupied by the property owner or the bed & breakfast host as a primary residence, in which overnight accommodation and a breakfast meal are offered for sale to guests.”

- 2 Insert the following new definition of Tandem Parking into Section 2:

““Tandem Parking” means parking spaces laid out in such a way that one or more vehicles block another vehicle or vehicles from entering or exiting a parking space. Tandem parking is not the same as parallel parking”

- 3 Delete the existing Section 64 and insert the following new text into Section 64:

“64 Bed & breakfasts

General Purpose

The general purpose of this section is to provide discretionary opportunities for residents of any residential community in the City to operate bed and breakfasts from detached or semi-detached dwellings as an integral part of the neighbourhoods in which they may be located. The intention is that bed and breakfasts are to be operated in such a manner that they will not be experienced by other residents as an intrusive commercial land use or as a nuisance to the neighbourhood in any manner, bearing in mind what are generally acceptable activities for any residential community in the City. Specifically it is expected that a bed and breakfast will not cause noise, vehicle and pedestrian traffic, on-street or off-street parking or social activities exceeding that which are prevalent in the neighbourhood in which it is located.

- (1) A bed & breakfast may be allowed as an accessory use to a detached or a semi-detached dwelling, within those land use districts in Part Six of this bylaw in which it is listed as a discretionary use.
- (2) Application for a discretionary use development permit to establish and operate a bed & breakfast may be made at City Hall. Upon approval of a discretionary use development permit the applicant shall apply to the City for an occupancy certificate and an annually renewable business license prior to opening the bed & breakfast facility.
- (3) In addition to providing such information as the Inspections and Licensing Department may require, the applicant shall pay the fees prescribed by bylaw.

- (4) Prior to an application being considered by the Development Authority the applicant shall have an information session hosted by the City's Planning Department, which will submit the comment sheets and a summary of community feedback to the Development Authority. Area residents and landowners, as shall be determined by the City's Planning Department, the neighbourhood community association, if one exists, and the Heritage Preservation Committee, when a building or site that appears on the City's inventory list is the application site, shall be notified of the said information session.
- (5) The Development Officer shall cause a sign in the form approved by the Development Officer to be placed on the subject property in a location approved by the Development Officer for five consecutive days prior to the application being considered by the Commission.
- (6) In February of each year the Development Authority shall review the performance of all approved bed and breakfasts in the City based on any complaints received about any bed and breakfast during the previous year, be advised of the actions taken with respect to such complaints and consider any recommendations on additional steps to be taken by the City with respect to relevant contraventions of this bylaw.
- (7) Anyone may lodge complaints to the Development Authority about any nuisance that a bed and breakfast may be imposing on the neighbourhood or adjacent properties including but not limited to noise, vehicle or pedestrian traffic, parking or social activities.
- (8) The Development Authority may impose conditions of approval on a discretionary use development permit.
- (9) The following additional regulations shall apply to all bed & breakfasts:
  - (a) The property owner or bed & breakfast host shall occupy the subject dwelling as his or her primary residence.
  - (b) No full time employees outside of the occupant family will be allowed to staff the bed & breakfast or work on the premises. Casual labour may be hired for yard cleaning, repair work, housekeeping services, etc. in the usual manner.
  - (c) The maximum length of stay for a guest at a bed & breakfast shall be fourteen nights in any thirty day period.
  - (d) The planning, operation and appearance of a bed & breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the curb appearance of a detached or a semi-detached dwelling, including landscaping of a minimum of 20% of the front yard.

- (e) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, a bed & breakfast may occupy not more than two guestrooms with associated washrooms. The rooms must be established within the principal building and provide direct interior access between the principal building and the guestrooms (additional outside access is optional).
- (f) Notwithstanding subsection (e), at no time shall more than eight guests be accommodated.
- (g) Guestrooms shall not be self-contained dwelling units, i.e. there shall not be any cooking facilities available in the guest rooms for the use of guests to prepare meals.
- (h) Except under such site-specific circumstances as the applicant shall demonstrate and the Development Authority may find applicable, parking spaces shall be provided on-site to the ratio of one parking space per guestroom, additional to any other parking requirements of this bylaw. The interior parking stalls in a tandem parking stall set will not be counted towards fulfilling the minimum parking requirements (see definition of "Tandem Parking"). The combined width of parking spaces provided in the rear yard may not exceed 85% of the rear lot width.
- (i) No meals may be served on the premises of a bed & breakfast, with the exception of breakfast to overnight guests only.
- (j) No other services or retail sales may be offered at or from the same premises than that of a bed & breakfast, and no home occupation is permitted on the premises of a bed & breakfast.
- (k) There shall be no secondary suite or garden suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.
- (l) At the discretion of the Development Authority, a bed & breakfast may have one sign (approximately 0.27 m<sup>2</sup> in size) displaying the name of the bed & breakfast, the name of the operator and/or the street address, or any combination of these. The appearance and position of the sign shall be subject to the approval of the Development Authority. Generally, signs must be placed discretely, be unobtrusive and be styled in a manner that is compatible with the appearance of the principal building in terms of colour and material, or with such architectural controls as may be required by the developer of a subdivision. No self-illuminated signs shall be allowed. If lighting of the sign is required, the source shall be spot lighting."

4 Insert the following discretionary use into a new Section 187(6) in the R1N District:

“(6) Bed & Breakfast in a detached dwelling, subject to Section 64.”

5 In Sections 176(9) in the R1 District, 182(8) in the R1A District, 192(13) in the R2 District and 200(15) in the R3 District, delete the existing text and insert the following new text:

“Bed & Breakfast in a detached or semi-detached dwelling, subject to Section 64.”

READ A FIRST TIME IN OPEN COUNCIL this                    day of                    , A.D. 2003.

READ A SECOND TIME IN OPEN COUNCIL this                    day of                    , A.D. 2004.

READ A THIRD TIME IN OPEN COUNCIL this                    day of                    , A.D. 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this                    day of                    , A.D. 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**BYLAW NO. 3156/ZZ-2003**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

- 1 The "Use District Map I8" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 37/2003 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this                    day of                    2003.

READ A SECOND TIME IN OPEN COUNCIL this                    day of                    2004.

