

FILE

DATE: April 10, 1996
TO: All Departments
FROM: City Clerk
RE: PLEASE POST FOR THE INFORMATION OF ALL EMPLOYEES

SUMMARY OF DECISIONS

FOR THE REGULAR MEETING OF RED DEER CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, CITY HALL

TUESDAY, APRIL 9, 1996

COMMENCING AT 4:30 P.M.

- (1) Confirmation of the Minutes of the Regular Meeting of March 25, 1996

DECISION - CONFIRMED AS TRANSCRIBED

PAGE #

(2) **UNFINISHED BUSINESS**

1. City Clerk - Re: Sign Bylaw No. 3163/96/General
Housekeeping Changes . . 1

DECISION - BYLAW GIVEN 3RD READING

2. City Clerk - Re: Emergency Services Training Facility . . 2

**DECISION - AGREED TO TABLE THIS MATTER TO THE
APRIL 22, 1996 MEETING OF COUNCIL, AS REQUESTED**

3. City Clerk - Re: Home Occupations Study . . 5

DECISION - AGREED TO TABLE THIS MATTER TO THE MAY 21, 1996 MEETING OF COUNCIL, AS REQUESTED

4. Red Deer & District FCSS Board - Re: Additional \$50,000 for Day Care . . 7

DECISION - APPROVED \$30,000 TO ASSIST FAMILIES WITH LOW INCOMES TO ACCESS LICENSED PRIVATE DAY CARE AND PROVIDE \$20,000 TO THE RED DEER FAMILY SERVICE BUREAU FOR ADMINISTRATION OF THE \$30,000, AND FOR COUNSELLING AND FAMILY LIFE PROGRAMS FOR FAMILIES USING ANY LICENSED CHILD CARE PROGRAM. THIS FUNDING TO BE REVIEWED IN 1997 FOR THE 1998 BUDGET

(3) PUBLIC HEARINGS

1. City Clerk - Re: Land Use Bylaw Amendment 2672/C-96/Redesignation of Lot 2, Plan 6742 N.Y., from I1 Industrial (Business Services) District to R3-D216 Residential (Multiple Family) District . . 17
2. City Clerk - Re: Road Closure Bylaw 3160/96/Kennedy Drive/Plan 812-1094 . . 19
3. City Clerk - Re: Land Use Bylaw 3156/96/Repeal of Old Land Use Bylaw 2672/80/(See attached Rationale for Bylaw 3156/96) . . 21

(4) REPORTS

1. Engineering Department Manager - Re: Standard Development Agreement . . 24

DECISION - APPROVED THE STANDARD DEVELOPMENT AGREEMENT

2. Land and Economic Development Manager - Re: Road Construction - Edgar Industrial Park . . 28

DECISION - AUTHORIZED CONSTRUCTION OF THE ROAD AS PART OF THE 1996 CAPITAL WORKS PROGRAM WITH SAID ROAD TO BE CHARGED AGAINST THE EDGAR INDUSTRIAL PARK

3. Parkland Community Planning Services - Re: Land Use Policies - Review . . 31

DECISION - AGREED TO FORWARD THE COMMENTS OF THE PARKLAND COMMUNITY PLANNING SERVICES TO THE DEPARTMENT OF MUNICIPAL AFFAIRS

4. Land and Appraisal Coordinator - Re: Road Closure Bylaw 3166/96 - Edgar Industrial Park . . 52

DECISION - REPORT RECEIVED AS INFORMATION. SEE BYLAW SECTION FOR BYLAW READINGS

(5) **CORRESPONDENCE**

1. Mr. And Mrs. Charles Folstrom - Re: 68 Wigmore Close, Lot 27, Block 31, Plan 2886 T.R./Basement Suite . . 54

DECISION - DENIED REQUEST THAT BASEMENT SUITE REMAIN AT ABOVE SITE

2. Mr. Cass Trahan - Re: Land Use Bylaw Amendment 3156/A-96/Parking Lot adjacent to Cass's Stagger Inn/5823 - 51 Avenue, Lot 14 to 15, Block 30, Plan 7604 K.S./Bylaw 3156/A-96 . . 59

DECISION - APPROVED REQUEST FOR REZONING SUBJECT TO CONDITIONS RECOMMENDED

3. Blue Smoke Fireworks Ltd., - Re: July 1st Fireworks Display Proposal . . 68

DECISION - AGREED TO ENCOURAGE THE RED DEER CULTURAL HERITAGE SOCIETY TO SEEK COMPETITIVE BIDS FOR FIREWORKS

4. Mr. A. Sivacoe - Re: Cat Control . . 76

DECISION - AGREED TO TABLE THIS MATTER FOR FOUR WEEKS

(6) PETITIONS AND DELEGATIONS

(7) NOTICES OF MOTION

1. Councillor Dawson - Re: Property Tax Reduction . . 82

DECISION - APPROVED A DECREASE IN THE MUNICIPAL PORTION OF PROPERTY TAXES FOR RESIDENTIAL PROPERTIES UNDER A FOURPLEX

(8) WRITTEN INQUIRIES

(9) BYLAWS

1. 3163/96 - The Sign Bylaw/Repeal Bylaw 2996/89/General Housekeeping - 3rd Reading . . 1
. . 84

DECISION - BYLAW GIVEN 3RD READING

2. 2672/C-96 - Land Use Bylaw Amendment/ Redesignation of Lot 2, Plan 6742 N.Y., from I1 Industrial (Business Services) District to R3-D216 Residential (Multiple Family) District - 2nd & 3rd Reading . . 17

DECISION - BYLAW GIVEN 2ND AND 3RD READING . . 105

3. 3160/96 - Road Closure Bylaw/Kennedy Drive/Plan 812-1094 -
2nd & 3rd Reading . . 19
.. 107

DECISION - BYLAW GIVEN 2ND AND 3RD READING

4. 3156/96 - New Land Use Bylaw/Repeal of Old Land Use Bylaw
2672/80/(See attached Rationale for Bylaw 3156/96) - 2nd & 3^d
Reading . . 21
.. attachment

DECISION - BYLAW GIVEN 2ND AND 3RD READING

5. 3156/A-96 - Land Use Bylaw Amendment/Parking Lot adjacent
to Cass's Stagger Inn/5823 - 51 Avenue, Lot 14 to 15, Block 30,
Plan 7604 K.S. - 1st Reading . . 59
.. 108

DECISION - BYLAW GIVEN 1ST READING

6. 3166/96 - Road Closure Bylaw/To accommodate Land Sale
between The City and Laebon Developments - 1st Reading . . 52
.. 110

DECISION - BYLAW GIVEN 1ST READING

A G E N D A

FOR THE REGULAR MEETING OF RED DEER CITY COUNCIL

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

TUESDAY, APRIL 9, 1996

COMMENCING AT ***4:30 P.M.***

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| 2. City Clerk - Re: Emergency Services Training Facility | .. 2 |
| 3. City Clerk - Re: Home Occupations Study | .. 5 |
| 4. Red Deer & District FCSS Board - Re: Additional \$50,000 for Day Care | .. 7 |

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Committee of the Whole:

- 1) Land Matter
- 2) Administrative Matter
- 3) Administrative Matter

UNFINISHED BUSINESSNO. 1

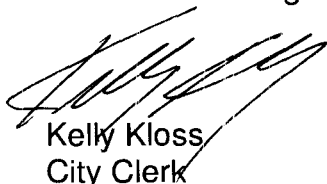
DATE: March 13, 1996
TO: City Council
FROM: City Clerk
RE: SIGN BYLAW NO. 3163/96

At the Council Meeting of March 11, 1996, first and second readings were given to Sign Bylaw No. 3163/96. The Sign Bylaw was revised to provide for more clear and comprehensible language and to eliminate duplication. The intent and the regulations have remained the same.

Third reading of this Bylaw was withheld so that it can be considered at the same time as second and third readings are given to new Land Use Bylaw 3156/96. No sign regulations appear in new Land Use Bylaw 3156/96 so that there is no duplication between the Sign Bylaw and the new Land Use Bylaw.

RECOMMENDATION:

That third reading be given to Sign Bylaw No. 3163/96.



Kelly Kloss
City Clerk

KK/clr

FILE

DATE: April 10, 1996
TO: Inspection and Licensing Manager
FROM: Assistant City Clerk
RE: THE SIGN BYLAW NO. 3163/96

At the Council Meeting of April 9, 1996, third reading was given to Sign Bylaw 3163/96. Under separate cover, a consolidated copy of this bylaw had been forwarded to you.

I trust you will find this satisfactory.



JERE GRAVES
Assistant City Clerk

JG/fm

cc. Director of Development Services
R.C.M.P. - Bylaw Section
Principal Planner
C. Rausch

DATE: April 1, 1996
TO: City Council
FROM: City Clerk
RE: EMERGENCY SERVICES TRAINING FACILITY

At the Council Meeting of March 11, 1996, consideration was again given to the above topic, and at which meeting the following resolution was introduced:

"RESOLVED that Council of The City of Red Deer, having considered report from the Fire Chief dated February 6, 1996, re: Training Business Plan - Emergency Service Department, hereby approves the Emergency Services Training Facility as an inclusion to the Emergency Services Training Budget, and as presented to Council February 12, 1996."

Prior to voting on the above resolution, however, Council passed the following tabling resolution:

"RESOLVED that Council of The City of Red Deer hereby agrees to table the item re: Emergency Services Department Training Facility for four weeks to allow the Emergency Services Department to discuss with the private sector, the possibility of partnering for the development of a training facility."

Attached hereto is a memo from the Fire Chief requesting that this matter be further tabled to the April 22, 1996 Council Meeting.

RECOMMENDATION

That the matter of the Emergency Services Department Training Facility be tabled to the Council Meeting of April 22, 1996.



KELLY KLOSS
City Clerk

KK/fm

attch.

Memo

To: CITY CLERK

From: FIRE CHIEF

CC:

Date: March 27, 1996

Re: EMERGENCY SERVICES TRAINING FACILITY

At the Council meeting of March 11, 1996, we were requested to meet with local oilfield fire fighting business's to determine their interests in partnering with the City in the development of a joint use fire service training facility. We were requested to bring a report back to Council for the April 9th meeting regarding the industries interest in this proposal.

We were unable to meet with representatives of all four business's until March 20, 1996, and in order to provide them with sufficient time to prepare a proposal, we allowed them until April 5th to do so.

Because of the Easter weekend, we would not have sufficient time to study any proposals submitted, and to prepare a report for Council consideration on April 9th, therefore, we request an extension to bring this matter to the Council meeting of April 22nd, 1996.



COMMENTS:

We concur with the recommendation of the Fire Chief and request Council table this matter until the April 22, 1996 Council Meeting.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

FILE

DATE: April 10, 1996
TO: Fire Chief
FROM: Assistant City Clerk
RE: EMERGENCY SERVICES TRAINING FACILITY

At the Council Meeting of April 9, 1996, consideration was given to your report dated March 27, 1996, Re: Emergency Services Training Facility, and at which meeting the following resolution was introduced and passed:

"RESOLVED that Council of The City of Red Deer, hereby agrees to lift from the table consideration of the matter, Re: Emergency Services Training Facility."

As a result of the above lifting from the table the following resolution was on the floor:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Fire Chief dated February 6, 1996, Re: Training Business Plan - Emergency Services Department, hereby approves the Emergency Services Training Facility as an inclusion to the Emergency Services Training Budget, and as presented to Council February 12, 1996."

Prior to voting on the above resolution, Council passed the following tabling resolution:

"RESOLVED that Council of The City of Red Deer, hereby agrees to table the item, Re: Emergency Services Training Facility until the April 22, 1996 Council Meeting."

This item is now scheduled to appear on the Monday, April 22, 1996 Council Agenda. Your report will be required by this office on April 15, 1996.



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Development Services

DATE: April 1, 1996
TO: City Council
FROM: City Clerk
RE: HOME OCCUPATIONS STUDY

At the Council Meeting of February 12, 1996, consideration was given to the above topic. At this meeting the following resolution was introduced:

"RESOLVED that Council of The City of Red Deer, having considered report from Parkland Planning Services dated February 5, 1996, Re: Home Occupations Study, hereby agrees that changes to the Home Occupation requirements outlined in the above noted report not be implemented, and as presented to Council February 12, 1996."

Prior to voting on the above resolution, Council agreed to table this matter for up to eight weeks in order to establish an ad hoc committee of Council Members to work with the Administration to review alternate regulations to those proposed in the study.

Councillors Hughes, Dawson and Volk agreed to sit on this ad hoc committee. The ad hoc committee has met on a number of occasions and anticipate that recommendations will be presented to Council within six weeks. As the matter was tabled to the April 9, 1996 Council Meeting, a further tabling resolution would be required.

RECOMMENDATION

That the matter re Home Occupations Study be tabled to the Tuesday, May 21, 1996 Council Meeting.



KELLY KLOSS
City Clerk

KK/fm

COMMENTS:

We concur with the recommendation of the City Clerk that the matter of the Home Occupations Study be tabled to the May 21, 1996 Council Meeting.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

FILE

DATE: April 10, 1996
TO: Orlando Toews, Planner
FROM: Assistant City Clerk
RE: HOME OCCUPATIONS STUDY

At the Council Meeting of April 9, 1996, consideration was again given to the above topic, and at which meeting the following resolutions were introduced:

"RESOLVED that Council of The City of Red Deer, hereby agrees to lift from the table consideration of the matter, Re: Home Occupations Study."

As a result of the above lifting from the table the following resolution was on the floor:

"RESOLVED that Council of The City of Red Deer, having considered report from Parkland Community Planning Services dated February 5, 1996, re: Home Occupations Study, hereby agrees that changes to the Home Occupation requirements outlined in the above noted report not be implemented, and as presented to Council February 12, 1996."

Prior to voting on the above resolution, Council passed the following tabling resolution:

"RESOLVED that Council of The City of Red Deer, hereby agrees to table the item, Re: Home Occupations Study until the May 21, 1996 Meeting of Council."

Please provide this office with the report on the Home Occupations study by Monday, May 13, 1996, in order that this item may appear on the May 21, 1996 Council Meeting.



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Councillor Hughes
Councillor Dawson
Councillor Volk
Director of Community Services
Inspections & Licensing Manager
City Solicitor

DATE: February 21, 1996

TO: CITY COUNCIL

FROM: ROGER CLARKE, Chairman
Red Deer and District FCSS Board

RE: ADDITIONAL \$50,000 FOR DAY CARE

During 1995, at the request of Council, a review was done focusing on *"the nature and level of involvement of The City in Day Care"*. After much debate, with considerable input from the community, the outcome was:

- The City entered into a three-year agreement with Red Deer Child Care Society (a community non-profit) where approximately \$100,000 is made available to assist low income families and families with special needs children to access day care.
- A recommendation from the former Council that the new Council consider allocating an additional \$50,000 to be accessed by families who utilise private sector operated day cares (licensed).

Council had preliminary debate about the possibility of allocating an additional \$50,000 as noted above, but also felt that overall priorities in the social programming area should be considered. Based on this premise, Council, at the January 23 budget meeting, requested that the FCSS Board consider the possible allocation of an additional \$50,000 and make recommendations based on priorities in a broad perspective. To that end, the Finance Committee of the FCSS Board met on January 26 to have a preliminary discussion concerning priorities and the allocation of the \$50,000. The provincial redesign of children's services was identified as having a potential impact on what might be seen in terms of day care and other priorities.

At the February 2 FCSS Board Retreat, further discussion ensued, with a subsequent draft of recommendations presented for ratification at the February 6 meeting of the Red Deer and District FCSS Board. Please see the attached memo and flow chart. The Board felt funding for services that benefit children is a priority.

City Council
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Page 2

RECOMMENDATION:

That Council for The City of Red Deer allocate an additional \$50,000 to preventive social service in Red Deer as follows:

- \$30,000 to assist families with low income to access licensed private child care under the umbrella of an operator.
- \$20,000 to the Red Deer Family Service Bureau to be utilized in:
 - the Counselling/Family Life Education program (to offset provincial funding lost in 1996) which will support programs such as parenting and family counselling.
 - administering the assessment of parents accessing the \$30,000 for day care subsidy, as noted above, and the distribution of that funding to licensed child care operators, with administration costs not to exceed \$3,000 (10% of the funds available).
- that the \$100,000 currently allocated as per the Day Care Management Agreement and the \$50,000 (to be allocated as noted above) be re-evaluated in 1998 in terms of predetermined criteria based on community needs and performance expectations.
- that the Red Deer and District FCSS Board review and establish criteria for the allocation of the \$150,000 when the present Day Care Management Agreement and potential contracts with the Red Deer Family Service Bureau and licensed private child care operators expire in 1998.

The flow chart attached clearly depicts the timing of each of the "streams" of funding, as well as showing the provincial redesign of children's services as a third stream. It is important to note that the recommendations have taken into account the priority of working with children (and their families) as being a high need in the community.



ROGER D. CLARKE, Chairman
Red Deer and District FCSS Board

:kt
Enc.

- c. Lowell R. Hodgson, Director, Community Services Division
Colleen Jensen, Social Planning Manager

DATE: February 6, 1996
TO: FCSS BOARD
FROM: ROGER CLARKE, Chairman
Red Deer and District FCSS Board
RE: ADDITIONAL FUNDING FOR DAY CARE \$50,000

The enclosed memo regarding additional funding for day care was circulated and discussed at the Red Deer and District FCSS Board Retreat February 2, 1996. (Nine of twelve Board members were in attendance).

As stated in the memo, City Council requested that the FCSS Board consider the allocation of an additional \$50,000 and make recommendations based on priorities.

After considerable discussion, the Board decided that, were City Council to allocate an additional \$50,000, \$30,000 of the funds should be allocated to assist families using **licensed** private day care. The procedures to assure appropriate use of the funds would need to be developed.

The FCSS Board decided to allocate \$20,000 to the Family Service Bureau to:

- replace part of the \$64,000 loss in provincial FCSS funds for counselling and family life education.
- cover the expense involved in administering the applications by parents accessing the funding for private day care. Again, the procedures regarding the applications will need to be developed.

The Family Service Bureau (FSB) was chosen as the agency to administer the private day care funding because:

- the FSB is a neutral agency not offering any day care to parents.
- the FSB has the administrative system to handle parent applications and has experience dealing with fees for service based on sliding fee scales.
- the FSB is an umbrella agency for programming which may assist the families with low income applying for day care subsidy, i.e., family life education courses and counselling.

FCSS Board
February 6, 1996
Page 2

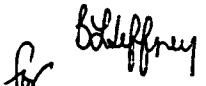
The FCSS Board also strongly supports the attached revised flow chart which requires that the Board, in February 1998, review and establish the criteria for the allocation of the full \$150,000 when the current Day Care Management Agreement and the contract with private licensed day care and this contract with the Family Service Bureau ends.

The recommendation (approved by the Board members present at the retreat) to the FCSS Board February 6, 1996, is:

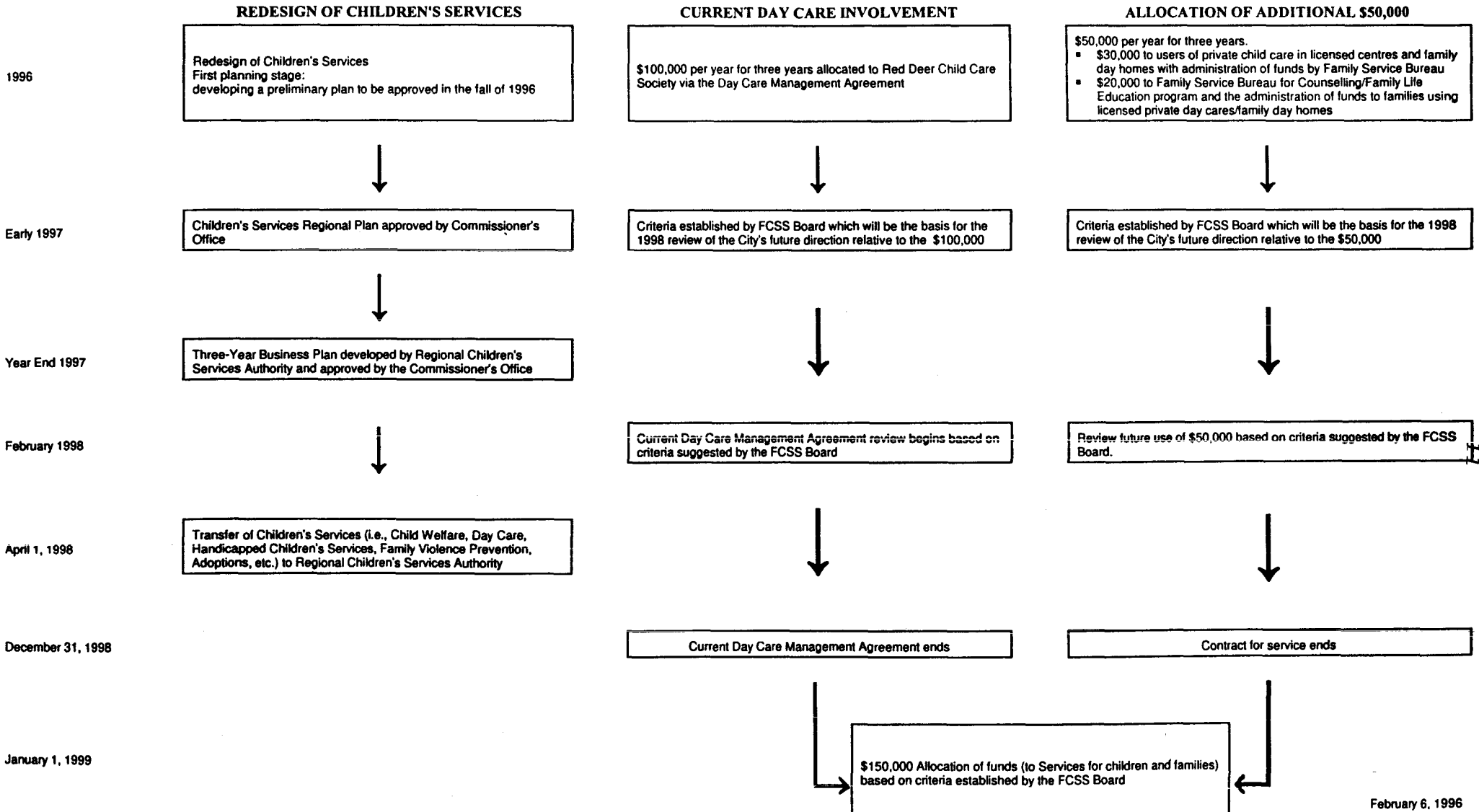
That City Council allocate an additional \$50,000 to preventive social services in Red Deer:

\$30,000 to assist families with low income accessing licensed private day care
\$20,000 to the Family Service Bureau to administer the private day care applications (approximately 10% of contract) and to replace part of the \$64,000 provincial funding lost in 1996.

And that the Red Deer and District Family and Community Support Services Board review and establish the criteria for the allocation of the full \$150,000 when the present Day Care Management Agreement and contracts with private day care and the Family Service Bureau expire in late 1998.


for
ROGER D. CLARKE, Chairman
Red Deer and District FCSS Board

:kt
Enc.



(Jan. 31/96)

NEW DIMENSIONS

FAMILY DAY HOME PROGRAM INC.

January 25, 1996

Mayor and Council
City of Red Deer
Box 5008
Red Deer, AB
T4N 3T4

Dear Mayor and Members of Council:

New Dimensions Family Day Home Program Inc. would like to thank Mayor Surkan and Council for their continued concern regarding the issue of funding low income families in programs other than those of the Red Deer Child Care Society, with further discussions on the issue to take place at the F.C.S.S. February retreat meetings and at Council's own retreat meetings of the same month.

The above issue was extensively discussed by the former council at several council meetings in the latter part of 1995. However, for the benefit of the new councillors, New Dimensions would, with respect, like to reiterate briefly in point form, some important facts to consider when debating this issue; namely,

1. The funding in issue goes to the low income family. None of the money is retained by the program.
2. The low income families using New Dimensions have stated, poignantly so in many cases, that regardless of the amount of the financial help, any financial help makes a difference. Even if the amount is \$25.00 per month, to their small budget this amount is significant.
3. The child care programs other than those of the Red Deer Child Care Society handle as many, if not more, low income families as those using the services of the Red Deer Child Care Society.



4815 - 54th STREET, RED DEER, ALBERTA T4N 2G5 PHONE 346-0888



January 25, 1995
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4. Funding only the low income families in the programs of the Red Deer Child Care Society is creating a special and elite class of low income families. We are asking that all low income families in the City of Red Deer be treated equally with regard to the funding. The needs of others are no less than the needs of the presently funded ones.

Once again thank you for considering this issue.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "G. Siewert".

Gy. Siewert
Director

GS/yh

DATE: April 3, 1996

TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON, Director of Community Services
COLLEEN JENSEN, Social Planning Manager

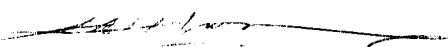
RE: ADDITIONAL \$50,000 FOR DAY CARE

Having had the opportunity to review the report and recommendations from the FCSS Board, as well as the comments from the Mayor and City Manager, we would like to provide the following comments:

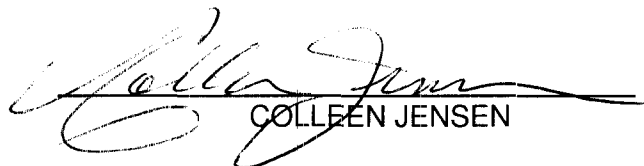
- The City's focus in social programming is currently on prevention, with our role being the facilitation of community planning and delivery, as well as the provision of limited funding. Day care is included in the spectrum of preventive programs.
- The changes in various provincial initiatives such as the Redesign of Children's Services will evolve over time. To undertake an immediate review, especially regarding children's programs, related to The City's role will not allow time for the provincial decisions to be finalized. Therefore, the timeline of having a review completed as background for the 1997 budget is not feasible.
- While the role of the Social Planning Department must be examined, it is difficult to justify a comprehensive review of preventive social services when in the past two years, priorities relating to FCSS funding have been thoroughly reviewed, as well as The City's involvement in day care and in special transportation. Should another review be necessary we would have to be very clear on the terms of reference and the rationale for the review. The FCSS Board recommends reviewing the area of children's services and we are supportive of that thrust.
- The FCSS Board's recommendation is based on their review of community priorities as identified in the Community Audit and through agency input. Services to children and their families are seen as a high priority. Given that day care, as well as other programs such as family counselling address the priority in the area of children, they recommend that an additional \$50,000 be allocated as per their report. The suggestion that a three-year period be looked at coincides with our current Day Care Management Agreement. It also provides enough time to assess provincial changes, particularly relating to children's services. The funding, in the meantime, provides assistance to families (not day care operations) who need it. In the area of counselling, the allocation would offset some of the reductions experienced in 1996 (\$64,000 decrease).

RECOMMENDATION:

That City Council approve the Red Deer and District FCSS Board recommendation covering the next three years.



LOWELL R. HODGSON



COLLEEN JENSEN

COMMENTS:

There are a number of important policy considerations for Council in this decision. It is our view that given the strategic direction Council has agreed to in the Social Planning area, coupled with substantial changes contemplated or underway in both federal and provincial social programming during this year, Council should avoid making any ad hoc decisions regarding City Social Planning expenditures until a thorough review can be completed.

Council will be aware that the City's current Strategic Plan underscores the City's long term commitment to preventative social services, but makes it clear that the City's role concentrate on identifying community needs and playing a facilitative, rather than direct role in the delivery and funding of those services. The Plan goes on to state that the City will resist accepting responsibility for programs which fall within the mandates of the provincial and federal government. (Refer to Sections 1.3.4. and 4.1.1)

The Community Services Master Plan, which is currently out for public input, summarizes some of the major factors which may reshape social service delivery at the community level in the near future. The following examples are mentioned:

- a current review of the FCSS Act and regulations by the provincial government, including a review of the process by which funding will flow to municipalities for preventative social programs;
- the redesign of provincially-funded Children's Services, with a move to community-based needs assessment and program delivery, administered through a regional board;
- the evolving role of the David Thompson Health Authority, with an increased emphasis on preventative services and community-based delivery.

In addition, the federal government has announced intentions alter its role in day care.

Given these circumstances, we strongly recommend that Council not make any arbitrary decisions regarding City commitments at present. Instead, we recommend that Council direct the Administration to undertake a more comprehensive review of preventative social services in the community and the City's long term role in facilitating those services.

We acknowledge that such a review will require close collaboration with other impacted agencies in the community, particularly the new Children's Services Council and the David Thompson Regional Health Authority. We believe the discussion will be very timely for those agencies as well and that they will be receptive. Given the scope of the project, our Social Planning Department may need some additional resources to complete the project. If Council agrees with the recommended direction, the Administration will prepare a report outlining the project and any additional resources required. A partnership approach to the project may be possible.

The FCSS Board has recommended that Council immediately commit an additional \$50,000 to our Social Planning budget and undertake a comprehensive review of our programs and priorities in three years time. We understand the view of the Board; however, we believe there is good reason to initiate the review now and delay any decision regarding funding levels until that review is completed.

We anticipate that the results of a review could be available for Council as background to its 1997 budget debate. This would allow a review of social planning priorities in the broader context of all City programs. It would also provide sufficient lead time for the City to work with any impacted agencies prior to the expiry of the City's three year publicly-run day care.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager



EXPRESSIONS
CHILD CARE CENTRE LTD. EAST
(Child Care with a Difference)



January 25, 1996

Submitted To City Council

Date: April 9/96

Mayor and Council
City of Red Deer
Box 5008
Red Deer, AB
T4N 3T4

Dear Mayor and Members of Council:

I would like Mayor Surkan to know how much I appreciate her personal comments on how she has considered child care programs as preventative programs. Certainly those of us in the field of child care do agree with her comments.