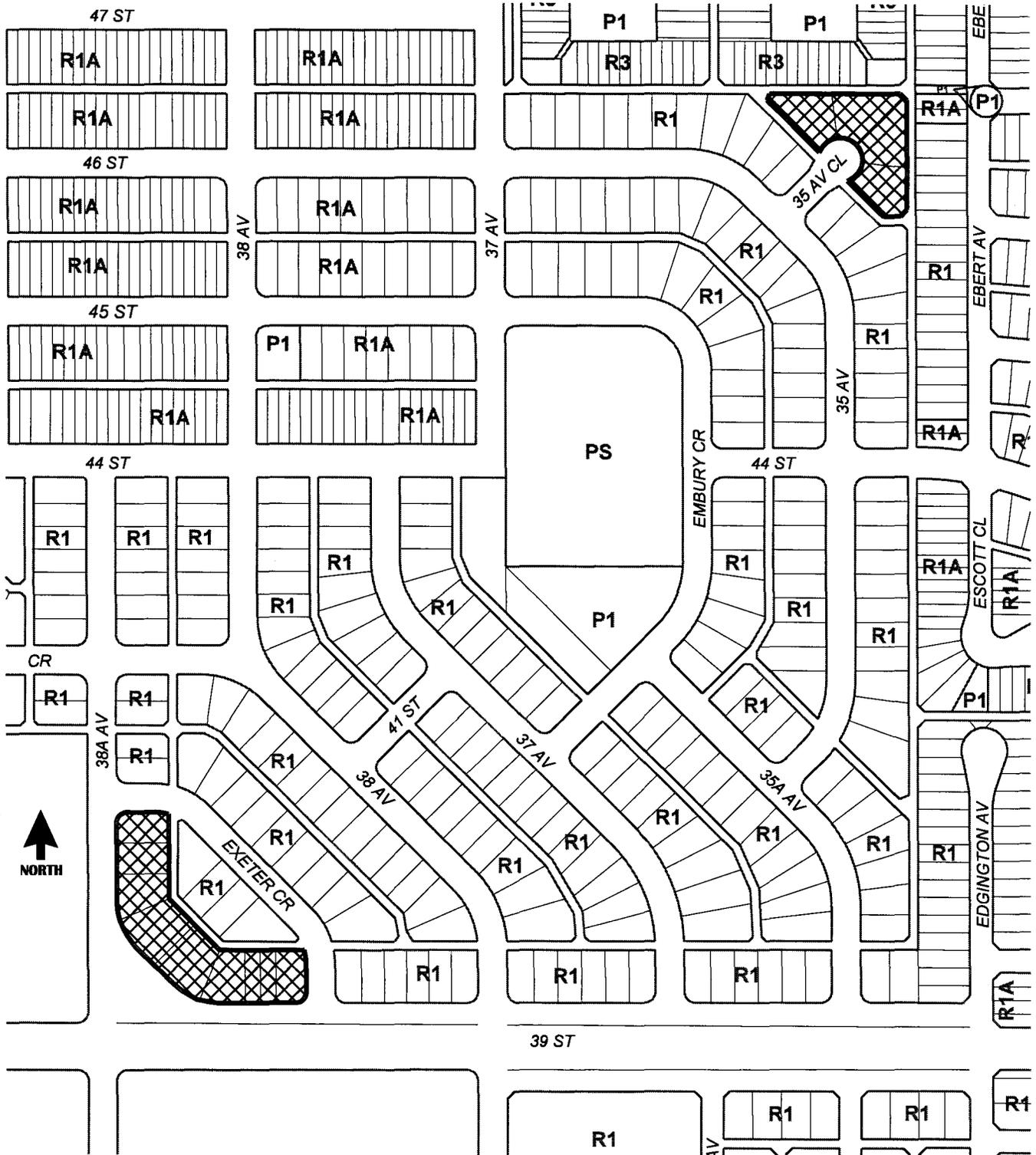
READ A THIRD TIME IN OPEN COUNCIL this                    day of                    2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this                    day of                    2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**Change from :**  
**R1 to R2** 

**AFFECTED DISTRICTS:**

**R1 - Residential (Low Density)**

**R2 - Residential (Medium Density)**

**MAP No. 37 / 2003**

**BYLAW No. 3156 / ZZ - 2003**

Item No. 9

**BYLAW NO. 3273/D-2003**

Being a bylaw to amend Bylaw No. 3273/2000, the Electric Utility Bylaw of The City of Red Deer.

COUNCIL ENACTS AS FOLLOWS:

Bylaw No. 3273/2000 is hereby amended as follows:

1. By deleting Appendix "D" – Regulated Rate Tariff – and replacing it with Appendix "D" attached hereto.
  
2. This bylaw shall come into effect on January 1, 2004.

READ A FIRST TIME IN OPEN COUNCIL this                    day of                    2003.

READ A SECOND TIME IN OPEN COUNCIL this                    day of                    2003.

READ A THIRD TIME IN OPEN COUNCIL this                    day of                    2003.

AND SIGNED BY THE MAYOR AND CITY CLERK this                    day of                    2003.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**CITY OF RED DEER**  
**ELECTRIC LIGHT & POWER DEPARTMENT**  
**REGULATED RATE TARIFF**

**GENERAL**

Effective Date

This Tariff is effective on January 1, 2004.

Terms and Conditions

The "Terms and Conditions for the Regulated Rate Tariff", the "Terms and Conditions for Distribution Access Services" and the "Terms and Conditions for Retail Access Services" are part of this Tariff. Furthermore, the "Regulated Rate Tariff Fee Schedule", the "Distribution Access Services Schedule of Fees", the "Retail Access Services Schedule of Fees" and the "Retail Access Service Agreement" are also part of this Tariff.

Billing Demand

The kVA of Billing Demand with respect to the monthly billing period will be the greater of:

1. the highest kVA Metered Demand in the monthly billing period; or
2. the highest kVA Metered Demand in the 12 consecutive months including and ending with the current monthly billing period.

The kVA Metered Demand will be measured by either a thermal demand meter having a demand response period of 90% in 15 minutes and a 30 minute test period, or 15 minute interval demand metering equipment.

The kVA of Billing Demand will be re-established on such shorter periods of time as designated by the Electric Light & Power Manager for the individual customer as warranted by that customer's changing load characteristics.

## RESIDENTIAL REGULATED RATE

### RATE 61

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), Regulated Default Supply Amendment Regulation (A/R 323/2003), and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. Rate 61 is available between January 1, 2001 and June 30, 2006.

#### Application

Applies to all residential premises which

- (1) are measured by a single meter and contain not more than two dwelling units; and
- (2) are not currently enrolled under any other price options or with any alternative retail electricity supplier.

#### Rate

Administration Charge	\$0.1033 per day
Energy Charge	\$0.0608 per kWh of all energy
System Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw
Distribution Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw

#### Balancing Pool Flow Through

Charges or credits as established by the Alberta Balancing Pool Administrator.

#### Municipal Consent and Access Fee

As per Distribution Tariff, Appendix "A" of this Bylaw.

#### Minimum Monthly Charge

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through.

## GENERAL SERVICE REGULATED RATE

### RATE 63

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), Regulated Default Supply Amendment Regulation (A/R 323/2003), and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. Rate 63 is available between January 1, 2001 and June 30, 2006.

#### Application

- (1) Applies to a non-residential customer, or to a residential premise not entitled to Rate 61, or to the "house lights" service (including common area lighting and utility rooms) of apartment buildings, where the kVA Metered Demand is less than 50 kVA. If the kVA Metered Demand exceeds 50 kVA, Rate 64 will be applied immediately and will be continued to be applied irrespective of future kVA Metered Demand; and
- (2) It is reasonably forecasted that the annual consumption of electricity with respect to each separate property will be less than 250,000 kWh; and
- (3) Customer is not currently enrolled under any other price options or with any alternative retail electricity supplier.

Services are to be taken at one of the following nominal voltages:

120/240 Volts, single phase, 3 wire;  
120/208Y Volts, network, 3 wire;  
120/208Y Volts, three phase, 4 wire;  
347/600Y Volts, three phase, 4 wire.

#### Rate

Administration Charge	\$0.1033 per day
Energy Charge	\$0.0604 per kWh of all energy
System Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw
Distribution Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw

**Balancing Pool Flow Through**

Charges or credits as established by the Alberta Balancing Pool Administrator.

**Municipal Consent and Access Fee**

As per Distribution Tariff, Appendix "A" of this Bylaw.

**Minimum Monthly Charge**

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through, plus any other charges or refunds as defined in A/R 168/2003.

## **GENERAL SERVICE REGULATED RATE**

### **RATE 64**

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), Regulated Default Supply Amendment Regulation (A/R 323/2003), and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. Rate 64 is available between January 1, 2001 and June 30, 2006.

#### **Application**

- (1) Applies to a commercial or industrial installation where service is taken at the voltage listed for Rate 63 but where the kVA Metered Demand is 50 kVA or greater; and
- (2) It is reasonably forecasted that the annual consumption of electricity will be less than 250,000 kWh; and
- (3) Customer is not currently enrolled under any other price options or with any alternative retail electricity supplier.

#### **Rate**

Administration Charge	\$0.1033 per day
Energy Charge	\$0.0604 per kWh of all energy
System Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw
Distribution Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw

#### **Balancing Pool Flow Through**

Charges or credits as established by the Alberta Balancing Pool Administrator.

**Municipal Consent and Access Fee**

As per Distribution Tariff, Appendix "A" of this Bylaw.

**Minimum Monthly Charge**

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through, plus any other charges or refunds as defined in A/R 168/2003.

## **GENERAL SERVICE REGULATED RATE**

### **RATE 78**

This tariff is provided in accordance with the Alberta Regulated Default Supply Regulation (A/R 168/2003), Regulated Default Supply Amendment Regulation (A/R 323/2003), and the Alberta Electric Utilities Act, S.A. 2003, c. E-5.1. Rate 78 is available between January 1, 2001 and June 30, 2006.

#### **Application**

- (1) Applies to a commercial or industrial installation where 4,160 volts or greater is available with adequate system capacity and service is taken at 4,160 volts or greater, balanced three phase and the kVA Metered Demand is not less than 1000 kVA; and
- (2) It is reasonably forecasted that the annual consumption of electricity will be less than 250,000 kWh; and
- (3) Customer is not currently enrolled under any other price options or with any alternative retail electricity supplier.

#### **Rate**

Administration Charge	\$0.1033 per day
Energy Charge	\$0.0604 per kWh of all energy
System Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw
Distribution Access Charge	As per Distribution Tariff, Appendix "A" of this Bylaw

#### **Balancing Pool Flow Through**

Charges or credits as established by the Alberta Balancing Pool Administrator.

### **Municipal Consent and Access Fee**

As per Distribution Tariff, Appendix "A" of this Bylaw.

### **Minimum Monthly Charge**

Minimum Distribution Tariff charge (Appendix "A" of this Bylaw), plus any applicable Municipal Consent and Access Fee, plus any applicable Administration Charge, plus any applicable Balancing Pool Flow Through, plus any other charges or refunds as defined in A/R 168/2003.



## **COUNCIL MEETING OF DECEMBER 15<sup>TH</sup> , 2003**

### **ATTACHMENT**

**DOCUMENT STATUS:            PUBLIC**

- REFERS TO:**
- 1.    SIGN BYLAW 3163/96**
  - 2.    PERMIT FEE BYLAW 3149/95**

**THE SIGN BYLAW**

**No. 3163/96**

**Office Consolidation**

**Bylaw No. 3163/96**

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## BYLAW NO. 3163/96

Being a bylaw of The City of Red Deer to govern the location, size, design, erection, attachment, repair, support, anchorage, maintenance and safety of signs in the City;

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

### Title

1 This bylaw may be cited as "The Sign Bylaw".

### Definitions

2 (1) In this bylaw:

<sup>1</sup>"A-board" means a self supporting A-shaped local advertising sign which is set upon the ground and has no external supporting structure;

"Arterial Road" means a road designated as such in the Transportation Bylaw;

<sup>2</sup>"Awning Sign" means a non-illuminated local advertising sign which is painted on or affixed flat to the surface of an awning;

<sup>3</sup>"Billboard" means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted structures. A billboard draws attention to products, services or activities which may not be related to the property on which the sign is located;

"Canopy" means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, mouldings, architraves and pediments;

<sup>4</sup>"Canopy Sign" means a local advertising sign attached to or constructed in or on a face of a canopy or marquee but does not include an under canopy sign;

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<sup>1</sup> 3163/A-99

<sup>2</sup> 3163/A-99

<sup>3</sup> 3163/B-99

<sup>4</sup> 3163/A-99

<sup>1</sup>“Construction Sign” means a sign located on a site where construction is planned and which contains general information about the intended construction;

“Directional Sign” means a sign which indicates the distance and/or direction to a place of business or other premises indicated on the sign;

“District” means a land use district designated in the Land Use Bylaw;

<sup>2</sup>“Election Sign” means any sign used to promote a candidate or party during a municipal, provincial or federal election or any election held pursuant to the Local Authorities Election Act;

<sup>3</sup>“Electric Sign” means a sign which utilizes an electrical energy source;

<sup>4</sup>“Existing Billboard” means a billboard that has been approved prior to the adoption of Land Use Bylaw No. 3156/96;

<sup>5</sup>“Facia Sign” means a local advertising sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard, a general advertising sign or a painted wall sign;

“Flashing Sign” means a sign which contains an intermittent or flashing light source.

<sup>6</sup>“Free Standing Sign” means a local advertising sign that is supported independently of a building wall or structure but does not include a temporary sign;

“General Advertising” means a sign which refers to goods or services other than those produced, offered for sale or obtainable at the premises or on the site on which the sign is displayed;

“Height of Sign” means the vertical distance measured from the highest point of the sign or sign structure to grade;

“Identification” means a sign which contains no advertising but is limited to the name, address and number of a building, institution or person;

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<sup>1</sup> 3163/A-2001

<sup>2</sup> 3163/A-98

<sup>3</sup> 3163/A-98

<sup>4</sup> 3163/A-99

<sup>5</sup> 3163/A-99

<sup>6</sup> 3163/A-99

<sup>1</sup>“Information Sign” means a sign containing information about the construction taking place in a new subdivision, such as the identity of the builder or a map of the subdivision;

<sup>2</sup>“Local Advertising Sign” means a sign which advertises the business on the property where the sign is located; in the case of an A-board sign in a C1 or C1A District the A-board sign may be located in accordance with Section 31 of this bylaw;

“Manager” means the Inspections & Licensing Manager;

<sup>3</sup>“Neighbourhood Identification Sign” means a sign which states the name of a community area and may contain a logo, symbol or map which is related to the community name;

“Owner” means a person, or the authorized agent of such person, or other person in lawful possession or control of a sign;

<sup>4</sup>“Painted Wall Sign” means a sign which is painted directly upon any outside surface or other part of a building advertising products, services, or activities which need not relate to products, services, or activities provided for at the property on which the sign is located and also includes supergraphics;

“Portable Sign” means any sign, excluding an A-board sign, that can be carried or transported from one site to another, and includes electric signs;

“Projecting Sign” means a sign which projects from a structure or a building face and includes a sign in the shape of a canopy but does not include a canopy or an awning sign;

“Real Estate Sign” means a sign erected on a site by the owner or agent of the owner of the site, advertising the site for sale or lease;

<sup>5</sup>“Roof Sign” means a local advertising sign which is erected upon or above a roof or parapet of a building;

<sup>6</sup>“Rotating Sign” means a local advertising sign or portion of a local advertising sign which moves in a revolving manner, but does not include a clock;

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<sup>1</sup> 3163/A-2001

<sup>2</sup> 3163/A-99

<sup>3</sup> 3163/A-99

<sup>4</sup> 3163/B-99

<sup>5</sup> 3163/A-99

<sup>6</sup> 3163/A-99

“Sign Area” means the entire area of a sign, or in the case of a painted wall sign a building face, on which copy could be placed and includes any frame or embellishment which forms an integral part of the display but does not include landscaping and in the case of a double-face or multi-face sign, the average of the total area of all sign faces;

“Sign Permit” means permission in writing given by the Manager to erect or place a sign;

“Sign Structure” means a structure designed to support a sign and may consist of a single pole or be wall or integral part of the building;

<sup>1</sup>“Subdivision” means 160 acres. A subdivision less than 160 acres must be approved for signage;

<sup>2</sup>“Subdivision Identification Sign” means a sign containing general information about a new subdivision such as the name of the subdivision or the name of the developer;

<sup>3</sup>“Supergraphics” means a graphic design painted on a building, which does not convey a defined advertising message or logo;

“Temporary Sign” means a sign which is not in a permanently installed or affixed position, advertising a product or an activity on a limited time basis;

<sup>4</sup>“Under-Canopy Sign” means a local advertising sign which is suspended beneath a canopy;

<sup>5</sup>“Wall Sign” means a sign which is mounted or fixed to or supported by a wall by any means but does not include a fascia sign and may draw attention to products, services, or activities which may not be related to the property on which the sign is located;

<sup>6</sup>“Window Sign” means a local advertising sign which is painted on, attached to or installed inside a window for the purpose of being viewed from outside the premises;

- (2) Reference to land use districts in this bylaw means the respective land use district established in the Land Use Bylaw.