My participation in the recent Day Care Review has been motivated by the interest expressed to me by low income families in my child care programs.

The past City Council made the suggestion of putting \$50,000 aside for low income families using all the private child care programs in the City Of Red Deer. It did not specify that the money come from the money allotted to the Red Deer Child Care Society, or that it come from the F.C.S.S. budget. It is my understanding that the F.C.S.S. board is a regional board that encompasses Penhold and other out laying areas. It would seem the regional board would not want to be making the decisions for our new council members.

Once again I would like to thank council members for considering all low income families in our fair city and for recognizing that our child care programs are early intervention with direct links for Family and Social Services, Children's Services Centre and all other programs of this nature in Red Deer.

Respectfully yours,

L. A. Gustum

Lynn Gustum
Owner/Operator

FILE

DATE: April 10, 1996

TO: Roger Clarke, Chairman
Red Deer and District FCSS Board

FROM: Assistant City Clerk

RE: ADDITIONAL \$50,000 FOR DAY CARE

At the Council Meeting of April 9, 1996, consideration was given to your report dated February 21, 1996, concerning the above topic, and at which meeting the following resolution was introduced and passed:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Red Deer and District Family and Community Support Services Board dated February 21, 1996, re: Additional \$50,000 for Day Care, hereby agrees as follows:

1. \$30,000 to assist families with low income to access licensed private child care under the umbrella of an operator,
2. \$20,000 to the Red Deer Family Service Bureau to be utilized as follows:
 - a. \$3,000 for the administration of the \$30,000 as indicated in Item No. 1 above,
 - b. \$17,000 for counselling and family life education programs for families who are using any licensed child care program under the umbrella of an operator,
3. that the \$100,000 currently allocated as per the Day Care Management Agreement and the \$50,000 (to be allocated as noted above) be re-evaluated in 1997 in terms of predetermined criteria based on community needs and performance expectations for consideration during the 1998 budget deliberations,

and as presented to Council April 9, 1996."

The above resolution provides for this funding to be re-evaluated in 1997 for consideration during Council's 1998 Budget deliberations.

.../2

Roger Clarke, Chairman
Red Deer & District FCSS Board
April 10, 1996
Page 2

The Social Planning Department of The City of Red Deer will now be contacting you with regard to the implementation of these funding initiatives. On behalf of Council, thank you to the FCSS Board for their thorough review of this issue.



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Corporate Services
Social Planning Manager



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No
FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 10, 1996

New Dimensions Family Day Home Program Inc.
4815 - 54 Street
Red Deer, AB T4N 2G5

Attention: Gy. Siewert

Dear Ms. Siewert:

RE: DAY CARE FUNDING

At the City of Red Deer Council Meeting held on April 9, 1996, consideration was given to a report from the Red Deer and District FCSS Board, regarding additional funding for day care. At this meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Red Deer and District Family and Community Support Services Board dated February 21, 1996, re: Additional \$50,000 for Day Care, hereby agrees as follows:

1. \$30,000 to assist families with low income to access licensed private child care under the umbrella of an operator,
2. \$20,000 to the Red Deer Family Service Bureau to be utilized as follows:
 - a. \$3,000 for the administration of the \$30,000 as indicated in Item No. 1 above,
 - b. \$17,000 for counselling and family life education programs for families who are using any licensed child care program under the umbrella of an operator,

.../2



*a delight
to discover!*

New Dimensions Family Day Home Program Inc.
April 10, 1996
Page 2

3. that the \$100,000 currently allocated as per the Day Care Management Agreement and the \$50,000 (to be allocated as noted above) be re-evaluated in 1997 in terms of predetermined criteria based on community needs and performance expectations for consideration during the 1998 budget deliberations,

and as presented to Council April 9, 1996."

The decision of Council in this instance is submitted for your information. We appreciate your input into this process. Should you require any additional information regarding the implementation of this funding program, I would ask that you contact Colleen Jensen, Social Planning Manager for The City of Red Deer.

Sincerely,



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Social Planning Manager
Director of Community Services



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE NO. **FILE**

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 10, 1996

Expressions Child Care Centre Ltd. East
#4 Ellenwood Drive
Red Deer, AB T4R 2A2

Attention: Lynn Gustum

Dear Ms. Gustum:

RE: DAY CARE FUNDING

At the City of Red Deer Council Meeting held on April 9, 1996, consideration was given to a report from the Red Deer and District FCSS Board, regarding additional funding for day care. At this meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Red Deer and District Family and Community Support Services Board dated February 21, 1996, re: Additional \$50,000 for Day Care, hereby agrees as follows:

1. \$30,000 to assist families with low income to access licensed private child care under the umbrella of an operator,
2. \$20,000 to the Red Deer Family Service Bureau to be utilized as follows:
 - a. \$3,000 for the administration of the \$30,000 as indicated in Item No. 1 above,
 - b. \$17,000 for counselling and family life education programs for families who are using any licensed child care program under the umbrella of an operator,

.../2



*a delight
to discover!*

3. that the \$100,000 currently allocated as per the Day Care Management Agreement and the \$50,000 (to be allocated as noted above) be re-evaluated in 1997 in terms of predetermined criteria based on community needs and performance expectations for consideration during the 1998 budget deliberations,

and as presented to Council April 9, 1996."

The decision of Council in this instance is submitted for your information. We appreciate your input into this process. Should you require any additional information regarding the implementation of this funding program, I would ask that you contact Colleen Jensen, Social Planning Manager for The City of Red Deer.

Sincerely,



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Social Planning Manager
Director of Community Services

FILE

DATE: April 10, 1996
TO: Social Planning Manager
FROM: Assistant City Clerk
RE: ADDITIONAL \$50,000 FOR DAY CARE

At the Council Meeting of April 9, 1996, Council passed the following resolution concerning the above topic:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Red Deer and District Family and Community Support Services Board dated February 21, 1996, re: Additional \$50,000 for Day Care, hereby agrees as follows:

1. \$30,000 to assist families with low income to access licensed private child care under the umbrella of an operator,
2. \$20,000 to the Red Deer Family Service Bureau to be utilized as follows:
 - a. \$3,000 for the administration of the \$30,000 as indicated in Item No. 1 above,
 - b. \$17,000 for counselling and family life education programs for families who are using any licensed child care program under the umbrella of an operator,
3. that the \$100,000 currently allocated as per the Day Care Management Agreement and the \$50,000 (to be allocated as noted above) be re-evaluated in 1997 in terms of predetermined criteria based on community needs and performance expectations for consideration during the 1998 budget deliberations,

and as presented to Council April 9, 1996."

The decision of Council in this instance is submitted for your information and the appropriate action, in cooperation with the Red Deer Family Service Bureau, in order to ensure that the intent of this resolution is implemented.


JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Corporate Services

*PUBLIC HEARINGS**No. 1*

DATE: April 1, 1996

TO: City Council

FROM: City Clerk

RE: LAND USE BYLAW AMENDMENT 2672/C-96
FORMER LAIDLAW WASTE SYSTEMS LTD. SITE
(56 Street and Kerry Wood Drive)

A Public Hearing has been advertised for the above noted Land Use Bylaw Amendment 2672/C-96, to be held on Tuesday, April 9, 1996, in the Council Chambers at 7:00 p.m., or as soon thereafter as Council may determine.

Land Use Bylaw Amendment 2672/C-96 provides for the redesignation of Lot 2, Plan 6742 N.Y., from I1 Industrial (Business Services) District to R3-D216 Residential (Multiple Family) District, with a maximum density of 216 persons per hectare. The redesignated 0.505 hectare site could accommodate approximately 109 persons.

Following the above noted Public Hearing, Council may proceed with second and third reading of the bylaw.



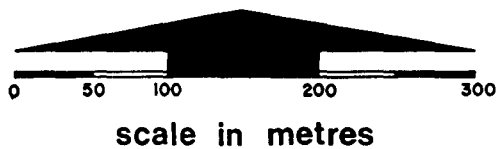
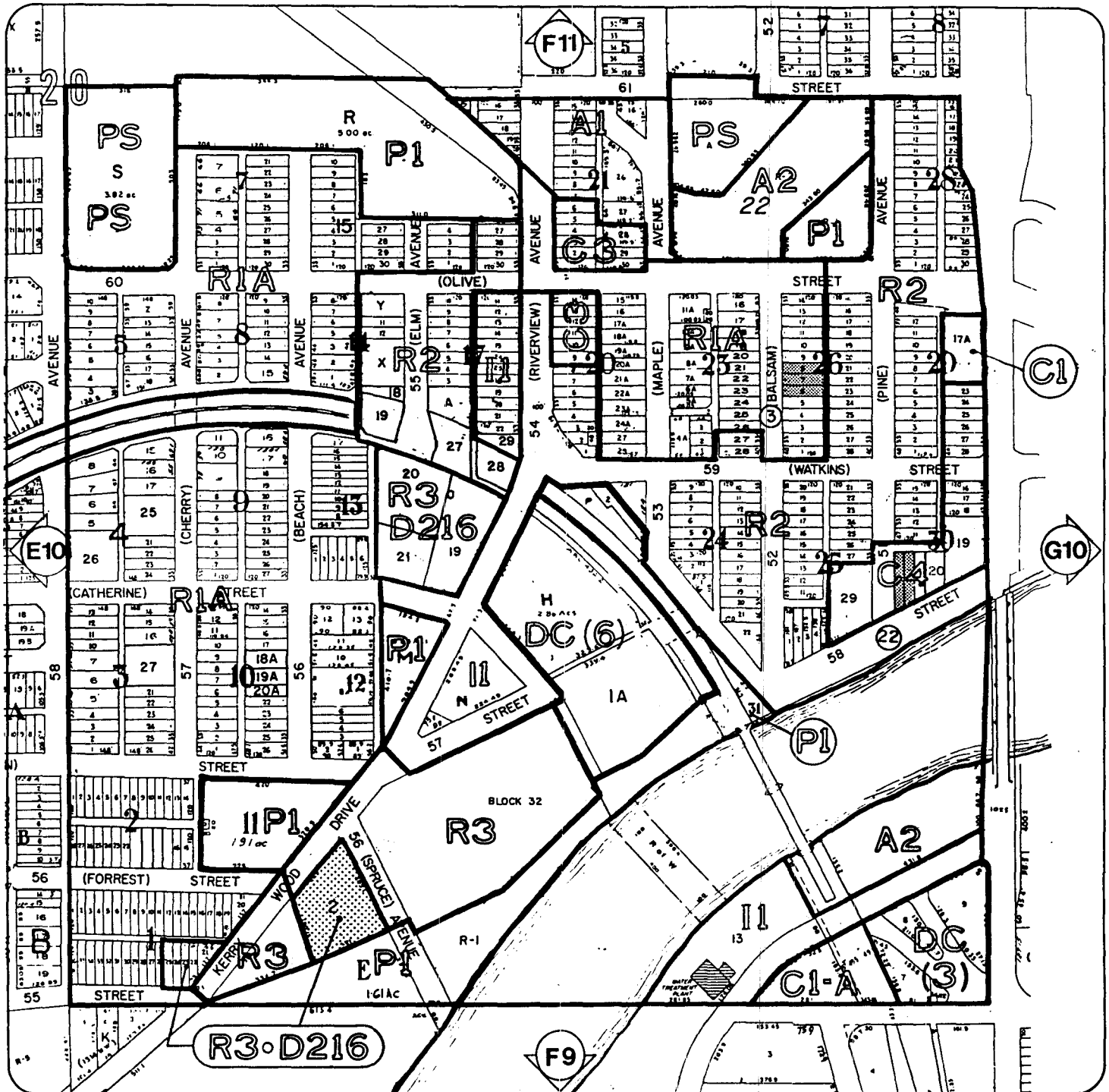
KELLY KLOSS
City Clerk

KK/fm

City of Red Deer --- Land Use Bylaw

Land Use Districts

F10



Revisions :

MAP NO. 3/96
(BYLAW No. 2672/C-96)

Change from I1 to R3-D216 

FILE

DATE: April 10, 1996
TO: Principal Planner
FROM: Assistant City Clerk
RE: LAND USE BYLAW AMENDMENT 2672/C-96

At the City of Red Deer Council Meeting held on April 9, 1996, a Public Hearing was held with respect to the above noted Land Use Bylaw Amendment. Following the Public Hearing, second and third reading were given to said bylaw, a copy of which is attached hereto.

Land Use Bylaw Amendment 2672/C-96 provides for the redesignation of Lot 2, Plan 6742 N.Y., from I1 Industrial (Business Services) District to R3-D216 Residential (Multiple Family) District, with a maximum density of 216 persons per hectare. The redesignated 0.505 hectare site could accommodate approximately 109 persons.

I trust that you will provide us with the updated pages to the Land Use Bylaw so as we may include same in our consolidated copy. (I believe you are still providing this service as this related to the "Old" Land Use Bylaw. Our office will assume responsibility for distribution of any updated relating to the new Land Use Bylaw 3156/96.)



JEFF GRAVES
Assistant City Clerk

JG/fm

attch.

cc. Council & Committee Secretary, S. Ladwig
C. Rausch



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No.

FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 15, 1996

Dr. Lyle Smith
62 Flagstaff Close
Red Deer, AB T4N 6V1

Dear Dr. Smith:

At The City of Red Deer Council Meeting held on April 9, 1996, Council gave second and third reading to Land Use Bylaw Amendment 2672/C-96, a copy of which is attached hereto.

Land Use Bylaw Amendment 2672/C-96 provides for the redesignation of Lot 2, Plan 6742 N.Y., from I1 Industrial (Business Services) District to R3-D216 Residential (Multiple Family) District, with a maximum density of 216 persons per hectare. The redesignated 0.505 hectare site could accommodate approximately 109 persons.

If you have any questions, or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

KELLY KLOSS
City Clerk

KK/fm

attch.

cc. Land and Economic Development Manager
Principal Planner



*a delight
to discover!*

FILE

DATE: April 11, 1996
TO: Tony Woods, Graphic Coordinator
FROM: Assistant City Clerk
RE: LAND USE BYLAW AMENDMENT 2672/C-96

At the Council Meeting held on April 9, 1996, Council gave second and third reading to Land Use Bylaw Amendment 2672/C-96.

Land Use Bylaw Amendment 2672/C-96 provides for the redesignation of Lot 2, Plan 6742 N.Y., from I1 Industrial (Business Services) District to R3-D216 Residential (Multiple Family) District, with a maximum density of 216 persons per hectare.

This Land Use Bylaw Amendment will require an updated map for inclusion in the new Land Use Bylaw 3156/96, as the new Land Use Bylaw was also given second and third reading at this meeting.

Please provide this office with a revised Land Use Bylaw Map for circulation and inclusion in the consolidated copy of the Land Use Bylaw.


JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Principal Planner

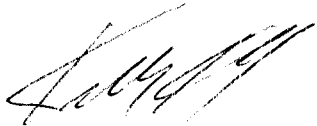
No. 2

DATE: April 1, 1996
TO: City Council
FROM: City Clerk
RE: ROAD CLOSURE BYLAW NO. 3160/96

A Public Hearing has been advertised for the above noted Road Closure Bylaw, to be held on Tuesday, April 9, 1996, in the Council Chambers at 7:00 p.m., or as soon thereafter as Council may determine.

Road Closure Bylaw 3160/96 accommodates the land sale between The City of Red Deer and Laebon Developments. Attached is a map outlining the area affected, as advertised.

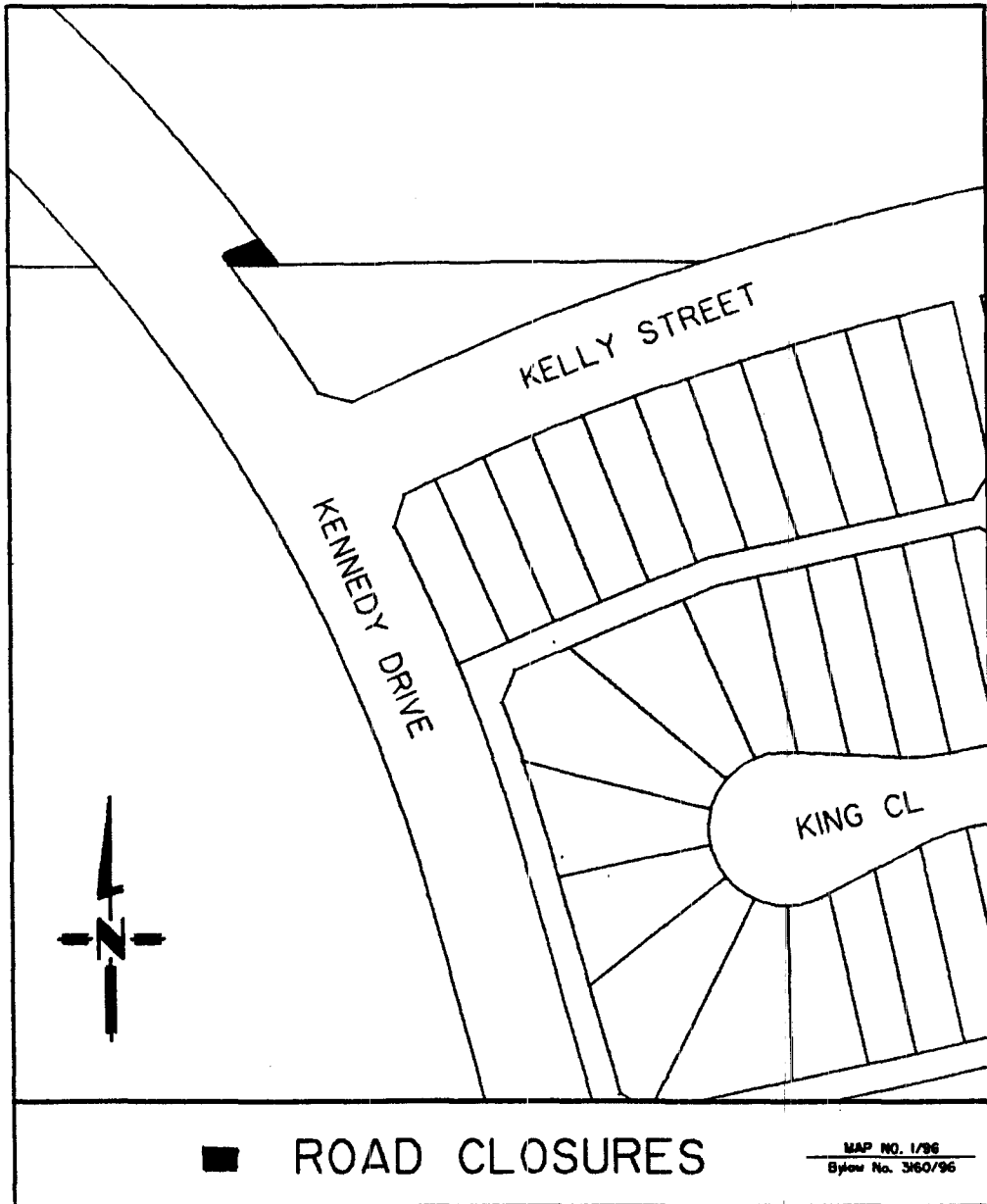
Following the above noted Public Hearing, Council may proceed with second and third reading of the bylaw.



KELLY KLOSS
City Clerk

KK/fm

attch.



FILE

DATE: April 10, 1996
TO: Land & Economic Development Manager
FROM: Assistant City Clerk
RE: ROAD CLOSURE BYLAW NO. 3160/96

At the Council of April 9, 1996, a Public Hearing was held with regard to Road Closure Bylaw No. 3160/96. Following the Public Hearing, second and third reading were given to this bylaw.

Road Closure Bylaw 3160/96 accommodates the land sale between The City of Red Deer and Laebon Developments.

Attached is a certified copy of Road Closure Bylaw 3160/96 for your records.


JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Development Services
E.L. & P. Manager
Public Works Manager
Principal Manager
Council & Committee Secretary, S. Ladwig
C. Rausch

DATE: April 1, 1996
TO: City Council
FROM: City Clerk
RE: NEW LAND USE BYLAW 3156/96

A Public Hearing has been advertised for the above noted Land Use Bylaw 3156/96, to be held on Tuesday, April 9, 1996, in the Council Chambers at 7:00 p.m., or as soon thereafter as Council may determine.

For your information, attached is a rationale outlining the proposed changes to the New Land Use Bylaw.

Following first reading of Land Use Bylaw 3156/96, it has come to our attention that there are two sections numbered 161.

RECOMMENDATION

1. That prior to second reading, Council pass a resolution renumbering Section 161 - Site Location, to 160.1.
2. That following the Public Hearing, Council may proceed with second and third reading of the bylaw.



KELLY KLOSS
City Clerk

KK/fm

attch.

**LAND USE BYLAW 3156/96
TO REPLACE LAND USE BYLAW 2672/80**

The Council of The City of Red Deer propose to pass Bylaw No. 3156/96, which will replace Bylaw 2672/80, being the Land Use Bylaw of The City of Red Deer. The purpose of Bylaw 3156/96 is to conform to the provincial planning requirements of the new Municipal Government Act, 1994.

GENERAL FEATURES OF THE NEW LAND USE BYLAW:

In addition to the specific changes mentioned below, there are several minor changes. A larger print, updated maps, simplified numbering system and a better layout are all features of the new Land Use Bylaw. It also features less technical language and eliminates repetitive or outdated sections.

SPECIFIC CHANGES FROM THE EXISTING LAND USE BYLAW:

Other than those listed below, there are no changes in land use on any private lands within the City, and district boundaries have not been altered. There have been significant administrative changes.

1. Some definitions have been altered to clarify the meaning or to remove a gender orientation, although the intent has not changed. Some definitions were eliminated if the term was no longer used in the Bylaw.
2. The historic buildings (which have been designated "Municipal", "Provincial" or "Registered") will now be identified on the land use maps. This will assist the public in identifying buildings with development constraints.
3. Additional provisions have been added to the Land Use Bylaw to allow The City to recover costs from a development and authorize the Development Officer to require security to ensure performance of a Development Agreement.
4. The City is given the power to require an Outline Plan prior to redesignation.
5. The section on offences and penalties has been reduced to reflect the requirements of the Municipal Government Act.
6. The criteria for city signs, previously in both the Sign Bylaw and the Land Use Bylaw, will now only be contained in the Sign Bylaw.
7. Where off-street parking is a requirement of a development permit, off-street parking had previously been required to be within 100 feet of the development, whereas under the new bylaw, it can be located within 100 metres of the development site. Provision has also been made for parking aisles.

Page 2
Land Use Bylaw 3156/96

8. The Home Occupations section dealing with handicapped individuals has been eliminated. Disabled individuals will now have the same regulations as able individuals.
9. Garden suites may now be occupied by cognitively impaired adult children.
10. The Development Authority will now be authorized to permit minor structural alterations to existing non-conforming buildings.
11. Feed lots are specifically excluded from the uses in the A1 table.
12. Dangerous goods occupancy has been added as a discretionary use in the C1, C1A, C2, and C4 districts; and to the C3 District where used in conjunction with a dry cleaners.

INSPECTION OF BYLAW AND DATE OF PUBLIC HEARING:

A copy of the proposed Bylaw may be inspected by the public at the office of the City Clerk, City Hall, Red Deer, during regular office hours.

The Council of The City of Red Deer will hold a Public Hearing in the Council Chambers of City Hall, Red Deer, on **Tuesday, April 9, 1996, at 7:00 p.m.**, or as soon thereafter as Council may determine, for the purpose of hearing presentations for or against the proposed Bylaw.

Any person claiming to be affected by the proposed bylaw shall be heard. Any other interested party may be heard if Council agrees. Each speaker shall be limited to a maximum of 10 minutes exclusive of questions put to the speaker by Council.

A written representation or petition shall be heard by Council of The City of Red Deer providing it is filed with the City Clerk no later than 4:30 p.m. on the Monday prior to the date of the Public Hearing, and that it contains the names and addresses of all persons making the representation or authorized to represent a group of persons.

PUBLICATION DATES: MARCH 22, 1996 and MARCH 29, 1996.

KELLY KLOSS
CITY CLERK



No. 23

DEVELOPMENT DEPARTMENT

**4758 - 32 STREET
RED DEER, ALBERTA
T4N 0M8**

PHONE: 350-2170

FAX: 346-9840

April 3, 1996

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

Submitted To City Council

Date: April 9/96

Attention: Kelly Kloss
City Clerk

Dear Mr. Kloss:

The County of Red Deer has reviewed the draft of the Land Use Bylaw 3156/96, received March 27, 1996 and have no comments or concerns to address at this time.

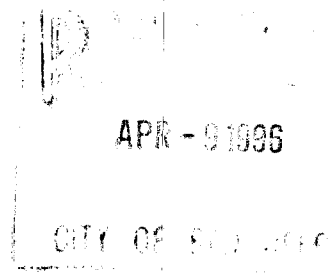
I assume the County will have the opportunity to review and comment on amendments to the Land Use Bylaw, as highlighted in staff's memo to City Council, dated March 5, 1996.

Yours truly,

COUNTY OF RED DEER NO. 23

Brenda Hoskin
Development Officer

BFH/tb





THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 27, 1996

Mr. Lorne McLeod
County Commissioner
County of Red Deer
4758 - 32 Street
Red Deer, AB T4N 0M8

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Dear Mr. McLeod:

RE: PROPOSED CITY OF RED DEER LAND USE BYLAW 3156/96

At The City of Red Deer Council Meeting, held on March 11, 1996, first reading was given to the proposed Land Use Bylaw 3156/96 which replaces the City's current Land Use Bylaw 2672/80. A copy of Land Use Bylaw 3156/96 is attached hereto.

A Public Hearing to consider this Bylaw will be held on Tuesday, April 9, 1996, in the Council Chambers of City Hall commencing at 7:00 p.m., or as soon thereafter as Council may determine. Should you have any written comments please provide them to the undersigned prior to the Public Hearing.

If you have any questions, or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

KELLY KLOSS
City Clerk

KK/fm

attch.



*a delight
to discover!*

FILE

DATE: April 10, 1996
TO: Principal Planner
FROM: Assistant City Clerk
RE: NEW LAND USE BYLAW 3156/96

At the Council Meeting held on April 9, 1996, a Public Hearing was held with regard to Land Use Bylaw 3156/96. Following the Public Hearing, second and third reading were given to this bylaw.

The following resolution was passed prior to second reading of this bylaw to amend said bylaw:

"RESOLVED that Council of The City of Red Deer hereby agrees to the following amendments to Land Use Bylaw 3156/96:

1. to renumber section 161, Site Location, of Land Use Bylaw 3156/96 to read 160.1,
2. to amend section 65 by adding 'or Lap Dancing Facility' in the title,
3. to further amend section 65 by adding the words 'or a facility in which lap dancing is performed', after the words 'adult mini theatre' in the first line of section 65,

and as presented to Council April 9, 1996."

Land Use Bylaw 3156/96 replaces Land Use Bylaw 2672/80 being the Land Use Bylaw of The City of Red Deer. The purpose of 3156/96 is to conform with the provincial planning requirements of the new Municipal Government Act, 1994. A copy of Land Use Bylaw 3156/96 will be sent to you under separate cover.


JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Community Services
Director of Corporate Services
Director of Development Services
Inspection & Licensing Manager
Land & Economic Development Manager
City Solicitor
Council & Committee Secretary, S. Ladwig
C. Rausch

REPORTS**No. 1**

660-036

DATE: March 29, 1996
TO: City Clerk
FROM: Engineering Department Manager
RE: STANDARD DEVELOPMENT AGREEMENT

Submitted herewith is a copy of the proposed Standard Development Agreement. Most of the changes from the standard agreement approved in 1995 are cosmetic in nature. The two most significant changes are outlined below:

CLAUSE 1.7 "CARRYING COSTS"

The previous agreement allowed for interest costs on Area and Boundary Improvements. The proposed agreement will only allow for inflationary cost increases. This is in line with the recent changes to the off-site levy calculation. In most cases the proposed change will result in a reduction in costs to the developer because the City has front-ended the majority of the Area and Boundary Improvements in the past.

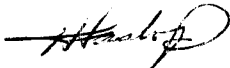
CLAUSE 2.8 "TRAFFIC MARKINGS AND SIGNAGE"

The previous agreement required that arrangements for installation of traffic markings and signage be included in the Development Agreement. To expedite the Development Agreement process, we are proposing that the developer make arrangements for such work outside of the agreement.

Attached is a letter from the Urban Development Institute for your information. UDI's comments are favorable in regards to these changes.

RECOMMENDATION

We respectfully request that City Council approve the attached Standard Development Agreement for use in new private developments in the City.


Ken G. Haslop, P. Eng.
Engineering Department Manager

TCW/emg
c.c. Subdivision Administrator

**URBAN DEVELOPMENT INSTITUTE RED DEER CHAPTER**

502, 5000 GAETZ AVENUE
RED DEER, ALBERTA T4N 6C2
PHONE 340-3022

March 28, 1996

U.D.I. Red Deer

City of Red Deer
Engineering Department
Box 5008
Red Deer, Alta

THE CITY OF RED DEER
ENGINEERING DEPARTMENT

RECEIVED
THE 300
MAR 28 1996
BY [Signature]

Tom

Attention: Mr. T. C. Warder, P. Eng.
Streets & Utilities Engineer

Dear Sir

Re: **Standard Development Agreement Revisions For 1996**

We have reviewed the changes proposed for the 1996 standard development agreement with our membership. All of the responses we have received with respect to the changes proposed for Clause 1.7 "Carrying Charges" and Clause 2.8 "Traffic Markings and Signage" are positive. For the "Carrying Charges" item, our Developer members have always been in favour of paying fair market value for the facilities they are being charged for. By removing the requirement for payment of interest and replacing it with an allowance for inflationary increases, we feel this is being accomplished. In particular, we feel that the part of Clause 1.7 which reads "but the total cost of the improvement will be limited to current day construction value (i.e. the estimated cost to construct the Municipal Improvement at the time of repayment)" clarifies:

- A fair return to the Developer who initially installed the facilities.
- A fair cost to the Developer who must now pay his fair share of these facilities.