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<sup>1</sup> 3163/A-2001

<sup>2</sup> 3163/A-2001

<sup>3</sup> 3163/B-99

<sup>4</sup> 3163/A-99

<sup>5</sup> 3163/B-99

<sup>6</sup> 3163/A-99

## **Sign Regulation Procedures**

### **Duties of the Inspections and Licensing Manager**

- 3           The Manager shall:
- (a)   administer this bylaw, and keep all necessary records;
  - (b)   approve the content and form of applications and permits.
- 4    (1)   The Manager may by notice in writing:
- (a)   direct the owner to correct the condition of any sign or remove any sign within 30 days of receipt of the notice where, in the opinion of the Manager, that condition constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe;
  - (b)   order the owner to stop work on a sign if it is proceeding in contravention of this bylaw;
  - (c)   order the owner to stop work on a sign if a permit has not been issued.
- (2)   The Manager may authorize any person employed in his department to administer this bylaw.

### **Sign Permit and Requirements**

- 5           Except as provided in Section 12 of this bylaw, no person shall:
- (a)   place, erect or use any sign; or
  - (b)   replace a sign with another sign,
- without first obtaining a sign permit.
- 6           The Manager shall issue a sign permit if the sign complies with the provisions of this bylaw and the Land Use Bylaw.
- 7    (1)   The sign permit shall bear the date on which it is issued and, unless the Manager approves an extension of time, or if active work is not commenced within the period of 6 months from the date of its issuance, the sign permit shall expire and become invalid.

- (2) Provided the sign is erected within 6 months of the issue of the permit, the permit shall continue in force from year to year.

8 An application for a sign permit shall include the following:

- (a) the name and address;
  - (i) of the sign company,
  - (ii) of the lawful owner of the sign;
- (b) a site plan designating location and setback requirements;
- (c) a plan showing the following construction details:
  - (i) the overall dimensions of the sign;
  - (ii) the amount of projection from the face of the building, where applicable;
  - (iii) the amount of projection over City property, where applicable;
  - (iv) the height of the top and the bottom of sign above City streets or sidewalks, or the average ground level at the face of the building or sign;
  - (v) distance to aerial power lines from freestanding signs.

9 Normal maintenance of a sign does not require a permit.

10 Whenever the conditions of installation require unusual structural provisions, the Manager, if he deems it necessary in the interest of public safety, may require that a structural drawing be prepared by and bear the seal of a professional engineer.

11 The Owner or the Owners' Agent may apply to the Municipal Planning Commission for a relaxation of any size, dimension, area or distance requirement set out in the bylaw and the Municipal Planning Commission may, if it considers that the request is reasonable, grant a relaxation.

## Signs Not Requiring a Sign Permit

- 12 The following signs shall not require a sign permit but must comply with the regulations of this bylaw and the Land Use Bylaw as amended:
- (a) signs, notices, placards or bulletins required to be displayed:
    - (i) under the provisions of federal, provincial or municipal legislation;
    - (ii) by or on behalf of the federal, provincial or municipal government;
    - (iii) on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government;
  - (b)<sup>1</sup>
    - (i) advertising signs displayed in or on buses, or on bus shelters and bus stop seats located on streets under to an agreement with the City;
    - (ii) advertising signs on recycle/refuse containers at designated locations approved by the Development Officer;
  - (c) signs located in taxi cabs, under the Taxi Business Bylaw;
  - (d) temporary signs located inside a building, including permanent tenant identification signs located inside an enclosed shopping mall;
  - (e) the name or address of a building when it is sculptured or formed out of the fabric of the building face;
  - (f) street numbers or letters displayed on a premises where together the total copy area is less than 1.2 square meters;
  - (g) a fascia sign which is attached to a residential dwelling unit or its accessory buildings and states no more than the name of the building or the name of the persons occupying the building or both, provided that the total sign area does not exceed 0.28 square metres;
  - (h) a fascia sign which is attached to a building other than a residential dwelling unit and states no more than:

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<sup>1</sup> 3163/A-2003

- (i) the name or address of the building;
  - (ii) the name of the person or institution occupying the building; and
  - (iii) the activities carried on in the building including hours of operation and rates charges, provided the total sign area does not exceed 1.5 square metres;
  - (iv) a real estate sign provided that the total sign area does not exceed 1.0 square meter in a residential district or 6 square metres in any other district;
- (i) signs placed on a premises for the guidance, warning or restraint of persons;
  - (k) window signs;
  - (l) construction signs that are located within 15 metres of the main entrance of the construction site, and do not exceed 6 square metres in size, per company;
  - (m) A-Board signs located within the boundaries of lots in I1, I2, C1 and C1A land use districts provided that:
    - (i)<sup>1</sup> such signs may advertise only the businesses situated on such lot; and
    - (ii) such signs may not be placed on any portion of a lot which abuts an arterial road, with the exception of such signs located in C1 and C1A land use districts.
  - (n)<sup>2</sup> DELETED
  - (o) Signs in connection with a federal, provincial or municipal election;
  - (p) Directional signs with a surface area less than 14 square metres;
  - (q)<sup>3</sup> Election signs.
  - (r)<sup>4</sup> Construction signs must conform to the following requirements:

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<sup>1</sup> 3163/A-99

<sup>2</sup> 3163/B-99

<sup>3</sup> 3163/A-98

<sup>4</sup> 3163/A-2001

- (i) may not exceed a size of 3.2 square meters;
- (ii) may only be located on a lot in a residential district or on a C3 lot on which construction is intended to take place;
- (iii) on a residential site – a total of no more than 4 signs with a total area of 6.4 square meters and no sign to be larger than 3.2 square meters;
- (iv) only one construction sign may be erected for each construction site of an area of one hectare or less except in the case of a corner site in which case a maximum of two construction signs may be allowed;
- (v) two construction signs are permitted for construction sites larger than one hectare;
- (vi) must be professionally designed and maintained and the appearance of the sign is subject to the approval of the Manager;
- (vii) may be erected within a period starting not earlier than six months before the date of intended construction and ending three months following the completion of construction, or a maximum total time period of 18 months, whichever is less.

13 The exemptions in Section 12 shall apply only to the requirements of the permit, and shall not relieve the owner of the sign from the responsibility for its erection and maintenance.

### **Sign Owner's Responsibility**

14 Neither the granting of a sign permit, the approval of the plans or any inspections made by the Manager shall in any way relieve the Owner from:

- (a) full responsibility for any work required by the Manager in accordance with this bylaw, and
- (b) full compliance with the Land Use Bylaw.

15 The Owner or user of a sign shall permit any Safety Code Officer to enter the Owners premises at any reasonable time for the purpose of inspecting, administering or enforcing this bylaw.

- 16 The owner of a sign shall at all times maintain the sign in a proper and safe state of repair and shall not allow or permit the sign to become dilapidated or unsightly.
- 17 Unless otherwise allowed in this bylaw, no person shall attach anything to a sign unless a permit is issued for such addition.

## **General Regulations**

### **Structural Provisions**

- 18 (1)<sup>1</sup> No sign structures shall be placed on City owned right-of-ways, easements or utility lots.
- (2) All sign structures shall be securely built, constructed and erected to conform to the standards set forth in this bylaw.

### **Safety Provisions**

- 19 No person shall:
- (a) erect or maintain any sign that is in contravention of this or any other City bylaw;
  - (b) erect a sign or sign structure on any exterior stairway, fire escape, fire tower or balcony serving as a horizontal exit; or
  - (c) erect a sign so that any portion of the surface or supports will interfere in any way with any of the following:
    - (i) any opening necessary for a standpipe, required light, ventilation or exit from the premises;
    - (ii) the free use of any window above the first storey; or
    - (iii) the free passage from one part of a roof to another part of the same roof;
  - (d) erect, construct or maintain a sign or display structure so as to create a hazard for pedestrian or vehicular traffic in the opinion of the Engineering Department Manager;

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<sup>1</sup> 3163/A-98, 3163/A-99

- (e) erect, construct or maintain any sign which makes use of the words, "STOP", "LOOK", and "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

### **Illumination Provisions**

- 20 No person shall place flashing signs at locations closer than twenty-three (23) metres to any dwelling in a residential district.
- 21 No person shall place flashing signs, revolving beacons, stationary lights or coloured signs at locations which may, in the opinion of the Director of Development Services, obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.
- 22 No person shall erect, install or maintain an electric sign unless it conforms with the Alberta Safety Codes Act and regulations thereto.

### **Projection Over City Property – Overhanging Sign**

- 23 Except for an A-board sign for which a permit has been issued under this bylaw, no person shall erect a sign upon or over City property, or within any setbacks required by the Land Use Bylaw without the approval of the Manager.
- 24 No person shall:
  - (a) erect a sign so that any part of the sign or the sign structure projects into or over a lane at a clearance less than 4.6 metres above grade; or
  - (b) place a sign in a location closer than 7.5 metres to the intersection of the boundaries of two streets so that:
    - (i) a vertical line from the outer edge of the sign intersects the sidewalk below, at a point less than 1.5 metres from the face of curb;
    - (ii) any part of the sign is less than 0.9 metres from any utility pole or a pole supporting traffic signals or signs;
  - (c) place or construct a sign, canopy or awning extending over a street or lane where the street or lane is less than ten (10) metres wide.

**Insurance**

- 25 (1) No permit shall be issued for the construction of a sign which over-hangs City property until the owner provides proof that an insurance policy is in force, naming the City as an additional insured (in the amount of not less than \$1,000,000.00); and
- (2) The owner shall maintain insurance in force so long as the sign remains over City property and shall provide evidence of such insurance to the City on demand.

**License Fee**

- 26 Where a sign is permitted on or over City land, the owner shall pay to the City an annual license fee in an amount as established by Council from time to time.

**Permit Fees**

- 27 The owner shall pay a permit fee calculated based on a cost of ten dollars (\$10.00) per square metre with a minimum fee of thirty dollars (\$30.00).
- 28 Should any person erect a sign, or commence work preparatory to erecting a sign without first obtaining a permit such person shall, upon issuance of the permit, be subject to and make payment of double the amount determined under section 27, in addition to any penalty which may be imposed in respect of the contravention.

## Revocation of Sign Permit

- 29<sup>1</sup> The Manager may revoke any sign permit:
- (a) where a sign for which such permit was issued violates the conditions of the permit or any of the provisions of this bylaw; or
  - (b) the owner is in breach of any of the provisions of this bylaw.

## Sign Regulation by Type

### A-Board Signs

- 30 A-Board Signs shall:
- (a) be of a painted finish, be neat and clean, and be maintained in such condition; and
  - (b) be of a size not exceeding 0.61m wide by 0.92m high, and not less than 0.30m wide by 0.61m high.
- 31 A-Board Signs placed on City property within a C1 or C1A District:
- (a)<sup>2</sup> may only be placed on the boulevard or sidewalk in front of the business being advertised within one metre of the face of the curb; and
  - (b) shall be placed as close as practical to a parking meter, where applicable.
- 31.1<sup>3</sup> The Manager may issue a sign permit to permit one A-Board sign to be erected in the boulevard of a collector or arterial road near a C3 district subject to the following conditions:
- (a) the C3 site for which the permit is issued shall be 40 metres or more from a collector or arterial road;
  - (b) the A-Board sign is erected for or on behalf of one tenant in the C3 site;

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<sup>1</sup> 3163/B-99

<sup>2</sup> 3163/A-99

<sup>3</sup> 3163/C-99

- (c) not more than one A-Board sign may be issued for the C3 site;
- (d) the arterial or collector road on which the site is located is the one that provides the closest access to the C3 site;
- (e) the sign may remain at its approved location only during the business hours of the permit holder;
- (f) the sign permit shall expire two years from the date of its issue; and
- (g) subject to compliance with the distance requirements of this bylaw, the sign is to be placed as close as possible to the C3 site.

### **Information Signs**

31.2<sup>1</sup> An Information Sign must conform to the following requirements:

- (a) must be professionally designed and well maintained;
- (b) the appearance and contents of the sign must be approved by the Manager;
- (c) must be located on private property adjacent to the entry of the subdivision;
- (d) may be allowed with a total area of 6.4 square meters and with a maximum of 4 signs.
- (e) may be approved for a period of up to five years;
- (f) the Manager may approve one-year renewals of the permits for an Information Sign after the initial five-year term, provided that the sign remains properly maintained, there are still lots available for sale and the continued presence of the sign will not adversely affect any municipal interests in the land on which the sign is erected.

### **Subdivision Identification Signs**

31.3<sup>2</sup> A Subdivision Identification Sign:

- (a) must be professionally designed and maintained;
- (b) the appearance and contents of the sign must be approved by the Manager;

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<sup>1</sup> 3163/A-2001

<sup>2</sup> 3163/A-2001

- (c) must be located on private property adjacent to the entry of the subdivision;
- (d) may not exceed 12 square meters in area unless the sign is located more than 100 meters from roadway and is approved by the Development Officer;
- (e) not more than one sign for each entrance to the subdivision;
- (f) may be approved for a period of up to five years;
- (g) the Manager may approve one-year renewals of the permit for a Subdivision Identification Sign after the initial five-year term, provided that the sign remains properly maintained, there are still lots available for sale and the continued presence of the sign will not adversely affect any municipal interests in the land on which the sign is erected.

### **Existing Signs**

31.4<sup>1</sup> Existing Information and Subdivision Identification Signs which do not comply with the above provisions may nevertheless remain in place for a maximum period of one year after the date this bylaw amendment is passed. Thereafter, all signs must be made to comply with the foregoing standards.

### **Awning, Canopy, and Under Canopy Signs**

- 32 Awning signs shall not project from the building to a point greater than where a perpendicular line from the front edge of the awning will intersect the sidewalk 0.6 metres from the face of curb.
- 33 No person shall construct a canopy over City property, without obtaining a permit for such purpose from the Manager.
- 34 (1) Canopy signs may be attached to the sides and front of the canopy, and such signs may extend the entire length and width of the canopy.
- (2) Under canopy signs may be hung from the canopy provided such signs shall not:
- (a) extend beyond sides or front of such canopy; and

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<sup>1</sup> 3163/A-2001

- (b) exceed a vertical dimension of 1.5 metres.
- 35 (1) No person shall erect an awning sign, a canopy, canopy sign or under canopy sign unless such canopy or sign:
- (a) is securely hung and anchored to the building to which it is attached;
  - (b) the structure or canopy to which it is attached is capable of resisting all stresses resulting from dead weight, snow and wind loads;
  - (c) is at clearance of not less than 2.8 metres from the grade of the sidewalk;
  - (d) does not project more than 3 metres from the face of the building or structure to which they are attached.
- (2) Projecting signs installed over or above canopies shall not be supported by canopy.