The revision to the Traffic Markings and Signage Clause will speed up the development agreement process, and will result in this matter being addressed when it should be addressed - during the construction phase of a project.

We thank you for this opportunity to comment on these changes to the standard development agreement. We look forward to working with the City of Red Deer towards further improvements to this document, and other development related issues.

Yours truly

A handwritten signature in black ink that reads "Mat Broks". The signature is written in a cursive, slightly slanted style.

Martin A. Broks, P. Eng.
Chapter Chairman

COMMENTS:

We concur with the recommendation of the Engineering Department Manager and recommend that Council approve the proposed Standard Development Agreement.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

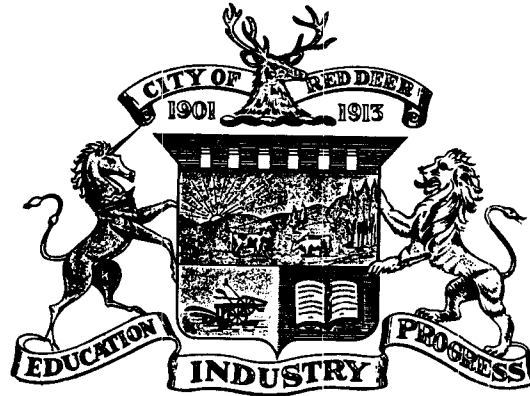
COUNCIL MEETING OF APRIL 9, 1996

**ATTACHMENT TO REPORT ON
OPEN AGENDA**

RE:

PRIVATE DEVELOPMENT AGREEMENT

THE CITY OF RED DEER



PRIVATE DEVELOPMENT AGREEMENT 1996

FORWARD

SUBDIVISION	_____
DEVELOPER	_____
CONSULTANT	_____
GROSS AREA	_____
NET AREA	_____
DWELLING UNITS	_____
AGREEMENT NUMBER	_____
DATE OF EXECUTION	_____

INDEX

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DEVELOPMENT AGREEMENT

MEMORANDUM OF AGREEMENT made in triplicate this _____ day of _____ 19 ____, between:

THE CITY OF RED DEER

(A Municipal Corporation hereinafter called the "CITY")

OF THE FIRST PART

- AND -

(hereinafter called the "DEVELOPER")

OF THE SECOND PART

WHEREAS the Developer(s) is/are the registered and equitable owner(s) of those lands situated in The City of Red Deer, in the Province of Alberta, and being part of the _____ Quarter of Section _____, in Township 38, Range 27, West of the 4th Meridian, including _____ hectares more or less, and _____ lots more or less; shown more specifically in Appendix D; the said lands hereinafter called the "DEVELOPMENT".

WHEREAS the Developer, subject to the approval of the proper officials of the City, proposes to install and construct Municipal Improvements in the Development; and

WHEREAS the Developer has submitted to the Parkland Community Planning Services, and the Planning Services has approved for registration in the Land Titles Office for Northern Alberta, the Plan of Subdivision which includes the Development; and

WHEREAS the Developer has submitted Construction Drawings and Specifications, and has received the Engineer's approval in principle of these Drawings and Construction Specifications for the construction of the Municipal Improvements in the Development; and

WHEREAS the approval and consent to construct these Municipal Improvements has been obtained by the Developer for all applicable Municipal, Provincial, and Federal Government Agencies.

NOW, THEREFORE, this Agreement witnesseth that in consideration of due mutual covenants and agreements herein contained, the parties hereto agree together as follows:

PART ONE - DEFINITIONS

Except where the context otherwise requires, the following expressions or words, when used in this Agreement, shall have the following meanings:

- 1.1 **Area Improvement Charge** shall mean a charge payable by the Developer for the recovery of the cost of designated Area Improvements constructed or to be constructed by another Developer, as determined by the Engineer, based on the actual or estimated cost, plus carrying costs and the proportion of the benefiting area within the Development, divided by the total area benefiting from the Area Improvement.
- 1.2 **Area Improvements** shall mean those Municipal Improvements which have been constructed or will be constructed in the Service Area, and will directly benefit the Development.
- 1.3 **As-constructed Plans** shall mean those plans showing the actual (as determined by field measurement) location, length, size, material, classification of material, gradient, and year of construction of road works and underground Municipal Improvements within the Development. The Developer shall transcribe on a set of plans, the as-constructed information using the City's engineering symbols and format, as they are actually measured in place after construction. This information is to be submitted as outlined in the Design Guidelines - Section One, and to the satisfaction of the Engineer.
- 1.4 **Boundary Improvement Charge** shall mean a charge payable by the Developer for the recovery of the costs of Boundary Improvements constructed or to be constructed by another Developer, as determined by the Engineer, based on the actual or estimated cost, plus Carrying Costs and the proportion of benefiting length of the Development frontage divided by the total frontage benefiting from the Boundary Improvement.
- 1.5 **Boundary Improvements** shall mean those Municipal Improvements which have been constructed or will be constructed along the boundary of a Development, and will directly benefit the Development.
- 1.6 **Carriageway** shall mean the width of road between curbs from face of curb to face of curb, or in the case of gravelled lanes, the width of gravel from shoulder to shoulder.
- 1.7 **Carrying Costs** shall mean the additional costs of inflation, as determined by the Engineer, on the cost of Area, Boundary, or Oversize Improvement from the time of construction completion of the said improvement until the time of repayment.

In general, and at the discretion of the Engineer, Carrying Costs will be based on the Edmonton/Calgary Consumer Price Index Inflation Rate determined by the City's Director of Corporate Services, but the total cost of the Improvement will be limited to the current day construction value (i.e. the estimated cost to construct the Municipal Improvement at the time of repayment).

- 1.8 **City** shall mean the Corporation of The City of Red Deer in the Province of Alberta.
- 1.9 **City Recreation Charge** shall mean a charge determined by the Director of Community Services and payable to the City by the Developer (based on the net developable area) for the cost of developing standard recreation facilities in each residential neighbourhood.
- 1.10 **Construction Completion Certificate** shall mean the Certificate in the form appended to Part Six of this Agreement.
- 1.11 **Construction Drawings** shall mean those Engineering Plans and Profiles prepared by the Consulting Engineer, showing the details of the installation of the various Municipal Improvements within the Development using standard engineering symbols and forms, and conforming to the Design Guidelines. Submission of plans, etc. shall be as outlined in the Design Guidelines - Section One.
- 1.12 **Construction Specifications** shall be the documents prepared by the Consulting Engineer specifying the legal, administrative, and technical aspects of the Municipal Improvements, all of which shall conform to the minimum requirements as outlined in the City's current Design Guidelines and the City's Development Services Division's Construction Specifications.
- 1.13 **Consulting Engineer** shall mean a Professional Engineer who is an authorized officer of a consulting engineering firm, retained by the Developer, who has designed the Municipal Improvements and/or supervised the installation of the same within the Development according to the approved plans and specifications.
- 1.14 **Developer** shall mean the registered and equitable owner of the development lands including, but not restricted to the Consulting Engineers, contractors, and/or subcontractors acting for or on behalf of the owner.
- 1.15 **Development** shall mean the area to be serviced, as determined by the Developer, approved by the Engineer, and more specifically illustrated by plan included in Appendix E.

- 1.16 **Director** shall mean the Director of Community Services of the City or his duly authorized representative.
- 1.17 **Electrical Specifications** shall mean the City's Electric, Light, and Power Design and Construction Specifications included in the Design Guidelines, to which the power and lighting portions of the Municipal Improvements must conform.
- 1.18 **Endeavour to Assist** shall be the assistance provided by the City, on behalf of the Developer, to recover from future developers the designated portion of the oversize costs of various Municipal Improvements paid for by the Developer. The City does not guarantee reimbursement of these costs.
- 1.19 **Engineer** shall mean the Director of Development Services of the City or his duly authorized representative.
- 1.20 **Final Acceptance Certificate** shall mean the Certificate in the form appended to Part Six of this Agreement.
- 1.21 **Gross Area** shall mean each and every hectare or part thereof as shown on the plan of survey for the Development, including any area which may be dedicated for roads, lanes, walkways, parks, reserve parcels, schools, or any other public use.
- 1.22 **Lateral Sewer/Water System** shall mean that portion of the piping extending from the Trunk Sanitary, Trunk Storm, or Trunk Water Mains, including all service connections.
- 1.23 **Level One Landscaping** shall consist of site grading, placing and levelling topsoil, seeding to grass, and establishing turf; all in accordance with the Recreation, Parks, and Culture Department's Landscape Specifications.
- 1.24 **Level Two Landscaping** shall consist of planting shrubs, trees, or constructing other park amenities in areas designated by the Director and as specified in Appendix C; all in accordance with the Recreation, Parks, and Culture Department's Landscape Specifications.
- 1.25 **Municipal Improvements** shall mean all improvements within the Development, including, but not restricted to
- a. Paved roadways (excluding "Public Roadways"); including pavement markings;
 - b. Sidewalk, curb and gutter;

- c. Paved or gravel lanes and walkways;
- d. Water, sanitary, and storm sewer mains (excluding "Trunk Mains");
- e. Water, sanitary, or storm service connections;
- f. Shallow utilities including electrical distribution (excluding service leads), streetlighting, natural gas, telephone, and cable television;
- g. Landscaped boulevards, medians, municipal reserves, and public utility lots.
- h. Traffic control, street name and subdivision information signs.

- 1.26 **Net Area** shall mean the area remaining after deletion of areas required for major arterial roadways from the Gross Area.
- 1.27 **Off-site Charges** shall mean those charges payable to the City by the Developer for the use and benefits received from the existing or proposed Public Roadways, Trunk Water Mains, Trunk Sanitary Mains, and Trunk Storm Mains.
- 1.28 **Oversize Improvements** shall mean a larger size Municipal Improvement, not designated by the City as Public Roadway or Trunk Main, which provides additional capacity required to service other lands within the Service Area not owned or under the control of the Developer.
- 1.29 **Plan of Subdivision** shall mean a plan of survey prepared and registered under The Land Titles Act for the purpose of effecting subdivision of the Development.
- 1.30 **Professional Engineer** shall mean a licensed member of The Association of Professional Engineers, Geologists, and Geophysicists of Alberta.
- 1.31 **Public Roadway** shall mean a major arterial roadway (including the land for right of way, storm drainage, traffic signals, and streetlighting) existing or proposed, that has been designated an arterial roadway by the City; the cost of same having been included in the calculation of the Off-site Charges for each Service Basin.
- 1.32 **Service Area** shall mean an area, consisting of a number of developments, served by a common system of collector and/or local roadways, water distribution mains, lateral sanitary mains, and/or lateral storm mains; the boundaries of which are determined by the Engineer.

- 1.33 **Service Basin(s)** shall mean an area, consisting of a number of Service Areas, serviced by a common system of major arterial roadways (Public Roadways), Trunk Water Mains, Trunk Sanitary Mains, or Trunk Storm Mains; the boundaries of which are determined by the Engineer.
- 1.34 **Trunk Sanitary Sewer** shall mean an existing or proposed sanitary sewer; generally having an internal diameter of 375 mm or greater, or having a depth of cover greater than 6.0 m, complete with related pumping facilities; that has been designated by the City as a trunk facility, the cost of same having been included in the calculation of the Off-site Charges for each Service Basin.
- 1.35 **Trunk Storm Sewer** shall mean an existing or proposed storm sewer; generally defined as having an internal diameter of 1,200 mm or greater, as well as stormwater storage facilities and associated outlet piping; that has been designated by the City as a trunk facility, the cost of same having been included in the calculation of the Off-site Charges for each Service Basin.
- 1.36 **Trunk Water Main** shall mean an existing or proposed water main; generally having an internal diameter of 350 mm or greater, complete with related pumping and storage facilities; that has been designated by the City as a trunk main, the cost of same having been included in the calculation of the Off-site Charges for each Service Basin.

PART TWO - COVENANTS OF THE DEVELOPER

2.1 GENERAL

- .1 The Developer shall, subject to the terms and conditions hereinafter contained, construct and install all Municipal Improvements as defined in Part One and as set out in the Construction Drawings and Specifications, and complete all Municipal Improvements on or before the expiration of two years from the date of execution of this Agreement.
- .2 The Developer shall give responsible attention to the prosecution and completion of all works and improvements, and to have all works and improvements competently designed and the construction of same supervised by a Professional Engineer.

2.2 DESIGN GUIDELINES AND CONSTRUCTION SPECIFICATIONS

- .1 The Developer acknowledges that he is familiar with the City's current Design Guidelines and standard Construction Specifications, and agrees that all materials installed and workmanship to be performed by the Developer under this Agreement shall conform to these standards, and to any amendments or additions thereto for the duration of this Agreement. The Developer shall submit for approval, a complete set of Construction Drawings and Specifications covering the installation of all Municipal Improvements covered under this Agreement. The City's approval of these Construction Drawings and Specifications does not relieve the Developer of his obligation to comply with the Design Guidelines and good engineering practise.

2.3 DEVELOPMENT COSTS/CHARGES

- .1 The Developer agrees to pay to the City, Off-site Charges based on the Net Area of the Development and the approved rates set by City Council, as determined by the Engineer and set out in Appendix A - Development Costs.
- .2 The Developer agrees to pay to the City, a Recreation Charge as defined under Part One and as set out in Appendix A - Development Costs. In lieu of the Recreation Charge, the Developer, with approval from the Director, may undertake the work of installing all required recreational improvements on the neighbourhood recreation site after executing a Recreation Development Agreement. Detailed design drawings and specifications must be prepared by the Developer and submitted to the Director for approval. Security shall be provided by the Developer for this work, pursuant to Clause 5.1.

- .3 The Developer agrees to pay to the City, the applicable Boundary Improvement and Area Improvement Charges as defined under Part One and as set out under Appendix A - Development Costs.
- .4 The Developer agrees to pay to the City a fee for extension of the Survey Control Network into the Development. Pursuant to The Surveys Act, the City will undertake to have the necessary plans and approvals prepared and arrange to undertake the field work to extend the Network into the Development. The Developer agrees to pay to the City a fee for this work as set out under Appendix A - Development Costs. The Developer agrees to protect all survey monuments and to pay for their re-instatement if destroyed or affected.
- .5 When the Engineer requires the Developer to construct an oversize sanitary and/or storm sewer main, the Developer shall provide cost estimates for the oversize mains and for the minimum size of main required. The City will endeavour to assist in the recovery of the oversize costs from future developments as outlined in Clause 3.5 and Appendix B - Future Cost Recoveries.
- .6 All improvements to the balance of public reserves, boulevards, public utility lots, medians, and buffer strips within the Development are the responsibility of the Developer, in accordance with plans which shall be submitted to the Director for approval. These improvements shall be carried out in accordance with Clause 2.24 of this Agreement.

2.4 LANDSCAPING REQUIREMENTS

- .1 The Developer shall provide Level One Landscaping as described in Appendix B, in all medians, boulevards, utility lots, public reserves, and buffer areas within the Development.
- .2 The Developer shall provide Level Two Landscaping as described in Appendix B, in all areas described in the preceding paragraph, except the neighbourhood recreation site (unless otherwise provided for under Appendix B).
- .3 The Developer shall strip and stockpile all topsoil within the Development, in a location previously approved by the Director. Whenever possible, stockpiles shall be placed so as to permit some recreational development to occur prior to the removal of all stockpiles. No stockpiles of aggregate will be permitted within the public reserve areas unless approved by the Director.
- .4 All topsoil that is surplus to the requirements of the Development shall either be disposed of by the Developer, prior to the issuance of the last Final

Acceptance Certificate, or left in stockpiles and dedicated to the City at no expense for the City's use, as determined by the Director. Stockpile side slopes shall be no steeper than 3.5:1 to allow for weed control.

2.5 ELECTRIC, LIGHT, AND POWER SERVICING

- .1 The Developer shall make arrangements for the installation of street and walkway lighting, and electrical distribution (excluding service leads) within the Development in accordance with one of the following alternatives:
 - .1 Arrange with the City for the installation and pay to the City the costs of such work as set out in Appendix A - Development Costs; or
 - .2 The Developer shall, subject to the terms and conditions herein contained, have a qualified contractor complete all electrical installations in conformance to the Electrical Specifications. The Developer shall pay to the City all costs of electrical inspection by a City Electrical Inspector, and the costs of such work which the City reserves the right to perform itself for safety and security reasons; these costs being set out in Appendix A - Development Costs.
- .2 The Developer shall provide an unobstructed working right of way which is graded to within 150 mm of final grade, for not less than 2 m on each side of the alignment of the electrical system on streets, lanes, and easements throughout the Development. The City shall not be obligated to commence construction of any electrical system in any area of the Development not so graded, and any rescheduling of the work forces of the Electric, Light, and Power Department of the City shall be at the discretion of the City, having regard to its commitment to other projects.

2.6 TESTING REQUIREMENTS

- .1 The Developer shall, at his expense, appoint an accredited materials testing firm to act on behalf of the Professional Engineer and to supply such information on construction materials and procedures as required by that Professional Engineer and specified in the Design Guidelines. In addition, the Developer shall supply to the Engineer, copies of the following results completed by the testing firm:
 - .1 Leakage tests on all pressure water mains.
 - .2 Bacteriological, including standard plate count, tests of water samples.
 - .3 Asphalt mix design, concrete mix design, control tests during

construction, and core test results for curbs, sidewalk, pavement, lanes, and utility trench construction.

- .2 The Developer shall supply samples of any material not currently approved by the City, but proposed to be used in any Municipal Improvement under this Agreement.
- .3 The Developer shall advise all contractors and lot purchasers that they must use alkali-resistant materials for concrete basements and foundations, if the soils report indicates that this is necessary, unless specific site tests indicate otherwise.
- .4 The Developer agrees that in any area where he has pregraded and filled a site with material to a depth of greater than 1 m above the original ground level, he shall inform all purchasers of lots in that area of the depth of fill on such lots.

2.7 DEVELOPMENT AGREEMENT SUBMISSIONS

- .1 The Developer shall have conveyed to the Engineer for preparation of this Agreement the plans and information listed in Appendix C - Submissions.

2.8 TRAFFIC CONTROL AND SIGNAGE

- .1 The Developer shall arrange for the design, supply, and installation of the required pavement markings, traffic control signs, street name signs, and subdivision information signs (and revisions) as required.
- .2 The Developer shall make arrangements for the work required in accordance with one of the following alternatives:
 - .1 Arrange with the City for the supply and installation of the work and pay to the City the costs of such work (Work Order to be signed at the Public Works Office); or
 - .2 The Developer shall have a qualified contractor install the work in conformance with City standards and specifications. Security shall be provided by the Developer for this work, pursuant to Clause 5.1.

2.9 UTILITY RIGHTS OF WAY

- .1 The Developer shall grant to the City, Northwestern Utilities Limited, AGT Ltd., and Shaw CableSystems Ltd. such easements as are required to install, replace, maintain, and repair their respective Municipal Improvements in the Development, and further agrees to execute and deliver to the City all signed

Utility Right of Way Agreements and duplicate copies of the registered Utility Right of Way Plan in substantial compliance with the forms provided by The City of Red Deer.

- .2 The Developer shall be responsible to provide for the installation of and payment for the services provided by other utility companies, including but not limited to Northwestern Utilities Limited, AGT Ltd., and Shaw CableSystems Ltd.

2.10 AUTHORIZATION FOR EXTRA CITY WORK BY THE DEVELOPER

- .1 The Developer agrees that, before doing any work that was not apparent to the parties prior to the execution of this Agreement and/or providing any work or materials for which the City is required to pay, either in whole or in part, he shall obtain the written authorization of the Engineer. The price for said work shall be mutually agreed upon by both parties before the work is started.

2.11 CONNECTIONS TO CITY MAINS

- .1 The Developer shall make arrangements with the Engineer to make connections of the storm, sanitary, and water mains within the Development to the City storm, sanitary, and water mains respectively; or to extend City roadways to the Development and shall pay to the City the costs incurred for completing said connections or extending City roadways as set out in Appendix A - Development Costs. The Developer may not make connections to the City's storm, sanitary, water mains, or roadways without prior written consent of the Engineer.
- .2 When the water distribution system within the Development, or any portion thereof, is pressurized and is being used for domestic or other purposes, the Developer shall not, without the consent of the Engineer, shut off the water supply to any mains or fire hydrants.

2.12 BUILDING GRADE CERTIFICATES

- .1 Prior to the issuance of a Construction Completion Certificate for water, sanitary, and storm services, the Developer shall provide to the City the relevant building grades for each lot in the Development. This information shall be provided in the form indicated in the current Design Guidelines.

2.13 BUILDING PERMITS

- .1 The Developer acknowledges and agrees that no Building Permits will be issued by the City until

- .1 The Development Agreement has been duly executed by both the Developer and the City, and all monies and securities due under the Agreement have been provided;
- .2 Sewer and Water Mains and services have been constructed to property line and are operational in accordance with the Construction Drawings and Specifications;
- .3 The required water leakage test and certified negative bacteria test have been performed for the water distribution system, including service connections to property line;
- .4 The Electric, Light, and Power Manager has indicated that sufficient facilities have been installed to make electrical saw service available to the buildings to be constructed, unless approved otherwise by the Electric, Light, and Power Manager;
- .5 Payment has been received for any outstanding recreational levies;
- .6 An approved public information billboard is installed. Information to be included as shown in the Design Guidelines - Section One;
- .7 Vehicular access is provided to the satisfaction of the City Fire Marshal (confirmed in writing); and
- .8 The Subdivision Plan, Easement Plan, and Easement Agreement have been released by the City for registration.

2.14 PRIVATE DRIVEWAY CROSSINGS

- .1 In addition to the work included in the Construction Drawings, the Developer shall construct, when approved by the City, all driveway crossings until the end of the maintenance period. Driveway crossings installed after the Construction Completion Certificate has been issued by the Engineer, shall be first approved by the City and shall be constructed in accordance with City requirements by the Developer at the cost of the property owner concerned therewith.

2.15 CONSTRUCTION PRIOR TO SIGNING DEVELOPMENT AGREEMENT

- .1 The Developer agrees that no field work, other than clearing and preliminary site grading, shall occur within the Development prior to the execution of the Development Agreement and provision of all necessary payments and securities.

2.16 CONSTRUCTION INSPECTION

- .1 The Developer agrees to the appointment, by the City, of a City Field Inspector to act on behalf of the City in checking that the construction is in accordance with the approved drawings, specifications, and the Development Agreement. The Developer also acknowledges and agrees to be responsible for the costs of such monitoring and the general costs associated with Construction Drawing approval, the recording of as-built drawings, and the Development Agreement preparation. The Developer shall pay to the City for such services, a fee based on the net Development Area as listed in Appendix A - Part Two.
- .2 The Developer shall grant to the Engineer, free and uninterrupted access to all parts of the Development for the purposes of inspection of construction procedures and the sampling of materials used in construction. In the event of failure of the design, installation, and/or materials to conform to the minimum standards as laid out in the Design Guidelines, Construction Drawings, and/or Specifications, the Engineer may refuse to accept the Municipal Improvement in question, reject application for the Construction Completion Certificate, and withhold Building Permits in the area affected by the Municipal Improvement.

2.17 CONSTRUCTION SCHEDULE

- .1 The Developer shall give a minimum of two weeks advance notice to the Engineer for commencement of City Forces' work related to service connections and power distribution specified herein. The City will endeavour to commence construction in accordance with the Developer's proposed schedule subject to the availability of manpower, equipment, and materials. No compensation will be made to the Developer for any delay in the commencement or completion of this work.
- .2 The Developer shall give notice to the Engineer, of any change in the construction schedule, as soon as the change occurs. Two days prior notice shall be given to the Engineer prior to commencing construction of any Municipal Improvement.

2.18 DELAYS

- .1 The City shall not be liable for any damages or claims by the Developer for delay occasioned by any inspection, and extension of completion time will not be granted for delay resulting therefrom. The acceptance, or the lack of comment on the part of the Engineer, of methods of construction employed by the Developer shall not relieve the Developer of this responsibility for any errors therein and shall not be deemed an acceptance by the City or the

Engineer of responsibility for, or acceptance of the work done by the Developer.

2.19 ACCESS TO SITE DURING CONSTRUCTION

- .1 The Developer shall adequately maintain, including oiling, any access roads to the Development until the Construction Completion Certificate has been issued, and before being released from this requirement for maintenance the Developer shall, if required by the Engineer, rebuild or re-instate said access roads to a condition satisfactory to the Engineer. Access roads, as defined herein, are as shown in Appendix B. Clause 2.20 shall also apply to designated access roads.

2.20 MAINTENANCE FOLLOWING CONSTRUCTION

- .1 The Developer shall, at all times after any premises are occupied as dwellings within the Development, maintain access to the premises occupied for garbage removal, police and fire protection, up to the issuance of the Construction Completion Certificate for roads and sidewalks. The Developer shall take effective means to control dust, dirt, noise, or any other annoyance originating within the Development from construction procedures. In the event that the Developer fails to comply with these requirements, the City shall be at liberty to take whatever measures the Engineer deems necessary to abate the annoyance at cost to the Developer. Before any steps are taken by the City, the Engineer shall first attempt to notify the Developer or Developer's representative, and failing either contact with the Developer or the Developer failing to take effective remedial measures within 24 hours of notification, the Engineer may then proceed to eliminate the problem. The Engineer will notify the Developer of the action taken and the cost of the work involved.

2.21 INDEMNITY

- .1 The Developer shall indemnify and save harmless the City, its officers, employees, and agents from, of, and against all claims, proceedings, demands, damages, actions, judgements of every nature or kind; including, without limiting the generality of the foregoing, all damages for personal injury or death arising out of or attributable to all actions or conduct of the Developer, its employees, agents, and contractors upon the Development lands; including, but not limited to any work or act committed or omitted by the Developer in the performance of this Agreement.

2.22 INSURANCE

- .1 The Developer and the contractor shall provide and maintain comprehensive

general public liability and property damage insurance applying to all activities, including but not limited to the use of owned or non-owned vehicles and equipment of the Developer in connection with this Agreement. This protection shall include, but not be limited to the Developer's contingent liability with respect to the activities of anyone, including subcontractors, or anything done pursuant to this Agreement. The Developer shall have the City added as an Additional Insured with respect to this Agreement. The minimum amount of coverage shall be \$2,000,000 per occurrence for bodily injury, death, and damage to property, including the loss of use thereof, in form satisfactory to the City.

2.23 WORKER'S COMPENSATION INSURANCE

- .1 The Developer shall comply with the requirements and regulations under The Workers' Compensation Act and shall arrange such insurance as required by the said Act. The Developer shall comply with the requirements and regulations under The Occupational Health and Safety Act.

PART THREE - COVENANTS OF THE CITY

3.1 DRAWINGS AND SPECIFICATIONS

- .1 The City will review the Construction Drawings and Specifications submitted to the City by the Developer, and approve or advise what amendments are required for approval of same without undue delay. The City will determine oversize requirements within the Development, but in doing so will not unreasonably delay the Developer in the preparation of the Construction Drawings.

3.2 LAND USE

- .1 The City shall establish building regulations and land uses for the Development, and subject to the provisions of Clause 2.13, the Zoning By-law and other by-laws, issue Building Permits for development upon the lots to be serviced.

3.3 CERTIFICATES

- .1 Upon issuance of a Construction Completion Certificate for a Municipal Improvement, the City will endeavour to provide municipal service within the Development to the same standard, in the same manner, and subject to the same terms and conditions as the City is able to provide to all other residents of the City.
- .2 Upon issuance of a Final Acceptance Certificate for a Municipal Improvement installed by the Developer, the City shall maintain such Municipal Improvement in the same manner and to the same standard of maintenance as it provides to all other Municipal Improvements within the City.

3.4 PAYMENT OF CITY COSTS

- .1 Where the Development is next in line, following a logical extension of services as determined by the Engineer, and the Engineer requires the Developer to extend a Public Roadway, Trunk Sanitary, Trunk Storm, or Trunk Water Main through the Development, the City will reimburse the Developer for construction of same in accordance with the costs set out under City Costs in Appendix A - Development Costs. Funding for these trunks will come from off-site levies collected within the Service Basin.
- .2 Where the Development is not next in line, reimbursement to the Developer of the trunk extension costs, as set out under Future Cost Recoveries in

Appendix B, may be delayed until the infill development proceeds to a point where the Development becomes next in line, as determined by the Engineer. In this case, costs to be recovered, including Carrying Costs, may be limited to current day construction value.

3.5 ENDEAVOUR TO ASSIST

- .1 Where the Developer has paid for Municipal Improvements in excess of his requirements, and where future development will utilize same, the City will Endeavour to Assist the Developer to collect the various sums as listed in Appendix C - Part Two. It should be noted that the City does not guarantee the collection of any portion of such sums or costs.