### **Billboard Signs**

- 36 A billboard sign shall not:
- (a) be more than 3.10m high, and not more than 6.10m long;
  - (b) have a maximum height above grade of more than 6.1 metres;
  - (c) have a maximum surface area exceeding 19.0 square metres;
  - (d) not be located closer than 3m to any property line;
  - (e) not be erected, constructed, altered or used anywhere within the City except as provided by this and other bylaws of the City.
- 37<sup>1</sup>
- (a) The land and the sites in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard where the back of the billboard is visible to pedestrian or vehicle traffic.
  - (b) An existing billboard may be relocated on the same site with the approval of the Development Officer.

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<sup>1</sup> 3163/A-99

**Fascia Signs**

- 38 Fascia signs shall not be located above any portion of a street or project over public property unless there is a minimum clearance from grade of 2.5 metres and a maximum projection of 0.4 metres.

**Freestanding Signs**

- 39 A freestanding sign may be allowed in a setback area as established in the Land Use Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon 30 days written notice from the City.
- 40 In a C2 (District Shopping Centre) district, freestanding signs are subject to the following regulations:
- (a) only one sign may be allowed for the purpose of identifying the said centre and the tenants collectively, except that an additional auxiliary sign may be allowed for a gas bar which auxiliary sign shall not exceed 2 square metres;
  - (b) the maximum sign surface area shall be 9.3 square metres;
  - (c) the maximum height shall be 9.0 metres for signs abutting an arterial street and 7.5m for signs abutting any other street, and where signs are located at the corner of an arterial and any other street, the lower maximum limit shall apply.
- 41 In a C2 (Regional Shopping Centre) District, freestanding signs are subject to the following regulations:
- (a) one sign up to a maximum surface area of 40 square metres may be allowed per site for the purpose of identifying the said centre and the tenants collectively; or
  - (b)<sup>1</sup> for the purpose of identifying the said centre and the tenants collectively, one sign per arterial road frontage to a maximum sign area of 25 square metres in surface area may be allowed;
  - (c) the maximum height shall be 9 metres.
- 42 (1)<sup>2</sup> A minimum separation distance of 50 metres shall be maintained between freestanding signs.

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<sup>1</sup> 3163/B-99

<sup>2</sup> 3163/B-99

- (2) Distance requirements between freestanding signs shall not apply to entrance or exit signs used for the purpose of directing traffic, providing:
- (a) those signs do not display any advertising message, excluding a logo; and
  - (b) the sign area does not exceed 2 square metres.
- (3)<sup>1</sup> In a C1, C1A or C4 District there shall be a maximum of two signs per site.
- (4)<sup>2</sup> Notwithstanding subsection 42(3), where the site is at the corner of two or more arterial roads, an additional sign may be allowed on the site.
- 43 The maximum surface area of freestanding signs:
- (a) in A1, P1 and PS Districts is 1.5 square metres;
  - (b) in C3 Districts is 5.0 square metres;
  - (c) in C1, C1A, I1 and I2 Districts is 12 square metres;
  - (d)<sup>3</sup> in C4 and DC(2) Districts is 18.5 square metres where the site is adjacent to an arterial road; where there is a service road between the site and the arterial road a 25 square metre free-standing sign may be allowed.
- 44 The maximum height of a freestanding sign:
- (a) in A1, P1, PS and C3 Districts is 4.5 metres;
  - (b) in C1, C1A, I1, I2 and DC2 Districts is 9.0 metres;
  - (c) in C4 Districts is 12.0 metres.
- 45 The bottom of freestanding signs:
- (a) in C3 Districts shall be a minimum of 2.8 metres above grade; and
  - (b) in all other Districts where such signs are allowed, shall be a minimum of 3.6 metres above grade, unless a lesser distance is approved by the Engineering Department Manager, and the space

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<sup>1</sup> 3163/B-99

<sup>2</sup> 3163/B-99

<sup>3</sup> 3163/B-99

between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

### **Neighbourhood Identification Signs**

46 The location number, size, design and character of all neighbourhood identification signs shall be subject to the approval of the Municipal Planning Commission.

47 Neighbourhood identification signs shall:

- (a) be for neighbourhood identification purposes only;
- (b) display no advertising; and
- (c) be constructed of maintenance free material wherever possible.

48 A neighbourhood identification sign shall not:

- (a) encroach upon a utility right-of-way; or
- (b) affect traffic safety.

### **Painted Wall Signs**

49 A painted wall sign shall not exceed 3.1 metres in height and 9.14 metres in length.

50 Only one sign per wall is permitted.

50.1<sup>1</sup> Notwithstanding Section 49, a supergraphic may be the entire length of an exterior wall providing the design has been approved by the Municipal Planning Commission.

### **Portable Signs**

51 No person except the City shall place, erect or use a portable sign.

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<sup>1</sup> 3163/B-99

**Projecting Signs**

- 52 No projecting sign shall be erected so that the bottom thereof is less than 2.8 metres above the sidewalk; provided however, where traffic lights may be obscured, in the opinion of the Engineering Department Manager, the projecting sign may be erected, constructed or maintained at a height of 3.6 metres or more above the sidewalk.
- 53 All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The Electrical Protection Act.
- 54 The maximum area of a projecting sign shall be 4.5 square metres.
- 55 The nearest edge of a projecting sign shall not be set off more than 0.3 metres from the building face.

**Roof Signs**

- 56 Roof signs and their support shall be designed by a professional engineer.
- 57 Roof signs shall not exceed the maximum building height limit and area specified in the district in which they are to be located.

**Wall Signs**

- 58 (1) Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.
- (2) The maximum horizontal dimension of a wall sign shall be 6.1 metres.

**Election Signs**

- 58.1<sup>1</sup> (1) The erection of election signs is permitted on vacant residential, commercial and industrial parcels of land owned by the City except for those City lands that are under an option for purchase or land sale agreement.
- (2) (a) Candidates shall remove their election signs from City property within thirty-six (36) hours after the close of the polls on election day and ensure that the site is cleaned up;

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<sup>1</sup> 3163/A-98

- (b) If a candidate fails to remove his or her election signs within thirty-six (36) hours after the polls close on election day, the Bylaw Enforcement Officers may remove them and the candidate shall be liable for the cost of removal.
- (3) When an election sign interferes with work being carried out by City work crews or contractors doing work on behalf of the City, the crews may remove and dispose of such signs.
- (4) Bylaw Enforcement Officers employed by the City may remove any election signs which have been erected, affixed, posted or placed on any City property in contravention of this bylaw and may charge the candidate whose name appears on the sign with the violation of a provision of this bylaw.

### **Offensive Signage**

- 58.2<sup>1</sup> (1) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.
- (2) No billboard, wall sign, or painted wall sign, including supergraphics shall be allowed to advertise adult entertainment or services which feature nudity.

### **<sup>2</sup>Offences and Penalties**

- 59 Any person who:
- (a) contravenes or fails to comply with any provision of this bylaw or any permit issued hereunder; or
  - (b) erects or places a sign in contravention of this bylaw;
  - (c) obstructs or hinders any person in the performance of his duties under this bylaw;
  - (d) fails to comply with any order of the Manager,
- is guilty of an offence and is liable to a penalty of \$150.00.

60<sup>3</sup> The penalty for a second offence shall be \$500.00.

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<sup>1</sup> 3163/B-99

<sup>2</sup> 3163/A-96

<sup>3</sup> 3163/A-96

61 Where a Peace Officer or Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the City in lieu of prosecution for the offence.

### **Repeal and Transitional**

62 Sign Bylaw No. 2996/89 is repealed.

READ A FIRST TIME IN OPEN COUNCIL this 11 day of March A.D.1996.

READ A SECOND TIME IN OPEN COUNCIL this 11 day of March A.D.1996.

READ A THIRD TIME IN OPEN COUNCIL this 9 day of April A.D.1996.