PART FOUR - PAYMENT OF COSTS

4.1 PAYMENTS BY DEVELOPER

- .1 The Developer shall pay in full to the City on or before the execution date of this Agreement, the development charges and costs listed under Developer's Costs in Appendix A.
- .2 Notwithstanding Clause 4.1.1, the Developer may defer part of the payment as follows:
 1. If the Net Area of the development is 2 ha or greater, the Developer may elect to pay 25% of the Off-site Levy Charge on execution of this Agreement, and the remaining 75% before the expiry of one year from the date of this Agreement. Where the deferred payment option is applied, the Developer agrees to pay interest (at a rate determined by the City's Director of Corporate Services) on the outstanding balance.
 2. The Developer may elect to pay 50%, including GST, of the Electric, Light, and Power Charge on or before the execution of this Agreement, and the remaining 50%, including GST, upon invoicing when the work is substantially complete.
 3. The Developer may elect to pay 50% of the estimated cost of City work on or before the execution of this Agreement. The final payment will be based on the actual cost of construction, plus a 10% Administration fee, less the amount paid on signing the Development Agreement. Final payment will be invoiced when the work is substantially complete.
 4. The Developer agrees to provide security for deferred payments as outlined in Clause 5.3 of this Agreement.
- .3 Invoices will be issued by the City for the deferred payments listed in Clause 4.1.2. These amounts are subject to, and the Developer agrees to pay, a 1 1/2% per month interest penalty if not paid to the City within 30 days of the date they become due.
- .4 Where, as a result of a delay by the Developer, the City is required to construct services at a time other than the time for which work was originally scheduled, and such work is done, or expected to be done, under frozen ground conditions, or the delay is longer than three months, then the City, with prior notice to and approval of the Developer, shall be entitled to charge, and the Developer agrees to pay to the City, on demand, any increased

costs incurred or estimated to be incurred by the City, to complete such construction.

- .5 The City and the Developer agree that once the legal subdivision plan has been released for registration in the Land Titles Office, there will be no refund of monies paid to the City by the Developer, should the Developer fail to proceed with the approved Development, and such funds retained by the City shall be deemed to be liquidated damages, and not as penalty or forfeiture.

4.2 PAYMENTS BY CITY

- .1 The City will pay to the Developer 50% of the estimated costs listed under City Costs in Appendix A on execution of this Agreement for construction of trunk facilities. The final payment will be based on the actual cost of construction, plus a 10% Engineering fee, less the amount paid on signing of the Development Agreement. Final payment will be made upon issuance by the City of the applicable Construction Completion Certificate.

PART FIVE - SECURITY REQUIREMENTS

5.1 GENERAL

- .1 The Developer shall, in order to ensure performance of its covenants and obligations under this Agreement, supply to the City on or before the date of this Agreement, security in the form of an Irrevocable Letter of Credit, or other security satisfactory to the City Solicitor in the amount shown in Appendix E and defined below. The Irrevocable Letter of Credit shall be effective for a period of one year and automatically renewed for additional, successive one year periods until the City authorizes its lapse in writing. Security shall remain in effect until such time as the last Final Acceptance Certificate has been issued by the City pursuant to this Agreement.

5.2 SECURITY AMOUNTS FOR MUNICIPAL IMPROVEMENTS

- .1 For the construction of Municipal Improvements, the amount of security provided shall be 25% of the estimated construction cost of all Municipal Improvements to be installed by the Developer as per the estimate provided under Clause 2.7, but in no case shall said security be less than \$30,000. Said security may be reduced, as noted below, in four stages as construction is completed; but in no case shall the value of security be reduced below \$30,000.
 1. Upon issuance by the City of Construction Completion Certificates for water mains, sanitary sewers, storm sewers, and lot service connections, the security may be reduced to 15% of the estimated cost of these services, plus 25% of the estimated cost of the remaining Municipal Improvements.
 2. Upon issuance by the City of Construction Completion Certificates for sidewalks, curbs, gutters, catch basins, paved roads, pavement marking, traffic control signs, and other signage, the security may be reduced to 15% of the estimated cost of the Municipal Improvements completed, plus 25% of the estimated cost of the remaining Municipal Improvements.
 3. Upon issuance by the City of Construction Completion Certificates for gravel and paved lanes and walkways, the security may be reduced to 15% of the Municipal Improvements completed, plus 25% of the estimated cost of the remaining Municipal Improvements.
 4. After issuance of all applicable Construction Completion Certificates and upon issuance of the last Construction Completion Certificate, the

security may be reduced to an amount equalling 15% of the estimated cost of all of Municipal Improvements constructed under this Agreement. The reduced security amount shall remain in effect until such time as the last Final Acceptance Certificate has been issued by the City pursuant to this Agreement.

5.3 SECURITY FOR DEFERRED PAYMENTS

- .1 For deferred payments, the amount of security shall be 100% of the amount shown under Developer's Deferred Payments in Appendix A - Part One. The City may draw on the Letter of Credit should the Developer default in making the payments stipulated in Clause 4.1.2.
- .2 The Letter of Credit may be reduced as payments are made, but must, at all times, cover the full unpaid balance previously referred to.

5.4 CONTRACTOR/DEVELOPER BONDING

- .1 The Developer agrees to provide evidence to the City that the Contractor(s) has provided Performance Bonding and Labour and Materials Payment Bonding, each in the amount of 50% of the cost to construct the Municipal Improvements in this Development. Construction shall not commence under each Contract until said evidence is provided for that Contract.

5.5 DEFAULT

- .1 In addition to any other remedy the City may have available, the City may realize upon the security provided to it by the Developer.
 1. At any time during which the Developer is in default of the terms, conditions, and covenants herein contained for the purposes of completing the construction and installation of all Municipal Improvements not then complete.
 2. For the purposes of maintaining such Municipal Improvements as herein required to be maintained by the Developer.
 3. For payment of any amount owing to the City.
 4. For damages and extra costs incurred by the City.

PART SIX - ACCEPTANCE AND MAINTENANCE PERIODS

6.1 CONSTRUCTION COMPLETION CERTIFICATE

- .1 The Developer shall submit to the Engineer triplicate copies of the Construction Completion Certificate, duly signed by the Consulting Engineer for each Municipal Improvement completed. Application may be made for a group of Municipal Improvements (e.g. sanitary, storm, and water mains and services) at one time on the same form. The Certificate must be on a copy of the form appended to this Part. The Engineer shall make an inspection within one month from the date of receipt of the Certificate by the City, and if there are no defects or deficiencies apparent at that time, the City shall approve and return the Certificate and advise the Developer of the maintenance period. If, however, defects or deficiencies are apparent to the Engineer in the Municipal Improvement, the Certificate will be returned to the Developer unsigned with a report of the defects and deficiencies listed. The Developer shall then resubmit the Certificate in accordance with the above, once all defects and deficiencies have been corrected. The date of the Certificate shall be the date of submission or resubmission by the Developer.
- .2 As-constructed Plans shall be submitted within 90 days of the date of the Construction Completion Certificate. The parties hereto both acknowledge and agree that a Municipal Improvement shall be considered "complete" when the following conditions are met:

1. **Sanitary Sewer Mains and Service Connections**

All pipes are of proper specification and size, are laid to approved grades, are undamaged, and are free from obstructions and foreign matter. Said information is to be confirmed by a camera inspection report. All manholes are completed with properly formed inverts and rims, and covers set to the approved design grade of the lane or road in which they are installed. The Engineer will not issue the Construction Completion Certificate for (sanitary, storm) mains until the camera report is complete and approved.

2. **Storm Sewer Mains and Service Connections**

All pipes are of proper specification and size, are laid to approved grades, are undamaged, and are free from obstructions and foreign matter. Said information is to be confirmed by a camera inspection report. All manholes are completed with properly formed inverts and rims, and covers set to the approved design grade of the lane or road in which they are installed. The Engineer will not issue the Construction Completion Certificate for sanitary mains until the camera report is complete and approved.

3. Water Mains and Service Connections

The water mains and service lines, as specified, have been laid to the approved grades, tested, inspected, and sterilized to the satisfaction of the Engineer, and are ready for the supply of water to the public; all the main and service valves, fire hydrants, and other appurtenances are operable and undamaged and at elevations which are satisfactory to the Engineer. All fire hydrants have been pumped to remove water from the barrels.

4. Gravelled Lanes

All lanes within the Development have been constructed to the proper cross section and grades in accordance with the Construction Drawings and Specifications, appurtenances have been adjusted, and drainage has been properly accommodated. All Municipal Improvements proposed for construction within the lanes, as a part of the Development, have been installed.

5. Sidewalks, Curbs and Gutters, and Catch Basins

All sidewalk, curbs, gutters, and catch basins have been constructed to the approved design grades and sections in accordance with the Construction Drawings and Specifications, and are free of damage.

6. Paved Roads, Paved Lanes, and Paved Walkways

All paved roads, lanes, and walkways have been constructed to the proper cross section and grade in accordance with the Construction Drawings and Specifications. All appurtenances have been adjusted to the proper grades and drainage has been properly accommodated. All pavement marking, traffic control signs, and street name signs have been installed, and the subdivision information map has been installed or revised. All Municipal Improvements proposed for construction within the roads, lanes, and walkway rights of way, as a part of this Development, have been installed. (Where approval is granted by the Engineer, the final 40 mm - 50 mm lift of asphalt may be delayed for a period of one year from the date of the Construction Completion Certificate). The Engineer will not issue the Construction Completion Certificate for roadways until the sign survey information has been reviewed and approved by the Traffic Engineer.

7. Parks, Boulevards, and Fencing

All public utility lots, boulevards, parks, playgrounds, school grounds, and recreational improvements shall have been properly constructed and/or properly graded, topsoiled, seeded, fenced, and planted; including but not

limited to all Level One and Level Two Landscaping so designated in Appendix C and all forming, machinery, and stockpiles of surplus materials are removed and the site is in a tidy clean condition.

8. Electric, Light, and Power

Electrical distribution and streetlighting is completed and all cables and apparatus of proper specification and size are installed and set to approved grades, with properly terminated connections, and successful energizing of all cables and apparatus.

6.2 MAINTENANCE PERIODS

- .1 After the issuance of the Construction Completion Certificate, the Developer shall be responsible for any and all repairs and replacements to any Municipal Improvements which may become necessary from any cause whatsoever, up to the end of the maintenance periods stated in the said Construction Completion Certificate or up to date of issuance of the Final Acceptance Certificate, whichever occurs last.
- .2 If, during the maintenance period, any defects become apparent in any of the Municipal Improvements installed or constructed under this Agreement, and the Engineer requires repairs or replacements to be done, the Developer shall, within a reasonable time after notice, cause such repairs and/or replacements to be done.
- .3 The City will, from the date of the Construction Completion Certificate, flush and clean out the sanitary sewers and keep hydrants pumped as required in ordinary maintenance procedures. The cost of removing obstructions caused by gravel, rocks, or silt; which is other than that deposited from sewage; may be charged to the Developer and be paid upon demand. The City will, from the date of the Construction Completion Certificate, undertake to carry out normal snow removal and street sweeping operations as required in accordance with the current City policy. The Developer shall remove all dirt and debris from the streets and sidewalks upon 48 hours notice in advance of normal street sweeping operations.
- .4 The Developer shall be responsible for adjusting all hydrants, valve boxes, manholes, and catch basins to the final grades during and after construction of roads, sidewalks, and lanes, and maintaining the valves and appurtenances in an operating condition until such time as the Final Acceptance Certificate has been issued.
- .5 The Developer shall be responsible for the cost incurred by the City in adjusting the elevation of any electrical facility to correspond to the final

grades that the roads, sidewalks, and lanes are constructed to, where the final grades vary from the grades initially approved on the plans, or as established in the field in accordance with Clause 2.27, until such time as the last Final Acceptance Certificate has been issued.

- .6 Maintenance (without limiting the generality of the term) for which the Developer shall be responsible, includes failure of or damage to underground utilities resulting from defective materials or improper installation; settlement of ditches; grading, gravelling, repairs, and/or replacement of road and lane surfaces, sidewalks, curbs and gutters, catch basins and leads; road surfaces, including the access roads enumerated herein; adjustment and repairs to water mains, main valves, water hydrants, hydrant valves, service lines, and valves and valve operating mechanisms, including the casings enclosing these mechanisms; repairs, replacements, and adjustments to sewer mains, sewer services, manholes, manhole frames and covers.
- .7 If the Developer fails to maintain any Municipal Improvement, or remedy or repair any deficiency or defect when given notice by the City within the time specified in the notice, the City, by its own Forces or by the services of an independent contractor, may effect such maintenance or repairs at the expense of the Developer, and the Developer shall make payment of all such costs to the City on demand.
- .8 The maintenance periods provided for in the Construction Completion Certificate shall be the following periods from the date of the Construction Completion Certificate, subject to these periods being extended pursuant Clause 6.3.

<u>ITEM</u>	<u>MAINTENANCE PERIOD</u>
1. Sanitary Sewers	Two Years
2. Storm Sewer	Two Years
3. Water Mains and Hydrants	Two Years
4. Gravel Lanes	Two Years
Includes adjustment and repair of manhole frames and covers, catch basins, catch basin leads, and valve boxes and maintaining access to valve operating mechanisms.	
5. Sidewalks, Curbs, Gutters, and Catch Basins	Two Years

- | | | |
|----|---|-----------|
| 6. | Paved Roads, Paved Lanes,
and Paved Walkways | Two Years |
|----|---|-----------|

Includes adjustment and repair of manhole frames and covers, catch basins, catch basin leads, and valve boxes and maintaining access to valve operating mechanisms. Where staged pavement construction is employed, the maintenance period will extend to one year after the completion of the final lift of asphalt.

- | | | |
|----|----------------------------|-----------|
| 7. | Electric, Light, and Power | Two Years |
|----|----------------------------|-----------|

Two years maintenance required if the electrical system, including streetlighting, is installed by any contractor other than City Forces.

- | | | | |
|----|---------------|-----------|-----------|
| 8. | Landscaping - | Level One | One Year |
| | - | Level Two | Two Years |

Turf must be well established and have received a minimum of three grass cuttings; grass to be maintained between 50 mm and 100 mm in height.

6.3 FINAL ACCEPTANCE CERTIFICATE

- .1 After the second spring thaw following the issuance of the Construction Completion Certificate for gravel lanes, the Developer shall reshape the lanes to design grades and slopes, gravel where considered necessary by the Engineer, repair and adjust manholes, hydrants and all valves, catch basins and catch basin leads. The Developer may then present the Final Acceptance Certificate to the Engineer for approval.
- .2 Two months before the expiration of the maintenance period for each of the Municipal Improvements; or earlier if weather conditions dictate; the Developer, following a complete inspection of the Municipal Improvements, shall submit to the City triplicate copies of the Final Acceptance Certificate, duly signed and stamped by the Consulting Engineer. The Certificate must be on a copy of the form appended to this Part. Within one month after receipt of the Final Acceptance Certificate, the Engineer shall make an inspection, provided weather conditions permit a proper inspection. Should weather conditions prevent a proper inspection within 30 days, the Engineer shall complete the inspection as soon thereafter as weather permits. If the inspection shows, to the satisfaction of the Engineer, that the utility or improvement is acceptable, the Engineer shall approve the Final Acceptance Certificate. If, however, defects or deficiencies are apparent to the Engineer in the Municipal Improvement, the Final Acceptance Certificate will be returned unsigned to the Developer with a report of the defects and deficiencies listed. Following correction of the deficiencies by the Developer

and inspection by the Consulting Engineer, the Final Acceptance Certificate shall again be presented to the City, and following a complete inspection and approval by the Engineer, the Final Acceptance Certificate will be issued. The Developer agrees that the maintenance period will extend beyond the periods outlined in Clause 6.2 until the Final Acceptance Certificate is approved by the Engineer.

- .3 The Developer agrees that after approval of the Final Acceptance Certificate has been given, the Developer shall have no further interest in the Municipal Improvements, and the Municipal Improvements, together with the easements referred to in Clause 2.9 hereof, shall become the property of the City and/or the various utility companies referred to in Clause 2.9 without an additional expense. The Developer acknowledges and agrees that the City shall be entitled to protect the interest it has acquired hereunder to register this Agreement by filing a Caveat respecting same with the North Alberta Registration District Edmonton Land Titles Office.

PART SIX - APPENDIX 1

CONSTRUCTION COMPLETION CERTIFICATE

Subdivision Name _____

Developer _____

Private Development Agreement Dated _____

Contractor _____

Municipal Improvement(s) _____

Date of Application _____

I, _____ of the Firm _____ "Consulting Engineers", hereby certify that the Municipal Improvement noted herein is complete as defined by the Private Development Agreement, and constructed as far as can be practically ascertained according to The City of Red Deer's servicing standards.

I hereby recommend The City of Red Deer accept the Municipal Improvement noted herein and issue this Construction Completion Certificate.

Project Engineer (Consulting Engineer)

STAMP

Authorized City Inspector

Date Maintenance Period to Start _____

Date Maintenance Period to Expire _____

Approved/Rejected _____ DATE _____
Director of Development Services

Remarks _____

Original - City Clerk

Pink - Engineering Accountant

Yellow - Consultant

PART SIX - APPENDIX 2

FINAL ACCEPTANCE CERTIFICATE

SubdivisionName_____

Developer_____

Private Development Agreement Dated_____

Contractor_____

Municipal Improvement(s)_____

Date of Application_____

I, _____ of the Firm _____ "Consulting Engineers", hereby certify that as of the above date, the Municipal Improvement noted herein meets all of the requirements for final acceptance as specified by The City of Red Deer Private Development Agreement, and I hereby recommend this Municipal Improvement for final acceptance by The City of Red Deer.

DATE_____
Project Engineer (Consulting Engineer)

DATE_____
Signing Officer, Consulting Engineer

STAMP _____
DATE_____
Authorized City Inspector

Approved/Rejected _____
DATE_____
Director of Development Services

NOTE: The Consulting Engineer is to submit a new Final Acceptance Certificate when cause(s) for rejection have been corrected. See attached report for causes(s) for rejection.

I hereby certify that all items listed as reasons for rejection have been corrected.

DATE_____
Project Engineer (Consulting Engineer)

Original - City Clerk

Blue - Engineering Accountant

Green - Consultant

PART SEVEN - GENERAL CONDITIONS

7.1 DEFAULT

- .1 Should the Developer default in the performance of any obligation required under this Agreement, and where such default continues for a period of 30 days after the date upon which a notice in writing specifying such default has been mailed by the City to the Developer by prepaid post, the City may draw on, to the full extent of the Irrevocable Letter of Credit or other such security provided by the Developer.
- .2 The City shall not be under any obligation to complete all or any of the work required to be performed by the Developer pursuant to this Agreement.
- .3 The Developer agrees that until all his obligations under this Agreement have been carried out to the City's satisfaction, the acceptance by the City of the Development may be withheld.

7.2 ARBITRATION

- .1 Any matter in dispute relating to whether the Municipal Improvements, as constructed, meet the required specifications, may be submitted to arbitration at the request of either party. No one shall be nominated or act as arbitrator who is in any way financially interested in the conduct of the work or in the business affairs of either party.
- .2 A single arbitrator will be selected by mutual agreement between the parties hereto, and in the event that the parties cannot agree, each party shall appoint an arbitrator, and each such arbitrator so appointed shall appoint a third arbitrator within 14 days thereafter, and such persons so appointed shall constitute the Board of Arbitration, and the last person appointed shall act as Chairman thereof.
- .3 The decision of the single arbitrator or the majority decision of the three arbitrators shall be final and binding upon the parties. Agreement to submit to arbitration is to be construed as an integral part of this Agreement.

7.3 NOTICES

- .1 Any notice of commitment required under this Agreement shall be delivered or sent by prepaid registered mail addressed to the City at:

Director of Development Services
The City of Red Deer
Engineering Department
City Hall
4914 - 48 Avenue
Box 5008
RED DEER, ALBERTA
T4N 3T4

and addressed to the Developer at:

7.4 AMENDMENTS

- .1 This Agreement may be amended only by memorandum in writing, duly executed by both parties hereto.

7.5 TIME

- .1 Time shall be of the essence in matters relating to this Agreement.

7.6 PERMITS

- .1 This Agreement does not constitute a Development Permit or any other permit of the City.

7.7 ASSIGNMENTS

- .1 The Developer shall not assign its rights, duties, or obligations under this Agreement without the written consent of the City first having been obtained.

7.8 PROVINCIAL LAWS

- .1 This Agreement shall be interpreted and carried out pursuant to the laws of the Province of Alberta.

7.9 GENDER

- .1 Whenever the singular and masculine are used throughout this Agreement, it shall be construed to mean the plural and feminine where the context, or the party or parties hereto so require, and the rest of the sentence shall be construed as if the necessary grammatical changes thereby rendered necessary had been made.

IN WITNESS WHEREOF, the Developer and the City hereto have caused to be affixed their respective seals attested by the signatures of their respective seals, attested by the signatures of their respective duly authorized signing officers, as of the day and year first above written.

THE CITY OF RED DEER

BY:

MAYOR

CITY CLERK

DATE

CITY'S SEAL

DEVELOPER

BY:

AUTHORIZED SIGNING OFFICER

AUTHORIZED SIGNING OFFICER

DATE

DEVELOPER'S SEAL

APPENDICES

APPENDIX A - DEVELOPMENT COSTS

**APPENDIX B - LANDSCAPING REQUIREMENTS,
SPECIAL CONDITIONS, AND
FUTURE COST RECOVERIES**

APPENDIX C - SUBMISSIONS

APPENDIX D - DEVELOPMENT PLANS

APPENDIX E - SECURITY REQUIREMENTS

APPENDIX A

DEVELOPMENT COSTS

APPENDIX A - PART ONE

SUMMARY OF DEVELOPMENT COSTS

A. DEVELOPER'S COSTS

ITEM	TOTAL COST	INITIAL PAYMENTS	DEFERRED PAYMENTS
1. OFF-SITE LEVY			
OPTION 1 - PAYMENT NOT DEFERRED			N/A
OPTION 2 - DEFERRED PAYMENT AMOUNT			
OPTION 2 - INTEREST AMOUNT		N/A	
2. RECREATION LEVY			N/A
3. ADMINISTRATION (INCLUDING GST)			N/A
4. SURVEY NETWORK			N/A
5. BOUNDARY IMPROVEMENT			N/A
6. AREA IMPROVEMENT			N/A
7. CITY WORK			
8. ELECTRIC, LIGHT, & POWER (INCLUDING GST)			
9. MONEY-IN-LIEU OF RESERVE DEDICATION			N/A
TOTALS			

B. CITY'S COSTS

ITEM	TOTAL COST	INITIAL PAYMENTS	DEFERRED PAYMENTS
1. TRUNK UTILITIES			
2. PUBLIC (ARTERIAL) ROADWAY			
3. OVERSIZE UTILITIES			
TOTALS			

C. NET DEVELOPER'S COSTS

PART	ITEM	TOTAL COST	INITIAL PAYMENTS	DEFERRED PAYMENTS
A.	TOTAL DEVELOPER'S COSTS			
B.	TOTAL CITY'S COSTS			
	NET COST PAYABLE BY DEVELOPER			

APPENDIX A - PART TWO
ENGINEERING DEVELOPMENT LEVY RATES

1. OFF-SITE LEVY CHARGES (Approved by City Council February 26, 1996)

a.	Water	\$6,270 /ha
b.	Sanitary	\$3,190 /ha
c.	Storm	\$9,485 /ha
d.	Public Roadway	\$6,485 /ha

Total: **\$25,430 /ha**

2. ENGINEERING DEPARTMENT ADMINISTRATION CHARGES
(Approved by City Council February 26, 1996)

Streets and Utilities Section

a.	Residential	\$1,925 /ha + 7% GST
b.	Industrial/Commercial/Institutional	\$1,370 /ha + 7% GST
c.	Minimum Administrative Charge	\$2,360 + 7% GST

3. SURVEY NETWORK \$285 /ha

APPENDIX A - PART THREE

DEVELOPMENT AREA CALCULATIONS

PART 1: NET AREA FOR ENGINEERING DEPARTMENT'S CALCULATIONS

- 1 Gross Area (as per Plan of Subdivision) _____ ha
- 2 Areas to be deleted from Gross Area
 - a. _____ ha
 - b. _____ ha
 - c. _____ haTotal Area to be deleted _____ ha
- 3 Net Developable Area _____ ha

PART 2: RECREATION CHARGE AREA CALCULATION

- 1 Net Area as per Part 1 _____ ha
- 2 Additional Areas to be deleted
 - a. _____ ha
 - b. _____ ha
 - c. _____ haTotal Area to be deleted _____ ha
- 3 Net Developable Area _____ ha

APPENDIX A - PART FOUR

DETAILED DEVELOPER'S COST CALCULATIONS

A. OFF-SITE CHARGES

OPTION ONE: PAYMENT NOT DEFERRED

ITEM	AREA	RATE/HA	TOTAL
WATER		\$6,270.00	
SANITARY		\$3,190.00	
STORM		\$9,485.00	
PUBLIC ROADWAY		\$6,485.00	
TOTAL			

OPTION TWO: DEFERRED PAYMENT (1996 INTEREST RATE = 7.40%)
TOTAL AMOUNT FOR EACH ITEM AS PER OPTION ONE

ITEM	INITIAL PAYMENT 25%	DEFERRED PAYMENT 75%	INTEREST PAYMENT 7.40%	TOTAL DEFERRED PAYMENT
WATER				
SANITARY				
STORM				
PUBLIC ROADWAY				
TOTALS				

B. RECREATION CHARGE

Attached, as part of this Appendix, is a letter from the Director of Community Services regarding the Recreation Levy amount for this Development.

RECREATION LEVY AMOUNT = _____

OR

	AREA	RATE/HA	TOTAL
RECREATION LEVY AMOUNT			

OR

The Developer has arranged an "Alternate Recreation Agreement" as per Clause 2.3

APPENDIX E - PART TWO

CONTRACTOR'S/DEVELOPER'S BONDING AND INSURANCE

Attached, as part of this Appendix, are copies of the following:

1. Contractor's Performance Bond
2. Contractor's Labour and Materials Bond
3. Contractor's Certificate of Insurance
4. Developer's Certificate of Insurance
5. Copy of Letter(s) of Credit

APPENDIX E - PART ONE

SECURITY REQUIREMENTS

**A. SECURITY REQUIREMENTS FOR MUNICIPAL IMPROVEMENTS
CONSTRUCTED BY THE DEVELOPER**

Security, based on the estimated cost of each Municipal Improvement, including an allowance for Engineering and Contingencies, is to be provided in accordance with Clause 5.2. Security, in accordance with Clause 5.3, is also required for the Municipal Improvements included in Appendix A - Part Five.

ITEM	ESTIMATED COST	
	COST	TOTALS
Water		
Sanitary Sewer		
Storm Sewer		
Service Connections		
Curb, Gutter, Sidewalk, and Catch basins		
Paved Roadway		
Traffic Control Signage and Pavement Marking		
Gravel and/or Paved Lanes		
Walkways		
Electric, Light, and Power Facilities		
Landscaping		
TOTAL COST OF MUNICIPAL IMPROVEMENTS		
Security requirements pursuant to Clauses 5.1.1 and 5.1.2		
25% of Total Cost above (Minimum Amount = \$30,000)		

B. SECURITY REQUIREMENTS FOR DEFERRED DEVELOPMENT COSTS

ITEM	COST
Deferred Portion of Off-site Charge	
Deferred Portion of City Work	
Deferred Portion of Electric, Light, and Power Charge	
Total Amount of Security to be provided pursuant to Clause 5.1.3	

C. TOTAL SECURITY REQUIRED

TOTAL AMOUNT - MUNICIPAL IMPROVEMENTS	
TOTAL AMOUNT - DEFERRED PAYMENTS	
TOTAL SECURITY REQUIRED	
SAY	

APPENDIX E
SECURITY REQUIREMENTS
CONTRACTOR/DEVELOPER DOCUMENTS

APPENDIX D

- 1. DEVELOPMENT LOCATION MAP**
- 2. SUBDIVISION PLAN**
- 3. UTILITY RIGHT OF WAY PLAN**
- 4. APPROVED LAND USE PLAN**
- 5. APPROVED SETBACK PLAN**

SUPPORTING DOCUMENTS FOR APPENDIX C

1. The following a summary of the Developer's Proposed Development Schedule

DESCRIPTION OF WORK		DATES
Stripping and Pregrading		
Water Mains, Sanitary Mains, Storm Mains, and Service Connections		
Gravel Base, Sidewalk, Curb and Gutter		
Asphaltic Concrete Paving	First Lift	
	Second Lift	
Electric, Light, and Power, AGT Ltd., and Shaw CableSystems Ltd.		
Building Permits Available		
Northwestern Utilities Limited		
Landscaping		
Gravel Lanes		

2. Attached are copies of letters and other supporting documents related to the following :

- a. Northwestern Utilities Limited
- b. AGT Ltd.
- c. Shaw CableSystems Ltd.
- d. Emergency Services Department - Hydrant Locations
- e. Community Mail Boxes
- f. Transit Department - Bus Stops
- g. Alberta Environment - Permit to Construct
- h. Conditions of Subdivision
- i. Council Resolutions (if required)

APPENDIX C

RECORD OF SUBMISSIONS

ITEM	DATE
1. Approved Construction Drawings and Specifications	
a. Drawings (Reproducible Original)	_____
b. Specifications	_____
c. Traffic Control Signage and Pavement Markings	_____
2. Geotechnical Report (3 copies)	_____
3. Alberta Environment - Permit to Construct	_____
4. Development Cost Documentation	
a. Recreation Charge/Agreement	_____
b. Electric, Light, and Power Costs	_____
c. Developer's Cost for Municipal Improvements	_____
d. City Work Estimates	_____
i. City Connections	_____
ii. Road / Lane Improvements	_____
e. Money-in-lieu of Reserve Dedication (if required)	_____
5. Development Schedule	_____
6. Alignments/Locations/Approvals	
a. Northwestern Utilities Limited	_____
b. AGT Ltd.	_____
c. Shaw CableSystems Ltd.	_____
d. Emergency Services Department - Hydrant locations	_____
e. Community Mail Boxes	_____
f. Transit Department - Bus Stops	_____
g. Parks Department - Landscaping Requirements	_____
7. Subdivision Plans/Approvals	
a. Plan of Subdivision	_____
b. Utility Right of Way Plan	_____
c. Land Use Map and By-law	_____
d. Approved Setback Plan	_____
e. Conditions of Subdivision	_____
8. Council Resolutions (if required)	_____

APPENDIX C
SUBMISSIONS

APPENDIX B

A. LANDSCAPE REQUIREMENTS

Attached, as part of this Appendix, is a letter from the Recreation, Parks, and Culture Manager outlining Level One and Two Landscaping requirements.

OR

Landscape requirements are not applicable for this Development Agreement.

B. FUTURE COST RECOVERIES

Attached, as part of this Appendix, are detailed estimates for the cost of Municipal Improvements to be recovered from future developments in accordance with Clause 3.5 for the following Work:

OR

Future Cost Recoveries are not applicable to this Development Agreement.

C. SPECIAL CONDITIONS

- a. Temporary Access Roads
- b. Other Conditions

OR

Special Conditions are not applicable to this Development Agreement

APPENDIX B

**LANDSCAPE REQUIREMENTS,
FUTURE COST RECOVERIES, AND
SPECIAL CONDITIONS**

APPENDIX A - PART FIVE

DETAILED CALCULATIONS FOR COSTS TO BE PAID BY THE CITY

The City shall pay to the Developer the following sums arrived at by the calculations attached to this Appendix for Municipal Improvements being constructed by the Developer on behalf of the City.

ITEM	TOTAL COST	INITIAL PAYMENTS	DEFERRED PAYMENTS
TRUNK UTILITY MAINS			
PUBLIC (ARTERIAL) ROADWAY			
OVERSIZE UTILITY MAINS			
TOTALS			

OR

City Costs for Public (Arterial) Roadways, Trunk Utility Mains, and/or Oversize Utility Mains are not applicable to this Development Agreement.

AND / OR

As per Clause 2.5.2.1; the Developer has arranged for a Electrical Contractor to install the Electrical Facilities required for this Development.

The Electric, Light, and Power Inspection Charge for this Work is

\$0.00

I. MONEY-IN-LIEU OF RESERVE DEDICATION

Attached, as part of this Appendix, is a letter from the Land and Economic Development Manager indicating the amount of money to be paid in lieu of reserve dedication, as detailed in the Conditions of Subdivision.

OR

As outlined in the Conditions of Subdivision, Money-in-lieu of Reserve Dedication Costs are not applicable to this Development Agreement.

MONEY-IN-LIEU OF RESERVE AMOUNT = _____

J. SUPPORTING DOCUMENTS FOR APPENDIX A - PART FOUR

Attached are letters, cost estimates, and/or other supporting documents related to the following:

1. Recreation Levy
2. City Work Estimates
 - a. City Connections
 - b. Road / lane Improvements
3. Electric, Light, and Power Estimates

Attached, as part of this Appendix, are Detailed Area Improvement Charge Calculations

OR

ITEM	AREA	RATE/HA	TOTAL
WATER			
SANITARY			
STORM			
ROADWAY			
TOTAL			

OR

Area Improvement costs are not applicable to this Development Agreement

G. CITY WORK ESTIMATES

On signing this Development Agreement, the Developer agrees to pay 50% of the estimated cost for the City Work listed below. Following substantial completion of the Work, The City of Red Deer will invoice the Developer for the actual cost of construction, plus a 10% Administration Fee, less the amount paid on signing of the Development Agreement.

Summary of Costs

1. City Connections _____

2. Road/Lane Improvements _____

TOTAL CITY WORK COSTS = _____

Attached, as part of this Appendix, are Detailed Cost Estimates and/or Standard Rate Cost Estimates for the above noted City Work.

OR

City Work costs are not applicable to this Development Agreement.

H. ELECTRIC, LIGHT, AND POWER CHARGES

Attached, as part of this Appendix, is a letter from the Electric, Light, and Power Manager outlining the costs for the installation of Electrical Facilities by the Electric, Light, and Power Department. Line assignment approvals are also included.

	TOTAL COSTS	INITIAL PAYMENT	FINAL PAYMENT
ELECTRIC, LIGHT, AND POWER			
GST			
TOTAL			

C. DEVELOPMENT AGREEMENT ADMINISTRATION CHARGES

ITEM	AREA	RATE/HA	SUBTOTAL
RESIDENTIAL		\$1,925	
INDUSTRIAL, COMMERCIAL, AND/OR INSTITUTIONAL		\$1,370	
MINIMUM CHARGE		\$2,360	
SUBTOTAL			
GST (7%)			
TOTAL ADMINISTRATION CHARGE			

D. SURVEY NETWORK CHARGE

	AREA	RATE/HA	TOTAL
SURVEY NETWORK AMOUNT		\$285	

E. BOUNDARY IMPROVEMENT CHARGES

SUMMARY OF COSTS

Water	_____
Sanitary	_____
Storm	_____
Service Connections	_____
Roadways and Lanes	_____
Electric, Light, and Power	_____
Other	_____
Total Boundary Costs	=====

Attached, as part of this Appendix, are Detailed Boundary Improvement Charge Calculations

OR

Boundary Improvement costs are not applicable to this Development Agreement

F. AREA IMPROVEMENT CHARGES

SUMMARY OF COSTS

Water	_____
Sanitary	_____
Storm	_____
Service Connections	_____
Roadways and Lanes	_____
Electric, Light, and Power	_____
Other	_____
Total Area Improvement Costs	=====

FIL

DATE: April 10, 1996
TO: Engineering Department Manager
FROM: Assistant City Clerk
RE: STANDARD DEVELOPMENT AGREEMENT

At the Council Meeting held on April 9, 1996, consideration was given to your report dated March 29, 1996, Re: Standard Development Agreement, and at which meeting the following resolution was introduced and passed:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Engineering Department Manager, dated March 29, 1996, Re: Standard Development Agreement, hereby approves the above noted Agreement, and as presented to Council April 9, 1996."

The decision of Council in this instance is submitted for your information and implementation of the new Standard Development Agreement.


JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Development Services
Principal Planner
Land & Economic Development Manager
Inspection & Licensing Manager


DATE: March 28, 1996
TO: Kelly Kloss, City Clerk
FROM: Alan Scott, Land and Economic Development Manager
RE: **ROAD CONSTRUCTION - EDGAR INDUSTRIAL PARK**

We have received an offer on both the 2.1 acre and 3.0 acre parcels of land, as indicated in the attached drawing. A condition of the offer is that we construct, to a minimum of a gravel state, the north-south road along the eastern boundary of the property. Eventually the road would be extended as the subdivision is developed, providing access to additional lots to the west. It is estimated that the construction of this small piece of road to a gravel state and the installation of services in the right-of-way, which can be connected at later date with the development of the subdivision, will cost approximately \$70,000 for Engineering and E. L. & P services plus survey and registration fees. This amount is not budgeted in the 1996 Capital Works Budget.

The sale of these two parcels will result in revenue to the City of \$328,155.

RECOMMENDATION

We recommend that Council authorize the construction of this road, as part of our 1996 Capital Works Program, at a cost of up to \$70,000. We would further recommend that the costs associated with the road construction be charged against the Edgar Industrial Park Subdivision. and recovered through the sale of industrial land parcels.


For

Alan V. Scott

AVS/mm

Att.



3 Pul

COMMENTS:

We concur with the recommendation of the Land and Economic Development Manager.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

FILE

DATE: April 11, 1996
TO: Land & Appraisal Coordinator
FROM: Assistant City Clerk
RE: ROAD CLOSURE BYLAW 3166/96 - EDGAR INDUSTRIAL PARK

At the Council Meeting held on April 9, 1996, first reading was given to Road Closure Bylaw 3166/96, a copy of which is attached hereto.

Road Closure Bylaw 3166/96 provides for a road closure of all that portion of Edgar Industrial Crescent as shown on Plan 912-0791, contained within Lot _____, Block 2, Plan _____, and containing 0.236 HA. (0.58 AC.) more or less, excepting thereout all mines and minerals.

This office will now proceed with preparation of advertising for a Public Hearing to be held in Council Chambers of City Hall on Monday, May 6, 1996, commencing at 7:00 p.m., or as soon thereafter as Council may determine.

I trust you will find this satisfactory.



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Land & Economic Development Manager
Director of Development Services
Principal Planner
Council & Committee Secretary, S. Ladwig
C. Rausch

FILE

DATE: April 11, 1996
TO: Land & Economic Development Manager
FROM: Assistant City Clerk
RE: ROAD CONSTRUCTION - EDGAR INDUSTRIAL PARK

At the Council Meeting held on April 9, 1996, consideration was given to your report dated March 28, 1996, concerning the above topic, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Land and Economic Development Manager, dated March 28, 1996, Re: Road Construction - Edgar Industrial Park, hereby authorizes construction of the said road as part of the 1996 Capital Works Program at a cost of up to \$70,000.00, and further agrees that the costs associated with road construction be charged against the Edgar Industrial Park subdivision and recovered through sales of industrial land parcels, and as presented to Council April 9, 1996."

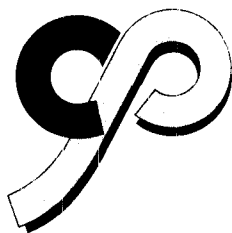
The decision of Council in this instance is submitted for your information and appropriate action. I trust you will find this satisfactory.



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Corporate Services
Director of Development Services
Engineering Department Manager
Public Works Manager
Principal Planner



MEMORANDUM

Date: 29 March 1996

To: Municipal Planning Commission / City Council

From: Paul Meyette

Re: **LAND USE POLICIES - REVIEW**

Municipal Affairs have prepared a revised draft of the proposed Land Use Policies. They are requesting that municipalities comment on these policies before they are finalized. The comments of Planning Staff are as follows:

■ BACKGROUND INFORMATION

Section 622 of the Municipal Government Amendment Act states that the Lieutenant Governor in Council may establish Land Use Policies and that:

'Every statutory plan, land use bylaw and action undertaken pursuant to this Part by a municipality, municipal planning commission, subdivision authority or subdivision and development appeal board or the Municipal Government Board, must be consistent with the Land Use Policies.'

The Land Use Policies will replace the regional plans which were in existence until September, 1995. The original draft of the land use policies was sent out in 1995. The current draft includes extensive revisions from the original.

■ SPECIFIC COMMENTS ON THE LAND USE POLICIES

INTERPRETATION

Section 1.2 indicates that municipalities are responsible for interpreting most of the Land Use Policies; in some instances, more "precise wording" is used where interpretation must be the same or similar across the Province. Planning Staff remain concerned about the generalized language used in most of the Land Use Policies. The lack of "precise wording" will mean that the interpretation of these Policies will vary widely between municipalities and ultimately will affect the policies' effectiveness.

2.0 PLANNING PROCESS

Policy 2.4 indicates that municipalities must assess the impact of a planning decision on individuals having regard to the greater public interest. While we agree with the intent of the policy, the wording could be interpreted that a municipality would be responsible for doing a development impact assessment for each individual landowner. We suggest the following rewording which would maintain the intent.

“In carrying out their planning responsibilities, municipalities are encouraged to never lose sight of the rights of individual citizens and landowners. Municipalities must have regard for the impact of any decision on individuals within the context of the overall public interest.”

3.0 PLANNING COOPERATION

Policy 3.1 encourages that intermunicipal planning efforts be expanded to address valued or manmade features which are intermunicipal in nature and where development transcends municipal boundaries. Planning Staff strongly support this Policy and recommend that the policy be strengthened and made mandatory by replacing the word “encouraged” with the word “must”.

Policy 3.2 encourages that fringe development be managed so that it does not inhibit or preclude future intensification. Planning Staff strongly support this Policy and recommend that the Policy be strengthened and made mandatory by replacing the words “are encouraged to” with the word “must”.

Policy 3.3 requires that subdivision and development decisions conform to the provisions of the intermunicipal development plan. Planning Staff support this proposal because it supports and strengthens intermunicipal development plans.

4.0 LAND USE PATTERNS

Policy 4.1 encourages that municipalities establish land use patterns which provide an appropriate mix of residential, commercial, industrial, institutional, public and recreational land uses. Planning Staff suggest that this be expanded to include provision for agricultural land uses in the list of potential land uses.

5.0 THE NATURAL ENVIRONMENT

This section encourages municipalities to identify and protect significant natural areas. In Policies 5.1, 5.3, and 5.5, Planning Staff suggest that the Policies be strengthened slightly by changing the words “are encouraged to” to the word “should”.

6.0 RESOURCE CONSERVATION

6.1 AGRICULTURE

Policy 6.1 encourages municipalities to identify areas where agricultural activities, including extensive and intensive agricultural activities, should be the primary use. Planning Staff suggest that this Policy be made mandatory to safeguard the agricultural industry and to reduce conflict with competing uses.

6.2 NON-RENEWABLE RESOURCES

In Policy 6.2.1, municipalities are encouraged to identify non-renewable resources. Planning Staff recommend that this requirement be made mandatory.

6.3 WATER RESOURCES

In Policy 6.3.1, municipalities are encouraged to identify significant water resources within their boundaries. Planning Staff recommend that this Policy be made mandatory.

6.4 HISTORICAL RESOURCES

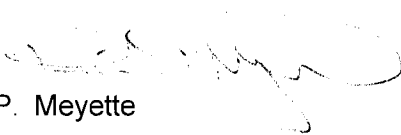
In Policy 6.4.1, municipalities are encouraged to identify significant historical resources. Planning Staff recommend that this be made mandatory.

7.0 TRANSPORTATION

In Policies 7.1, 7.2, and 7.3, municipalities are encouraged to identify key transportation corridors, facilities, associated land uses, and accessess. Planning Staff recommend that these be made mandatory.

CONCLUSION

These revised Land Use Policies are significantly better than the earlier version produced in 1995. Some strengthening of the Policies as recommended would, however, increase their consistency and effectiveness.



P. Meyette

PM:mak



ALBERTA

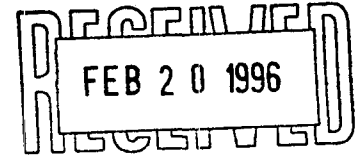
MUNICIPAL AFFAIRS

Office of the Minister

MLA, Drayton Valley - Calmar

DM10B-1

February 14, 1996



Dear Mayors/Reeves/Chairmen/Stakeholders:

During the preparation of the Municipal Government Amendment Act, which replaced the Planning Act on September 1, 1995, a discussion paper and a proposal paper were circulated. Each of these documents made reference to the proposed *Land Use Policies*, including reference to possible policy content.

In August 1995 a discussion paper relating specifically to the *Land Use Policies* was circulated to all municipalities, to all identified stakeholders, and to any interested persons, groups, and companies. Many written submissions were received. In preparing the enclosed second draft of the *Land Use Policies* the Department of Municipal Affairs attempted to incorporate the suggestions and recommendations which were made and to adjust the proposals where concerns were raised.

You are invited to review this draft and to make further suggestions before a final draft is submitted to Cabinet for approval under section 622 of the Municipal Government Act. Please submit your comments by April 15, 1996 to:

Land Use Policies Review
Local Government Services Division
15th Floor, 10155 - 102 Street
Edmonton, Alberta T5J 4L4

Your interest and participation are most appreciated.

Yours sincerely,

Tom Thurber
Minister

Att.

424 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 Telephone 403/427-3744, Fax 403/422-9550
5008 - 51 Avenue, Drayton Valley, Alberta, Canada T0E 0M0 Telephone 403/542-3355, Fax 403/542-3331

DRAFT #2

LAND USE POLICIES

**Alberta Municipal Affairs
February 1996**

Land Use Policies

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Land Use Policies

PART 1

1.0 INTRODUCTION

Land use planning is both a municipal and provincial activity. Municipalities, having been given responsibilities under Part 17 (Planning and Development) of the Municipal Government Act, assume a critical role in the process. A number of provincial departments and agencies are also involved as a result of their particular mandates. The Province has the authority and the responsibility to allocate and manage provincial resources, and provincial legislation and programs often affect municipal planning initiatives. Conversely, municipal decisions and actions affecting development can have a substantial impact on the success of important provincial objectives designed for the benefit of all Albertans. It is therefore important that municipal and provincial planning efforts utilize consistent approaches and pursue a high level of cooperation and coordination. It is also important that municipal planning efforts complement provincial policies and initiatives, especially as municipalities adjust to the changing planning structure and their additional responsibilities in keeping with the new planning legislation. The *Land Use Policies* are therefore being established pursuant to section 622 of the Municipal Government Act.

The *Land Use Policies* supplement the planning provisions of the Municipal Government Act and the Subdivision and Development Regulation, and it is expected that all municipalities will implement the policies in the course of carrying out their planning responsibilities.

There are three sections to the *Land Use Policies*. Part I sets out the purpose of the *Land Use Policies* and clarifies the implementation role of municipalities. Part II contains policies which are operational in nature, relating to a municipality's general approach to planning, and addressing individual rights, the public interest, intermunicipal cooperation, and coordination with other jurisdictions. Part III contains policies which address specific land use planning issues in which the Province and municipalities share a common interest.

1.1 Application and Implementation

Section 622(3) of the Municipal Government Act requires that municipal statutory plans, land use bylaws, and planning decisions and actions be consistent with the *Land Use Policies*. Section 680(2)(c) requires a subdivision and development appeal board and the Municipal Government Board¹ to be consistent with the *Land Use Policies* in determining a subdivision appeal. Section 687(3)(a) requires a subdivision and development appeal board to comply with the *Land Use Policies* in determining a development appeal.

Each municipality² should incorporate the *Land Use Policies* into its planning documents and planning practice. The Part II policies focus on the planning operations of municipalities and on municipal interaction with residents, applicants, neighbouring municipalities, provincial government departments, federal government departments, and other agencies. These policies should be implemented when planning programs are being designed, when plans are being formulated, and when planning decisions are being made. Municipalities should begin to implement these types of policies as soon as the *Land Use Policies* have been enacted.

The Part III policies are theme-oriented and have particular application in statutory plans and land use bylaws, as well as in the decision making process. As existing planning documents are being reviewed and revised or as new ones are being formulated, municipalities are expected to ensure that consistency is achieved. Once the *Land Use Policies* have been enacted, municipalities are also expected to ensure that planning decisions are consistent with Part III.

1.2 Interpretation

The Province is entrusting each municipality to interpret and apply the *Land Use Policies* and to further elaborate on the policy initiatives in their statutory plans. The policies are presented in a generalized manner in order to allow municipal interpretation and application in a locally meaningful and appropriate fashion. Precise wording is only used in areas where municipal interpretation must be the same or similar across the Province.

¹ The wording of the *Land Use Policies* is oriented towards municipalities. Municipal Government Board decisions pursuant to Part 17 of the Municipal Government Act are also required to be consistent with their spirit, intent, and direction.

² The term is used in the broad sense and includes council, administration, designated officers, commissions, committees, boards, and authorities.

The *Land Use Policies* focus on matters of public policy, not matters of law. They provide a framework for statutory plans, land use bylaws, and planning decisions. The *Land Use Policies* should be interpreted as municipal development plans are; that is, a guide to more specific municipal action. The *Land Use Policies* are not intended to be the basis of legal challenges.

In applying the *Land Use Policies* municipalities must assess the importance of each policy in relation to the others in light of local and intermunicipal priorities. Municipalities must have regard to the cumulative effect of all of the policies as well as to the specific effect of each policy.

PART II

2.0 THE PLANNING PROCESS

Goal

Planning activities are to be carried out in a fair, open, considerate, and equitable manner.

Policies

1. Municipalities are encouraged to ensure that all potentially affected parties are adequately informed of municipal planning activities and are provided with appropriate opportunities to participate in the planning process and with sufficient information to participate meaningfully.
2. Municipalities are encouraged to ensure that each proposed plan amendment, reclassification, development application, and subdivision application is processed in a thorough, timely, and diligent manner.
3. When considering a planning application, municipalities are encouraged to have regard to both site specific and immediate implications and to long term and cumulative benefits and impacts.
4. In carrying out their planning responsibilities, municipalities are encouraged never to lose sight of the rights of individual citizens and landowners. Municipalities must assess the impact of any planning decision on individuals having regard to the purpose statement of the planning legislation.

3.0 PLANNING COOPERATION

Goal

To foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments and other jurisdictions in addressing planning issues and in implementing plans and strategies.

Policies

1. Municipalities are encouraged to expand intermunicipal planning efforts to address common planning issues, especially where valued natural or man-made features are of interest to more than one municipality and where the effects of development transcends municipal boundaries.
2. In particular, adjoining municipalities are encouraged to manage fringe areas in a manner which ensures that any use or development does not inhibit or preclude future intensification of use on these lands nor unduly interfere with the continuation of existing uses.
3. Municipalities are encouraged to jointly prepare and adopt intermunicipal development plans for critical fringe areas and to ensure that any subdivision and development decisions and annexation proposals conform to the provisions of the plan.
4. Where two or more municipalities are located on the shores of the same lake, and development is anticipated, the municipalities are encouraged to prepare and adopt an intermunicipal development plan to jointly address lake planning issues, and to ensure that subdivision and development decisions conform to the provisions of the plan.
5. Municipalities are encouraged to coordinate their planning activities with provincial resource and land management strategies, including integrated resource plans and Alberta Tourism Recreational Lease processes.
6. Municipalities are encouraged to coordinate their planning activities with those of First Nation Reserves, Metis Settlements, Irrigation Districts, and appropriate federal departments and agencies where issues are of mutual interest.

PART III

4.0 LAND USE PATTERNS

Goal

To foster the establishment of land use patterns which make efficient use of land, infrastructure, public services, and public facilities; which promote resource conservation; which minimize environmental impact; and which contribute to the development of healthy, safe, and viable communities.

Policies

1. Municipalities are encouraged to establish, on a municipal and on an intermunicipal basis, land use patterns which provide an appropriate mix of residential, commercial, industrial, institutional, public and recreational land uses developed in an orderly, concentrated, compatible, safe and economical manner in keeping with the general policies of this section and the more specific policies found in the remainder of Part III.
2. Municipalities are encouraged to establish land use patterns which contribute to the provision of a wide range of economic development opportunities, thereby enhancing local employment possibilities and promoting a healthy and stable economy. In carrying out land use planning, municipalities are encouraged to complement and support provincial economic development initiatives.³
3. Municipalities are encouraged to establish land use patterns which accommodate natural resource processing, manufacturing, and other industrial development while, at the same time, minimizing potential conflict with nearby land uses and any negative environmental impacts.

³ Municipalities should refer to the publication Seizing Opportunity, Alberta's New Economic Development Strategy, available from Alberta Economic Development and Tourism, 6th Floor, 10155 - 102 Street, Edmonton, AB T5J 4L6 and to any subsequent economic development policy documents. Municipalities should discuss provincial economic development initiatives with representatives of Alberta Economic Development and Tourism, Alberta Agriculture, Food and Rural Development, and Alberta Energy.

4. Municipalities are encouraged to establish land use patterns which embody the principles of sustainable development, thereby contributing to a healthy environment, a healthy economy and a high quality of life.⁴
5. Municipalities are encouraged to establish land use patterns which provide the opportunity for a variety of residential environments featuring innovative design, higher densities, compatible home occupations, and other forms of intensification which make use of existing infrastructure and facilities.
6. Municipalities are encouraged to establish land use patterns commensurate with the level of infrastructure and services which can be provided, regardless of whether the infrastructure and services are provided municipally, communally, individually, or by a utility company. Municipalities are encouraged to coordinate the provision of services with neighbouring municipalities.
7. Municipalities, within legislative limits, are encouraged to establish land use patterns which complement their municipal financial management strategies, thereby contributing to the financial health and viability of the municipality.

⁴ The Alberta Vision of Sustainable Development was endorsed by the Alberta Legislature in June 1992. A summary is found in Appendix 1. Municipalities should refer to the publications:

1. Alberta Round Table on Environment and Economy 1991 (#P5-E1).
2. Report of Alberta Round Table on Environment and Economy 1993 (#P5-E2).
3. Ensuring Prosperity, Implementing Sustainable Development 1995 (#592-E-1).

Publications are available from the Environmental Information Centre, 9920 - 108 Street, Edmonton, AB T5K 2M4 Telephone: (403) 422-2079.

5.0 THE NATURAL ENVIRONMENT

Goal

To contribute to the maintenance and enhancement of the natural environment.

Policies

1. Municipalities are encouraged to identify, in cooperation with Alberta Environmental Protection, significant ravines, valleys, stream corridors, lakeshores, wetlands⁵ and any other unique landscape area within their boundaries, and to establish land use patterns which are consistent with the value of those areas to the municipality and to the Province.
2. When subdivision and development is to be approved in the areas identified in accordance with policy #1 municipalities are encouraged to, within the scope of their jurisdiction, utilize mitigative measures designed to minimize any negative impact.
3. Municipalities are encouraged to identify, in cooperation with Alberta Environmental Protection, areas within their boundaries which are prone to flooding, erosion, landslides or subsidence, and to establish appropriate land use patterns within and adjacent to these areas.
4. When subdivision and development is to be approved in the areas identified in accordance with policy #3 municipalities are encouraged to, within the scope of their jurisdiction, utilize mitigative measures to minimize the risk to health, to safety, and to loss due to property damage.
5. Municipalities are encouraged to identify, in cooperation with Alberta Environmental Protection, areas of significant fish, wildlife, and plant habitat within their boundaries and to establish appropriate land use patterns designed to minimize the loss of valued habitat within and adjacent to these areas.

⁵ Wetland areas are valued for water storage, groundwater replenishment, flow regulation, water quality control, and wildlife habitat. Municipalities should refer to Wetland Management for Alberta, An Interim Policy, 1993, available from Alberta Environmental Protection, Corporate Management Service, 9th Floor, 9820 - 106 Street, Edmonton, AB T5K 2J6 (telephone (403) 427-3608).

6. When subdivision and development is to be approved in the areas identified in accordance with policy #5 municipalities are encouraged to, within the scope of their jurisdiction, utilize mitigative measures to minimize the loss of habitat.

6.0 RESOURCE CONSERVATION

6.1 Agriculture

Goal

To contribute to the maintenance and diversification of Alberta's agricultural industry.

Policies

1. Municipalities are encouraged to identify, in cooperation with Alberta Agriculture, Food and Rural Development and with local agricultural groups, areas where agricultural activities including extensive and intensive agricultural and associated activities, should be the primary land use⁶.
2. Municipalities should discourage the fragmentation of agricultural lands and their premature conversion to other uses, especially within the primary agricultural areas identified in accordance with policy #1.
3. Where possible, municipalities are encouraged to direct non-agricultural development to areas where such development will not constrain agricultural activities.
4. Municipalities are encouraged to minimize conflicts between intensive agricultural operations and incompatible land uses through the use of reciprocal setback distances⁷ and other mitigative measures.

⁶ Municipalities are not required to exclude public uses from these primary agricultural areas.

⁷ To determine the acceptable location of a proposed new or expanded intensive livestock facility relative to adjacent development, and the acceptable location of new development in the vicinity of an intensive livestock facility, municipalities are encouraged to utilize, in cooperation with Alberta Agriculture, Food and Rural Development, the Minimum Distance Separation Method (MDS). The MDS Method includes variances for unique topography and/or microclimate, visual screening, prevailing winds, and unique agricultural management or technology, and is applied in conjunction with the intensive livestock definition provided in the Code of Practice for the Safe and Economic Handling of Animal Manures.

6.2 Non-renewable Resources

Goal

To contribute to the efficient use of Alberta's non-renewable resources.

Policies

1. Municipalities are encouraged to identify, in cooperation with Alberta Energy and the Alberta Research Council, areas where the extraction of mineral and other non-renewable resources, including sand and gravel, should be the primary land use.
2. Municipalities are encouraged to direct subdivision and development activity so as not to constrain or conflict with non renewable resource development, particularly with respect to the primary land use areas identified in accordance with policy #1.
3. In addressing resource development municipalities should, within the scope of their jurisdiction, employ measures to mitigate environmental damage and minimize any negative impact on surrounding areas and land uses.

6.3 Water Resources

Goal

To contribute to the protection and sustainable utilization of Alberta's water resources, including lakes and streams, their beds and shores, wetlands and groundwater.

Policies

1. Municipalities are encouraged to identify, in cooperation with Alberta Environmental Protection, significant water resources within their boundaries.
2. Municipalities are encouraged to determine appropriate land use patterns in the vicinity of the resources identified in accordance with policy #1, having regard to impacts on an entire watershed as well as local impacts.

3. When subdivision and development is to be approved in the vicinity of the resources identified in accordance with policy #1, municipalities are encouraged to incorporate measures, within the scope of their jurisdiction, which minimize or mitigate any negative impacts on water quality, flow and supply deterioration, soil erosion, and ground water quality and availability.

6.4 Historical Resources

Goal

To contribute to the preservation, rehabilitation and reuse of historical resources, including archeological and palaeontological resources.⁸

Policies

1. Municipalities are encouraged to identify, in cooperation with Alberta Cultural Facilities and Historical Resources, significant historical resources within their boundaries.
2. Within the scope of their jurisdiction, municipalities should take steps to preserve and enhance the historical resources identified in accordance with policy #1 so that those resources may be used and enjoyed by present and future generations.

7.0 TRANSPORTATION

Goal

To contribute to a safe, efficient, and cost effective provincial transportation network.

Policies

1. Municipalities are encouraged to identify, in cooperation with Alberta Transportation and Utilities, the location, nature and purpose of key transportation corridors and facilities⁹ within and adjacent to their boundaries.

⁸ All archeological and palaeontoglogical resources are owned by the Province.

⁹ This includes highway corridors, railway lines, and airports.