AND SIGNED BY THE MAYOR AND CITY CLERK this 9 day of April A.D.1996.

“G.D. Surkan”

“Jeff Graves”

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MAYOR

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ASSISTANT CITY CLERK

## SCHEDULE "A"<sup>1</sup>

Page 1 of 1

### SIGN PERMIT FEES

- 1 Fees are calculated based on a cost of ten dollars (\$10.00) per square metre with a minimum of thirty dollars (\$30.00) except supergraphics which pay a flat fee of thirty dollars (\$30.00).
- 2 Should any person erect a sign, or commence work preparatory to erecting a sign without first obtaining a permit such person shall, upon issuance of the permit, be subject to and make payment of double the amount set out as a fee in the appropriate table, in addition to any penalty which may be imposed in respect of the contravention.

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<sup>1</sup> 3163/B-99

***PERMIT FEE BYLAW***

***No. 3149/95***

***Office Consolidation***

## BYLAW NO. 3149/95

Being a bylaw of the City of Red Deer, in the Province of Alberta, to establish fees for the issuance of certain permits under City bylaws;

WHEREAS under section 8 of the *Municipal Government Act*, a Council may by bylaw establish fees for licences, permits, and approvals;

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1 This bylaw may be called the "Permit Fee Bylaw".

### PERMITS ISSUED UNDER THE *SAFETY CODES ACT*

2 No person shall be issued a permit listed in Schedule "A" annexed hereto under the *Safety Codes Act* until payment of the fee prescribed for such permit in Schedule "A" has been paid to The City.

3 (1) Except as provided in section 3(2), permits may be issued to:

(a) a licensed contractor;

(b) a homeowner to perform work on or within his own owner-occupied single family dwelling.

(2) No permit shall be issued to a homeowner to perform the following work:

(a) Electrical - installation of electrical system to main service connection

- electrical installations respecting swimming pools, therapeutic pools, tubs or hot tubs

(b) Gas - installation of a gas system.

4<sup>1</sup> A building permit is required for the construction of a detached garage, residential basement finishing work, uncovered decks over 24" off the ground and manufactured homes/additions.

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<sup>1</sup> 3149/A-2003

5 The form of permits and applications required under this bylaw shall be in such form as is approved by the Licensing and Inspection Manager.

6 An applicant for a permit under the *Safety Codes Act* shall complete and file with the Safety Code Officer, an application form, together with such plans, site plans, and specifications and copies thereof as the Safety Code Officer may require.

**PERMITS UNDER THE LAND USE BYLAW**

7 No person shall be issued a permit listed in Schedule "B" annexed hereto under the provisions of the Land Use Bylaw until payment of the fee prescribed for such permit in Schedule "B" has been paid to The City.

**MISCELLANEOUS**

8 The granting of a permit under this bylaw does not entitle the permittee, his successor or assigns or anyone on his or on their behalf to construct any building that fails to comply with the requirements of any building restriction agreement affecting the site described in the permit.

9 The fees set forth in the Schedules annexed hereto are hereby established as the fees for the services therein described.

10 Bylaw No. 3132/95 is hereby repealed.

11 This bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 25 day of September 1995.

READ A SECOND TIME IN OPEN COUNCIL this 25 day of September 1995.

READ A THIRD TIME IN OPEN COUNCIL this 25 day of September 1995.

AND SIGNED BY THE MAYOR AND CITY CLERK this 25 day of September 1995.

"G.D. Surkan"

"Kelly Kloss"

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**SCHEDULE "A"<sup>1</sup>**

**FEES FOR PERMITS UNDER SAFETY CODES ACT**

1 Any work commenced without first obtaining the required permit shall be subject to double the amount set out as a fee for the proposed construction, in addition to any penalty which may be imposed in respect of the contravention, unless prior permission has been obtained from the authority having jurisdiction.

2 **PLUMBING PERMITS**

(a)	for each fixture, discharge device or weeping tile	\$ 7.00
(b)	Minimum Fee	\$ 35.00
(c)	Cross Connection & Backflow Prevention	
	(i) install backflow device	\$ 35.00
	(ii) install lawn sprinkler	\$ 35.00
	(iii) install water softener	\$ 35.00
(d)	Ditch Permit to service site	
	(i) Residential	\$ 35.00
	(ii) Commercial	\$ 35.00

3 **GAS PERMITS**

(a)	Minimum fee for any residential gas permit requiring inspection	\$ 35.00
(b)	All major occupancies other than single family and two family residences (fee to be determined by the total B.T.U. rating for all gas fixture, furnaces, or other devices installed)	
	(i) 65,000 BTU/HR input or less	\$ 35.00
	(ii) 65,001 - 400,000 BTU/HR input or less	\$ 50.00
	(iii) 400,001 - 500,000 BTU/HR input or less	\$ 85.00

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<sup>1</sup> 3149/B-96, 3149/A-97, 3149/B-97, 3149/A-98, 3149/A-2000

**SCHEDULE "A"<sup>1</sup>**

**FEEES FOR PERMITS UNDER SAFETY CODES ACT**

	(iv)	500,001 - 1, 000,000 BTU/HR input or less	\$ 110.00
	(v)	1,000,001 - 5,000,000 BTU/HR input or less	\$200.00
	(vi)	5,000,001 BTU/HR input or more	\$275.00
	(c)	Temporary Gas Line	\$ 35.00
	(d)	Alterations	\$ 35.00
4		<b>HEATING PERMITS</b>	
	(a)	Residential - each heating unit or system	\$ 40.00
	(b)	Commercial - each heating unit or system	
	(i)	65,000 - 400,000 BTU/HR input or less	\$ 60.00
	(ii)	400,001 - 500,000 BTU/HR input or less	\$ 85.00
	(iii)	500,001 - 1, 000,000 BTU/HR input or less	\$ 110.00
	(iv)	1,000,001 - 5,000,000 BTU/HR input or less	\$ 200.00
	(v)	5,000,001 BTU/HR input or more	\$ 275.00
5		<b>FIREPLACE PERMITS</b>	\$ 35.00
6		<b>BUILDING PERMITS</b>	
	(a)	\$5.50 for each \$1,000.00 or part thereof of construction cost;	
	(b)	A minimum fee of \$50.00 shall be charged for the issuance of any Building Permit.	
7		<b>Re-Inspection Fee for any inspection not approved</b>	\$100.00

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<sup>1</sup> 3149/B-96, 3149/A-97, 3149/B-97, 3149/A-98, 3149/A-2000

**SCHEDULE "A"<sup>1</sup>**

**FEEES FOR PERMITS UNDER SAFETY CODES ACT**

**8 PERMIT FEE - ELECTRICAL**

**(a) CONTRACTORS**

(i) Minimum Permit Fee - Less than \$1000  
installation cost \$ 30.00

(ii) Installation Cost:

\$ 1000 - \$ 1999	\$ 60.00
\$ 2000 - \$ 2999	\$ 75.00
\$ 3000 - \$ 3999	\$ 90.00
\$ 4000 - \$ 4999	\$105.00
\$ 5000 - \$ 5999	\$115.00
\$ 6000 - \$ 6999	\$125.00
\$ 7000 - \$ 7999	\$135.00
\$ 8000 - \$ 8999	\$145.00
\$ 9000 - \$10000	\$155.00

Over \$10,000 - \$155.00 plus 1% of the installation  
cost over \$10,000.00

(iii) Re-Inspection Fee (work not ready for  
inspection purposes) \$100.00

(iv) Requested Additional Inspection \$ 30.00

**NOTE: (1)** Installation cost to include labour and  
material.

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<sup>1</sup> 3149/B-96, 3149/A-97, 3149/B-97, 3149/A-98, 3149/A-2000

**SCHEDULE "A"<sup>1</sup>**  
**FEEES FOR PERMITS UNDER SAFETY CODES ACT**

- (2) Electrical drawings may be required on any electrical installation and are mandatory on installations over \$10000 labour and material.

(b) ANNUAL PERMIT FEE

RATING OF INSTALLATION kV.A	FEE
100 or less	\$127.50
101 to 2500	\$127.50 plus \$12.75 per 100 kV.A or fraction of 100 kV.A over 100 kV.A
2501 to 5000	\$433.50 plus \$9.50 per 100 kV.A or fraction of 100 kV.A over 2500 kV.A
5001 to 10000	\$671.00 plus \$6.50 per 100 kV.A or fraction of 100 kV.A over 5000 kV.A
10001 to 20000	\$996.00 plus \$3.25 per 100 kV.A or fraction of 100 kV.A over 10000 kV.A
over 20000	\$1321.00 plus \$0.80 per 100 kV.A. or fraction of 100 kV.A over 20000 kV.A

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<sup>1</sup> 3149/B-96, 3149/A-97, 3149/B-97, 3149/A-98, 3149/A-2000

**SCHEDULE "A"<sup>1</sup>**

**FEEES FOR PERMITS UNDER SAFETY CODES ACT**

(c) HOMEOWNERS

Value of Material	Permit Fee	Value of Material	Permit Fee
0.00 - 150.00	30.00	1550.01 - 1600.00	84.00
150.01 - 200.00	33.00	1600.01 - 1650.00	85.50
200.01 - 250.00	36.00	1650.01 - 1700.00	87.00
250.01 - 300.00	39.00	1700.01 - 1750.00	88.50
300.01 - 350.00	42.00	1750.01 - 1800.00	90.00
350.01 - 400.00	45.00	1800.01 - 1850.00	91.50
400.01 - 450.00	48.00	1850.01 - 1900.00	93.00
450.01 - 500.00	51.00	1900.01 - 1950.00	94.50
500.01 - 550.00	52.50	1950.01 - 2000.00	96.00
550.01 - 600.00	54.00	2000.01 - 2050.00	97.50
600.01 - 650.00	55.50	2050.01 - 2100.00	99.00
650.01 - 700.00	57.00	2100.01 - 2150.00	100.50
700.01 - 750.00	58.50	2150.01 - 2200.00	102.00
750.01 - 800.00	60.00	2200.01 - 2250.00	103.50
800.01 - 850.00	61.50	2250.01 - 2300.00	105.00
850.01 - 900.00	63.00	2300.01 - 2350.00	106.50
900.01 - 950.00	64.50	2350.01 - 2400.00	108.00
950.01 - 1000.00	66.00	2400.01 - 2450.00	109.50
1000.01 - 1050.00	67.50	2450.01 - 2500.00	111.00
1050.01 - 1100.00	69.00	2500.01 - 2550.00	112.00
1100.01 - 1150.00	70.50	2550.01 - 2600.00	113.00
1150.01 - 1200.00	72.00	2600.01 - 2650.00	114.00

<sup>1</sup> 3149/B-96, 3149/A-97, 3149/B-97, 3149/A-98, 3149/A-2000

**SCHEDULE "A"<sup>1</sup>**

**FEES FOR PERMITS UNDER SAFETY CODES ACT**

(c) HOMEOWNERS - continued

Value of Material	Permit Fee	Value of Material	Permit Fee
1200.01 - 1250.00	73.50	2650.01 - 2700.00	115.00
1250.01 - 1300.00	75.00	2700.01 - 2750.00	116.00
1300.01 - 1350.00	76.50	2750.01 - 2800.00	117.00
1350.01 - 1400.00	78.00	2800.01 - 2850.00	118.00
1400.01 - 1450.00	79.50	2850.01 - 2900.00	119.00
1450.01 - 1500.00	81.00	2900.01 - 2950.00	120.00
1500.01 - 1550.00	82.50	2950.01 - 3000.00	121.00

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<sup>1</sup> 3149/B-96, 3149/A-97, 3149/B-97, 3149/A-98, 3149/A-2000

**SCHEDULE "B"<sup>1</sup>**  
**FEES FOR PERMITS AND OTHER SERVICES**  
**UNDER THE LAND USE BYLAW**

**1 DEVELOPMENT PERMITS**

(a) Residential \$ 65.00

Special residential uses (group homes, lodging and boarding houses, churches, nursing homes, institutional homes for senior citizens, widows or children)

Multi-Family (calculated by number of units)

4 - 10 Units \$ 50.00

11 - 20 Units \$ 95.00

21 - 50 Units \$125.00

51 Units and over \$315.00

(b) Commercial

Building area based on less than:

500 m<sup>2</sup> \$ 65.00

501 m<sup>2</sup> - 2000 m<sup>2</sup> \$125.00

2001 m<sup>2</sup> - 5000 m<sup>2</sup> \$200.00

Multi-Tenancy Industrial Buildings or Complexes  
Exceeding 5000 m<sup>2</sup> \$400.00

(c) Miscellaneous

Public service buildings, churches, schools, fire halls, police stations, auditoriums, etc, based on building area:

Under 500 m<sup>2</sup> \$ 65.00

Over 500 m<sup>2</sup> \$125.00

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<sup>1</sup> 3149/A-96, 3149/A-97

**SCHEDULE "B"<sup>1</sup>**  
**FEES FOR PERMITS AND OTHER SERVICES**  
**UNDER THE LAND USE BYLAW**

- 2 If any case where a fee is not listed in the Fee Schedule for a specific development, such a fee shall be determined by the Development Officer and shall be consistent with those fees listed in the Schedule for similar developments.
- 3 Miscellaneous Residential
- (a)<sup>2</sup> Deleted
- (b) accessory structures \$ 50.00
- (c)<sup>3</sup> Deleted
- 4 Where the Approving Authority requires a Caveat to be registered to ensure the performance of any conditions of a Development Permit, the Applicant shall pay to the City:
- (a) a fee of \$50.00 for the preparation of such Caveat; and
- (b) the costs of registration of the Caveat at Land Titles Office, including the cost of a certified copy of title providing proof of such registration.
- 5 OCCUPANCY PERMITS
- (1) Apartment buildings - three or more suites or apartments - \$10.00 per unit (maximum of \$250.00).
- (2) Commercial buildings - up to and including 500 m<sup>2</sup> - \$55.00 per 100 m<sup>2</sup> or portion thereof (maximum of \$250.00).
- (3) Industrial buildings - up to and including 500 m<sup>2</sup> - \$55.00 per 100 m<sup>2</sup> or portion thereof (maximum of \$250.00).
- 6 MISCELLANEOUS SERVICES
- (1) Review and endorse approval on real property report \$ 50.00/site

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<sup>1</sup> 3149/A-96, 3149/A-97

<sup>2</sup> 3149/A-2003

<sup>3</sup> 3149/A-2003

**SCHEDULE "B"<sup>1</sup>**  
**FEES FOR PERMITS AND OTHER SERVICES**  
**UNDER THE LAND USE BYLAW**

(2)	Respond verbally to inquiries respecting land use classifications	\$ 10.00/site
(3)	Provide Land Use Bylaw conformance letters	\$ 50.00/site
(4)	Issue of Development Permit for approval of use per application	\$ 50.00
(5)	Advertising fee with respect to any decision of the approving authority which requires publication	\$ 60.00/site
(6)	Neighbourhood survey fee, where notification is to be given to adjacent or surrounding property owners	\$100.00
(7)	Issue Development Permit with respect to relaxation of residential development requirement and set-backs	\$ 50.00
(8)	Application for a Discretionary Home Occupation	\$ 50.00

Goods and Services Tax on all services where the City is obligated to collect the same under federal legislation.

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<sup>1</sup> 3149/A-96, 3149/A-97