2. Recognizing the value of these corridors and facilities to provincial economic development initiatives, municipalities are encouraged to establish compatible land use patterns in the vicinity of the areas identified in accordance with policy #1.
3. When subdivision and development is to be approved in the vicinity of the areas identified in accordance with policy #1, municipalities are encouraged to limit access and to enter into highway vicinity agreements with Alberta Transportation and Utilities.

8.0 RESIDENTIAL DEVELOPMENT

Goal

To contribute to the provision of adequate and affordable housing for all Albertans and to the development of well planned residential communities.

Policies

1. Municipalities are encouraged to identify, in cooperation with the local housing industry and with local housing associations, the magnitude and scope of the housing need within their communities and to establish land use patterns in response to that need.
2. In establishing the land use patterns in accordance with policy #1 municipalities are encouraged to accommodate and facilitate a wide a range of housing types.
3. In responding to policies #1 and #2, municipalities are encouraged to provide for intensification within developed areas where existing infrastructure and facilities have adequate capacity.
4. In responding to policies #1 and #2, municipalities are encouraged to accommodate the growing number of needed specialized residences in which the provision of care and support for their residents is possible.
5. In responding to policies #1 and #2, municipalities are encouraged to eliminate the barriers which inhibit the use of housing constructed off site and to accommodate manufactured and modular housing in a fashion which is in harmony with existing or proposed neighbourhood design and architectural development.

6. In responding to policy #1 municipalities are encouraged to review, in cooperation with the land development industry, their current standards and practices with regard to neighbourhood design, and to respond to the provisions of this section.

APPENDIX 1

Alberta's Vision of Sustainable Development

Alberta, a member of the global community, is a leader in sustainable development, ensuring a healthy environment, a healthy economy, and a high quality of life in the present and the future.

Our vision encompasses all of the following elements.

- **The quality of air, water, and land is assured.**

Environmentally sound use of air, water, and land safeguards essential life-support systems. There is continuous improvement in practices affecting their quality.

- **Alberta's biological diversity is preserved.**

Biogeographical areas, habitat, and wildlife are protected. Aesthetically attractive areas are set aside for recreational, cultural, and spiritual needs.

- **We live within Alberta's natural carrying capacity.**

Renewable resources are used in a sustainable manner. Non-renewable resources are used responsibly and contribute to the attainment of a sustainable future. Our values and consumption patterns recognize Alberta's true carrying capacity.

- **The economy is healthy.**

The economy is diversified, resilient, globally competitive, and environmentally responsible. Employment and other roles are meaningful, productive, creative, and rewarding.

- **Market forces and regulatory systems work for sustainable development.**

There are economic incentives to encourage environmentally responsible behaviour, with full-cost accounting for the life cycle of products. Where regulatory systems are required to shape the market, they foster sustainable development and choice.

- **Urban and rural communities offer a healthy environment for living.**

Human settlements are shaped by principles of sustainability, offering healthy work environments, usable open space, efficient transportation, and accessible natural areas. Work, residence, and leisure places are closely integrated.

- **Albertans are educated and informed about the economy and the environment.**

Education begins at an early age so that all citizens understand the issues and the elements of this vision. Everyone has access to the information necessary to exercise good judgement.

- **Albertans are responsible global citizens.**

We join with the global community in making decisions about economic and environmental issues. We exchange knowledge and technology with other nations. Our policies recognize the link between world population and sustainability. In making local decisions, we take into account global economic and environmental impacts.

- **Albertans are stewards of the environment and the economy.**

As individuals, we actively employ our understanding and knowledge to hold in trust, for future generations, both the environment and the economy.

COMMENTS:

We concur with the general intent of the comments of the Parkland Community Planning Services and recommend Council endorse these comments and forward same to the Department of Municipal Affairs.

We doubt very much that the province will accept the work "must" in place of "are encouraged to" but the comments as outlined will indicate to the province that we are in favour of stronger wording than "encourage".

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

FILE

DATE: April 11, 1996
TO: Parkland Community Planning Services
FROM: Assistant City Clerk
RE: LAND USE POLICIES - REVIEW

At the Council Meeting held on April 9, 1996, consideration was given to your report dated March 29, 1996, concerning the above topic, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Parkland Community Planning Services, dated March 29, 1996, Re: Land Use Policies - Review, hereby agrees to forward the comments of the Parkland Community Planning Services to the Department of Municipal Affairs for their consideration as part of the Land Use Policies Review, and as presented to Council April 9, 1996."

The decision of Council in this instance is submitted for your information. A copy of the letter we have forwarded to the Minister of Municipal Affairs is attached hereto, for your reference.

I trust you will find this satisfactory.



JEFF GRAVES
Assistant City Clerk

JG/fm

attch.

cc. Director of Community Services
Inspections & Licensing Manager



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No.
FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 11, 1996

Land Use Policies Review
Local Government Services Division
15th Floor, 10155 - 102 Street
Edmonton, Alberta T5J 4L4

Dear Sirs:

RE: LAND USE POLICIES REVIEW

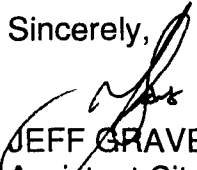
At The City of Red Deer Council Meeting held on April 9, 1996, consideration was given to a report from the Parkland Community Planning Services, dated March 29, 1996, Re: Land Use Policies - Review, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered the report from the Parkland Community Planning Services, dated March 29, 1996, Re: Land Use Policies - Review, hereby agrees to forward the comments of the Parkland Community Planning Services to the Department of Municipal Affairs for their consideration as part of the Land Use Policies Review, and as presented to Council April 9, 1996."

As a result of the above resolution, I have attached hereto a copy of the memorandum to City Council, from the Parkland Community Planning Services. This memorandum represents The City of Red Deer's comments in regard to the Land Use Policies Review Draft #2, as circulated by the Department of Municipal Affairs.

Should you wish any further information or clarification on the comments provided by The City of Red Deer, please feel free to contact the undersigned.

Sincerely,


JEFF GRAVES
Assistant City Clerk
JG/fm

attch.

cc. Parkland Community Planning Services
Director of Community Services



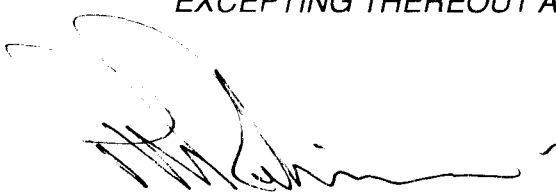
*a delight
to discover!*

DATE: April 3, 1996
TO: Kelly Kloss, City Clerk
FROM: Peter Robinson, Land and Appraisal Coordinator
RE: **ROAD CLOSURE BYLAW - EDGAR INDUSTRIAL PARK**

To facilitate a proposed industrial subdivision in Edgar Industrial Park, the following Road Closure Bylaw requires City Council approval:

RECOMMENDATION

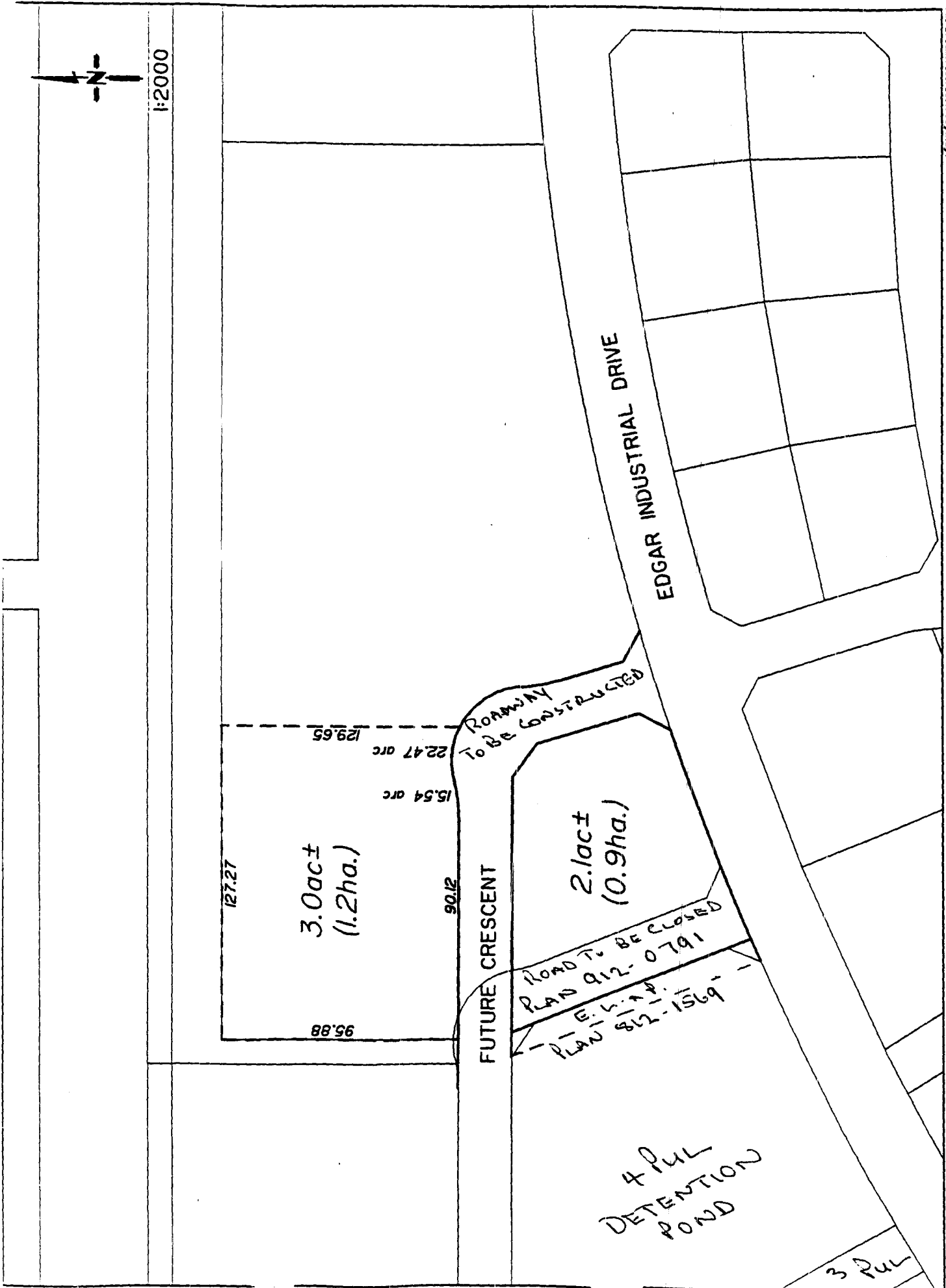
*ALL THAT PORTION OF EDGAR INDUSTRIAL CRESCENT AS SHOWN
ON PLAN 912-0791, CONTAINED WITHIN LOT _____, BLOCK 2, PLAN
_____, AND CONTAINING 0.236 HA. (0.58 AC.) MORE OR LESS,
EXCEPTING THEREOUT ALL MINES AND MINERALS.*



Peter A. Robinson, CRA, A.M.A.A.

PAR/mm

c: A. Scott, Land and Econ. Dev. Manager



COMMENTS:

We recommend Council proceed with 1st Reading of this Road Closure Bylaw.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

No. 1

Mr. and Mrs. Charles Folstrom
211 Barrett Dr.
Red Deer, Alberta
T4R 1H3

March 19 1996

Kelly Kloss
P.O. Box 5008
Red Deer, Alberta
T4N 3T4

To: Kelly Kloss

Re: 68 Wigmore Close
Red Deer, Alberta

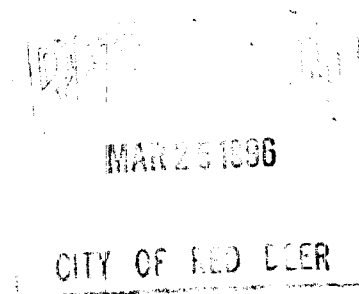
We have recieved a notice from the city explaining that the basement suite at the above address is not located in the correct zoning area.

We purchased this as revenue property in August of 1995 under the impression that it was legal.

My husband and I would like to apply to the city council to ask if they would consider our retaining this property as is, instead of converting it back to a single family dwelling.

We would greatly appreciate your help with this matter.

Thank-You,
Charles and Susan Folstrom



MEMO

Date: March 29, 1996

File: 6.007

To: KELLY KLOSS
City Clerk

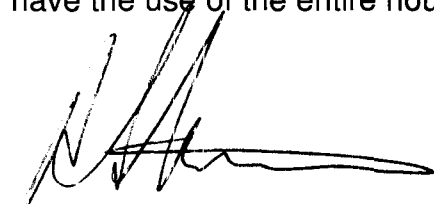
From: RYAN STRADER
Inspections and Licensing Manager

RE: 68 WIGMORE CLOSE
LOT 27, BLOCK 31, PLAN 2886 T.R.

In response to your memo regarding the above referenced, we have the following comments for Council's consideration.

The above site has always been zoned R1 in which basement suites are not permitted or discretionary. In 1995, we confirmed the zoning in the attached letter to a Red Deer law firm. It appears this letter was requested in connection with the sale of the property to Mr. & Mrs. Folstrom.

Recommendation: That the site not be rezoned and the applicant be given 90 days to have the use of the entire house reverted to a single family dwelling.



R. STRADER
Inspections and Licensing Department

RS:yd

Att.

July 13, 1995

Sisson Warren & Sinclair
First Red Deer Place
600, 4911 - 51 Street
Red Deer, Alberta
T4N 6V4

Attention: Chris Warren

Dear Sir:

RE: 68 WIGMORE CLOSE
LOT 27, BLOCK 31, PLAN 2886 T.R.
YOUR FILE NO. 22816CW

In response to your letter of July 7, 1995, we wish to advise that the above site is designated as R1 by The City of Red Deer Land Use Bylaw in which a single family dwelling is listed as a permitted use.

A surveyor's certificate on file for this site, dated August 7, 1980, indicates that the location of the principal dwelling complies with the requirements of the Bylaw which was in effect at that time.

The location of the detached garage is subject to the Municipal Planning Commission's decision of August 26, 1980, which was:

"That the Municipal Planning Commission approve a 1 foot relaxation in connection with the entrance to an existing garage at 68 Wigmore Close, Lot 27, Block 31, Plan 2886 T. R. in order to specifically allow the garage door entrance to be situated 19 feet from the rear property line rather than the Land Use Bylaw requirement of 20 feet."

We trust this is the information required.

Yours truly,

Vicki J. Swainson
Building General Clerk
BYLAWS & INSPECTIONS DEPARTMENT

VS/yd



Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570

Date: March 28, 1996

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Charles & Susan Folstrom
Basement Suite - 68 Wigmore Close

Mr. and Mrs. Charles Folstrom are requesting City Council to allow them to retain a basement suite in the single family dwelling located at the above address. They had purchased the above dwelling, which contained a basement suite, as a revenue property and were under the impression that it was legal to have a basement suite.

Planning staff have reviewed the request and inspected the site. The subject property is located in a cul-de-sac which is designated R1 Residential District under the Land Use Bylaw. The site contains a bungalow with a double detached garage in the back yard. The garage has an apron of approximately 4.5 metres (15 feet) deep. Across the lane from the subject property are a row of semi-detached dwellings, which most have two parking stalls accessing off the lane.

Recommendation

Planning staff do not support the request to allow the basement suite to remain at the above address because it would potentially increase traffic and parking congestion in an already congested area and may set a precedent for other single family dwellings in the area to make similar requests. In view of the above, we recommend that the request be denied.

Sincerely,

A handwritten signature in black ink that reads 'Frank Wong'.

Frank Wong,
Planning Assistant

COMMENTS:

We concur with the recommendation of the Parkland Community Planning Services. It would appear that Mr. & Mrs. Folstrom should have been advised of the permitted uses on this site, given the fact that specific correspondence had been directed to the law firm involved.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No. **FILE**

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 11, 1996

Mr. & Mrs. Charles Folstrom
211 Barrett Drive
Red Deer, AB T4R 1H3

Dear Mr. & Mrs. Folstrom:

RE: 68 WIGMORE CLOSE - BASEMENT SUITE

At The City of Red Deer Council Meeting held on April 9, 1996, consideration was given to your correspondence dated March 19, 1996, requesting approval to maintain a basement suite at 68 Wigmore Close, and at which meeting the following resolution was passed agreeing not to approve your request:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Mr. and Mrs. Charles Folstrom, dated March 19, 1996, Re: Request to Allow the Basement Suite to Remain at 68 Wigmore Close, hereby agrees that said request be denied, and as presented to Council April 9, 1996."

As your request was not approved by Council you will be required to bring your building in conformity with the Land Use Bylaw within 90 days of Council's decision.

If you have any questions, or require additional information, please do not hesitate to contact the Inspections and Licensing Manager, Ryan Strader, or the undersigned.

Sincerely,

JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Director of Development Services
Inspections & Licensing Manager
Principal Planner



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to discover!*

DATE: MARCH 26, 1996
TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF (EMERGENCY SERVICES)
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK
RE: Basement Suite - 68 Wigmore Close
Charles & Susan Folstrom

Please submit comments on the attached to this office by April 1, 1996 for the Council Agenda of April 9, 1996.

"Kelly Kloss"
City Clerk

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THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No.
FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 26, 1996

Mr. & Mrs. Charles Folstrom
211 Barrett Drive
Red Deer, AB T4R 1H3

BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL

Dear Mr. & Mrs. Folstrom:

I acknowledge receipt of your letter dated March 19, 1996 re: 68 Wigmore Close, Basement Suite.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on April 9, 1996.

Your request has been circulated to City administration for comments. Should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Thursday, April 4, 1996.

In the event you wish to be present at the Council meeting, would you please telephone our office on April 4th and we will advise you of the approximate time that Council will be discussing this item. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m. When arriving at City Hall, please enter City Hall on the park side entrance, and proceed to the second floor Council Chambers.

If you have any questions in the meantime, please do not hesitate to contact the writer.

Yours sincerely,

KELLY KLOSS
City Clerk

KK/fm



*a delight
to discover!*

RECEIVED	
TIME	4:25p
DATE	MARCH 26/96
BY	

To City Council

I am applying to change the zoning of my four lots at 5823 51st from residential to commercial and to renovate my business located at 5020 58st.

My intent would be to remove the existing residence to create more off street parking. I would also require a building permit to renovate my already existing patio, in order to gain a view of the river, and a more suitable seating accomodations below the new patio. I further request permission to erect a form of advertising possible in the form of a sign.

Any requests or concerns for more information contact Ross Jackson at 341-4190 - 342-4622

5020 58st

RED DEER AB

Cordially
Ross Jackson

Site plan of the Wrench Masters property at 58th Street. The plan shows a large rectangular lot with a "WRENCH MASTERS" building on the right side, shaded with diagonal lines. To the left of the building is a "PARKING AREA (66 STALLS)" with a grid of parking spaces. Further left is a "RESIDENCE" building, also shaded with diagonal lines. The lot is bounded by a "FENCE" and a "SIDE WALK". The street frontage is labeled "58TH STREET". Various dimensions and setbacks are indicated throughout the plan.

MEMO

Date: April 2, 1996 **File:** 6.012

To: KELLY KLOSS
City Clerk

From: RYAN STRADER
Inspections and Licensing Manager

RE: REZONING REQUEST
5823 - 51 AVENUE
LOT 14 TO 15, BLOCK 30, PLAN 7604 K.S.

We have the following comments for Council's consideration concerning the above referenced:

The applicant is making two request in his letters; **1)** to rezone 5823 - 51st Avenue to allow parking and to locate a sign, **2)** a building permit to renovate an existing patio.

In dealing with the first item, the site is presently zoned R2. The other sites between 5823 and the commercial building are used for parking at this time, consequently the proposed use of 5823 would be compatible with the rest of the area. If the site were zoned commercial, signage would be allowed subject to the appropriate permits being issued.

The renovations do not require Council's approval, however they would be subject to the applicable Land Use Regulations and Building Code requirements. It appears that a relaxation of the Land Use Bylaw for landscaping and distance of building from property lines would be required. Those relaxations can be requested from the Municipal Planning Commission, whose decision would be subject to appeal to the Development Appeal Board.

Recommendation: That the zoning request be approved subject to:

1. All the property fronting on 51st Avenue be rezoned to be same designation.
2. The existing building on 5823 being removed.

REZONING REQUEST/5823 - 51 AVENUE

April 2, 1996

Page 2

3. The entire parking and driveway be paved.
4. A 1.5 metres strip adjacent to 51st Avenue and 59th along the parking area be landscaped. The applicant is proposing to eliminate the landscaping in front of his building, this condition is necessary. Plans to be submitted to and approved by the Development Officer.
5. Applicant being aware that any addition to the building is subject to complete building drawings being submitted to and approved by the building department.

A handwritten signature in black ink, appearing to read 'R. Strader', with a large, sweeping loop at the end.**R. STRADER**

Inspections and Licensing Department

RS:yd

To: City Council
From: Paul Meyette,
Parkland Community Planning Services
Subject: Rezoning/Renovation Cass's Stagger Inn
Date: April 1, 1996

MEMORANDUM

Cass Trahan (Cass's Stagger Inn) is requesting that Council rezone the property located to the north of his existing building; he is also requesting approval for various development proposals including the development of a parking lot, renovation of the patio and additional signage.

Comments

The existing lounge development is located at the corner of 58th Street and 51st Avenue in the former Keg restaurant building. There is commercial development to the east of this block and commercial and residential development to the west. The proposal to expand the commercial zoning would be consistent with the remainder of the land uses in the area provided the parking lot is paved and landscaped to create an attractive appearance to the residential development to the west and north. The expansion of off street parking will relieve parking congestion in the neighbourhood.

Recommendation

Planning staff are prepared to support the proposal for rezoning of the five lots (Lots 11-15, Block 30, Plan 7604S) north of the lane behind Cass's Stagger Inn from R2 to C4 to allow for increased parking on the site. The Municipal Planning Commission should review the development issues related to this proposal (expansion of the deck, signage, paving of the parking lot and landscaping) prior to finalization of the land use bylaw amendment.

DATE: April 1, 1996

TO: KELLY KLOSS
City Clerk

FROM: DON BATCHELOR
Recreation, Parks & Culture Department

RE: REZONING:
5823 - 51 Avenue & 5020 - 58 Street

The above site presently contains a single-family house and garage, a parking lot and a commercial building. Development on site to date has made no provision for landscaping and, therefore, the site does not contain any trees or shrubs, excepting five small junipers adjacent to the courtyard and a poplar tree on the residential lot.

Any consideration to rezone or redevelop this site should contain a provision to landscape the area to include tree/shrub planting along 51st Avenue. A landscaping plan should be prepared and submitted by the applicant for review by The City of Red Deer. A buffer containing trees and shrubs could be incorporated in a redevelopment plan adjacent to the parking lot, and trees incorporated in tree grates may be a consideration for the area proposed for the patio expansion.

RECOMMENDATION

THAT City Council consider incorporating the requirement for landscaping by the applicant as a condition of rezoning approval.



DON BATCHELOR

:dmg

c Lowell Hodgson, Community Services Director
Paul Meyette, Parkland Community Planning Services
Ryan Strader, Inspections & Licensing Department

**THE CITY OF RED DEER
FIRE PREVENTION DEPARTMENT**

Interdepartmental Transmittal

Date: MAR 27, 1996

File#

To: CITY CLERK

Attention: KELLY KLOSS

From: FIRE PREVENTION

Name: DALE KELLY

Project: CASS TRAHAN

Address: 5823-51 AVE, 5820-58 ST

Legal Description :

Comments:

THIS DEPARTMENT HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Dale Kelly
Inspector

/tmp

Please find attach the following:

- () Development Drawings
- () Construction Drawings
- () Other

DATE: April 1, 1996

TO: City Clerk

FROM: Engineering Department Manager

RE: REZONING/RENOVATION - 5823-51 STREET AND 5020-58 STREET

Please be advised that we have no comments with respect to the above.



Ken G. Haslop, P. Eng.
Engineering Department Manager

/emg

COMMENTS:

We concur with the recommendations of the Licensing and Inspections Manager.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 27, 1996

Cass Trahan
Cass's Stagger Inn
5020 58 Street
Red Deer, AB T4N 6A8

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Dear Mr. Trahan:

I acknowledge receipt of your letter dated March 26, 1996 re: Rezoning/Renovations of 5823 - 51 Street and 5020 - 58 Street.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on Tuesday, April 9, 1996.

Your request has been circulated to City administration for comments. Should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Thursday, April 4, 1996.

In the event you wish to be present at the Council meeting, would you please telephone our office on April 4th and we will advise you of the approximate time that Council will be discussing this item. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m. When arriving at City Hall, please enter City Hall on the park side entrance, and proceed to the second floor Council Chambers.

If you have any questions in the meantime, please do not hesitate to contact the writer.

Yours sincerely,

KELLY KLOSS
City Clerk

KK/fm



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DATE: MARCH 27, 1996

TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
X DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
X FIRE CHIEF (EMERGENCY SERVICES)
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
X RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK

RE: Rezoning/renovation, 5823 - 51 Street & 5020 - 58 Street

NOTE: Maps & plans in City Clerk's office for viewing.

Please submit comments on the attached to this office by April 1, 1996 for the Council Agenda of April 9, 1996.

"Kelly Kloss"
City Clerk

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THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No.
FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 11, 1996

Cass Trahan
5020 58 Street
Red Deer, AB T4N 6A8

Dear Mr. Trahan:

RE: REQUEST FOR REZONING OF LOTS AT 5823 51 STREET & 5020 58 STREET

At The City of Red Deer Council Meeting held on April 9, 1996, consideration was given to your correspondence requesting rezoning of the above noted address to allow for parking, installation of a sign, and a building permit for renovations to an existing patio, and at which meeting Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Cass Trahan, dated March 26, 1996, Re: Request for Rezoning of Lots 14 - 15, Block 30, Plan 7604 K.S., 5823 - 51 Avenue, hereby approves said request, subject to the following:

1. Passage of Land Use Bylaw Amendment to rezone the said site from R2 to C4, to allow for increased parking on the site;
2. Approval by the Municipal Planning Commission of development issues relating to this proposal; and
3. The conditions as outlined in the report from the Inspections and Licensing Manager;

and as presented to Council April 9, 1996."

Council also proceeded with first reading of Land Use Bylaw Amendment 3156/A-96, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/A-96 provides for the rezoning of the five lots (Lots 11 - 15, Block 30, Plan 7604 K.S.) north of the lane behind Cass's Stagger Inn, from R2 to C4 to allow for the increased parking on this site.

.../2



*a delight
to discover!*

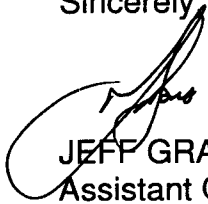
Cass Trahan
April 11, 1996
Page 2

This office will now proceed with preparation of the advertising of a Public Hearing for Land Use Bylaw Amendment 3156/A-96 to be held in Council Chambers of City Hall, on Monday, May 6, 1996, commencing at 7:00 p.m., or as soon thereafter as Council may determine.

Advertising is scheduled to appear in the Red Deer Advocate on Friday, April 19 and April 26, 1996. In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$600.00 (six hundred dollars). We require this deposit no later than Tuesday, April 16, 1996 in order to proceed with the advertising scheduled above. Once the actual costs are known you will either be invoiced for, or refunded, the balance.

If you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,



JEFF GRAVES
Assistant City Clerk

JG/fm

attch.

cc Principal Planner
Inspections & Licensing Manager
Council & Committee Secretary, S. Ladwig
C. Rausch

FILE

DATE: April 11, 1996
TO: Principal Planner
FROM: Assistant City Clerk
RE: LAND USE BYLAW AMENDMENT 3156/A-96

At the Council Meeting held on April 9, 1996, first reading was given to the above noted Land Use Bylaw Amendment, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/A-96 provides for the rezoning of the five lots (Lots 11 - 15, Block 30, Plan 7604 K.S.) north of the lane behind Cass's Stagger Inn, from R2 to C4 to allow for the increased parking on this site.

This office will now proceed with preparation of the advertising for a Public Hearing to held in Council Chambers of City Hall on Monday, May 6, 1996, commencing at 7:00 p.m., or as soon thereafter as Council may determine.

I trust you will find this satisfactory.



JEFF GRAVES
Assistant City Clerk

JG/fm

attch.

cc. Director of Development Services
City Assessor

Blue Smoke Fireworks Ltd.

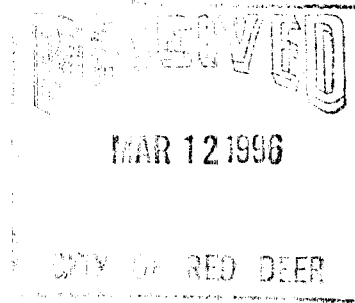
March 10, 1996

PO Box 43086 Deer Valley P.O.
Calgary, Alberta T2J 7A7
Phone (403) 225-0041 1-800-561-0041
Fax (403) 271-9223

The City of Red Deer

Box 5008
Red Deer, AB
T4N 3T4

Attention: Mayor and City Council



July 1st Fireworks Display Proposal

Blue Smoke Fireworks would like to tender a proposal for the fireworks show scheduled for July 1st, 1996. As an Alberta based company, we make every attempt to utilize qualified technicians (if available) from the local area and in fact have a number of technicians from the Red Deer area who have already expressed an interest to *volunteer*.

Blue Smoke Fireworks Ltd., has been contacted by local Red Deer business merchants, who are willing to put forth additional sponsorship money to supplement the current fireworks budget, on the stipulation Blue Smoke does the July 1st fireworks display. At the writing of this letter, we have received one commitment, and a number of additional prospects appear promising. Corporate sponsorships are an excellent way of supplementing your current budget and expanding the entertainment and excitement value of your festivities.

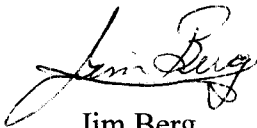
We would like you to considered the following:

The Blue Smoke Advantage:

- **Expertise** - Blue Smoke's technical staff with years of experience using state of the art equipment that has been used to win several world fireworks championships and countless awards. In its commitment to safety, Blue Smoke also continues to sponsor Fireworks Supervisory training courses in association with the Calgary Fire Department and Energy Mines and Resources Canada.
- **Excitement** - we "were" and "are" prepared to demonstrate our ability to provide pyro spectacular shows that we believe would 'blow your socks off' (pardon the pun).

- **Flexibility** - as a local Alberta company, we are able to take advantage of our extensive fireworks inventory and make adjustments to type of fireworks and equipment due to weather, promotion or last minute show changes.
- **Cost Effective** - being a local company, we have low overhead and more of your budget is put into the show and not in support of staff and equipment costs.
- **Sponsorship** - Blue Smoke Fireworks has corporate sponsors willing to help supplement costs of fireworks shows.
- **An Alberta Company** - we are a local company supporting the Alberta economy.

We extend our invitation to shop and compare and an opportunity to enhance your July 1st festivities. In doing so you would be investing back into the Red Deer community through support of local businesses, sponsors and fireworks technicians. We also support the tendering process to ensure that you are getting excellent product at the best prices and only ask that we be given a fair chance to present our product. References available on request.



Jim Berg

cc: Lowell Hodgson
Elizabeth Plumtree
Tony Catchick

Attachment: Proposed Fireworks Display
References

Blue ⁷⁰Smoke Fireworks Ltd.

P.O. Box 43086 Deer Valley P.O.
Calgary, Alberta T2J 7A7
Phone (403) 225-0041 1-800-561-0041
Fax (403) 271-9223

TO **City of Red Deer**

Date **March 10, 1996**
Customer No. _____

Quote: *Red Deer Fireworks Display - July 1 , 1996*

Quantity	Item #	Description	Added Value	Your Costs
1	7-22	Fireworks assortment as per description sheet		\$3,000.00
1	7-22	Supplemental fireworks as per 'sponsors' choice	\$1,000.00	n/c
1	7-22-1	Technicians fees (local volunteers)	\$300.00	n/c
1	7-22-4	Insurance for fireworks event	\$275.00	n/c
Added Value Sub Total			\$1575.00	
GST # R100554120				\$210.00
Your Costs Total				\$3210.00
				<u>\$1575.00</u>
Total Value - Your Costs plus Added Value items				<u>\$4,995.00</u>
Less 'Added Value'				<u>\$1575.00</u>

Your Cost	\$3210.00
------------------	------------------




Net 30 days 2% interest per month (24% per annum) charged on overdue accounts.

Thank You

Blue Smoke Fireworks Ltd.

PO Box 43086 Deer Valley P.O.
Calgary, Alberta T2J 7A7
Phone (403) 225-0041 1-800-561-0041
Fax (403) 271-9223

Proposed Fireworks Display: \$3,000.00

	Qty	Shell / Type	Description
	10	50mm	Titanium Salute Barrage (introduction)
	24	50mm	Rainbow assortment
	10	102mm	Tracer Comets with reports
	1	Special Effect	4 x 76mm Tiger Tails - crisscross with 4 x 30mm green roman candles
	15	76mm Fancy	Beautiful Colour Changing shells
	15	76mm	Classic selection of Kamuro , Spider and Cylindrical shells
	1	Special Effect	2 Silver Lace Comets Bombardo boards in V formation with 6 x 76mm mine shells up the centre
	10	127mm	Oasis - a selection of palm tree and cascade shells
	10	Special Effects 102mm	Chirivitas & Spider Webs - a breathtaking combination of chirivitas (fireflies) mixed with green, purple and blue spider webs.
	2	Mortar Boards	Silver Serpents - many screaming, swirling silver flitter whistle comets attack the sky (wild!)
	5	76mm	Screech Owls - a fantastic shell with a combination of stars and screaming rockets
	3	155mm	Classic - an old favorite combination of Peony's and Chrysanthemums .
	1	155mm	Tropicana Rose - purple and red fringe, bright orange middle with a brilliant yellow centre
	1	Finale	Canadian Mortar Board - consisting of 50 Red and White salute shots, framed by 76mm silver lace comets and a climax barrage of 6 x 120mm/127mm/155mm wagon wheel shells



*Blue Smoke Fireworks Ltd.***References**

(partial list)

Organization	Year(s)
Calgary Cannons Baseball Club **	95 - 96*
Labatts / Sportscheck 24 hour relay (COP)	95
Canada Winter Games **	95
Saskatoon Winterfest	94 - 95 - 96
Ponoka Stampede	93 - 94 - 95 - 96*
Inuvik Sunrise Festival **	95 - 96
Klondike Days (supply product)	
World Cup Bobsleigh/Winterfest closing Ceremonies **	96
Skidegate (Queen Charlotte Islands)	95
Disney World, Orlando Florida (technology & fireworks demonstration)	Sept 96

We also fire and supply numerous other venues

* = contracted for in 1996

** = Pyromusical

DATE: March 21, 1996

TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON
Community Services Director

RE: BLUE SMOKE FIREWORKS LTD.:
CANADA DAY CELEBRATIONS

The Red Deer Cultural Heritage Society has presented Canada Day Celebrations in Red Deer for the past 20 years. This has become a very significant and annual event in our city, with annual attendance usually in excess of 6,000 persons. Canada Day in Red Deer consists of a day-long, open-air stage show, ethnic food booths, displays, etc., with the day ending with a fireworks show.

The City currently contributes \$5,238.00 toward this special event. This funding is not earmarked for any component of the day, but is general in nature. The Red Deer Cultural Heritage Society is independent of the City, and is a volunteer-based group presenting this celebration, as well as operating cultural programs and activities throughout the year in both the Cronquist House and Festival Hall, two facilities they also operate. The City further contributes \$3,082.00 annually toward the operation of the Cronquist House.

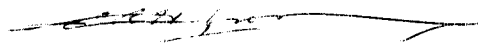
Blue Smoke Fireworks Limited has expressed interest in tendering for the right for the fireworks show on July 1st. The Cultural Heritage Society has indicated that they use volunteers in presenting Canada Day Celebrations, and they both wish and intend to continue in this way. Blue Smoke indicates that they have local businesses that wish to add sponsorship to the event, if it is Blue Smoke who contract the service.

It would seem to me that the issue for City Council is to consider whether or not we are satisfied with the Canada Day Celebrations as presented. Are we getting full value for the contribution we make? If the answer to this question is 'yes', then we should leave it to the society to organize and deliver the program as they see fit. If the answer is 'no', then we should make some specific requirements of them in order to receive this funding.

I highly respect the volunteers who present this annual event and I trust them to get the best value they can in presenting the Celebration. Therefore, I would recommend that we not interfere in any way, but encourage the society to equally accept corporate sponsorship and carefully shop the market to be certain they are getting the best "bang for their buck"!

RECOMMENDATION

THAT Council of The City of Red Deer acknowledge the request of Blue Smoke Fireworks Limited to bid for the fireworks show on Canada Day, but indicate our support for the Red Deer Cultural Heritage Society as a provider of the Canada Day Celebration, leaving it with them to be certain we are getting maximum value for the contribution the City makes.



LOWELL R. HODGSON

:dmg

c Lesia Davis, Culture Development Superintendent

RED DEER CULTURAL HERITAGE SOCIETY**Box 224****RED DEER, ALBERTA T4N 5E8****PHONE: (403) 346-0055 FAX: (403) 347-8759**

Her Worship, Mayor Gail Surkan,
Members of Red Deer City Council.

April 2, 1996

Originally known as the Folk Festival Society, the Red Deer Cultural Heritage Society has produced Red Deer's Canada Day celebrations for 27 years.

First held at the old exhibition grounds and, since 1980 at Bower Ponds, the Society's Canada Day festival is widely recognized throughout Alberta and Canada as a high quality affair attracting both thousands of visitors, local performing arts groups and notable Canadian entertainers.

Needless to say producing Canada Day takes extraordinary effort and resources. Member volunteers offer their time and talents at such diverse tasks as food preparation, grounds work, dance practice and promotion. Moreover, numerous local businesses have donated financial support, equipment and services to the Festival for many years.

One vital Canada Day project that has been completed by volunteers is the midnight firework display. The current firework supervisor has been a long time volunteer of the Society. He obtained his pyrotechnics license in order that the Society could more economically produce firework shows. This arrangement has meant the Society only pays for the cost of materials. The Society has always looked for and received the best deals available.

Canada Day has become an event the Red Deer Cultural Heritage Society takes great pride in presenting. The Society has been assisted by member volunteers who, without question, give their own private time to help produce the festival. We hope this will continue for many more years and we also look forward to continuing the good relationship with the City of Red Deer. The support we have received over the past years has been invaluable.

Sincerely Yours,
The Red Deer Cultural Heritage Society

COMMENTS:

We believe the Cultural Heritage Society is running a good Canada Day event for the citizens of Red Deer, and we do not believe that the City should be involved with this matter. We would hope the two parties can discuss and resolve this matter in an amicable way.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No.

FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 29, 1996

Blue Smoke Fireworks Ltd.
P.O. Box 43086 Deer Valley P.O.
Calgary, AB T2J 7A7

Attention: Mr. Jim Berg

Dear Mr. Berg:

I acknowledge receipt of your letter dated March 10, 1996 re: Canada Day Fireworks Proposal.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on April 9, 1996.

Your request has been circulated to City administration for comments. Should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Thursday, April 4, 1996.

In the event you wish to be present at the Council meeting, would you please telephone our office on April 4th and we will advise you of the approximate time that Council will be discussing this item. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m. When arriving at City Hall, please enter City Hall on the park side entrance, and proceed to the second floor Council Chambers.

If you have any questions in the meantime, please do not hesitate to contact the writer.

Yours sincerely,

KELLY KLOSS
City Clerk

KK/fm



*a delight
to discover!*

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No.

FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 11, 1996

Blue Smoke Fireworks Ltd.
PO Box 43086 Deer Valley P.O.
Calgary, AB TSJ 7A7

Attention: Mr. Jim Berg

Dear Mr. Berg:

RE: JULY 1ST FIREWORKS DISPLAY PROPOSAL

At The City of Red Deer Council Meeting held on April 9, 1996, consideration was given to your correspondence dated March 10, 1996, concerning the above topic, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Blue Smoke Fireworks Ltd., dated March 10, 1996, Re: July 1st Fireworks Display Proposal, hereby acknowledges the request from Blue Smoke Fireworks Ltd., to bid on the fireworks show on Canada Day and agrees to forward said request to the Red Deer Cultural Heritage Society for their consideration, and encourages the Cultural Heritage Society to seek competitive bids on the fireworks display from all suppliers of fireworks."

The decision of Council in this instance is submitted for your information. Should you require any additional information or clarification regarding the City's decision in this regard, you may contact Mr. Lowell Hodgson, Director of Community Services.

Sincerely,



JEFF GRAVES
Assistant City Clerk

JG/fm

cc Director of Community Services



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to discover!*



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FILE No.
FILE

FAX: (403) 346-6195

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 11, 1996

Red Deer Cultural Heritage Society
Box 224
Red Deer, AB T4N 5E8

Attention: Mrs. Elizabeth Plumtree, Executive Director

Dear Mrs. Plumtree:

RE: JULY 1ST FIREWORKS DISPLAY PROPOSAL

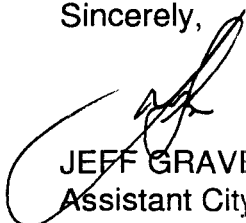
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"RESOLVED that Council of The City of Red Deer, having considered correspondence from Blue Smoke Fireworks Ltd., dated March 10, 1996, Re: July 1st Fireworks Display Proposal, hereby acknowledges the request from Blue Smoke Fireworks Ltd., to bid on the fireworks show on Canada Day and agrees to forward said request to the Red Deer Cultural Heritage Society for their consideration, and encourages the Cultural Heritage Society to seek competitive bids on the fireworks display from all suppliers of fireworks."

The decision of Council in this instance is submitted for your information. Should you wish further clarification regarding the intent of Council's resolution, please contact Mr. Lowell Hodgson, Director of Community Services.

Thank you for your attendance at the Council Meeting. We wish the Red Deer Cultural Heritage Society success in its future Canada Day celebrations.

Sincerely,


JEFF GRAVES
Assistant City Clerk
JG/fm

cc. Director of Community Services



*a delight
to discover!*

March 22/96

Your worship, the mayor, and the council of Red Deer city.

Since the city quickly deleted its budget for cat control dilemma, I would suggest as follows:

- a.- Licence all sats - \$10⁰⁰ to \$20⁰⁰
- b.- Before issuing a licence, owner must read all rules and regulations or explained to the owner, i. That all cats kept on a leash / enclosed run in their yard, then signed by owner
- c.- Dog catcher drive by on a complaint of a cat running at large and issue a \$20⁰⁰ ticket, right at owners door. (animal will always go to its owner place when followed) or ask neighbors who's cat.
- D.- When cat is trapped between 6:00 AM to 6:00 PM - 1st offence \$20⁰⁰.
 But when trapped between 6:00 PM to 6:00 AM - 1st offence \$30⁰⁰. Plus \$20⁰⁰ for the trap, and not the innocent pay \$20⁰⁰.
- e.- Have a contractor or S.P.C.A. to set trap, then there would be no trouble between neighbours, if cat is caught, and that would be strictly confidential.

This would cover most of the expence, gathered from these unresponsible cat owners.

We live on a quiet residential area, and have had many problems with cats, using the lawn against the house when ground is frozen (heat from basement cement) using flower beds as a litter box, especially under your bedroom window, destroying the bulbs and flowers. I have planted my 3rd time cedar shrub @ \$19.99 a piece which were destroyed by cats spraying. I have put wire mesh, guards you name it. not only is this disgusting, but cat feces found in the garden as well, and that's a health hazard, several times the seeds rows are distorted by cats digging, and must be replanted again, and dirt removed.

Some say buy cat repellent and spread it around on bed and garden. So why the hell should I go to this expense?? when there is preventive measure as previously mentioned.

I have seen ^{many} valuable birds killed by this monsters especially, red polls, chickadees, pine siskins robins (young ones left to die in the nest). these birds really go for the ants and worms. Also, there's nothing more dumb and stupid than cat owners putting up a bird feeders in their yard and own 1 or 2 cats. just think of all the litter that goes to the garbage dump.

There are all necessary by-laws for dogs, set up by the city council, I often wonder that when dog owners are required to control their pets, WHY?, should it be any difference for cat owners, in fact while back we got a notice with my utility bill, stating all the by-laws for dogs, and not one thing was mentioned about cats, (come on Red Deer). Maybe you should let dogs roam, to keep cats at home.

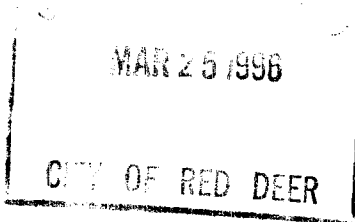
In one block radius I have counted 8+ cats

11

roaming day and nite.

I do hope this will bring some attention to the council, and action taken before to long to install a by-law for cat owners.

My apology for this long letter, for I'm throughly annoyed with these creater roaming around and doing damage.



As a taxpayer
A Swave
5111 McKinnon Ave
Red Deer AB

MEMO

Date: April 2, 1996 **File:** 6.011

To: KELLY KLOSS
City Clerk

From: RYAN STRADER
Inspections and Licensing Manager

RE: CAT CONTROL
A. SIVACOE, 5 MCKINNON CRESCENT

In response to the letter from Mr. Sivacoe dated March 22, 1996, we have the following comments for Council's consideration:

There is a cat control bylaw in effect in The City. It requires the complainant to go to Alberta Animal Services office and pick up a cat trap for a \$50.00 deposit with \$30.00 refundable when the trap is returned. Animal Control will accept trapped cats, and if any are claimed, a \$25.00 fine is levied to the owner (\$10.00 reduction if paid within one week). In 1995, there were 241 cats trapped of which only 25 were claimed.

The bylaw does not require that cats be licensed.

Several years ago, Council authorized Alberta Animal Services to place the traps if requested by a complainant. In view of the cost associated with the traps having to be checked regularly by the contractor (Alberta Animal Services), this program was cancelled after a review period of several months.

Other Urban Municipalities have the following policies:

CALGARY	Bylaw presently under review, no licensing required. Witness statement is required before running at large, charges are laid.
MEDICINE HAT	Has a bylaw to allow for trapping, and the Bylaw Officer will trap.
EDMONTON	No bylaw.
LETHBRIDGE	No bylaw, but do allow trapping by complainant. Require a cat license - \$5.00.
Leduc	No bylaw.

CAT CONTROL

April 2, 1996

Page 2

The issue of cat control evokes very emotional response from owners and complainants. When the issue is discussed, there is no common agreement between the two groups, and Council must be prepared for either or both groups to be critical of any response The City makes.

It is doubtful that there would be very much revenue generated, as most cat owners will not as shown in the 1995 numbers, redeem the animal if it is trapped.

Recommendation: Unless Council is prepared to direct considerable resources (approx. \$30,000.00 per year), with little chance of receiving off setting revenue, and to hear considerable public debate, we recommend there be no change to the bylaw.

A handwritten signature in black ink, appearing to read 'R. Strader', written over a circular stamp or seal.

R. STRADER

Inspections and Licensing Department

RS:yd

COMMENTS:

As pointed out by the Licensing and Inspections Manager, and as most members of Council are aware, this issue has been debated many times. It would appear that a solution satisfactory to all is impossible to achieve.

We concur with the comments of the Licensing and Inspections Manager and recommend Council take no further action at this time.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

DATE: MARCH 26, 1996
TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF (EMERGENCY SERVICES)
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK

RE: Cat Control - A Sivacoe, 5 McKinnon Crescent

Please submit comments on the attached to this office by April 1, 1996 for the Council Agenda of April 9, 1996.

"Kelly Kloss"
City Clerk

f:\data\council\meeting\forms\com.tem



THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE No.
FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 26, 1996

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

A. Sivacoe
5 McKinnon Crescent
Red Deer, AB T4N 0J4

Dear Ms. McKinnon:

I acknowledge receipt of your letter dated March 22, 1996 re: Cat Control.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on April 9, 1996.

Your request has been circulated to City administration for comments. Should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Thursday, April 4, 1996.

In the event you wish to be present at the Council meeting, would you please telephone our office on April 4th and we will advise you of the approximate time that Council will be discussing this item. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m. When arriving at City Hall, please enter City Hall on the park side entrance, and proceed to the second floor Council Chambers.

If you have any questions in the meantime, please do not hesitate to contact the writer.

Yours sincerely,



KELLY KLOSS
City Clerk

KK/fm



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THE CITY OF RED DEER

P. O. BOX 5008, RED DEER, ALBERTA T4N 3T4

FAX: (403) 346-6195

FILE

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

April 11, 1996

Mr. A. Sivacoe
5 McKinnon Crescent
Red Deer, AB T4N 0J4

Dear Mr. Sivacoe:

RE: CAT CONTROL

At The City of Red Deer Council Meeting held on April 9, 1996, consideration was given to your correspondence dated March 22, 1996, concerning the above topic, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer hereby agrees to table the matter of Cat Control until the May 6, 1996 Council Meeting.

Council further agrees to form a committee to review Cat Control. The Committee is to consist of the following:

Councillor Volk,
Councillor Hull,
Councillor Hughes,
License and Inspections Manager, and an
Alberta Animal Services Representative.

Council further agrees that the Committee is to report back to Council with recommendations on this matter."

The decision of Council in this instance is submitted for your information. This item, as indicated in the above resolution, will again be considered by Council at its May 6, 1996 Meeting.

Thank you for taking the time to write Council. If you have any questions, or require additional information, please do not hesitate to contact the undersigned.

Sincerely,


JEFF GRAVES
Assistant City Clerk

cc. Inspections & Licensing Manager



*a delight
to discover!*

FILE

DATE: April 11, 1996
TO: Inspections & Licensing Manager
FROM: Assistant City Clerk
RE: CAT CONTROL

At the Council Meeting held on April 9, 1996, consideration was given to correspondence from Mr. A. Sivacoe, dated March 22, 1996, regarding the above topic, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer hereby agrees to table the matter of Cat Control until the May 6, 1996 Council Meeting.

Council further agrees to form a committee to review Cat Control. The Committee is to consist of the following:

Councillor Volk,
Councillor Hull,
Councillor Hughes,
License and Inspections Manager, and an
Alberta Animal Services Representative.

Council further agrees that the Committee is to report back to Council with recommendations on this matter."

Please arrange for the necessary meeting of this committee to review this issue and provide to this office, no later than April 29, 1996, a report on the committee's findings, in order that we may present same on the Council Agenda of May 6, 1996.



JEFF GRAVES
Assistant City Clerk

JG/fm

cc. Councillor Volk
Councillor Hull
Councillor Hughes
Alberta Animal Control

NOTICES OF MOTION

NO. 1

DATE: March 29, 1996

TO: City Council

FROM: City Clerk

RE: PROPERTY TAX REDUCTION

The following Notice of Motion was submitted by Councillor Dawson on March 28, 1996.

"WHEREAS The City of Red Deer has identified funds in excess of those required to fulfil its financial obligations, and

WHEREAS Red Deer has the second highest residential property taxes in Alberta while our non-residential properties boast the second lowest taxes in the province, and

WHEREAS many residents of Red Deer would appreciate a reduction on the municipal portion of their property taxes regardless of how small it may be,

THEREFORE BE IT RESOLVED that the Council of The City of Red Deer hereby agrees to lower the municipal portion of property taxes for residential properties under a four plex by utilizing \$800 thousand dollars per year in 1996 to 1999 inclusive and \$300 thousand dollars in the year 2000 from the Mill Rate Stabilization Reserve.



KELLY KLOSS
City Clerk

COMMENTS:

If Council wishes to use reserve funds, (additional to those already committed to paying off the library loan), we continue to recommend a tax reduction rather than an increase in expenditures. Required major projects have been contemplated in the context of either the two-year operating budget or the five-year capital plan and, we believe, can be adequately managed within those time frames. Also, additional program commitments should be considered within the context of a comprehensive budget debate, rather than in an ad hoc fashion.

The one project which is not contemplated is the downtown transit terminal. However, staff are currently exploring other options for the funding of this project and we recommend that council not make any decision on this project until that work is completed.

We recommend that council give serious consideration to the Notice of Motion submitted by Councillor Dawson.

"G.D. SURKAN"
Mayor

"H.M.C. DAY"
City Manager

To assist Council, the reports from the Director of Corporate Services, submitted to the March 25, 1996 Council Meeting, are attached hereto for your reference.

"J. GRAVES"
Assistant City Clerk

COUNCIL MEETING OF APRIL 9, 1996

ATTACHMENT FOR INFORMATION

RE:

- 1. 1996 Proposed Tax Rate Direction**
- 2. Use of Mill Rate Stabilization Reserve Funds**
- 3. 1996 Mill Rate For Property Taxes**

DATE: March 18, 1996

TO: City Clerk

FROM: Director of Corporate Services

RE: 1996 PROPERTY TAX RATE DIRECTION

At the March 11, 1996 meeting, Council was requested to provide direction for setting the 1996 Property Tax Rate.

There were two reports on the March 11, 1996 agenda:

1. Recommendation to use \$4.7 million of Mill Rate Stabilization Funds to reduce the single family residential property tax rate (multiple family properties were excluded) and commit to a 0% tax increase for 1999
2. Recommendation to more equalize the impact of the 1996 Provincial education tax rate change between single family and non-residential properties.

Council in considering (1) above had a resolution proposed by some councillors to pass the savings on to all property owners as follows:

“RESOLVED that Council of The City of Red Deer, having considered report from the Director of Corporate Services dated March 1, 1996 re: Use of Mill Rate Stabilization Reserve Funds, hereby agree as follows:

1. To use the \$868,548 from AMFC and \$364,829 from the Mill Rate Stabilization Reserve to forgive the loan to the Red Deer Public Library and pass on the \$190,510 annual savings to the residential and non-residential property owners;
2. To use \$800,000 per year from the Mill Rate Stabilization Reserve for 1996 to 1999 inclusive and \$300,000 in 2000 to reduce property taxes to residential and non-residential properties for 1996 onwards;
3. To commit to an additional year (1999) of a 0% increase in municipal property and business taxes,

and as presented to Council March 11, 1996.”

p.2

The resolution was tabled to the March 25, 1996 Council meeting.

There are a number of possible scenarios Council could consider, including:

- Option 1 Do nothing. The existing guideline is a 0% change in the municipal portion of the property tax rate. No funds would be used from the Mill Rate Stabilization Reserve.
- Option 2 Use \$4.7 million to subsidize single family residential properties only (as recommended)
- Option 3 Use of \$4.7 million to reduce the municipal mill rate for all taxpayers (see resolution above)
- Option 4 This is Option 2 plus the recommendation of the second report to adjust the total tax bill for non-residential taxpayers to a 0% increase and use additional revenues to reduce the single family municipal tax rate
- Option 5 This is a new option to equalize the percentage change in the total property tax bill for all taxpayers
- Option 6 Similar to Option 5 but equalize the total dollar change for the same assessment values for all properties.

The impact of the various options on the Municipal portion of the property tax bills is as follows:

	Option 1 - Do nothing	Option 2 - \$4.7 Million to Single Family	Option 3 - \$4.7 Million to All Taxpayers	Option 4 - Option 2 + 0% for Total Non- Residential Tax Bill	Option 5 - Equalize Total Tax Bill % Change	Option 6 - Equalize the Total \$ Change for Same Assessment Values
IMPACT ON THE MUNICIPAL PORTION ONLY						
Single Family	0%	-9.9%	-4.9%	-10.7%	-6.6%	-6.9%
Multi-Family	0%	0%	-4.9%	0%	-6.6%	-6.9%
Non-Residential	0%	0%	-4.9%	0%	-2.0%	-1.5%
IMPACT ON THE TOTAL TAX BILL						
Single Family	1.4%	-2.9%	-1%	-3.7%	-1.8%	-1.9%
Multi-Family	1.4%	1.4%	-1%	1.4%	-1.8%	-1.9%
Non-Residential	-1.2%	-1.2%	-3%	0%	-1.8%	-1.5%

Option 4 is recommended to counter the shift in property tax load since 1992 to the residential property owners.

p.3

The following chart shows that although the total property taxes levied has increased by 2.1% from 1992 to 1995, the residential share has increased by 4.7% and the non-residential has gone down by 1.8%. To retain the same share of taxes as in 1992 would require a reduction of \$645,000 in residential property taxes and a similar increase in non-residential property taxes.

BREAKDOWN OF PROPERTY TAXES						
	1995		1992		CHANGE 1992 TO 1995	
	Amount	% of Total	Amount	% of Total	Amount	%
Residential	\$26,801,000	62.3%	\$25,610,000	60.8%	\$ 1,191,000	4.7%
Non-Residential	16,219,000	37.7%	16,518,000	39.2%	(299,000)	-1.8%
Totals	\$43,020,000	100.0%	\$42,128,000	100.0%	\$ 892,000	2.1%

Most other municipalities have countered the shift of property taxes by increasing the split mill rate. It should be noted the non-residential and multiple family property owners are able to deduct property tax as an expense against their income taxes.

Recommendation

That Council direct the administration to prepare a mill rate bylaw in accordance with the recommendations in the reports from the City administration.



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

DATE: March 1, 1996
TO: City Clerk
FROM: Director of Corporate Services
RE: USE OF MILL RATE STABILIZATION RESERVE FUNDS

On February 23, 1996 the City received confirmation from the Alberta Municipal Financing Corporation the City would be receiving \$868,548 as its share of the distribution of \$75 million of AMFC surplus. These funds had not been expected and would normally be considered surplus funds and placed in the Mill Rate Stabilization Reserve.

On another note it appears the 1995 tax supported operations will result in a surplus of approximately \$2.9 million. By Council policy approved during the 1996/97 budget discussions, the funds would be put into the Mill Rate Stabilization Reserve.

Council approved a policy regarding the Mill Rate Stabilization Reserve that it be capped at \$10 million. The two amounts identified bring the reserve up to \$9.3 million. It is anticipated when the 1996 year is completed the City may exceed the \$10 million cap.

Because of the size of the surpluses identified, it would seem reasonable the surplus distributed by AMFC and possibly some of the 1995 operating surplus be used to provide a direct benefit to the taxpayer. There are a number of possible methods to accomplish this, including:

- use of the funds to prepay some long term debt
- a one-time property tax rebate of \$868,548 to residential property owners. This is equal to about 4% of the total property tax bill (about \$60 to the average homeowner)
- considering the earlier scheduling of a capital project

- using the funds to maintain municipal property and business tax rates at a 0% increase for a longer period than 1998
- use of \$1,233,377 to cancel the loan payable by the Red Deer Public Library to the City for the addition to the library.

Prepay Long Term Debt

Of the City's long term debentures, 99% are with the Alberta Municipal Financing Corporation (AMFC) for fixed terms at set interest rates. The other 1% are held by the Government of Canada. Of the AMFC debt, 80% has the interest subsidized by Alberta Municipal Affairs at amounts ranging from 5% to 20% of the annual interest paid on the debentures.

If the City was to prepay any AMFC debt, there would be a penalty charged equivalent to the difference between the interest rate paid and the current interest rates for the outstanding term.

If an AMFC debt was prepaid which the Province was subsidizing, the City would lose the subsidy and it would not reduce the penalty payable for repayment.

As an example of the penalties payable for prepayment, debenture #292 is as follows:

- Principal outstanding \$1,630,955
- Interest rate 10.25%
- Current interest rate 6.5% (approximately)
- Penalty payable = 36% of the interest payable for the for the balance of the term (3.75% / 10.25%)
- The estimated penalty is \$200,000 for early payment.

Debenture #292 is not subsidized by the Province. If it had been subsidized, the City would not be compensated for the lost subsidy due to prepayment.

The City can invest the funds and get a better return than using them to prepay debt.

It is not recommended surplus funds be used to prepay debt if the interest penalty outlined must be paid. Council could, however, take advantage of future debt payment reductions.

Take Advantage of Future Debt Payment Reductions

By the year 2001 tax supported debt payments are projected to reduce by \$800,000 per year. Council could take advantage of this reduction now by:

- using \$800,000 annually from the Mill Rate Stabilization Reserve for 1996 to 1999 inclusive and \$300,000 in 2000 to reduce municipal taxation (\$3.5 million total over 1996 - 2000 inclusive)
- passing the savings on to the residential taxpayers with properties under fourplex in size.

The projected impact on the total residential property tax bill is a 3.7% reduction or \$56 on an average residential property of \$100,000 paying \$1,508 property taxes per year.

Maintaining Municipal Property and Business Tax Rate Increases at 0%

The feasibility of a 0% increase in municipal property and business taxes for a minimum of six years (1996 to 2001) has been considered.

The problem with making a long term commitment is that it becomes very difficult to factor in all possible contingencies. For example, if inflation and/or salary increases begin to escalate significantly, then by the year 2002 there could be a significant accumulated revenue shortfall that could require a large tax increase.

Because of the many unknowns facing the City over the next five years, it is not recommended a commitment to a 0% increase for more than four years (1996-1999) be considered.

Cancel the Loan Payable by the Red Deer Public Library to the City

The Red Deer Public Library borrowed \$1.25 million from the City for the downtown library expansion. At December 31, 1995 there was \$1,233,377 (including accrued interest) owing. This represents nine remaining annual payments of \$190,510.

If the City used the funds from AMFC and some funds in the Mill Rate Stabilization Reserve to cancel the \$1,233,377 loan, it would result in an annual saving of \$190,510 for the Library. Council could then reduce the Library requisition and property tax mill rate by \$190,510.

If the \$190,510 saving is passed on to residential property taxpayers under fourplex in size, the reduction would be equal to a .9% reduction in the total property tax bill for these residential properties. For an average property of \$100,000 assessment, it would be equal to an annual saving of about \$13 on a property tax bill of \$1,508.

Split Property Tax Rate Mill Rate

A split mill rate can be defined as where one class of property (i.e. commercial and industrial) is charged a higher property tax rate than another class of property (i.e. residential).

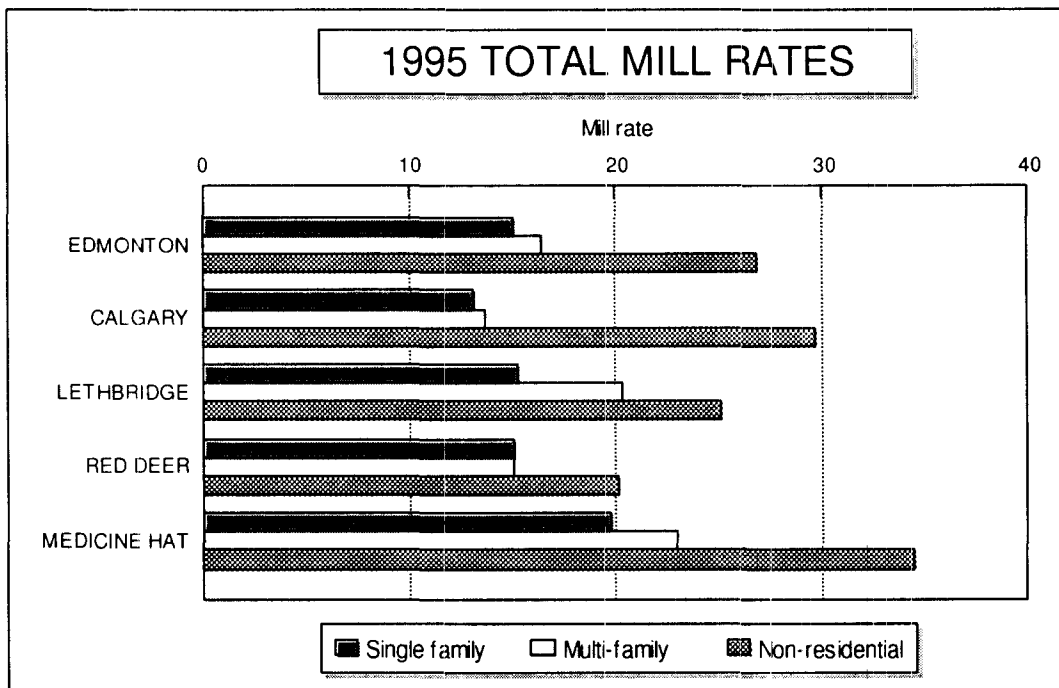
In 1995 The City of Red Deer charged the following property tax mill rates:

<u>Mill Rate Description</u>	<u>Residential Mill Rate</u>	<u>Commercial & Industrial Mill Rate</u>	<u>Percent Difference</u>
Provincial Education	7.416	10.879	47%
Municipal Purposes	6.996	8.574	23%
Other Purposes:			
Parkland Community Planning Services	.086	.086	
Red Deer Public Library	.458	.458	
Piper Creek Foundation	.111	.111	
David Thompson Health Region No. 6	.008	.008	
Total Mill Rate	15.075	20.116	33%

Each mill levied on \$1,000 of property assessment yields one dollar of property tax, so a residential property assessed at \$100,000 paid \$1,508 of property tax.

The Province determines the split mill rate for education purposes and it is 47%. The City determines the split mill rate for Municipal purposes and it is only 23% higher for Commercial and Industrial properties than the residential rate.

The City has had a higher mill rate for municipal purposes on commercial and industrial properties for a number of years. Most cities in Alberta do charge a higher municipal mill rate on commercial and industrial properties than residential properties. Some cities also differentiate within these classes. For example, most of the larger cities in Alberta charge a higher levy for multi family residential property (fourplex and greater) than they do on other residential property. Red Deer does not make such a distinction. The following graph shows how Red Deer's split mill rate for single family, multi-family and non-residential properties compares in proportion with split mill rates for other cities in Alberta. The mill rate amounts should not be compared because of the use of different assessment bases by each city.



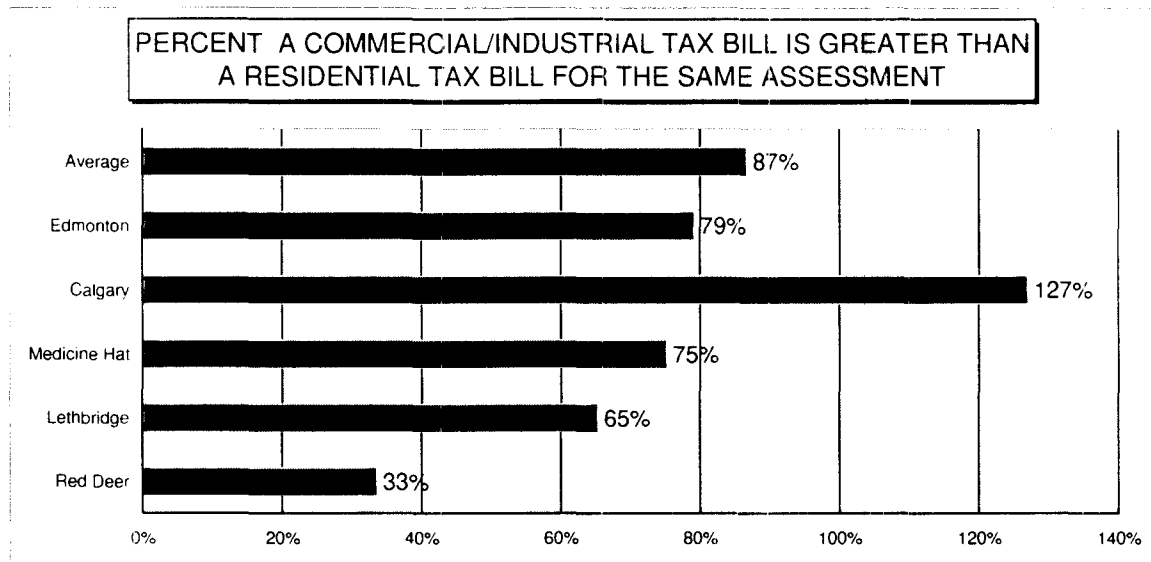
When reviewing the appropriateness of allocating taxes to various classifications of property, an important consideration is how Red Deer compares with other municipalities. Some people would say we shouldn't worry about what other cities are doing but only about what is right for Red Deer. While this is partially correct, we can't ignore the fact the media do comparisons and the public can often be left with the wrong impression as a result. For example, a regular tool of the media is to compare property tax burden by looking at the residential tax levy for various places.

The Red Deer Advocate had an article with the headline "Red Deer's property tax second highest". What the article really described, however, was a difference in residential taxes and did not look at commercial and industrial rates or the total property tax levy. The total property tax levy is actually less in proportion to the other large Alberta cities except for Medicine Hat.

The residential tax rate in Red Deer does not compare favourably with most other centres because Red Deer has less of a split mill rate than other cities as disclosed by the last graph. The table below compares Red Deer's split mill rate for single family and non-residential properties with the other large Alberta cities. At the end of the chart for comparison is the split required by the Provincial government in the Provincial education mill rate. As you can see it is substantially greater at 47% than the Municipal split of 23%.

1995 COMMERCIAL / INDUSTRIAL MILL RATE % GREATER THAN RESIDENTIAL RATE		
City	Municipal Portion Only	Total Mill Rate
Red Deer	23%	33%
Lethbridge	93%	65%
Medicine Hat	122%	75%
Calgary	252%	127%
Edmonton	107%	79%
Average (Red Deer excluded)	143%	87%
Provincial Education Only		
Red Deer	47%	

The following graph shows how the Red Deer commercial/industrial total tax bills compare with other cities.



If Red Deer's total split mill rate was to be the same as the average (87%); Residential taxes would be 13% less and Commercial/Industrial taxes would be 22% greater. This would make Red Deer's residential taxes the lowest except for Medicine Hat. Such a large increase for Commercial/Industrial taxes would, however, be a matter of great concern for those taxpayers. The recommendations at the end of this report would increase the split on the municipal mill rate to 40%. This would still be the lowest of the major Alberta cities by a substantial margin.

One of the reasons Red Deer's split mill rate is not as great as other cities is the failure to make enough adjustment for shifts in assessment. Over the years the assessment values for residential properties have increased at a greater rate than for commercial/industrial properties. This is expected to continue in future years. If each group is to pay the same amount of taxes after a reassessment as before, the split mill rate must be increased. In 1994 Council decided not to compensate fully for an assessment shift after the 1993 reassessment by increasing the split mill rate. This meant residential taxpayers in total paid more property tax after the 1993 reassessment and the non-residential sector paid less in total by approximately \$533,000.

Recommendations

That City Council agree to:

- use the \$868,548 from AMFC and \$364,829 from the Mill Rate Stabilization Reserve to forgive the loan to the Red Deer Public Library and pass on the \$190,510 annual savings to the residential property owners under fourplex in size.
- use \$800,000 per year from the Mill Rate Stabilization Reserve for 1996 to 1999 inclusive and \$300,000 in 2000 to reduce property taxes to residential properties under fourplex in size for 1996 onwards.
- to commit to an additional year (1999) of a 0% increase in municipal property and business taxes.

The impact of the recommendations for 1996 would be an approximate reduction of 9.9% in the municipal portion of the mill rate for residential properties under fourplex in size. In terms of an average residential property of \$100,000 assessment and a tax bill of \$1,508 it would result in a 4.6% reduction in the total tax bill or \$69.



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

AW/jt

awm\use of mill rate stabilization funds feb28 96

DATE: March 4, 1996
TO: City Clerk
FROM: Director of Corporate Services
RE: 1996 MILL RATE FOR PROPERTY TAXES

The Provincial Government has provided their 1996 requisition for education taxes and it reflects a 2.3% increase over the 1995 requisition.

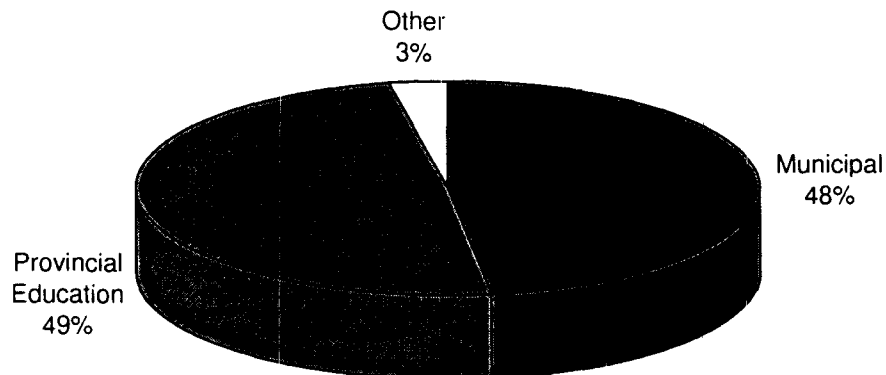
To determine the impact on the 1996 property tax bills of the 2.3% increase is difficult because the 1996 assessment figures have not been finalized. It appears, however, from very preliminary 1996 assessment figures the impact on the Provincial education portion of the 1996 property tax bills may be:

	Increase (Decrease)
Residential	3.5%
Non-Residential	(1.2%)

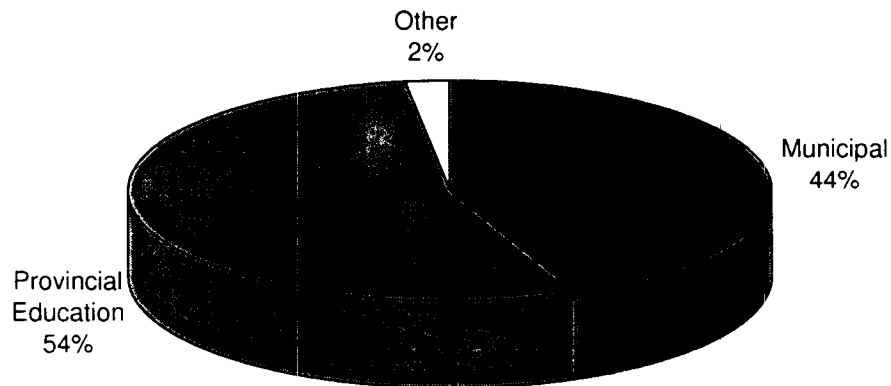
The reason Provincial education taxes for residential properties are rising is that assessments for residential properties are increasing at a faster rate than non-residential properties. This is discussed in another report on the agenda regarding split mill rates.

The following graphs show how significant the Provincial education taxes were as a part of the total 1995 tax bills.

1995 RESIDENTIAL TAX BILL



1995 NON-RESIDENTIAL TAX BILL



The total property taxes levied by The City of Red Deer are actually less in proportion to the other large cities in Alberta except for Medicine Hat. The residential tax portion does not compare as favourably, however, because Red Deer has a much lower split mill rate than the other large cities. Council may want to give consideration to shifting more of the property tax burden to non-residential properties.

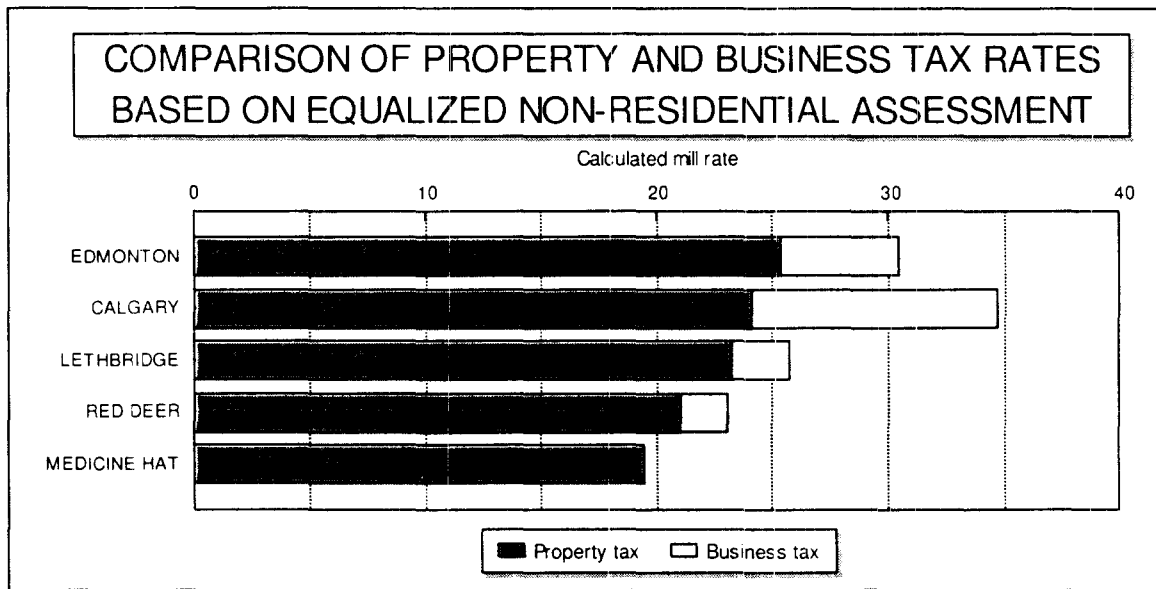
LEVY ON BUSINESSES IN RED DEER

There are two main sources of revenue Red Deer collects from businesses in Red Deer:

- property taxes, and
- business taxes.

The amount Red Deer collects from businesses in Red Deer through these revenues is the lowest of the other large Alberta cities except for Medicine Hat. Medicine Hat is able to subsidize its rates because it operates a natural gas utility and generates its own power.

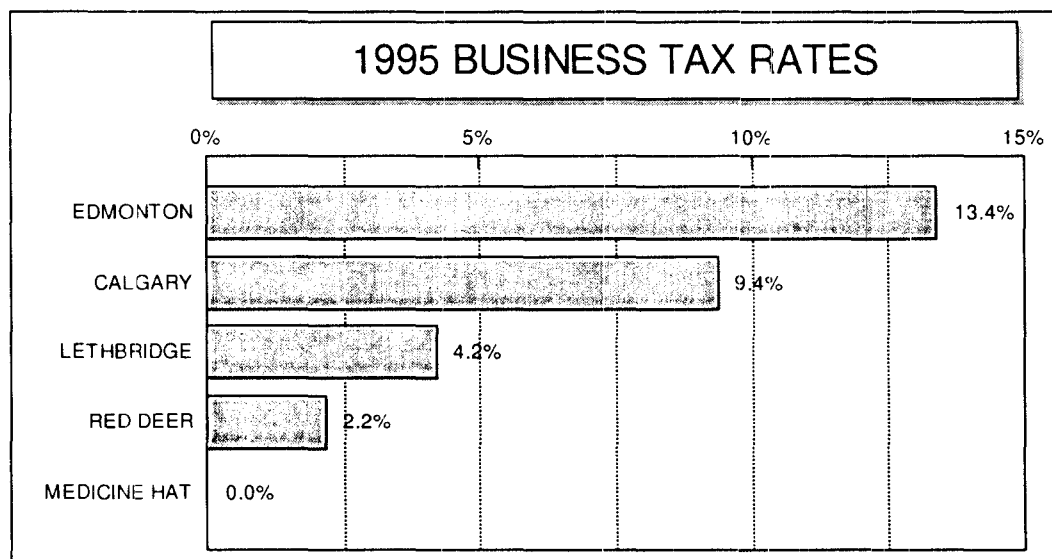
The following graph compares the mill rates that would be required to recover these same amounts of property and business taxes based on the equalized assessment for each city. It will be noted that Red Deer collects significantly less property and business tax from non-residential properties than Lethbridge (12% less), Calgary (50% less), and Edmonton (32% less).



The favourable tax position for businesses in Red Deer compared with the other cities except Medicine Hat is the result of:

- the lower split mill rate in Red Deer , and
- a lower rate of business tax levy.

The following chart shows how Red Deer's business tax rate is significantly less compared with the other cities except for Medicine Hat. Medicine Hat does not levy business taxes.



Businesses in recent years have been the major beneficiary of revenue changes:

- as a result of the 1993 reassessment, non-residential properties annually pay \$533,000 less in property taxes as a group. In 1992 non-residential properties were 33.6% of the total assessments. This has declined to 31.2% in 1995
- the elimination of downtown electrical grid connection charges to businesses in 1994 reduced the power utility's revenue by an average of \$142,000 per year
- the November, 1995 power rate reduction was equal to an annual revenue reduction of \$1.95 million. Businesses received 94% or \$1.84 million of this reduction. The average rate reduction for businesses was 7.6%
- The offsite levies on downtown redevelopments were recently cancelled saving developers \$25,000 per year

SUMMARY OF RECENT BENEFITS GIVEN TO BUSINESSES		
Description	Year	Annual Reduction
• 1993 property reassessment resulted in overall tax reduction	1993	\$.533 million
• Elimination of downtown electrical grid charges	1994	.142 million
• Reduced power rates	1995	1.840 million
• Elimination of the offsite levy on downtown property redevelopment	1996	.025 million
Total Annual Benefits Received		\$ 2.540 million

In addition to recent reductions businesses for many years have been the recipients of favourable property and business tax rates:

- if Red Deer's split mill rate was the same as the average for the other four large Alberta cities (87%), then businesses would pay \$3.5 million more property taxes and residential taxpayers \$3.5 million less. This is equal to 9% of the total property tax levy
- Red Deer's business tax rate is significantly less than the rates for Lethbridge, Calgary and Edmonton. If it was even as high as Lethbridge's rate, there would be an additional \$1.5 million collected each year.

PROPOSED 1996 SPLIT MILL RATE

As a result of the reduced Provincial Education property tax rate on non-residential properties and reductions in other requisitions, the total 1996 property tax bill for non-residential properties would reduce by about 1.2%

It is recommended Council consider using a Municipal Mill Rate for non-residential properties such that the total tax bill for these properties would be the same as in 1995. The Municipal Mill Rate on residential properties below fourplex in size would then be reduced to partially offset the increase in Provincial education taxes for residential properties.

If Council agreed to the recommendation, the projected total 1996 property tax bill increases or decreases would be:

	Increase (Decrease)
Residential Single Family	(3.7%)
Residential Multi-Family	1.4%
Non-Residential	0 %

The increase for residential multi-family would be the result of the increased levy by the Provincial Government for education purposes. The municipal levy would remain the same as in 1995.

The residential property tax bill change includes the change recommended for residential municipal taxes in the other report on the agenda.

The rates for Separate School supporters could be slightly less than for Public School supporters.

p.6

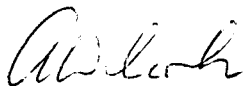
The reduction for single family properties of 3.7% or \$56 for the average residential property is not as much as it should be because of the average \$25 increase for Provincial education taxes. If the Provincial education levy had not increased, single family residential properties would have received a reduction of \$69 or 4.6%.

It should be recognized that the figures in this report are still preliminary at this time. The purpose of this report is to get direction from Council in order to prepare the 1996 Mill Rate Bylaw for Council's consideration.

The recommendation would increase the split mill rate to about 40%. This is still significantly less than the other large Alberta cities and the split that exists on the Provincial Education levy of 47%.

Recommendations

- The Municipal Mill Rate for non-residential properties be adjusted to result in the same total tax bill for non-residential properties as in 1995
- The additional revenues generated by the first recommendation be used to reduce the Municipal Mill Rate for residential properties under fourplex in size.



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

c. City Assessor

DATE: April 11, 1996

FILE

TO: Director of Corporate Services

FROM: Assistant City Clerk

**RE: NOTICE OF MOTION - COUNCILLOR DAWSON - PROPERTY TAX
REDUCTION**

At the Council Meeting held on April 9, 1996, consideration was given to a Notice of Motion presented by Councillor Dawson, regarding the above topic. At this meeting the following resolution was introduced and passed:


"WHEREAS The City of Red Deer has identified funds in excess of those required to fulfill its financial obligations, and

WHEREAS Red Deer has the second highest residential property taxes in Alberta while our non-residential properties boast the second lowest taxes in the province, and

WHEREAS many residents of Red Deer would appreciate a reduction on the municipal portion of their property taxes regardless of how small it may be,

THEREFORE BE IT RESOLVED that the Council of The City of Red Deer hereby agrees to lower the municipal portion of property taxes for residential properties under a fourplex by utilizing \$800 thousand dollars per year in 1996 to 1999 inclusive and \$300 thousand dollars in the year 2000 from the Mill Rate Stabilization Reserve."

The decision of Council in this instance is provided for your information and appropriate action.


JEFF GRAVES
Assistant City Clerk

JG/fm

cc. City Assessor

BYLAWS**No. 1****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:

"A-board" means a self supporting A-shaped 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

"Awning sign" means a non-illuminated 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 draws attention to products, services or activities which may not 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;

"Canopy Sign" or "Marquee Sign" means a sign attached to or constructed in or on a face of a canopy or marquee but does not include an under-canopy sign;

"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;

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

"Facia Sign" means a 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 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;

"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 or symbol 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;

"Painted Wall Sign" means a sign which is painted directly upon any outside surface of a building or other integral part of the building but does not include a Supergraphic;

"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;

"Roof Sign" means a sign which is erected upon or above a roof or parapet of a building;

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

"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;

"Supergraphic" means a graphic design, painted on or attached to a structure, which does not convey a defined advertising message and does not include a painted wall sign, a fascia sign or an identification 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;

"Under-Canopy Sign" means a 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;

"Window Sign" means a 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.

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) 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;
 - (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 metres;
 - (g) a Facia 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 Facia sign which is attached to a building other than a residential dwelling unit and states no more than:
 - (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 metre in a residential district or 6 square metres in any other district;
- (j) 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) such signs may advertise only the businesses situate 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) Supergraphics;
- (o) Signs in connection with a federal, provincial or municipal election;
- (p) Directional signs with a surface area less than 14 square metres.

- 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) All sign structures shall be placed on private property.
- (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;
 - (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 28, in addition to any penalty which may be imposed in respect of the contravention.

Revocation of Sign Permit

- 29 The Manager may revoke any A-Board 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

- 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) may only be placed on the boulevard or sidewalk within one metre of the face of the curb; and

- (b) shall be placed as close as practical to a parking meter, where applicable.

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
 - (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 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.

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 7.5 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.

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) one sign per arterial street frontage up to a maximum sign area of 18.5 square metres each may be allowed provided that any additional auxiliary or tenant signs do not exceed 12 square metres in surface area;
- (c) the maximum height shall be 9 metres.

42 (1) A minimum separation distance of 30 m shall be maintained between freestanding signs.

(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.

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) in C4 and DC(2) Districts is 18.5 square metres.

- 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 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.

Portable signs

- 51 No person except the City shall place, erect or use a portable sign.

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.

OFFENSES 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 Any person who, having been guilty of an offence under Section 60, breaches a provision of Section 60 a second time is guilty of an offence and is liable to a penalty of \$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.

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 day of , A.D. 1996.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1996.

MAYOR

CITY CLERK

SCHEDULE "A"

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).
- 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.

OFFICE CONSOLIDATION

BYLAW NO. 3163/96

THE SIGN BYLAW

BYLAW NO. 3163/96

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BYLAW NO. 2672/C-96

Being a Bylaw to amend Bylaw No. 2672/80, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map" as referred to in Section 1.4 is hereby amended in accordance with the Use District Map No. 3/96 attached hereto and forming part of the Bylaw.
- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 11 day of March A.D. 1996.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1996.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1996.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1996.

MAYOR

CITY CLERK



BYLAW NO. 3160/96

Being a Bylaw to close a portion of road in The City of Red Deer as described herein.

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

- 1 The following portion of roadway in The City of Red Deer is hereby closed:

"All that portion of Kennedy Drive, Plan 812-1094 contained within Lot 1, Block 1, Plan _____ in the north west Quarter Section 32, Township 38, Range 27 west of the Fourth Meridian containing 0.003 hectares more or less.

EXCEPTING THEREOUT ALL MINES AND MINERALS."

- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 26 day of February A.D. 1996.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1996.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1996.

AND SIGNED by the Mayor and City Clerk the day of A.D. 1996.

MAYOR

CITY CLERK

BYLAW NO. 3156/A-96

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

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

- 1 The "Use District Map" as referred to in Section 1.4 is hereby amended in accordance with the Use District Map No. 1/96 attached hereto and forming part of the Bylaw.
- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1996.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1996.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1996.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1996.

MAYOR

CITY CLERK

BYLAW NO. 3166/96

Being a Bylaw to close a portion of road in The City of Red Deer as described herein.

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

- 1 The following portion of roadway in The City of Red Deer is hereby closed:

"All that portion of Edgar Industrial Crescent as Shown on Plan 912-0791, contained within Lot _____, Block 2, Plan _____, and containing 0.236 HA. (0.58 AC.) more or less.

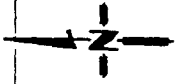
EXCEPTING THEREOUT ALL MINES AND MINERALS."

- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this	day of	A.D. 1996.
READ A SECOND TIME IN OPEN COUNCIL this	day of	A.D. 1996.
READ A THIRD TIME IN OPEN COUNCIL this	day of	A.D. 1996.
AND SIGNED by the Mayor and City Clerk the	day of	A.D. 1996.

MAYOR

CITY CLERK



1:2000

